

S. HRG. 115-607

**NOMINATION HEARINGS OF THE  
115TH CONGRESS—SECOND SESSION**

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**HEARINGS**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

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JANUARY 3, 2018 TO JANUARY 3, 2019

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Printed for the use of the Committee on Foreign Relations



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## NOMINATIONS

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THURSDAY, FEBRUARY 15, 2018

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

The committee met, pursuant to notice, at 10:06 a.m., in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Risch, Rubio, Johnson, Young, Barrasso, Menendez, Cardin, Shaheen, Murphy, Kaine, Markey, and Merkley.

Also Present: Senator Thune.

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

The CHAIRMAN. Foreign Relations committee will come to order. And we appreciate our distinguished nominees for being here and, very importantly, Senator Thune. I do want you to know we normally start on time. Today is unusual. I know that Senator Menendez had a previous engagement that ran over.

Today's committee will hold a nomination hearing for three very important positions. Our nominees today are Andrea Thompson to be Under Secretary of State for Arms Control and International Security Affairs; Susan Thornton to be the Assistant Secretary for East Asian and Pacific Affairs; and Francis Fannon to be the Assistant Secretary for Energy Resources.

First, however, we have some distinguished guests. I know that Senator Gardner is here also to talk about one of the nominees, who wished to introduce these nominees. And so, we are going to allow them to proceed with their introductions so they can leave and do other duties. I know you have got a lot going on, both of you.

Therefore, I am going to postpone my opening comment—and I know that Senator Menendez has agreed to do the same—and let you go ahead and do your introductions, and then we will begin the process in the normal manner.

So, with that, I would like to introduce the well-known, distinguished Senator John Thune of South Dakota.

**STATEMENT OF HON. JOHN THUNE,  
U.S. SENATOR FROM SOUTH DAKOTA**

Senator THUNE. Chairman Corker, thank you, Senator Menendez, members of the committee. It is a—an honor and a privilege

to have the opportunity to introduce to the committee a distinguished South Dakota native, Colonel Andrea Thompson.

I often say that South Dakota punches above its weight in service to the country. And Andrea is a stellar example of that. She is a fifth-generation South Dakotan whose family I have known for decades, and she is extremely qualified to serve as the Under Secretary of State for Arms Control and International Security.

She is currently a senior advisor at the State Department, and previously was Deputy Assistant to the President and National Security Advisor to the Vice President at the White House. Prior to that, she served as the National Security Advisor for the U.S. House of Representatives Committee on Homeland Security, the Executive Officer to the Under Secretary of the Army, and as the Senior Military Advisor to the House of Representatives Foreign Affairs committee.

She is undoubtedly familiar with the numerous challenges that Congress and the administration face today, but she is no stranger to the frank discussions that must take place to ensure that America responds to such threats with clear eyes.

Andrea gave over 25 years of service to the United States Army, including combat deployments to Afghanistan as Intelligence Director at Chief of Staff Iraq, as Senior Intelligence Officer for Multi-national Division North, as well as tours in Bosnia, Honduras, Belize, and Germany.

As the Under Secretary of State for Arms Control and International Security, she will be tasked with leading the State Department's efforts on nonproliferation and verification of international agreements. There will be no shortage of trials.

The members of the committee are well aware of the challenges the United States faces today, and I have full faith that Andrea will continue her exemplary service, if confirmed. She will bring with her not only her depth of experience, but a humble sense of service that stems from her South Dakota roots.

Andrea graduated from my graduate school alma mater, the University of South Dakota, with honors, and received their Alumni Achievement Award in 2011. She went on to earn her master of science with honors at Long Island University, and master of arts in national security and strategic studies at National Defense University.

But, before she left South Dakota to begin her career of service, she was a standout high school and college athlete, and even delivered the Argus Leader newspaper for 6 years. She is supported by her family back home, as well as her husband, David Gillian. And, Mr. Chairman, Andrea Thompson has my vote of confidence, as well.

Thank you for the opportunity to introduce Andrea this morning. I urge my colleagues on this committee to see that she is quickly confirmed following the hearing today.

Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much for being here. And you are welcome to go about your duties. You did not mention whether you graduated with honors from the same university. [Laughter.]

The CHAIRMAN. I assume you did. But, I am—

Senator THUNE. Yeah, thank you for pointing that out, Mr. Chairman. [Laughter.]

The CHAIRMAN [continuing]. Yes, sir.  
Senator Gardner.

**STATEMENT OF HON. CORY GARDNER,  
U.S. SENATOR FROM COLORADO**

Senator GARDNER. Thank you, Mr. Chairman.

And thank you, to the witnesses, for your time and testimony today and, more importantly, your service and commitment to our country. It is truly appreciated.

It is my great honor to introduce Frank Fannon for this position. I am excited about the work that you will be doing. I have known Mr. Fannon—Frank—for a very long time. My time started in the office of Senator Wayne Allard, back over 15 years ago now, and that is where I had the opportunity to meet somebody who worked in the office of Senator Ben Nighthorse Campbell from Colorado by the name of Frank Fannon. We never knew him by “Francis.” We did know him by “Frank.” And the opportunity to work with Frank on a number of issues important to Colorado and the West of—every issue from our incredible exploration opportunities in Colorado on oil and gas, to Good Samaritan legislation that Mr. Fannon worked on, not only in Senator Campbell’s office, but prior to that, in Pete Domenici’s office, as well.

After Senator Campbell’s office, had the opportunity to go work for the EPW committee, served as counsel at the Environment and Public Works committee under our colleague Senator Inhofe, was instrumental in the writing and passage of the Energy Policy Act of 2005. Then he spent the past several years in the private sector, working for a number of organizations, from VHP to Murphy to others, where he has gained valuable experience on how the policies that he helped craft through Senator Domenici’s office, Senator Campbell’s office, and the EPW committee, how that works in the real world. And I think that is the kind of experience that we need at the State Department when we focus on the energy opportunities around the globe and the diplomacy that our energy gives us the ability to utilize around the globe, that opportunity to flex our American energy independence as it relates to our allies from Europe to Asia, and what that can do for this country and our diplomatic efforts and our economic growth.

So, it is a great honor, again, to be with Mr. Fannon and the nominees here today. I strongly support the nomination of Frank Fannon. I hope the rest of you will, as well. And it is just good to see him grow up and do good things.

The CHAIRMAN. Well, it is good to see you grow up and do good things, too. [Laughter.]

The CHAIRMAN. Today, we will consider the nominations of three distinguished individuals, as we have said, to serve our Nation at the State Department, each in an essential role.

Andrea L. Thompson, the nominee for Under Secretary of State for Arms Control and International Security Affairs, joined the Army after graduating from the University of South Dakota in 1988, and attained the rank of colonel before retiring in 2016. She served in military intelligence with deployments to Iraq, Afghani-

stan, and Bosnia, and most recently served as National Security Advisor to the Vice President. The Under Secretary for State—of State for Arms Control supervises the bureaus tasked with guaranteeing compliance with international arms treaties, licensing arms sales to other countries, and monitoring nuclear nonproliferation around the globe. At a time when the Syrian regime uses chemical weapons against its own people, and the Russian President, Vladimir Putin, fails to comply with the INF Treaty, we need an Under Secretary at the helm to ensure verification of nonproliferation agreements, lead civilian nuclear cooperation efforts, and monitor rogue actors.

One such rogue actor is North Korea. Addressing this threat is one of the Trump administration's top priorities, and the East Asian and Pacific Affairs Bureau is at the forefront of implementing this administration's maximum pressure and engagement strategy.

Ms. Susan Thornton, a career Foreign Service Officer, is the nominee to be Assistant Secretary for the EAP Bureau. Having served recently as the Acting Secretary, I know that Ms. Thornton is very well aware of a vast range of political and economic and security issues affecting U.S. national interests in the Asia Pacific.

In addition, given her experience serving in Beijing, I know that Ms. Thornton recognizes that no country looms larger in the region, nor stands to have a bigger impact on U.S. national interests in the coming years, than China. While engagement with Beijing poses significant challenges, Ms. Thornton also will be tasked with efforts to strengthen U.S. relations with critical allies and partners in the region, including Japan and Vietnam.

Our third nominee today is Frank Fannon, who has been nominated to be Assistant Secretary for Energy Resources. This bureau is responsible for policy development and implementation with respect to U.S. international security, energy security. Energy plays such an important role in our economy, and our national security depends on ensuring access to abundant, reliable, and affordable energy. With his extensive background working with the Senate Energy committee and working for various private-sector firms in the energy sector, Mr. Fannon is well qualified for this position.

Today's nominees seek to take on responsibilities that are crucial to our national security on so many fronts around the world. We thank all of you for your willingness to be here, to serve our Nation in this regard. And look forward to your testimony.

With that, I would like to turn to our distinguished Ranking Member, Bob Menendez.

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

Senator MENENDEZ. Thank you, Mr. Chairman, for holding this hearing today.

Before I comment on our witnesses, I need to comment on the administration's proposed foreign affairs budget for fiscal year '19, because, honestly, I find it to be stunningly irresponsible. A budget is a reflection of our priorities and our values, and an opportunity to commit resources to fulfilling a mission. It is often said, "If you show me your budget, I will tell you our strategy." Well, if that is

true, then the administration has a very bad strategy. Far from putting America first, the Trump administration's budget would put America last. This request would slash almost 30 percent of the FY17 enacted levels, undermining our leadership on a global stage and our ability to effectively serve the American people and promote our national security interests.

Furthermore, the request runs counter to the very goals and ideals the administration seeks to champion, and those defined in its own National Security Strategy, which calls for robust diplomatic engagement and maintaining our position of global leadership.

So, as you said, Mr. Chairman, last year we largely rejected that last budget. I think this one needs to be rejected, as well. And I will look forward to working with you and colleagues on the Appropriations committee to provide adequate funding for our diplomats, development officers, and front-line civilians working to promote American national security.

Let me thank our nominees for their willingness to serve. And, in particular, I want to recognize the many years that Colonel Thompson and Ms. Thornton have spent in public service. For decades, one of the core objectives of U.S. foreign policy has been to limit, as much as possible, the spread of nuclear, biological, and chemical weapons. The success of our nonproliferation efforts has always depended upon gaining the cooperation of other states to legally binding treaties and agreements, U.N. Security Council resolutions, and bilateral cooperative efforts. We need effective United States leadership that inspires and encourages others to join us to meet these threats with a united coalition.

Additionally, Colonel Thompson, if you are confirmed, your role as Under Secretary will put you in a unique position to strengthen State's ability to provide our allies and partners robust and effective security assistance while also ensuring that human rights and the protection of civilians are taken into account when providing such assistance.

Ms. Thornton, in nominating you to serve as the Assistant Secretary for East Asia and the Pacific, it is my hope this means the President intends to listen to knowledgeable and sound advice on our policy towards the Asia-Pacific region. As a Pacific nation ourselves, our national security policy must recognize that much of America's 21st-century political and economic future lies in the Asia-Pacific region, and it is imperative that we engage with the region, not pull away from it.

Yet, the administration talks about the importance of a free and open Indo-Pacific region. His actions speak differently. While the administration talks about the importance of our alliances and partnerships, his actions call our commitments into question. The administration talks about how our principles are embedded in our policy, but it—actions undermines our values. And, while the administration talks about the challenge of a revisionist China, its actions seek to risk ceding the region to a strategic rival.

The United States needs to have a strategic and values-driven presence in the region that includes our military and the full range of American diplomatic tools and resources. Such an approach is necessary to deal with the wide range of challenges, including the

crisis of a nuclear-armed North Korea, making clear our commitments to our allies and managing our relationship with China.

Finally, any policy for a free and open Indo-Pacific region must have human rights and democracy at its core. For too long in the region, the United States has treated human rights as desirable, but dispensable. Instead, we should be using our values as a source of strength and comparative advantage over illiberal forces in the region.

Mr. Fannon, I want to thank you for your—meeting with me in my office yesterday. I appreciate your willingness to serve. But, given the focus of your career, I want to explore some of the concerns that I expressed to you yesterday. You have been a forceful advocate for the fossil fuel and extractive industries, so I want to know how you will execute ENR's core objectives, which includes, quote, "advising on energy issues as they related to, among others, pursuit of alternative energy and energy efficiency and greater transparency and accountability in the energy sector." I look forward to continuing to explore that conversation with you.

Mr. Chairman, I have to—we are having a major debate and vote on the floor on DREAMers, and I am going to have to go for a few minutes to that. I have read all of the testimony, and I have read all the witnesses. I intend to be back for the questions, but I am going to have to excuse myself for a few minutes.

The CHAIRMAN. Thank you. Absolutely.

So, with that, if you would, if you could take about 5 minutes to give an—some opening statements, there will be questions. And if you would do so in the order introduced, we would appreciate it. Again, thank you for being here.

**STATEMENT OF COLONEL ANDREA L. THOMPSON, USA, RETIRED, OF SOUTH DAKOTA, NOMINEE TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY**

Colonel THOMPSON. Thank you, Mr. Chairman, Ranking Member Menendez, and distinguished members of this committee. It is an honor to be with you here today as President Trump's nominee for Under Secretary of State for Arms Control and International Security. I am humbled by this opportunity, with your approval, to serve in the administration and work with you, the White House, Secretary Tillerson, and the dedicated professionals of the State Department.

I would like to take this opportunity to thank some very important people in my life. I am joined today by my incredible husband, David Gillian, and many dear friends. Thank you for your love and support.

I would also like to thank my parents, Phil and Georgia Hanson, who are watching at home in South Dakota, and a special hello to my mother-in-law, Meg Gillian, and my grandfather, Dean Nelson, who is 92 years young.

Finally, I would like to send recognition to my family and friends who could not be here today but have served as role models and mentors throughout my life. I am a proud South Dakotan, and it is the values and work ethic of those that I grew up with that always showed me what right looks like.

I would also like to thank Senator Thune for his kind words and appreciation for representation of our great State.

I had the privilege of serving this administration before as Vice President Pence's National Security Advisor. During my tenure, I worked with the NSC, members and staff of Congress, leaders across the Departments of State, Defense, Treasury, Commerce, and Energy, to name just a few. However, my background in international security and the importance of those relationships began years before, during my 28-year career as a military officer. From leading troops in Iraq, Afghanistan, Bosnia, Germany, Central America, and other locations across the globe, I saw firsthand the importance of relationships with our allies and partners, and the critical need for a strong and steadfast security structure. I have seen both the successes and failures of our arms-control policy. I have been on the receiving end when diplomacy fails. If confirmed, I commit to you that I will always place the safety and security of the American people first.

I am also fully cognizant of the profound responsibilities of senior leadership. During my military service and in the private sector, leadership was my legacy. Bringing people together with different strengths and viewpoints to work towards a common goal is an exciting challenge. The State Department's arms control and international security team of over 600 talented men and women are committed to advancing our U.S. policies and protecting its people. They are the backbone of our Nation's most important policy decisions, negotiations, and treaties. These professionals cover arms control and international security issues, nonproliferation matters, including missile, nuclear, chemical, biological, and conventional weapons proliferation, export control policies, and foreign assistance programs, all of which are of vital national security interest to the United States.

I am excited about the opportunity to lead this team, if confirmed. I also look forward to working with my colleagues at the State Department, other U.S. Government agencies, Congress, and our international community.

This administration has clearly set a high priority for our nuclear posture, arms control, nonproliferation, and political/military policies. The President and Vice President's commitment in these areas has been, and will remain, steadfast.

The recent review of our nuclear and missile defense postures offer critical opportunities to outline the vision of how this administration will work to ensure our security in the face of the world's most destructive weapons. If confirmed, I look forward to regularly consulting and engaging our allies and partners both at home and abroad on these important deterrence, strategic stability, and defense issues.

The threat of WMD proliferation continues, and the role of the United States and its leadership to counter that threat remain as great as ever. By continuing to work with our allies and the international community, we send a clear message to those who violate U.N. Security Council resolutions, established treaties and agreements. We must continue to put maximum pressure on those regimes through diplomatic and economic sanctions, including robust implementation of U.S. sanctions legislation. Along with our part-

ners and allies, we must continue to improve upon our capabilities, strengthen our resolve, and force these regimes to change their behavior. Much has been done, but there is much more to do. As our enemies adapt and technologies evolve, so must we. I appreciate the work that has been done by this committee. And, if confirmed, I welcome the opportunity to collaborate with all of you in that endeavor.

As one of its first legislative decisions over two centuries ago, our Congress prescribed an oath establishing a bond between the people of this great Nation and those who have committed themselves to service to the American people. I first took this oath 30 years ago. This is the same oath that you have taken. It would be my highest honor to again serve the American people and support and defend the Constitution of the United States.

Mr. Chairman, Mr. Ranking Member, and members of this committee, I am honored to be considered for this critical appointment. Thank you for the opportunity to appear before you. I welcome your comments and your questions.

Thank you.

[Colonel Thompson's prepared statement follows:]

PREPARED STATEMENT OF ANDREA L. THOMPSON

Mr. Chairman, Ranking Member Menendez, distinguished members of the committee, it is an honor to be with you today as President Trump's nominee for Under Secretary of State for Arms Control and International Security. I am humbled by this opportunity—with your approval—to serve in the administration and work with you, the White House, Secretary Tillerson and the dedicated professionals at the State Department.

I would like to take this opportunity to thank some very important people in my life. I'm joined today by my incredible husband, David Gillian, and many dear friends. Thank you for your love and support. I'd also like to thank my parents who are watching at home in South Dakota, and a special hello to my mother-in-law, Meg Gillian, and my grandfather, Dean Nelson, who's 92 years young. Finally, I'd like to send recognition to my family and friends who couldn't be here today but have served as role models and mentors throughout my life. I'm a proud South Dakotan and it's the values and work ethic of those I grew up with that always showed me what right looks like. Thank you Senator Thune for your kind words and your representation for our great state.

I had the privilege of serving this administration before, as Vice President Pence's National Security Advisor. During my tenure, I worked with the NSC, members and staff of Congress, leaders across the Departments of State, Defense, Treasury, Commerce and Energy to name just a few. However my background in international security and the importance of those relationships began years before during my 28 year career as a military officer. From leading troops in Iraq, Afghanistan, Bosnia, Germany, Central America, and other locations across the globe, I saw firsthand the importance of relationships with our allies and partners and the critical need for a strong and steadfast security structure. I've seen both the successes and failures of our arms control policies. I've been on the receiving end when diplomacy fails. If confirmed, I commit to you that I will always place the safety and security of the American people first.

I am also fully cognizant of the profound responsibilities of senior leadership. During my military service and in the private sector, leadership was my legacy. Bringing people together, with different strengths and viewpoints, to work towards a common goal is an exciting challenge. The State Department's Arms Control and International Security team of over 600 talented men and women are committed to advancing our U.S. policies and protecting its people. They are the backbone of our Nation's most important policy decisions, negotiations and treaties. These professionals cover arms control and international security issues, nonproliferation matters, including missile, nuclear, chemical, biological and conventional weapons proliferation, export control policies, and foreign assistance programs. All of which are of vital national security interest to the United States. I am excited about the opportunity to lead this team, if confirmed. I also look forward to working with my col-

leagues at the State Department, other U.S. Government agencies, Congress and our international community.

The administration has clearly set a high priority for our nuclear posture, arms control, nonproliferation and political-military policies. The President and Vice President's commitment in these areas has been and will remain steadfast. The recent review of our nuclear and missile defense postures offer critical opportunities to outline the vision of how this administration will work to ensure our security in the face of the world's most destructive weapons. If confirmed, I look forward to regularly consulting and engaging our allies and partners both at home and abroad on these important deterrence, strategic stability, and defense issues.

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Along with our partners and allies, we must continue to improve upon our capabilities, strengthen our resolve, and force these regimes to change their behavior.

Much has been done but there is much more to do. As our enemies adapt and technologies evolve, so must we. I appreciate the work that's been done by this committee and if confirmed, I welcome the opportunity to collaborate with all of you in that endeavor.

As one of its first legislative decisions over two centuries ago, our Congress prescribed an oath, establishing a bond between the people of this great Nation and those who have committed themselves to service to the American people. I first took this oath 30 years ago. The same oath all of you have taken. It would be my highest honor to again serve the American people, and support and defend the Constitution of the United States. Mr. Chairman, Mr. Ranking Member and members of the committee, I am honored to be considered for this critical appointment. Thank you for the opportunity to appear before you today. I welcome your comments and questions.

The CHAIRMAN. Thank you very much.

Ms. Thornton.

**STATEMENT OF SUSAN A. THORNTON, OF MAINE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINEE TO BE AN ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS**

Ms. THORNTON. Chairman Corker, Ranking Member Menendez, and members of the committee, it is my great honor to appear here today as the President's nominee to serve as Assistant Secretary of State for East Asia and Pacific Affairs.

I have been privileged to serve this great country of ours and to have worked with so many dedicated and talented public servants over the course of my Foreign Service career. I would like to thank the President and Secretary Tillerson for placing their trust and confidence in me. If confirmed, I pledge to this committee that I will devote my full energies to advancing America's interests in the East Asia-Pacific region.

I would like to take the opportunity here to thank my family: my husband, Joe, and daughter, Kate, who are here with me today; my two older children, Ben and Anne, who both went to three different high schools as we moved around from place to place; and my mom and dad. They have been an incredible support network for me, and have all sacrificed a lot to get me here. I want to express my profound gratitude to all of them.

I joined the United States Foreign Service more than 25 years ago now, and have served five different administrations in postings from Beijing to Moscow, Ashgabat to Chengdu, and, of course, in

Washington. I have worked on issues from nonproliferation to trade agreements to human rights and many other important issues. I have never ceased to appreciate how lucky I am to have this wonderful career.

Several of my former colleagues in this position have reached out to me in recent weeks to make sure that I knew that this was the best job in the world. And I am certainly honored and humbled to have the prospect of joining their company, if confirmed.

There is no part of the world that will be more consequential for our children's future than the Asia-Pacific region. With one-third of the world's population, one-third of the global GDP, and some of the largest and most dynamic economies in the world, it is clear that the Asia-Pacific will be key to America's future well-being and our prosperity. We exported over \$400 billion in goods to EAP countries in 2017, which is up 160 percent from a decade ago.

This region is also home to five U.S. treaty allies with over 80,000 U.S. troops living, training, and operating alongside their partner host-country forces to undertake a range of missions, from counterterrorism to search-and-rescue to disaster relief, and others. It is crucial for U.S. interests that this area remains stable and prosperous.

But, there are very real security and economic challenges in the Asia-Pacific region, including the menacing threat of North Korea, of course, the rise of an authoritarian China, and the spread of terrorism and extremism. Backsliding on democracy, governance, corruption, and human rights is also undermining prospects for stability and growth in some countries.

Dealing effectively with these challenges in this crucial part of the world requires the strength and resolve of U.S. diplomatic leadership. And this administration's approach to the Asia-Pacific puts our strong and active leadership at the forefront of international efforts to meet these challenges.

On North Korea, the Trump administration has mobilized the entire international community through our campaign of global maximum pressure to come together to face down Kim Jong Un's attempts to develop his nuclear and ballistic missile capabilities. The U.N. Security Council unanimously passed four sanctions resolutions last year, and additional worldwide efforts to further isolate North Korea diplomatically and economically make clear that we will not accept a nuclear North Korea. Our preference is to achieve denuclearization of the Korean Peninsula through a diplomatic settlement, but we will reach this goal, one way or another.

With regards to China, as this administration has made clear, the United States wants a productive relationship with China, and we must work to manage and resolve differences. We have been equally clear, however, that we will not abide Chinese attempts to displace the United States in Asia, to coerce countries in the region, and that we will not be taken advantage of. If the international system that has enabled China's rise is to continue, then rules and standards must be observed, and countries must not be bullied or threatened, but treated as equal players.

The administration, under President Trump's leadership, is working to also expand and deepen partnerships throughout the region via our Indo-Pacific strategy. We also continue to prioritize

work in APEC to promote high standards, fair trade, and to support ASEAN-centered regional architecture, which underpins East Asian peace and security. The United States is a Pacific power, and will remain committed to this region's success.

In short, I am humbled to be considered for this important position, and, if confirmed, I look forward to working with you to further the prospects of the United States in this part of the world.

Thank you very much.

[Ms. Thornton's prepared statement follows:]

PREPARED STATEMENT OF SUSAN THORNTON

Chairman Corker, Ranking Member Menendez, members of the committee, it is my great honor to appear here today as the President's nominee to serve as Assistant Secretary of State for East Asia and Pacific Affairs. I have been privileged to serve this great country of ours, and to have worked with so many dedicated and talented public servants over the course of my Foreign Service career. I would like to thank the President and Secretary Tillerson for placing their trust and confidence in me. If confirmed, I pledge to this committee that I will devote my full energies to advancing America's interest in the East Asia-Pacific region.

I'd like to take this chance to thank my family, my husband Joe and daughter Kate, who are here today, my two older children Ben and Anne, who both went to three different high schools as we moved from place to place, and my Mom and Dad. They have been an incredible support network and have all sacrificed a lot to get me here. I want to express my profound gratitude to all of them.

I joined the United States Foreign Service more than 25 years ago now, and have served five different administrations in postings from Beijing to Moscow, Ashgabat to Chengdu, and of course Washington. I have worked on issues from non-proliferation to trade agreements to human rights, and many important issues in between and have never ceased to reflect on how lucky I am to have this wonderful career. Several of my former colleagues in this position have reached out to me in recent months and all wanted to make sure I knew that this is the best job in the world. I am certainly honored and humbled to have the prospect of joining their company, if confirmed.

There is no part of the world that will be more consequential for our children's future than the Asia-Pacific. With one-third of the world's population, one-third of global GDP, and some of the largest and most dynamic economies in the world, it is clear that the Asia-Pacific region will be key to America's future well-being and prosperity. We exported over \$400 billion in goods to EAP countries in 2017, which is up 160 percent from a decade ago. This region is also home to five U.S. treaty allies with over 80,000 U.S. troops living, training, and operating alongside their partner host country forces to undertake a range of missions, including search and rescue, disaster relief, and counterterrorism. It is crucial for U.S. interests that this area remains stable and prosperous.

But there are very real security and economic challenges in the Asia-Pacific region, including the menacing threat of North Korea, the rise of an authoritarian China, and the spread of terrorism and extremism. Although the region has enjoyed peace and growing prosperity for years, the threat from North Korea continues to increase, tensions and extremism are on the rise, and the export-led model that underpinned East Asia's stunning growth is no longer viable. We must insist on fair and reciprocal market access, if we are to sustain the global trading system. Backsliding on democracy, governance and corruption, and human rights is also undermining prospects for stability and growth in some countries.

Dealing effectively with these challenges in this crucial part of the world requires the strength and resolve of U.S. diplomatic leadership, and this administration's approach to the Asia-Pacific puts our strong and active leadership at the forefront of international efforts to meet these challenges.

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With regards to China, as this administration has made clear, the United States wants a productive relationship with China, and we must work to manage and resolve differences. We have been equally clear, however, that we will not abide Chinese attempts to displace the United States in Asia, to coerce countries in the region and that we will not be taken advantage of. If the international system that has enabled China's rise is to continue, then rules and standards must be observed and countries must not be bullied or threatened, but treated as equal players.

The administration, under President Trump's leadership, is working to expand and deepen partnerships throughout the region via our Indo-Pacific strategy, to ensure that countries have support to make their own decisions and don't feel pressured to take on obligations that undermine good governance or long-term growth. We also continue to prioritize work in APEC to promote high-standards and fair trade and to support ASEAN-centered regional architecture, which underpins East Asian peace and security. The United States is a Pacific power and will remain committed to this region's success.

In short, I am humbled to be considered for this important position and, if confirmed, I look forward to working with you to further the prospects of the United States in this part of the world. Thank you very much.

The CHAIRMAN. Thank you.  
Mr. Fannon.

**STATEMENT OF FRANCIS R. FANNON, OF VIRGINIA, NOMINEE  
TO BE AN ASSISTANT SECRETARY OF STATE FOR ENERGY  
RESOURCES**

Mr. FANNON. Thank you, Senator Gardner, for your gracious introduction.

Chairman Corker and distinguished members of the committee, I am honored to appear before you as the President's nominee to serve as Assistant Secretary of State for Energy Resources. I am thankful to President Trump and Secretary Tillerson for the confidence they have placed in me to undertake this critical role.

I am proud that members of my family join me today. I would like to introduce my wife, Mercer, whose partnership and support are foundational to any success in career and life I have—may have been fortunate enough to achieve. I am also delighted that my two eldest daughters, Madeline and Charlotte, are here today, and suspect that our 23-month-old, Phoebe, is watching from home with my mother-in-law, Marsha Planting.

I would like to acknowledge my parents, Frank and Susana Fannon, who are watching the live stream. Through their sacrifices, they taught me that the American Dream is very much alive, that, with dedication and effort, anyone can achieve great things, and that success is not determined from where you are from, but where you choose to go.

My grandparents' mother and her sisters immigrated to the United States from Argentina in 1969. They left everything behind, in hopes to realize a better life, an aspirational life that only America could offer. My personal family history and experience have shaped me in many ways, and gave me a personal appreciation for other cultures and nations.

I came to Washington without contacts or a job, but with the unwavering desire to serve. After working for the late Senator Domenici and home State Senator Ben Nighthorse Campbell, I realized my greatest professional privilege, until this day, to serve as Energy Counsel to the Senate Committee on Environment and Public Works. While at EPW, I helped the committee with energy issues and drafted provisions of the bipartisan Energy Policy Act

of 2005. That legislation helped to unleash American innovation, and set the conditions for today's energy abundance.

Thanks to our resource wealth, American energy plays an ever more vital role in American diplomacy. The U.S. can more freely confront oppressive and illegitimate regimes now that American production buffers global markets against supply shocks. And American energy and technology strengthens the economies of partners who share our values.

In the private sector, I sought to leverage that abundance to advance American values in sustainable operations across five continents. I worked with and led cross-functional, globally located, and culturally diverse teams. I saw firsthand how energy and resource projects can catalyze development, and the benefits of constructive government engagement.

In this capacity, I worked with the Department on multiple energy projects, and can attest that its dedicated foreign and civil service experts serve the country with great distinction. Given the rapidly changing energy landscape, the dynamic foreign policy environment, and the way in which energy overlaps with foreign policy, it is critical to have a strong, informed, and enabled energy bureau, or ENR.

If confirmed, I hope to work with the committee by focusing on three objectives: energy security through diplomacy, governance, and electricity for all.

Secretary Tillerson has stated that enhancing energy security by ensuring access to affordable, reliable, diverse, and secure supplies of energy is fundamental to national security. ENR is uniquely positioned to lead American diplomatic energy security interests, in coordination with other agencies. If confirmed, I pledge to promote energy diplomacy as a means to foster collaboration among nations and oppose the weaponization of energy for geopolitical ends.

Developing countries may have considerable resource endowments, but lack institutional frameworks and transparent rule of law. U.S. companies often view these aboveground conditions as prohibitive risk profiles. Yet, they also make them prime targets for state-owned enterprises hostile to liberal democratic values. ENR's governance programs and—support transparency reforms, reduce potential for exploitation, and advance U.S. energy security objectives.

According to the International Energy Agency, 1.2 billion people lack access to electricity, and 2.7 billion lack clean cooking facilities. Energy poverty are development and geopolitical security challenges. A country's inability to provide reliable electricity is indicative of broader capacity limitations and a precursor to domestic unrest. If confirmed, I look forward to identifying ways that the Bureau can build and broaden its work in this area.

Mr. Chairman, members of the committee, thank you for the opportunity to be here today. I look forward to your questions.

[Mr. Fannon's prepared statement follows:]

## PREPARED STATEMENT OF FRANCIS R. FANNON

Thank you, Senator Gardner for your gracious introduction. Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you as the President's nominee to serve as Assistant Secretary of State for Energy Resources. I am thankful to President Trump and Secretary Tillerson for the confidence they have placed in me to undertake this critical role.

I am proud that members of my family joined me today. I would like to introduce my wife, Mercer, whose partnership and support are foundational to any success in career and life I have been fortunate enough to achieve. I am delighted that my two eldest daughters, Madeline and Charlotte, are here today, and suspect that our 23-month-old, Phoebe, is watching from home with my mother-in-law, Marsha Planting. Seated next to Mercer are my aunt and uncle, Isabel and Richard Lynch.

I would like to acknowledge my parents, Frank and Susana Fannon who are watching the livestream. Through their sacrifices, they taught me that the American dream is very much alive. That with dedication and effort, anyone can achieve great things, and that success is not determined by where you are from, but where you choose to go.

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If confirmed, I hope to work with the Committee on by focusing on three objectives—Energy Security through Diplomacy, Governance, and Electricity for All.

Secretary Tillerson has stated that “enhancing energy security by ensuring access to affordable, reliable, diverse, and secure supplies of energy is fundamental to national security objectives.” ENR is uniquely positioned to lead American diplomatic energy security interests, in coordination with other agencies. If confirmed, I pledge to promote energy diplomacy as a means to foster collaboration among nations and oppose the weaponization of energy for geopolitical ends.

Developing countries may have considerable resource endowments, but lack institutional frameworks and transparent rule of law. U.S. companies often view these above-ground conditions as prohibitive risk profiles. Yet, they are prime targets for state-owned enterprises hostile to liberal democratic values. ENR’s governance programs can support transparency reforms, reduce potential for exploitation, and advance U.S. energy security objectives.

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Mr. Chairman, Ranking Member, and members of the committee, thank you for the opportunity to be here today. I look forward to your questions.

The CHAIRMAN. Thank you.

I typically defer. I may ask one question of Susan Thornton. I know we had a nice meeting last night, and I appreciate you coming by so late.

I had a debrief, I guess, with Senator Menendez a couple of days ago, from Vice President Pence relative to some of the discussions that took place in South Korea. It is my sense that the South Koreans, the Japanese, and others are joined at the hip with us as it relates to North Korea. It is my sense that we are certainly open to having meetings with North Korea, as long as the subject matter is one thing, and that is the denuclearization of the Peninsula, period. And it is my understanding that, while discussions like that may take place at some point in the future, it will take place on the basis that we are going to continue to clamp down, working with others, to isolate them even further, put tougher sanctions in place, that there will be no reprieve to have a discussion.

I am wondering if you would verify that to be your thinking, and what to do add to that in any regard.

Ms. THORNTON. Thank you very much, Senator. And thank you very much for the meeting that we had yesterday.

I think that the policy that we have in place, that was put in place at the very beginning of the administration, the maximum global pressure campaign that envisions increasing pressure through an international coalition in order to change the calculus of the North Korean regime, is still very much in place. We have built a very solid international coalition, in lockstep with our allies and partners. We have brought onboard many countries in the world that would not normally be at the center of this effort. And we are continuing to do that. We envision the pressure continuing to ramp up. There will not be any letup on pressure. We are leaving the door open to engagement, as you have rightly stated, and we want that engagement to consist of one issue, which is denuclearization, our overarching goal for this policy.

The CHAIRMAN. Tell me what it is—why is it that you think we have been able to put together this coalition of people to put the most pressure ever on North Korea right now?

Ms. THORNTON. Well, I think there are two aspects to that. One is that the threat from North Korea through the testing that the Kim Jong Un regime has done has become much more urgent and much more serious. And I think the other issue is the administration's resolve, frankly, and determination to increase the pressure, tap every possible outlet for putting that pressure on, and for putting a lot of diplomatic shoe leather into gathering this coalition. We are sending people to all corners of the globe to talk to governments about what they can do to further squeeze the North Korean regime, diplomatically and economically, and isolate them.

The CHAIRMAN. And I want to reserve the rest of my time, but who is it that is leading the coordination of this effort? Who is the, sort of, center driving force of this coordinated effort?

Ms. THORNTON. Well, we have a very clearly coordinated inter-agency policy committee working on the overall North Korea policy, which generated the March 2017 review and policy that we are fol-

lowing. The State Department is leading the diplomatic effort to undertake maximum global pressure campaign, but it is complemented by efforts from our DOD colleagues, from our intelligence colleagues, and a lot of other people around the U.S. Government.

The CHAIRMAN. Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman.

I thank all three of our nominees for their willingness to serve their country.

Ms. Thornton, I think the Assistant Secretary for East Asian and Pacific is a dream job, so I am glad that you had that enthusiasm. And your service to our country—career service—is very much noted. It gives you, though, the responsibility to coordinate our policies in that region. And I want to just focus, for one moment, on your commitment on human rights.

East Asia and Pacific has significant challenges in good governance, human rights, corruption, trafficking, you name it. And, on the bilateral relationships at the missions, a lot of times these issues get sort of pushed to the side because of the urgency of a particular security issue at the time. And it is the responsibility of the position you have been nominated to to make sure they never forget the values that this Nation stands for.

So, in North Korea, yes, the nuclear confrontation is our challenge, but you have a country that is at the bottom on human rights. In China, you have a country that made some progress, is now moving in the wrong direction on protecting the human rights of its citizens. In Burma, it has exploded into a full-out crisis with the Rohingya Muslims. Lives are in—at risk. And then, our traditional allies, the Philippines has—you have seen where the extrajudicial killings have taken place.

So, will you just reaffirm to this committee your commitment that human rights will be the priority, and that you will, in your contact with each of our missions in—under your supervision, remind them that you expect progress to be made on the human rights front, and share that information with this committee?

Ms. THORNTON. Yes. Thank you, Senator, for the question.

But, yes, I think that, certainly, standing up for democracy, human rights, clean governance is part of who we are. It is part of our foreign policy, an integral part. And I think it needs to be part of every conversation that we have with governments around the world, whether it is on nonproliferation, energy issues, or trade issues. Human rights come into everything that the United States does with partner governments overseas. And I think—I will certainly commit to you that that will be a standard that I will bear, and that I will continue to communicate with the committee on this.

Senator CARDIN. And one area you could specifically help us with is that—I have been in communication with our Ambassadors or Chief of Missions of all the countries, asking them to reply to a commitment they made during their nomination process, to keep this committee informed on their human rights agenda. My understanding is that sometimes those letters have a long way of getting to me, because they are in the bureaucracy of the State Depart-

ment. Will you make sure that we get timely responses to those inquiries?

Ms. THORNTON. Yes.

Senator CARDIN. Thank you.

Ms. Thompson, there are a lot of questions I am going to—I would like to ask you about. Let me just go to the basics. Let us start with civil nuclear—123 agreements, gold standards. Are you committed to maintaining the gold standard, wherever we can, in any future 123 agreements?

Colonel THOMPSON. Thank you, Senator. And thank you for making the time last week for our office call.

I commit to you that I will always represent, in negotiations for the United States, the highest standard possible for the safety and security, first and foremost, for the American people, but to get the highest standard possible. I think the community recognizes that the agreement with the UAE is set as a gold standard, and would look to achieve that standard. Again, I—there are ongoing dialogues that I have not been privy to, but once—if confirmed, once fully briefed, I will look forward to continue that dialogue with you, with this committee, to ensure we get the highest standard possible.

Senator CARDIN. In our conversation, I appreciated that we covered a lot of issues, including INF and the New START. And just to put on the record, assuming Russia is in compliance with the New START agreements, it is—are we committed to making sure the United States also complies and stays in the New START agreement?

Colonel THOMPSON. We are, sir. It was a very positive sign last week, with both parties making the central limits to the New START Agreement. We have a few years to assess for the extent with that, but a very promising sign, based on last week. It still needs final verification, but I look forward to continuing to see the progress of that treaty, and, if confirmed, will continue to uphold those standards.

Senator CARDIN. Mr. Fannon, I want to, first, thank you for your support of 1504 and the communication with the SEC in regards to transparency within the extractive industries. We very much appreciated your leadership on that issue.

As I understand it, you recognize the threat of foreign interest on energy. We just issued a report on Russia using energy as a weapon of war. The Nord Stream 2—I do not know if we have official position opposing it, but we would expect that that is a major area where we could minimize Russia's impact by opposing a Nord Stream 2. Do you agree?

Mr. FANNON. Yes, Senator. In fact, my understanding is, Secretary Tillerson has publicly raised his—voiced his strong opposition to Nord Stream 2. And, if confirmed, I would continue to advance alternate ways to lessen the vulnerabilities that Europe has from the Russian gas dependence.

Senator CARDIN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Gardner.

Senator GARDNER. Thank you, Mr. Chairman.

And again, thanks to all of you for your service.

Ms. Thornton, thank you very much for the time yesterday to have a conversation about goals and objectives in Asia. We have been, as we talked about—Senator Markey and I are working on the North Korea issues, developing a comprehensive Asia strategy, something that would focus on three things: economic strategy in Asia, a national security strategy in Asia, and a rule-of-law strategy in Asia. More than just a 4-year or 8-year outlook of any presidency, it is important that we have a long-term strategy in the United States that gives us a generational view in Asia.

As you mentioned, a third, a third, a third—GDP, population—but soon to have one-half of global GDP, one-half of global population, five of the seven defense treaties, so—and largest armies—and some of the largest standing armies in the world all concentrated in Asia. So, we have got to get this right.

Do you believe it is important that we have a long-term Asia strategy?

Ms. THORNTON. Thank you, Senator. And thank you, again, for the time yesterday.

Yeah, I think it is—it is important that we keep in mind our long-term interests. They are certainly enduring. And I think we need to have a strategy that matches that. I think that the President's Indo-Pacific strategy that was announced in November in Da Nang, Vietnam, is looking at all of the issues, the pillars that you just mentioned on diplomatic and political, on security, and on economic, and also on the rule of law and governance issues. So, I think it is very critical that we keep in mind what our long-term goals are, and adjust our strategy—

Senator GARDNER. Thanks. And will you commit me—with—commit to me to work with us on this strategy and this legislation?

Ms. THORNTON. Yes.

Senator GARDNER. Thank you.

Turning to North Korea, the goal of complete verifiable, irreversible denuclearization remains the absolute commitment of this administration. Is that correct?

Ms. THORNTON. Yes.

Senator GARDNER. There is no other strategy or device, other than, right now, our application of maximum pressure, both economically and diplomatically, correct?

Ms. THORNTON. Correct.

Senator GARDNER. Would you continue to work with me, this committee, and Senator Markey on sanctions legislation to make sure that we apply that maximum pressure?

Ms. THORNTON. Yes. If confirmed, I commit to work with you on all of that.

Senator GARDNER. And I hope that you will continue to support appropriate sanctions on, not only North Korean entities, but also third-party entities that are enabling and empowering the North Korean regime, including those out of China?

Ms. THORNTON. Yes.

Senator GARDNER. Thank you.

And, when it comes to China, the National Security Strategy states—just released—“China and Russia challenge American power, influence, and interests, attempting to erode American secu-

rity and prosperity. China seeks to displace the United States in the Indo-Pacific region, expand the reaches of its state-driven economic model, and reorder the region in its favor. China is using economic inducements and penalties, influence, operations, and implied military threats to persuade other states to heed its political and security agenda.” Do you agree with those statements?

Ms. THORNTON. Yes.

Senator GARDNER. What policy should the United States pursue to counter China’s role in the Indo-Pacific region?

Ms. THORNTON. Well, I think we have to, first and foremost, deepen and expand our partnerships and our alliances in the region, and do, in some form or other, similar to what we are doing in the case of North Korea, which is, bring together like-minded countries to promote the rules-based order, to push back on bad behavior, and to insist that countries in the region avoid and refrain from coercive tactics, bullying, and that they abide by a regime where all countries have an equal say in their decisionmaking.

Senator GARDNER. Do you believe China will continue its efforts to militarize the South China Sea?

Ms. THORNTON. I think they will try.

Senator GARDNER. And what is our response appropriately to be?

Ms. THORNTON. Well, I think we need to use all tools that we have at our disposal. We have diplomatic tools at our disposal. We are using our freedom-of-navigation operations to push back on excessive maritime claims in the region. And we are also, you know, using our coalitions and support of partners in the region to push back against Chinese behavior.

Senator GARDNER. And, during your time in the Foreign Service, which developments in the U.S.-China relationship have you seen that have most disappointed you?

Ms. THORNTON. I think that, in the U.S.-China relationship, there has been, you know, a lot of hope placed in the reform process in China. So, I think it is quite disappointing to see the backsliding on reforms, both economic and also the—certainly the political atmosphere in China tightening, and repression for individual freedoms increasing in recent years.

Senator GARDNER. And you do—do you believe, right now, that the United States is doing enough to pressure China on behavior ranging from continued cyberintrusions of U.S. corporations to violations of human rights to militarization through its expansion—expansive activities, the One Belt, One Road?

Ms. THORNTON. Well, I think we are doing a lot to push back on all of that, but I think we are looking at doing more. And I think that is appropriate.

Senator GARDNER. What does a “free and open Indo-Pacific” mean to you?

Ms. THORNTON. To me, that means open access for—to global commons for all countries, open, sort of, trade and trade lanes, and a continuation of rules-based systems that allow all countries to participate on an equal footing in that region.

Senator GARDNER. Thanks.

Mr. Chairman, thank you.

The CHAIRMAN. Thank you. Thank you very much.

Senator Merkley.

Senator MERKLEY. Thank you.

And let me begin with Mr. Fannon. Welcome. And Germany is considering a massive LNG project, called Nord Stream, that would essentially make Germany's economy dependent on Russia for its—sizable share of its energy for the generation to come. Do we have strategic concerns about that type of dependence?

Mr. FANNON. Thank you for the question, Senator. And thank you for taking the time to visit with me yesterday.

Absolutely. My understanding, the U.S. has publicly opposed it. Secretary Tillerson has opposed it repeatedly. It highlights the dependency on—of Europe on—further vulnerability on Russian gas. And the United States position is—my understanding, is strongly to oppose that pipeline.

Senator MERKLEY. Thank you. Thank you very much.

And, Ms. Thompson, in August of last year, President Moon Jae-in said the U.S. has agreed not to take any military action against North Korea without first getting South Korea's approval. And General Dunford responded that South Korea is an ally, and everything we do in the region is in the context of our alliance. Will we pay significant attention to South Korea's position in regards to potential military strikes on North Korea?

Colonel THOMPSON. Thank you for that question, Senator. And thank you for making the time yesterday.

I think, particularly in the region, we have strengthened our relationships with—this administration—with visits from the Secretary of Defense Tillerson, the President, the Vice President. But, the short answer is yes. It is critical that we have our allies and partners, whether it is Japan, South Korea, strengthening the relationships with China, to—

Senator MERKLEY. Thank you. I will just take yes. You had me at yes.

Colonel THOMPSON. Okay, sir. Thank—

Senator MERKLEY. Thank you.

So, our administration is considering a 123 agreement with Saudi Arabia that would not have the gold standard on non-proliferation, which is prohibiting uranium enrichment and plutonium reprocessing. Of course, the goal is not to create the foundation for the potential for a nuclear weapons program. We have, in the course—the largest Shi'ite power, Iran, and the largest Sunni power, of Saudi Arabia. We have been doing everything we can to have Iran not pursue a nuclear weapons program. Should we allow Saudi Arabia to proceed with American technology in nuclear power plants that do not have the gold standard, given the risk of creating that competition between the two and undermining our own efforts to prevent Iran from getting a nuclear bomb?

Colonel THOMPSON. Thank you for the question, Senator.

And I know the talks are ongoing. I have not been privy to those talks. And I know the talks predated this particular administration. But, it is my goal that—to have the nonproliferation standards possible, briefly addressed earlier, with the earlier UAE, with the gold standard. And, if confirmed, I look forward to working with this committee and with the interagency to ensure that we get the strongest standards possible for that agreement.

Senator MERKLEY. Does it give you any concern, though, that, if we have standards for Saudi Arabia, that Iran, as the competing Shi'ite power, will say, "Well, you are not treating the two of us equally," and make it harder for us to pursue a no-nuclear-weapon policy? We did ask Iran and—as part of the agreement, to dismantle their Iraq reactor, pour concrete in the core, and so on, so forth.

Colonel THOMPSON. Senator, I can commit to you that I will work to achieve the highest standard achievable. Again, I have—do not know what agreements have been—occurred in the past, but I can tell you and commit to you that I will work for our country to get the strongest standards achievable.

Senator MERKLEY. Back in 2003, we negotiated an agreement with Libya to surrender, discontinue all elements of its nuclear weapon development program. What confidence would North Korea's Kim regime have that a similar decision to denuclearize would not result in the same fate as befell Gaddafi?

Colonel THOMPSON. Well, I have not, you know, met the leader, but I would not wager to get what is in his mind. What I can say is that the maximum pressure campaign from this administration has taken steps to put pressure on the regime. We have seen some movement. And, obviously, as the Assistant Secretary mentioned, with the relationship with China, been cutting down the financial footholds. I do not know the relationships—if we can—with the North Korean regime, I do not know if he parallels any other regime, sir, quite candidly.

Senator MERKLEY. All the experts in the region, when we visited there, noted that North Korea paid a lot of attention to what happened with Gaddafi. So, I am just asking you if that is—with your background in national security, if that was a real concern in the message that was sent through that action, in terms of our efforts to denuclearize the Korean Peninsula.

Colonel THOMPSON. Yes, sir, it is absolutely a data point.

Senator MERKLEY. Yeah.

In our—did I run out of time already?

The CHAIRMAN. You did.

Senator MERKLEY. How did that—

The CHAIRMAN. It is just been—

Senator MERKLEY. How did that happen?

Thank you.

The CHAIRMAN. Thank you so much.

Senator Young.

Senator YOUNG. Well, thank you, Chairman.

Congratulations to each of you for your nominations. Thank you for visiting with me in my office. And I appreciate your previous history of service.

President Trump, Mr. Fannon, said, in November of last year, that economic security is national security. Do you agree with this?

Mr. FANNON. Yes, Senator.

Senator YOUNG. Okay. Do you believe energy security is an integral component of economic security?

Mr. FANNON. Yes, Senator.

Senator YOUNG. And so, my inference would be that you also agree that energy security is a necessary and important part of our national security.

Mr. FANNON. I do.

Senator YOUNG. Okay. When it comes to the economic and energy security of this country, do you agree that the actions and priorities of the Bureau of Energy and Natural Resources can be optimized if they are carried out in support of a written strategic plan for the Bureau?

Mr. FANNON. Senator, thank you for the question.

Senator YOUNG. This question should not come as a surprise, because we discussed it in my office.

Mr. FANNON. Absolutely. I think that—I would just point out that the foundation would be the National Security Strategy, which speaks to this very issue. I think, from our conversation, you raised the point, "How can we delineate that with a little bit more granularity and have more measurable outcomes? And I think that there is—if confirmed, I would like to work with you on how just to do that.

Senator YOUNG. So, based on your preparation for this hearing, does—do you know whether ENR periodically produces some sort of written strategy?

Mr. FANNON. I do not, Senator.

Senator YOUNG. Well, you were not aware of one when we previously discussed it. So, if confirmed, will you provide my office a copy of a written strategy?

Mr. FANNON. Yes, Senator. It would be my intention to help—if confirmed, to work with the Bureau and other partners to come up with something that would achieve that goal.

Senator YOUNG. Okay. A written strategy. It is important to me.

Mr. FANNON. I understand, Senator, yes.

Senator YOUNG. Okay. Thank you.

Ms. Thompson, if confirmed, I understand you will lead the inter-agency policy related to arms transfers and security assistance. Do you agree that the U.S. Government should fully comply with all laws related to security assistance?

Colonel THOMPSON. I do, Senator.

Senator YOUNG. And, during our meeting yesterday, we discussed the potential need to update and refine some of those laws. So, if confirmed, do you and your team commit to working closely with me and members of my team to determine whether we can improve U.S. laws related to security assistance?

Colonel THOMPSON. Absolutely, Senator.

Senator YOUNG. All right, thank you.

In the Senate Intel committee's hearing this week on worldwide threats, our Director of National Intelligence, Dan Coates, a Hoosier, reiterated that Iran has the largest ballistic missile program in the Middle East. He warned that Iran may develop an ICBM that could strike the United States. He noted Iran's space program could shorten Tehran's path to an ICBM. The intel community has consistently warned that Tehran would choose ballistic missiles as its preferred method of delivering nuclear weapons if it acquired them.

Ms. Thompson, do you agree with these DNI Coates and intel community assessments?

Colonel THOMPSON. Yes, sir, I do.

Senator YOUNG. I would also note a January 25 report by the Foundation for Defense of Democracies that documented as many as 23 ballistic missile launches by Iran just since the conclusion of the July 2015 Iran deal. Based on these concerns, on February 6, Senator Rubio joined me in leading a letter to our President regarding Iran's ballistic missile program. Our letter was signed by 14 United States Senators.

Mr. Chairman, with unanimous consent, I would like to enter that letter into the record.

The CHAIRMAN. Without objection.

[The information referred to above is located at the end of this transcript.]

Senator YOUNG. Ms. Thompson, have you had a chance to review our letter?

Colonel THOMPSON. I did, Senator, thank you.

Senator YOUNG. Well, then you will know our letter calls for tough additional sanctions against Iran, and expresses a desire to work with the administration. So, if confirmed, will you work with my office and this committee to determine what additional sanctions we might impose on Iran to counter its ballistic missile program?

Colonel THOMPSON. If confirmed, I commit that I will work with you and this committee, absolutely, Senator.

Senator YOUNG. Absolutely. Thank you.

I yield back, Mr. Chairman.

The CHAIRMAN. Absolutely. Thank you, sir.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And congratulations, to each of you, on your nominations. I look forward to working with you, if confirmed.

Can I ask, Ms. Thornton—I had a briefing, with some other Senators yesterday, with someone from the White House who made it very clear that there is no "bloody-nose strategy" for a strike against North Korea. And I—and we asked him if we could go out and quote him on that, and said yes. Is it your understanding, as well, that there is no "bloody-nose strategy" against North Korea?

Ms. THORNTON. That is my understanding, Senator, yes.

Senator SHAHEEN. Thank you.

How concerned are you that we do not yet have an Ambassador in South Korea, given the challenges we are facing on the Korean Peninsula? And what—can you describe what that means, in terms of our diplomacy in that area?

Ms. THORNTON. Thank you.

Well, of course, as a career diplomat, I am very well aware of the importance of having a representative of the President that is confirmed on the ground to represent us in all countries, but especially in South Korea. And I know that our team is working very hard with the White House on a nomination for our Ambassador in South Korea.

I do want to point out, though, that we do have a tremendous team at the Embassy in South Korea, and a very, very capable charge d'affaires out there, Mark Knapper, who has been doing an incredible job over the last almost year.

Senator SHAHEEN. I certainly would second that. I think we have very impressive diplomats in our embassies. But, it does send a message to the country where—to South Korea and to other countries in the region about how we view the importance, I think. I heard from a German official, recently, who was expressing concern that we do not yet have an Ambassador to Germany, either, and that that sends a message. So, I do hope that you will do everything you can to expedite and move this process along, because we should not be a full year into a new administration and not have an Ambassador in a country that is so critical to foreign policy in that region.

Can I ask, Mr. Fannon—you spoke to, I believe it was Senator Cardin's questions about Nord Stream 2 and sanctions. As I am sure you are aware, the sanctions act, CAATSA, that we passed last year would authorize sanctions against energy projects that Russia is engaged in that involve a certain level of their participation. So far, no sanctions have been imposed to date. What we have heard from the State Department spokesperson is that we do not need to impose sanctions under CAATSA—I am paraphrasing, here—that just the threat is a deterrence. Do you believe that to be the case with energy projects? And are there any examples that you can provide?

Mr. FANNON. Apologies, Senator, but in—with respect to the question, is it directed to the CAATSA, in particular?

Senator SHAHEEN. It is. Are there any sanctions that you think should be applied under CAATSA relative to Russia's energy projects?

Mr. FANNON. Thank you for the clarification, Senator.

I—I have not been briefed on these issues substantively, being outside of the Department and given the security issues at play. I am aware of—

Senator SHAHEEN. But, you were able to comment on Nord Stream 2. Is that—would you put that in a different category than other projects?

Mr. FANNON. Well, with respect to that, Nord Stream 2, I was referring to the Secretary's public comments on that matter. With respect to CAATSA, I am aware of the legislation that passed with overwhelming support. I am aware that the Department intends to apply pressure to change Russia's behavior. And, if confirmed, I will pledge to work with the committee and throughout the inter-agency to do just that.

Senator SHAHEEN. Thank you.

Colonel Thompson, in response to Russia's violations of the INF Treaty, the administration has decided to initiate U.S. research and development on ground-based cruise missiles that would not be treaty-compliant. As I understand, this step would not violate the INF Treaty, but would set us on a different course. Do you believe that beginning R&D on this type of missile will have any impact on Russia? Will they be willing to come back into compliance if we

begin to do this kind of research? And are there any risks that you see in this approach?

Colonel THOMPSON. Thank you for the question, Senator.

I think it is important that the U.S. maintain our compliance with the treaty. As—have not been fully briefed, but look forward to receiving, if confirmed, those briefings. My understanding is that the R—as you mentioned, that the R&D does not violate that treaty. I think it is important, as an old soldier and as, hopefully, a, if confirmed, future Under Secretary, that we continue to conduct those R&D efforts. Those are—some of those are very long—long-term projects, and we would not want to get flatfooted.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Thank you very much.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

First of all, I want to thank Senator Shaheen for bringing up the quote, "bloody-nose strategy." I was in the same meeting she was in yesterday, and all of us have been shaking our heads. The national media did what it always does, and they have reported that the President has been advised on this, and this is one of the options that we have. And we were told clearly by administration people—it is about as high up as it gets—that there is no such thing as a "bloody-nose strategy," that they have never talked about it, they have never considered it, they have never used that term, and it is not something that people ought to be talking about. So, thank you, Senator Shaheen, for bringing that up. And this is a good hearing, actually, to do that in. And, obviously, I mean, that thing has repercussions that one cannot even imagine. So, it is a good thing that that has never been talked about.

However, talking about the North Korea strategy, Ms. Thornton, I—the Chairman asked you a question; I did not quite get an answer to that. And he asked about, Who is the responsible person? Obviously, it is the President of the United States. But, you mentioned—I think his specific question was, Who is steering the boat on this right now? Who is the person steering the boat on this right now? And you mentioned the March 17th committee that came up with a strategy. And I guess I—can you give us a little more direct—do we need to talk to Secretary Tillerson if—if we are looking for the nuance sentence that has to be put on the table, is it Secretary Tillerson that we talk to?

I thought the Vice President did a fabulous job, when he went to South Korea, of laying out exactly what is on America's mind when it comes to North Korea. And words matter. And things have got to be nuanced right, particularly in this situation.

Who is the person that the Chairman was seeking to identify? Is that you? Is it the Secretary of State?

Ms. THORNTON. Well—

Senator RISCH. Obviously, the President, but—

Ms. THORNTON. Yeah. I mean, obviously, this is a whole-of-government effort. It comes from the President, but certainly the Secretary of State has been in the lead on all of the diplomatic efforts to build this global coalition of maximum pressure. We held a meeting of a number of foreign ministers in Vancouver recently,

where we expanded that coalition very meaningfully, I think. And so, we are following the Secretary's direction; and our Bureau, I think, for the State Department, is in the lead on this effort, but we make use of colleagues across the Department and across the interagency of the U.S. Government to help us with that.

Senator RISCH. Okay, thank you.

Ms. Thompson, the 123 agreements, there are a lot of us here that are big fans of the 123 agreements, for lots and lots of different reasons. I hope you will commit to continue to pursue them, whenever possible. If a country does not come to us, they are going to go somewhere else to—probably an adversary—well, not necessarily an adversary, but—well, you know, it could be an adversary. And that is not in our best interest. You onboard with the 123s? Are you—you feel good about those?

Colonel THOMPSON. I echo those sentiments, Senator.

Senator RISCH. Okay, thank you very much.

Japan's agreement is up in 2018. Are you—has that—where is that right now? Are you engaged in that yet, or not?

Colonel THOMPSON. No, Senator, I have not been engaged with that. If confirmed, that would be part of my portfolio.

Senator RISCH. Have you been briefed on it as—

Colonel THOMPSON. No, sir.

Senator RISCH. Okay. Thank you very much.

The treaties we have, the arms control treaties that we have, all of us have been sometimes preoccupied with cheating on those treaties. I led the fight against other New START Agreement, which I lost on the floor. And I would like to have that vote again. I think maybe the vote would be a little different today than it was then. And cheating was a huge issue at that point. The other treaties that we have—obviously, in this setting—nonclassified setting, we cannot talk about exactly what that—what constitutes—or what has been going on, as far as the cheating is concerned.

We have had Secretary of State sitting in the chair you are sitting in, and went over this with him. And he wrung his hands and talked about how bad it was and how terrible it was, and we cannot put up with it. But, it kept happening. And we really did not do anything much about that. What are your thoughts on that? Where do you come from when we catch somebody cheating? And obviously, we cannot deal with everyone, because it would release methods and sources that we cannot disclose. What are your thoughts on what you are going to do when you find out that these people are cheating?

Colonel THOMPSON. Well, thank you for that question, Senator.

I think success will lie in a number of areas. One, I have confidence on our intelligence community as we continue to build that out—

Senator RISCH. As do I.

Colonel Thompson:—the eyes and ears on our adversaries and when they are not abiding by the rules. I also have great confidence in our allies and partners. I think it is important that we have—we strengthen those existing relationships and reach out to those that are looking towards the West, and build upon that. I think that is going to be our success as a—to use a military term, a "combat multiplier" if we get additional countries assisting with

that and putting pressure on their end so it is not a unilateral United States action.

Senator RISCH. My time is up. Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

I had about a minute and a half of time, before I turn to Senator Menendez, from my first questioning period.

To New START, just—Ms. Thompson, I mean, it seems to me that the START Treaty has actually achieved the desired goals that were laid out. Would you agree or disagree with that?

Colonel THOMPSON. I would agree with that, Senator.

The CHAIRMAN. So, we have basically caused both of our countries to reduce the amount of warheads and delivery systems, which, in our case, has allowed us to save monies to invest in modernization to make sure that the nuclear warheads and delivery systems that we have actually work, versus having a huge inventory of them, not knowing whether they can be delivered or not, at huge expense. It has allowed us to focus ourselves in a much better way. Is that correct?

Colonel THOMPSON. That is correct. Thank you.

The CHAIRMAN. And, so far, has the other party adhered, generally, to this agreement? Not INF, but to the START Treaty itself?

Colonel THOMPSON. As I understand—I have not received classified updates, and I know, just from open source, that reported that they have.

The CHAIRMAN. Senator Menendez.

Senator MENENDEZ. Thanks, Mr. Chairman.

Ms. Thornton, our National Security Strategy defines China as a rival and a revisionist power. It lays out that China and Russia challenge American power, influence, and interests, attempting to erode American security and prosperity. And I am reading directly from the strategy. Given this assessment, how should U.S. diplomacy towards China be revised compared to prior administrations who looked to build on the cooperative elements of our relationship with China as a partner, and to encourage China to be a responsible stakeholder, and also as a way of addressing the competitive aspects of our relationship?

Ms. THORNTON. Thank you very much, Senator, for that question, which is a big question.

I think, you know, what we have seen in recent years is a—is that we have moved to an inflection point in our relationship with China. And the National Security Strategy reflects, I think, that realization, where we need to preserve space to cooperate with China. It is the biggest country in the world, second-largest economy in the world, and we have a whole range of issues that we need to deal with them on—permanent member of the U.N. Security Council, et cetera. But, the—this National Security Strategy reflects the realization that we are also going to have to compete in a lot of areas with a China that is growing in power, both economic, military, and diplomatic. And—

Senator MENENDEZ. So, what do we—I appreciate that—what do we specifically—what would be—if you are confirmed, what would be your advocacy of how we change our policy?

Ms. THORNTON. So, I think—well, we need to, first of all, make sure that we are working with other partners in the region who are

also coming to the same realization, which they are, continue to push back on bad behavior, call out, use the tools that are at our disposal, whether they be trade remedies, sanctions, other tools, and also just diplomatic engagement, I think is quite effective with China. China wants to have a good relationship with the United States, which is something that, you know, gives us entree to deal with them on a diplomatic level on many of these issues, and we—they also care a lot about their standing in the world. And so, working together with other countries and—

Senator MENENDEZ. Well—

Ms. THORNTON.—partners to push back on bad behavior—

Senator MENENDEZ. Let me ask you some—

Ms. THORNTON.—call out—

Senator MENENDEZ. Let me ask you some specifics. So, do you believe that China is doing all that it should be doing to help us meet the challenge of North Korea?

Ms. THORNTON. Well, I think China is doing a lot to help us meet the challenge of North Korea.

Senator MENENDEZ. Is it doing—

Ms. THORNTON. I do not think they are doing—

Senator MENENDEZ.—all that it should be doing?

Ms. THORNTON.—everything that they could be doing. And we are continuing to work with them to push—

Senator MENENDEZ. So, if we want to get China to do more, and we wanted to change its calibration as to how it is thinking about North Korea, should we consider naming China a currency manipulator? Should we consider sanctioning Chinese banks that are facilitating North Korean transactions? Should we be reviewing our One China policy? How do we get China's focus and calibration to change?

Ms. THORNTON. Well, I think what we have to do is prioritize and go after the issues that we are focused on with regard to China, which, in the administration's current approach, is North Korea, trade and economic relations, and also some law enforcement co-operation on things like opioids, et cetera. And I think, you know, we can work with China on North Korean issues. We certainly need to continue to press for sanctions on entities that are end-running the U.N. sanctions regime—and we will do that, as I mentioned to Senator Gardner earlier—but also continue to work with them, because they are the most important player in implementing those sanctions and making the difference in ratcheting up the pressure in North Korea.

On other issues, trade and economic issues, we need to use the trade tools that we have at our disposal. We are preparing a host of measures, and we are continuing to engage with the Chinese to let them know the areas where we see backsliding, where we feel agreements have not been observed, and go after those, either—hopefully, through diplomatic engagement; if not, through—

Senator MENENDEZ. All right, thank you.

Ms. Thompson, let me ask you. The START Treaty, in 2021, can be extended for 5 years. If circumstances surrounding the treaty remain the same, which right now we have compliance, and even in the midst of malign activities, like Ukraine's cyberattacks during our elections, noncompliance with the INF, the one positive area is

New START—would you be a proponent of extending the treaty for 5 years?

Colonel THOMPSON. Thank you for the question, Senator.

I honestly think it is too soon to tell. Much changes in our world over the course of days and weeks, much less years. I can commit to you that I will always stand up for—

Senator MENENDEZ. What would have to change? If everything—if Russia is obeying, and we are obeying, and we are living under the treaty, what would change, in your mind, that would want us to break away from that?

Colonel THOMPSON. There may be other situations in the globe that—associated with Russia—I would say, you know, Syria is an example, maybe others—where it would be a tool in our diplomatic toolkit that we might want to use to get an agreement in another area associated with Russia.

Senator MENENDEZ. Well, I have several other questions, but, in deference to our colleagues, I will wait until the—

The CHAIRMAN. Thank you, sir.

Senator Rubio.

Senator RUBIO. Thank you.

Thank you all for being here.

Ms. Thornton, there was an article, I have here, on October 22nd in the Wall Street Journal of last year, and it says that FBI agents, in May of last year, were prepared to arrest or detain four officials from China's Ministry of State Security, which is the equivalent of our CIA, for conducting illegal official business while traveling through the U.S. on transit visas. These officials had traveled to New York City to pressure Guo Wengui, a health—a wealthy Chinese businessman who applied for asylum in the United States, to return to China and stop using social media to accuse Chinese officials and tycoons of corruption. The article goes on to say that, while FBI agents were at the airport and prepared to arrest or detain these officials before they departed to China, they could not secure final signoff from Washington. According to this article, some senior administrative officials described you and some of your colleagues as not supporting this FBI operation and, quote, "improperly hindering law enforcement efforts to address China's repeated violations of U.S. sovereignty and law," end quote. Is it true that you opposed that arrest?

Ms. THORNTON. I am not sure that I was involved in that decisionmaking process, but I do know that it was an interagency decision and that there were interagency meetings on this issue that came to the conclusion.

Senator RUBIO. Do you recall being involved in the interagency decisions?

Ms. THORNTON. I do not.

Senator RUBIO. So, you—your testimony today is that this article, and the claim about you, in particular, being involved in this decisionmaking, is false, that you did not, as the article says, hinder law enforcement efforts to arrest them. The FBI had a recommendation to arrest them, and your testimony is that you did not hinder that.

Ms. THORNTON. I was not involved in those meetings. I know that there were interagency meetings, and that it was the decision of the interagency to not arrest them.

Senator RUBIO. So, you were not involved in any of the—just to—I want to be clear—you were not involved in any of the discussions, interagency meetings. You had nothing to do with the decision by this—by anyone in Washington to ask the FBI not to arrest them. You had nothing to do with that decision.

Ms. THORNTON. I mean, I was aware of the conversations that were going on at the time and after the fact.

Senator RUBIO. But, you did not weigh in.

Ms. THORNTON. I did not weigh in.

Senator RUBIO. Okay.

I want to ask you another question. There is this—and just, again, because you are acting in this capacity already, and you have been involved in these efforts for a long time—this is the Web site of the State Department. I had a chart, but I did not put it up. With your permission, I just want to hold up this paper. It used to have the flag of Taiwan in the Web site, and no longer has the Taiwanese flag. Do you know how that happened? Are you aware of how that decision was made to take it down?

Ms. THORNTON. Yes, I am aware. The Consular Affairs Bureau rolled out a new Web site for travel advisories that was done through a contract and was not seen by our office. And following the publication—we do not recognize, of course, Taiwan as an independent country, and we do not recognize the flag of the ROC as a country where we have official relations. And our policy is to not display the flag of the ROC on U.S. official government Web sites.

Senator RUBIO. That is a new policy, because it was not there before.

Ms. THORNTON. No, this is a new—I believe it is a new Web site. But, we—our—it is not a new—

Senator RUBIO. I am sorry. It is a new contractor, not—

Ms. THORNTON.—it is not a new policy.

Senator RUBIO.—a new Web site. This is—

Ms. THORNTON. Sorry.

Senator RUBIO. The old Web site has the flag. The new one does not. So, it is not an old Web site, it is an—might be a new contractor that designed the Web site, is what you are saying.

Ms. THORNTON. I am not sure what specific site that is, but—

Senator RUBIO. www.state.gov. That cannot—

Ms. THORNTON. But—I mean, I am just saying that it is not a new policy not to display the flag.

Senator RUBIO. Well, the flag is here, so was that just a blip or something? I guess it was—somebody inadvertently put it in, and you guys took it out. The bottom line is, this is the way it is going to stay; we are not going to—we used to have the flag; it is not going to be on there anymore. There was a change. There is no doubt there was a change. The Web sites—the graphics are identical. Someone took down the flag.

Well, on a policy note with regards to that, let me ask you this. Would—do you—would you commit to encouraging high-level visits between senior U.S. Government officials to meet with Taiwanese counterparts in Taipei?

Ms. THORNTON. Well, Senator, we have a very robust unofficial relationship with Taiwan that is grounded in our longtime policy based on those three joint communiques and, of course, our commitments under the Taiwan Relations Act, which are very important. And we have frequent exchange with people on Taiwan. And I think that—I certainly support continuing that robust unofficial relationship.

Senator RUBIO. But, what about having high-level visits between U.S. Government officials to meet with their counterparts in Taipei?

Ms. THORNTON. We have ongoing, as I say, visits by all realm of people from the U.S. visiting Taiwan, and we certainly continue to support that interaction.

Senator RUBIO. Okay.

The CHAIRMAN. Senator Kaine.

Senator KAINES. Thank you, Mr. Chair.

And thanks, to the witnesses, for your service, and congratulations on your nominations.

A question, first, for Ms. Thornton and Ms. Thompson. Two days ago, the DNI, Dan Coates, appeared before the Senate Intelligence committee, and he testified, quote, "North Korea will be the most volatile and confrontational WMD threat in the coming year. In addition to its ballistic missile tests and growing number of nuclear warheads for these missiles, North Korea will continue its long-standing chemical and biological warfare programs also." Do you both agree with that assessment of DNI Coates?

Colonel THOMPSON. I do agree with the Director, sir.

Ms. THORNTON. Yes, sir.

Senator KAINES. Do you also agree with the stated position of Secretary of State, Secretary of Defense, and others, that, while the U.S. needs to maintain all its options to do with this threat, we are a diplomacy-first nation and are going to look for a diplomatic resolution that would stop the North Korean ambitions to get nuclear weapons or have them be able to be deployed against the United States or allies?

Colonel THOMPSON. I do agree with the Secretary, yes, sir.

Senator KAINES. So, whatever the percentage chance that we would assess to finding a diplomatic resolution with North Korea, that is something that we need to try.

If I can move now just directly to Ms. Thompson. In the same hearing—because this is now not in Ms. Thornton's area of the world—in the same hearing, the DNI went on to say, "Iran's implementation of the Joint Comprehensive Plan of Action, the JCPOA, has extended the time it would take to develop a nuclear weapon from several months to about a year, provided Iran continues to adhere to the deals of major provisions." Do you agree with that assessment?

Colonel THOMPSON. I do, sir.

Senator KAINES. Secretaries Tillerson and Mattis have stated before this committee and the Armed Services committee that Iran is complying with the JCPOA and that the deal is in America's national security interest. Do you share those opinions?

Colonel THOMPSON. Senator, I have not received the classified briefings during my time at State. I did, as National Security Advi-

sor. During that time, the intelligence community briefed that they were not in violation.

Senator Kaine. Will you take it from me that both Secretaries Tillerson and Mattis have publicly testified before these committees that they think Iran is complying with the JCPOA, and that the deal is in America's national security interest?

Colonel Thompson. Sir, if they are complying, they are adhering to the JCPOA, and I have trust and confidence in both those Secretaries.

Senator Kaine. Okay. Thank you.

Given that, given that the North Korean threat is the most significant threat—and according to DNI Coates—and you guys agree with that—given that you agree that we need to focus whatever energy we have on finding a diplomatic resolution with North Korea, if that is possible, given that the DNI has stated that the JCPOA has stretched out the time for Iranian efforts to get a nuclear weapon, and that Secretaries Tillerson and Mattis say that they are complying and that the deal is in our national interest, what effect would stepping back from the Iran deal, or moving away from it—what message would that send to North Korea about the wisdom of doing a diplomatic deal with the United States?

Colonel Thompson. Thank you for the question, Senator.

The importance of the Iranian regime to—very familiar with this committee—extending their footprint across the Middle East and the globe, we have seen, separate from the JCPOA—

Senator Kaine. Well, and I am going to ask about that separately. But, I am now talking about a nuclear deal. Why would any nation enter into a nuclear deal with the United States if the United States backed away from other nuclear deals that U.S. officials said were in our national interest, U.S. officials said were being complied with?

Colonel Thompson. Sir, great question. I would wager that North Korea will look for Iran to see how they react. But, in the end, I have—again, with the North Korean regime, that he will make his own decisions.

Senator Kaine. He will make his own decisions. Do you think the U.S. should demonstrate good faith and live up to agreements that we enter into?

Colonel Thompson. I do, sir.

Senator Kaine. Yeah. Well, you see where I am going with this. I am extremely worried about the administration—about the President, frankly—stepping back from an Iran deal, when his own key security officials are saying that Iran is complying with it.

On the non-nuclear issues that you were starting to raise, I think the committee is in general agreement on those, and we have acted strongly—Iran sanctions legislation we have put on the President's desk, sanctioning human rights behavior, aggression in the region, violations of U.N. missile protocols. I think we are very focused on Iranian misbehavior in those areas. But, when we have the IAEA, our European partners, and chief security professionals saying Iran is complying with the JCPOA, and the administration suggests we may step back from it at the same time as we want North Korea to potentially entertain doing a diplomatic deal with the United States, I think we send a message—we risk sending the message

that, if you enter into a nuclear deal with the United States, the United States will not comply with it. And I think that would take whatever that percentage is of North Korea doing a deal—say it is 20 percent—and drive it down to virtually zero.

I will just conclude and say, you know, I am a member of the Armed Services and Foreign Relations committee, and I feel like the joint responsibility of these committees means we need to minimize the risk of necessary war, and we need to maximize the chance that we will overwhelmingly win any necessary war. I do not think we should raise the risk of unnecessary war by stepping back from international agreements that are being complied with.

And I will hand that back to you, Mr. Chair.

The CHAIRMAN. I think I still have a few seconds, before turning to Markey, left on my time.

I—we are working with the administration, as you know, to try to make the agreement with Iran something that is better. I think you know that. A big part of that depends on our European allies and how they view the efforts that we may have inside, domestically. And then there is an effort underway, I think you know, to have some type of follow-on framework with our European allies. I know that you were instrumental, as was Senator Menendez and others, to give us an opportunity to weigh in on this. I would say that, in agreements like this, when we talk about the good faith of the United States, this was, in essence, entered into by one person. It was not entered into by Congress. I know there were a lot of people advising. And I think what that speaks to is that, when we have agreements like this that we want our Nation to honor, we should do it in a fashion where Congress also weighs in. And that is what led to the legislation that we all worked on.

But, I, too, hope that we are able to resolve and strengthen this in a way that is good for the United States, good for the world. And I guess we have until May 12th to hope that, again, our European allies are—will work with us in that regard.

Senator Markey.

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

Ms. Thornton, I would like to turn to Asia. According to the recent National Security Strategy, the Trump administration pledged to redouble its commitments to established alliances and partnerships while expanding and deepening relationships with new partners in a region it describes as the most populous and economically dynamic part of the world.

We have a serious threat from North Korea to the United States. China presents a significant strategic challenge to U.S. economic and security interests. But, judging by the State Department's fiscal year 2019 budget request, it is hard to believe that the administration agrees with that assessment that it made. The President's budget request released this week recommends cutting the State Department and USAID budgets by approximately 30 percent over the actual 2017 budget.

Within the State Department budget, how would funding for Asia-related issues change as a result of those cuts from 2017 to 2019 budget year?

Ms. THORNTON. Well, thank you, Senator.

I think, you know, we, in the East Asia-Pacific Bureau of the State Department, are fairly used to dealing with lean resource issues. We are a very small bureau. We have a very small proportion, overall, of assistance funding. I think, if I am not mistaken, the budget numbers that were released this week are actually an increase for our part of the world over what was requested in last year's budget. And so, I am certainly hoping that we would see, along with the emphasis in the National Security Strategy, you know, the share the pie going to EAP. I think it is getting larger.

Senator MARKEY. Well, that is not my understanding, but I will follow up with you on that issue, because, obviously, especially when we are talking about North Korea, it is very difficult to see a successfully implemented North Korea policy for both diplomacy and sanctions enforcement if there is no U.S. Ambassador to South Korea, if the Coordinator for Sanctions Policy position is eliminated. It is an almost shocking set of decisions that have been made, in terms of ensuring that these positions are filled and that they are fully funded in order to make sure that we avoid a catastrophic situation in Korea. And many of the other offices seem to be understaffed, as well.

I have sent a letter to Secretary Tillerson expressing my concerns about the impact on Asia. And so, I would appreciate answers to the questions I am—I will be submitting to you in the very near future.

On the question of South Korea—I mean, of Saudi Arabia, Ms. Thompson, we were told that there is a process that is now in place to determine what the offer will be to Saudi Arabia, in terms of a 123 agreement. Once this process is concluded, and before any formal discussions with Saudi Arabia, the Atomic Energy Act requires the President to keep this committee fully and currently informed of any initiative or negotiations relating to a new or amended agreement for peaceful nuclear cooperation. And I do not think that means just filling us in after the fact, after the deal has been negotiated. Will you commit to providing us with the information with regard to what the offer to the Saudi Arabians are going—is going to be, after you complete your process?

Colonel THOMPSON. Thank you, Senator. And thank you for making the time yesterday for our discussion yesterday. Very fruitful.

I commit to you that I will work with you and this committee to keep you informed, if confirmed.

Senator MARKEY. But, again, before the offer is made to the Saudi Arabians, will this committee know what that offer is going to be?

Colonel THOMPSON. Sir, I can commit to you, if confirmed, I will work with the committee. I am not privy to where it is in the process, and I would work with the experts in the interagency and with the Secretary to make sure we keep the committee informed.

Senator MARKEY. Well, again, under the law, you have a responsibility to keep this committee—

Colonel THOMPSON. Absolutely.

Senator MARKEY.—quote, "fully and currently informed of any initiative or negotiations."

And finally, on the issue of Japan, Japan continues to give us—raise concerns about reprocessing of spent fuel into separated plu-

tonium, when, one, it already has 48 tons of separated plutonium; two, Japan does not have an operating facility to turn its plutonium into fuel for nuclear reactors; and, three, the vast majority of Japan's nuclear reactors are not currently operating anyway. Do you think the United States should consider renegotiating the 123 agreement with Japan over its continued plutonium production to no purpose which seems to be related to the generation of electricity and could cause a real proliferation risk in that entire region?

Colonel THOMPSON. Thank you for the question, Senator.

I—and I assure you that I will dig into this issue, if confirmed. I have great confidence in our diplomatic relationship with the Japanese, both from the President on down and the recency of—with the Secretary, a very strong relationship, both here and over in Japan, with our strong Ambassador, as well. And so, we will definitely work with the committee, and I will dig into that when—if confirmed.

Senator MARKEY. Yeah. I think what is happening in Japan is potentially contributing to an increased risk for nuclear proliferation in that region. And the same thing would be true for a 123 agreement with Saudi Arabia that did not absolutely maintain the gold standard. And I think that we are going to need a very close cooperation between the committee and your Department in order to make sure that that is the case.

Thank you so much.

Colonel THOMPSON. Thank you, Senator.

Senator MARKEY. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Did you have some followup questions? Go ahead. Yes, sir.

Senator MENENDEZ. Thank you, Mr. Chairman.

So, very quickly, Ms. Thornton, would you commit to us that, if confirmed, any recommendations you give regarding the trafficking-in-persons report will be based solely on a country's efforts to combat trafficking and not other unrelated factors?

Ms. THORNTON. Yes. If confirmed, I can certainly say that.

Senator MENENDEZ. Thank you very much.

Ms. Thompson, should—there is some suggestion that we are going to have the possibility of a new 123 agreement with Saudi Arabia. Do you believe the gold standard should be implemented in any such agreement?

Colonel THOMPSON. Thank you, Senator. I think we should always set our standards to meet the highest standards for the United States.

Senator MENENDEZ. So, in this case, the gold standard would be the higher standard. Is that a fair statement?

Colonel THOMPSON. That is the standard of the community. Again, not privy to the conversations, but always want to work to the highest standards we can get.

Senator MENENDEZ. All right. What we do not need is a rush to nuclear power and a tinderbox of the world. And so, that is why the gold standard is so important.

Mr. Fannon, I did not want you to feel left out of my affection, so let me ask you this. We talked yesterday about some of your past work and regarding your recusal from certain issues. And you

noted, in our meeting yesterday, that you believe there would be a way for the ethics team to carve out some of your involvement. Have you been able to get any further clarity on that? Because I am trying to figure out what is it that you are carving out.

Mr. FANNON. Yes. Thank you for the time yesterday, Senator. And thank you for your attention to the question.

If confirmed, I can pledge to work diligently with the ethics attorneys and follow their instruction to the letter with respect to recusals.

Senator MENENDEZ. Okay. Well, we are—I appreciate that, and that is a good answer to start off with, but I am going to want to know exactly what Ethics is talking about in terms of carve-outs. Is it company-specific? Is it policy sectors? Because obviously there is a big difference. There is a big difference between carving yourself out from a specific company's involvement in which State, in your particular position of ENR, would involve, or whether there is a policy issue that would be involved. So, I hope we can get that answer so we can move your nomination along.

Let me ask you this. As a lobbyist for Murphy Oil, you lobbied against my bills in the 111th and 112th Congress to hold oil companies accountable for disasters that they cause. So, as you are promoting energy across the globe, what degree of responsibility do you believe oil companies should bear for disaster mitigation when they cause a spill or disaster?

Mr. FANNON. Yes. Thank you for the question, Senator.

We had the opportunity to discuss that bill, that legislation, and I—during our discussion, I commented that I laud the spirit in which it was offered to make sure that—to hold leaders to account, the situation with that bill. And we discussed it, in particular. But, more broadly to your question, I believe, as I spoke to in my opening, that transparency is critical. And a part of that is to have clearly delineated accountability measures.

Senator MENENDEZ. So, is it fair to say that, if you mess up, you clean up?

Mr. FANNON. Yes, Senator.

Senator MENENDEZ. All right.

Now, there is a lot of emphasis about fossil fuels with the administration, but your Department's stated objective under the State Department also talks about renewable energy sources as part of that. Are you committed to the Department's statement of its own purposes as it relates to ENR's mission, globally?

Mr. FANNON. Yes, Senator. Thank you for the question.

The—my understanding of the Bureau, and as you read it to me during our meeting, was—is that they are agnostic as to fuel source, and they are there to support delivery of energy, and to support U.S. firms, et cetera. But, in terms of the type of source, it is agnostic.

Senator MENENDEZ. Well, my understanding from reading the statement is that it is not necessarily agnostic. It is not agnostic if you say, "the pursuit of alternative energy and energy efficiency and greater transparency and accountability in the energy sector." The pursuit of something is not agnostic. It is actually a proactive word.

Mr. FANNON. Yes, Senator. I was speaking in terms of—it is truly an all-of-the-above approach, is my understanding of the Bureau's work. And so, it—there would not be a weighted measure of one fuel source over another.

Senator MENENDEZ. Okay.

I have a series of other questions. I will submit it for the record. I will look forward to your answers.

Mr. FANNON. Thank you.

Senator MENENDEZ. Thank you all.

The CHAIRMAN. We thank you all for your testimony and your willingness to serve in these capacities, as was mentioned on the front end.

There will be other questions, as Senator Menendez just alluded to. And so, we are going to keep the record open until the close of business on Monday. I know, in this particular case, you will want to answer those very rapidly. We would hope that you would do so.

Again, thank you for the great testimony today. I look forward to your service to our Nation. Thank you so much.

The meeting is adjourned.

[Whereupon, at 11:43 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO ANDREA THOMPSON BY SENATOR ROBERT MENENDEZ

#### *Israel*

*Question 1.* A central hallmark of the U.S.-Israel relationship has been the close working relationship between the countries. It has long been U.S. policy to maintain and enhance Israel's qualitative military edge (QME)—effectively, Israel's ability to defend itself, by itself, against any threat or potential combination of threats. Given the threats along Israel's borders and the instability in the region overall, this U.S. commitment is of upmost importance. If confirmed, will you make ensuring Israel's QME is maintained a constant priority?

Answer. Yes. Israel's security is paramount to U.S. foreign policy in the Middle East. If confirmed, I would ensure the commitment of the United States, by statutory requirement and longstanding policy, to ensuring Israel maintains its qualitative military edge (QME) by reviewing arms sales to the Middle East in the context of Israel's QME. As you are aware, the law requires that for any arms sale to the Middle East requiring Congressional Notification under the Arms Export Control Act, the notification must also include a determination that the sale does not adversely affect Israel's QME.

*Question 2.* Do you support the provision of security assistance to Israel in accordance with the 2016 U.S.-Israel memorandum of understanding?

Answer. Yes. U.S. support of Israel's security is steadfast, and Israel continues to be the leading recipient of U.S. Foreign Military Financing (FMF). In Fiscal Year (FY) 2016 and FY 2017, the administration requested \$3.1 billion in FMF funding for Israel. As you reference, the United States and Israel recently signed a new Memorandum of Understanding (MOU) that lays out grant assistance funding levels from FY 2019 to FY 2028. The new MOU commits the United States to requesting \$3.3 billion each year to Israel in FMF funds, plus an additional \$500 million each year in DoD missile defense funds, for a total of \$38 billion over this 10-year period. If confirmed, I will support this commitment.

#### *Lebanon*

*Question 3.* The United States continues to provide extensive armament to the Lebanese Armed Forces. At the same time there are growing questions about the independence of the LAF and its connections to Hezbollah. What are your views of the Lebanese Armed Forces and whether the U.S. should continue to support them?

**Answer.** Secretary Tillerson just returned from Beirut, where he had productive discussions with Lebanese leaders. U.S. assistance for Lebanon's security services, especially the Lebanese Armed Forces (LAF), is the backbone of U.S. policy to reinforce Lebanon's sovereignty, assert the Lebanese Government's authority throughout all of its territory, and ensure Lebanon remains a bulwark against violent extremism in a volatile region. Since 2006, the United States has made a \$1.7 billion investment in the LAF that has paid outsized dividends for U.S. interests in the Middle East. Just in the last year, the LAF soundly defeated ISIS and al-Qaida, resumed control of several positions along the Syria border, and increased joint border patrols with the U.N. Interim Force in southern Lebanon—enforcing the Lebanese Government's sovereignty in Hizballah's historic heartland.

If confirmed, I will work to ensure that the Lebanese army is an increasingly effective fighting force and one of our strongest counter-terrorism partners in the region. Strengthening Lebanese state institutions like the LAF undermines Hizballah and its attempts to exploit a weak Lebanese Central Government. Without a strong military, Lebanon's existence as an independent and democratic ally in the region would be jeopardized. This would enable Hizballah to expand its influence and increase the risk of instability inside Lebanon and beyond.

*Question 4.* Do you believe the United States should enter into a 123 agreement with Saudi Arabia? Should the United States require Saudi Arabia to agree to the same no-enrichment standard that was set with the UAE?

**Answer.** As I said during my hearing, I am committed to ensuring the United States maintains the highest nonproliferation standards in negotiation of our 123 Agreements and will support the longstanding U.S. policy of limiting the spread of enrichment and reprocessing capabilities. Saudi Arabia has decided to move forward with a civil nuclear power program, and concluding a 123 agreement with Saudi Arabia is in the United States' commercial and nonproliferation interests. If the United States and Saudi Arabia bring a 123 agreement into force and a U.S. company is chosen as Saudi Arabia's supplier, then its nuclear power program will be subject to the strongest nonproliferation, safety, and security standards required by any nuclear supplier in the world. Conversely, in the absence of a 123 agreement, U.S. firms will lose the opportunity to compete for a place in a potentially sizeable market and will almost certainly be replaced by state-supported enterprises from other countries that demand far less stringent safety, security, and nonproliferation protection than we do.

#### *NPR (Nuclear Posture Review)*

*Question 5.* The Nuclear Posture Review calls for the development of several new nuclear systems including a new nuclear warhead for our submarine forces and a sea-launched cruise missile. This is in addition to a new ground launched cruise missile that was announced during the view of the United States response to Russia's INF violation.

- How are our allies reacting to the United States call for the development of new nuclear system meant to counter Russia's GLCM?
- Would you consider the input of our allies valuable when dealing with INF?

**Answer.** While public responses of allied and partner government officials have varied since the February 2 release of the Nuclear Posture Review (NPR), I understand that allies expressed gratitude for the opportunity to hold confidential consultations with the United States and provide their views during the drafting process of the NPR and stated that they were unsurprised by the final report. My understanding is that nearly all allies expressed concern about the deteriorating security environment and appreciation for the continued U.S. commitment to extended deterrence and to our long-term nonproliferation and disarmament goals.

Allied input on the INF Treaty is valuable. I understand that the administration continues to keep European and East Asian allies apprised of U.S. efforts through the integrated strategy to seek Russia's return to compliance with the Intermediate-Range Nuclear Forces (INF) Treaty. This includes all three lines of effort in the administration's INF integrated strategy: diplomatic, economic, and military. The North Atlantic Council made a strong, unified statement in December 2017. The statement noted that full compliance with the INF Treaty is essential to strategic stability and collective allied security, affirmed the United States is in compliance with the Treaty while declaring Russia's conduct raises serious concerns regarding its own compliance, and highlighted the Alliance's shared goal of returning Russia to full and verifiable compliance with the Treaty.

*DRL*

*Question 6.* It is crucial for DRL to be involved in review both DCS and FMS proposed arms sales to ensure that this crucial form of U.S. Security Assistance is not undermining U.S. policies and objectives to promote human rights abroad.

- Will you commit that DRL will be involved in reviewing all FMS and DCS cases in which they have human rights concerns regarding the recipient country?
- Do you commit to giving DRL equal weight to the recommendations of the regional bureaus and PM regarding all such cases?
- If necessary, will you grant DRL direct access to you to make a case for denial or modification of a sale for which they have concerns?"

Answer. DRL is a vital part of the Department's arms sales reviews, and human rights is a key criteria in considering arms transfers as codified in the U.S. Conventional Arms Transfer Policy (CAT Policy), Presidential guidance that outlines the criteria for case by case review of all arms sales. I can assure you that if I am confirmed I will continue to respect the vital role that DRL plays in arms sales reviews and will ensure that human rights concerns that DRL or other offices raise are taken seriously. It is my understanding that a process exists by which DRL or other offices can make a case to me for denial or modification of a sale about which they have concerns. I will maintain this practice, if confirmed.

All arms transfer decisions are guided by the criteria outlined in the CAT Policy, which requires that we maintain the appropriate balance between legitimate arms transfers to support U.S. national security and that of our allies and partners, and

Answer. the need for restraint against the transfer of arms that would enhance the military capabilities of hostile states, serve to facilitate human rights abuses or violations of international humanitarian law, or otherwise undermine international security.

*Elliot Broidy*

*Question 7.* Recent reporting revealed that in or about October 2014 2017, Elliot Broidy presented President Trump with a proposal to recruit a "thousands-strong international Muslim army—to be advised by retired Army Gen. Stanley McChrystal" and that "the team behind the Muslim army plan was led by McChrystal."

- Were you ever aware of this plan during your time as a Director at the McChrystal group, Deputy Assistant to the President in the White House, or Senior Advisor at the Department of State?

Answer. No.

*Question 8.* If so, please describe what you knew about the plan and when you knew it. Please also describe your assessment of the feasibility and policy implications of this plan.

Answer. N/A

*DRL*

*Question 9.* You answered only one of the three questions I submitted to you in writing on the role of DRL in reviewing DCS and FMS proposed arms sales. Please answer the following:

- Do you commit to giving DRL equal weight to the recommendations of the regional bureaus and PM regarding all such cases?

Answer. Yes.

*Question 10.* If necessary, will you grant DRL direct access to you to make a case for denial or modification of a sale for which they have concerns?

Answer. Yes.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ANDREA THOMPSON BY SENATOR EDWARD J. MARKEY**

*Question 1.* Do you believe achieving the gold standard—securing a commitment by other nations not to enrich or reprocess—should be a prerequisite for concluding a 123 agreement with the United States? Why is the Trump administration still conducting an internal process to decide what concessions we might be willing to offer to Saudi Arabia to try and conclude a 123 agreement? Will you commit to getting answers and briefing me once this "process" is concluded and before any formal discussions with Saudi Arabia?

**Answer.** As I testified, I have not been privy to the talks to date with Saudi Arabia, but, if confirmed, it will be my goal to have the strongest nonproliferation standards possible. The United States has a longstanding policy of limiting the spread of enrichment and reprocessing capabilities around the world. If confirmed, I commit to keeping the committee fully abreast of the status of all 123 agreement negotiations.

**Question 2.** Has the U.S. Government raised its concerns with Japan over its continued reprocessing of spent fuel into separated plutonium when: 1) it already has 48 tons of separated plutonium, 2) Japan does not have an operating facility to turn its plutonium into fuel for nuclear reactors, and 3) the vast majority of Japan's nuclear reactors are not currently operating anyway? Do you think the United States should consider re-negotiating its 123 agreement with Japan over its continued plutonium production?

**Answer.** As I testified during my confirmation hearing, I assure you that I will dig into this issue, if confirmed. As I told the committee, I have great confidence in our diplomatic relationship with the Japanese. As stalwart partners on both non-proliferation and civil nuclear energy, the United States and Japan regularly discuss a wide range of related issues, including Japan's nuclear fuel management policies.

**Question 3.** If you agree that the New START Treaty is beneficial to the United States, then why hasn't the Trump administration announced its intent to pursue a 5 year extension of the Treaty until 2026? Does the Trump administration not support pursuing such an extension?

**Answer.** The stated policy of the Trump administration is that the United States will continue to fully implement New START, which contributes to preserving strategic stability between the United States and Russia and is a critical component of global nuclear nonproliferation efforts. If confirmed, I look forward to participating in discussions on the next steps on New START Treaty.

**Question 4.** If New START is beneficial to the U.S., why wouldn't we announce our intent to pursue extending the central limits? Wouldn't that send a positive signal about our leadership on arms control and reduction efforts around the world without prematurely committing us into anything?

**Answer.** If confirmed, I look forward to supporting U.S. actions to continue to fully implement New START, which contributes to preserving strategic stability between the United States and Russia and is a critical component of global nuclear nonproliferation efforts. I understand the administration's immediate focus is on the next data exchange, which will provide the numbers of U.S. and Russian strategic offensive arms as of February 5, 2018. The United States hopes to exchange this data with Russia in late February or early March. As I testified, we have a few years to assess before making any decisions on the extension of New START, but it was a very promising sign that both parties complied with the central limits to the New START agreement by February 5.

**Question 5.** Do you believe the Iran nuclear agreement is in the U.S. national security interest?

**Answer.** The President and the administration have been clear about concerns regarding the JCPOA. As I testified during my nomination hearing, I have broader concerns about Iran's activities as they extend their footprint across the Middle East and the globe. Iran's continued malign activities in the region, including ballistic missile activities and support for terrorism and regional proxies, undermine expectations that the JCPOA would positively contribute to regional and international peace and security. The President has requested that Congress work with the administration to address the JCPOA's flaws, including through amending and strengthening the Iran Nuclear Agreement Review Act (INARA). In parallel, I understand discussions are underway in Europe. If confirmed, I look forward to being part of these discussions to ensure the JCPOA contributes to regional and international peace and security.

**Question 6.** If the United States believes that Iran is not in compliance with its commitments under the nuclear deal, why has the United States not engaged in the formal dispute resolution process outlined in the Iran deal that is supposed to be used by any party that believes other parties to the agreement are not meeting their commitments?

**Answer.** Although I am not yet engaged in these discussions, I understand the United States has engaged Iran directly and in cooperation with our P5+1 partners to ensure strict technical implementation of the deal. While to date the United States has not deemed it necessary to invoke the dispute resolution mechanism con-

tained in the JCPOA, you are correct that it is a tool available to the United States. The United States continues to uphold its JCPOA commitments and continues to hold Iran strictly accountable to its nuclear-related commitments under the deal—including its obligation to comply with all IAEA requests for access to sites the Agency feels it needs to visit in order to carry out its verification responsibilities in Iran.

*Question 7.* How would the other parties to the agreement react to the United States unilaterally pulling out of the deal? Is the Trump administration ready to impose secondary sanctions on European companies and banks like Airbus and DeutscheBank?

Answer. While President Trump has made clear that we must fix the flaws in the JCPOA or the United States will withdraw, the administration has not announced any intention to end participation in the JCPOA at this time, and the United States continues to uphold its JCPOA commitments. As I understand the current approach, with the United States engaging European partners to achieve a commitment to address the deficiencies identified in the deal and develop a shared understanding of how to counter Iran's broader destabilizing activities. Part of this will be to negotiate in some form a supplemental agreement that would impose new multilateral sanctions if Iran thwarts inspections or gets too close to the capability to produce fissile material for a nuclear weapon. Additionally, the United States is seeking an agreement that provides strong consequences, including new sanctions, if Iran develops or tests long-range missiles.

*Question 8.* If the United States leaves the Iran nuclear deal, what do you think the implications are for international nuclear nonproliferation efforts? Do you think renegeing on commitments we made and trying to change them either by re-imposing sanctions or taking legislative action will make it easier or more difficult to negotiate nonproliferation agreements with other countries (like North Korea)?

Answer. While President Trump has made clear his direction to negotiators to fix the flaws in the JCPOA or the United States will withdraw, the administration has not announced any intention to end participation in the JCPOA at this time. The United States continues to uphold its JCPOA commitments, and to hold Iran strictly accountable to its nuclear-related commitments under the deal—including those related to IAEA inspector access. European partners have signaled a willingness to cooperate with the United States to address Iran's malign actions outside the JCPOA and other long term proliferation challenges where international support remains crucial, including North Korea.

Regardless of the future of the JCPOA, Iran's nuclear activities must remain exclusively peaceful and Iran must cooperate fully with its continuing NPT and related IAEA safeguards obligations. The global nonproliferation regime, and the NPT in particular, must be able to address cases of noncompliance. The strength and durability of the NPT depends on common efforts of nations around the world to reinforce the nuclear nonproliferation regime and to combat threats to international security.

*Question 9.* Why do you believe tax dollars are better spent investing in new nuclear capabilities rather than investing more heavily in diplomacy or even conventional systems? Won't they just provide the justification countries like Russia are looking for not to comply with their commitments?

Answer. The 2018 Nuclear Posture Review seeks to deter potential adversaries from thinking they can gain any advantage through the use of nuclear weapons and seeks to encourage Russia to engage seriously on reducing its large disparity of non-strategic nuclear weapons. The deterrence effects that nuclear weapons provide are unique and essential to preventing nuclear attack—the only existential threat to the United States and its allies and partners. The administration's nuclear modernization program remains the most effective and least costly approach to sustaining the U.S. nuclear arsenal and an effective nuclear deterrent.

*Question 10.* Do you believe we need the "supplements" called for in the recently-released Nuclear Posture Review? If so, why? Please explain for both the low-yield SLBM and then the Sea-Launched Cruise Missile.

Answer. As outlined in the 2018 NPR, these supplements create incentives for Russia to return to diplomacy on reducing the disparity in non-strategic nuclear weapons. As the 2018 NPR states, these supplements will "provide a more diverse set of characteristics greatly enhancing our ability to tailor deterrence and assurance; expand the range of credible U.S. options for responding to nuclear or non-nuclear strategic attack; and, enhance deterrence by signaling to potential adversaries that their concepts of coercive, limited nuclear escalation offer no exploitable advantage." They enhance crisis and strategic stability by raising a potential adver-

sary's risks and making clear the United States has both the means and the willingness to respond at all levels of conflict. This raises the stakes for adversaries, induces their restraint, and thereby reinforces stability.

A low-yield ballistic missile (LYBM) is not a new warhead as only nuclear components already present in the stockpile will be used. The LYBM is necessary to achieve our tailored deterrence objectives and to meet the roles of nuclear weapons described in the 2018 Nuclear Posture Review (NPR). The LYBM will use the existing W76-1 warhead, but will be configured to provide the President with an additional response option to deliver a low-yield nuclear weapon able to overcome advanced adversary air defenses. The NPR calls for the pursuit of a sea-launched cruise missile (SLCM) capability that can be fielded in about 7–10 years, pending additional study. The NPR further notes that the United States may reconsider the pursuit of a SLCM “if Russia returns to compliance with its arms control obligations, reduces its non-strategic nuclear arsenal, and corrects its other destabilizing behaviors.” The pursuit of a nuclear SLCM capability will enhance deterrence in a strategic environment that has significantly worsened since the 2010 NPR. Both supplements would be compliant with all treaties and agreements, including obligations under the New START Treaty.

*Question 11.* Please describe how America's allies and partner nations have responded to the Nuclear Posture Review. Have any expressed concerns with the policies it outlines? If so, please describe the specific concerns shared.

Answer. While public responses of allied and partner government officials have varied since the February 2 release of the Nuclear Posture Review (NPR), allies expressed gratitude for the opportunity to hold confidential consultations with the United States and provide their views during the drafting process of the NPR, and stated that they were unsurprised by the final report. While our consultations produced a variety of views nearly all U.S. allies expressed concern about the deteriorating security environment and appreciation for our continued commitment to extended deterrence and to our long-term nonproliferation and disarmament goals.

*Question 12.* On what basis does the administration believe that developing and possibly deploying a new, road mobile ground-launched cruise missile will convince Russia to return to compliance with the INF Treaty? How does this enhance our diplomatic leverage? Isn't it just throwing good money after a weapons system we don't really need or want while backing us into a corner if Russia doesn't “back down?”

Answer. The administration remains committed to the INF Treaty, and its integrated strategy of diplomatic, economic, and military measures seeks to return Russia to full and verifiable compliance. Since the United States publicly announced Russia's violation in 2014, Russia has taken no step to return to compliance. The U.S. integrated strategy includes a review of options for a conventional, ground launched intermediate range missile system, which would enable the United States to better defend the United States and allies should Russia not return to compliance. The purpose is to make clear to Russia that it will be less secure—not more—if it persists in its violation, and to deny Russia the military advantage it has sought with the development of a prohibited system. This step does not violate U.S. obligations under the Treaty, and will be reversed if Russia returns to compliance.

*Question 13.* Doesn't the development of a new GLCM provide Putin a propaganda victory and a “legitimate” reason to blame the U.S. for the collapse of the INF Treaty and begin deploying large numbers of illegal missiles without any constraints?

Answer. No. The United States is in compliance with the Treaty. Russia is developing an illegal missile system in spite of the constraints of the Treaty. The administration's review of military concepts and options to induce Russia to return to compliance, including options for a conventional, ground launched intermediate range missile systems, does not violate U.S. obligations under the Treaty. As the administration has described publicly, this step will be reversed if Russia returns to compliance.

*Question 14.* How did our NATO allies react to the news that the United States plans to develop a new road mobile GLCM that if deployed would necessarily be placed in Europe? To your knowledge, are there any NATO or East Asian allies that would allow the United States to base a new road mobile ground launched cruise missile on their territory? If the development of a new GLCM becomes a controversial issue within the alliance, wouldn't that play into Moscow's efforts to divide the alliance and take the spotlight off its violation?

Answer. I understand that the administration continues to keep European and East Asian allies apprised of its efforts to seek Russia's return to full and verifiable compliance with the Intermediate Range Nuclear Forces (INF) Treaty. If confirmed,

maintaining allied cohesion and responding in concert will be a critical element of U.S. diplomatic pressure to bring Russia back into compliance. The North Atlantic Council made a strong, unified statement in December 2017. It noted that full compliance with the INF Treaty is essential to strategic stability and collective allied security, affirmed the United States is in compliance with the Treaty while declaring Russia's conduct raises serious concerns regarding its own compliance, and highlighted the Alliance's shared goal of returning Russia to full and verifiable compliance with the Treaty.

*Question 15.* To help resolve the noncompliance issues, will the new administration consider offering transparency measures to address the Russian charge that U.S. SM-3 launchers in Europe can contain ground launched cruise missiles?

Answer. If confirmed, I will continue to engage Russian officials in multiple venues, including the Special Verification Commission (SVC), to explain in a transparent, substantive, and constructive manner why U.S. actions in these areas are compliant with the INF Treaty. In December 2017, the United States publicly detailed these positions in a fact sheet on the Department of State website.

*Question 16.* In testimony to the House Armed Services committee in March, Vice Chairman of the Joint Chiefs of Staff Gen. Paul Selva stated that "There are no military requirements we cannot currently satisfy due to our compliance with the INF Treaty." Do you agree with this statement?

Answer. General Selva's comments appear to reinforce the administration's approach to finding a diplomatic solution to Russia's violation, and preserving the INF Treaty. If confirmed, I commit to supporting such a diplomatic approach to bring Russia back into compliance with its INF obligations.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ANDREA THOMPSON BY SENATOR JEFF MERKLEY**

*Question 1.* The 2018 Nuclear Posture Review (NPR) appears to be a major departure from the previous administration which reduced the role and number of nuclear weapons. Is it your understanding that the Trump administration will not seek a numerical increase in the number of deployed or non-deployed nuclear weapons?

Answer. The 2018 Nuclear Posture Review (NPR) represents broad continuity with decades of U.S. deterrence thinking. It fully endorses the planned nuclear modernization program, which is a one-for-one replacement of current weapons with similar systems, and adds two supplements to provide flexible capabilities that enable a tailored strategy without calling for an increase in the numbers of U.S. strategic nuclear forces. The NPR further affirms the U.S. commitment to continue abiding by all of its obligations under the New START Treaty, the Intermediate Range Nuclear Forces (INF) Treaty, and all other arms control treaties and agreements to which the United States is a party.

The near-term low-yield ballistic missile remains accountable under the New START Treaty and will use existing warheads and missile bodies. The longer-term sea-launched cruise missile (SLCM) returns a capability that the United States deployed for decades, and will use a warhead based on a previous design, although the specific design has not yet been selected. Neither represents a new capability nor does the administration expect the supplements will lead to a growth in the U.S. stockpile. Moreover, the NPR states that the United States may reconsider pursuit of the SLCM "if Russia returns to compliance with its arms control obligations, reduces its non-strategic nuclear arsenal, and corrects its other destabilizing behaviors."

*Question 2.* The 2018 NPR calls—for this first time since the 1980's—to potentially develop new nuclear weapons, including those that are lower yield, and thus, arguably more usable. Do you believe these low-yield weapons would serve as a deterrent in a conventional war?

Answer. One of the roles articulated in the 2018 Nuclear Posture Review (NPR) is to deter nuclear and non-nuclear attack. In his preface to the report, Secretary of Defense Mattis states: "This review rests on a bedrock truth: nuclear weapons have and will continue to play a critical role in deterring nuclear attack and in preventing large-scale conventional warfare between nuclear-armed states for the foreseeable future." If confirmed, I would support this approach, which is consistent with more than 70 years of U.S. nuclear weapons policy and all previous NPRs.

*Question 3.* Does the development of a new low-yield and more usable weapon imply the United States is open to first use of nuclear weapons?

Answer. In its more than 70 years of possessing nuclear weapons, the United States has never had a no-first-use or “sole purpose” policy of nuclear weapons use. As the 2010 Nuclear Posture Review (NPR) stated, the security conditions for a “sole purpose” policy did not exist. Since 2010, those security conditions have worsened. The 2018 NPR seeks to provide greater clarity on the conditions that could lead the United States to consider employing nuclear weapons. I understand the drafters sought to better clarify the “extreme circumstances” that could lead the United States to consider a nuclear response in order to increase stability by mitigating miscalculations and risk-taking by potential adversaries.

*Question 4.* What impact would U.S. first use, or the threat there of, do to international stability?

Answer. Consistent with U.S. policy over the past 70 years and all previous Nuclear Posture Reviews (NPRs), the United States has not adopted a no first-use nor “sole purpose” doctrine. The 2010 NPR concluded that the conditions in the security environment at that time were not conducive to such policies, and the security environment has since deteriorated further. As declared in the 2018 NPR, the United States would only consider the employment of nuclear weapons in extreme circumstances to defend the vital interests of the United States or its allies and partners. The United States will not use or threaten to use nuclear weapons against non-nuclear-weapon States that are Party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and that are in compliance with their nuclear non-proliferation obligations.

*Question 5.* Do you believe nuclear weapons can or should have a war fighting role?

Answer. The fundamental nature of deterrence is to decisively influence an adversary’s decisions in order to deter attack. Thus, nuclear weapons are not a warfighting capability but a deterrent capability.

*Question 6.* Do the development of these weapons mean that the Trump administration disagrees with President Reagan’s often repeated adage that: “a nuclear war cannot be won, and must never be fought?”

Answer. The 2018 Nuclear Posture Review (NPR) reflects continuity between this administration’s strategy-driven approach and President Reagan’s adage. The report states: “As Secretary of Defense Mattis has observed, ‘a safe, secure, and effective nuclear deterrent is there to ensure a war that can never be won, is never fought.’” In his preface to the NPR, Secretary Mattis also wrote “nuclear forces, along with our conventional forces and other instruments of national power, are therefore first and foremost directed towards deterring aggression and preserving peace.”

*Question 7.* You testified to the fact that the continued implementation of the New START Treaty remains in the U.S. national security interest. You also confirmed that Russia has complied by meeting the Treaty’s central limits as required by February 5, 2018. What are your plans to negotiate an extension of the Treaty for an additional five years until 2026?

Answer. If confirmed, I look forward to supporting U.S. actions to continue to fully implement New START, which contributes to preserving strategic stability between the United States and Russia and is a critical component of global nuclear non-proliferation efforts. I understand the administration’s immediate focus is on the next data exchange, which will provide the numbers of U.S. and Russian strategic offensive arms as of February 5, 2018. The United States hopes to exchange this data with Russia in late February or early March. As I testified, we have a few years to assess before making any decisions on the extension of New START, but it was a very promising sign that both parties complied with the central limits to the New START agreement by February 5.

*Question 8.* If confirmed, your position will be responsible for leading negotiations with other nations on civilian nuclear cooperation agreements (123 agreements). The Trump administration is reportedly considering negotiating a 123 agreement with Saudi Arabia. You testified to the fact that you would seek “the highest (non-proliferation) standard achievable.” Can you commit that the administration would accept no less than the “Gold Standard” of prohibiting uranium enrichment or plutonium reprocessing) achieved with the United Arab Emirates (UAE)?

Answer. As I testified, I have not been privy to the talks to date with Saudi Arabia, but, if confirmed, it will be my goal to have the strongest nonproliferation

standards possible. The United States has a longstanding policy of limiting the spread of enrichment and reprocessing capabilities around the world.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ANDREA THOMPSON BY SENATOR CORY A. BOOKER**

*Question 1.* One of the most dangerous developments of recent years has been the proliferation of nuclear weapons in South Asia. Since the 1998 tests, India and Pakistan have both deployed increasingly sophisticated nuclear weapons on a range of platforms. A nuclear war in South Asia could easily lead to millions of casualties and the United States needs to do everything in its power to prevent such a conflict. I am very alarmed that our confrontational approach to Pakistan may endanger our ability to work with them on these vital issues. That being said:

- What are the plans to improve strategic stability in South Asia to move India and Pakistan away from the precipice of nuclear war? Will you personally lead talks on this subject?

Answer. Pakistan and India both continue to produce fissile material for nuclear weapons and to expand their nuclear weapons and missile stockpiles. I share your concern regarding the increased security challenges that accompany growing stockpiles, the effects of certain actual or potential weapons programs upon stability, and the risk that a conventional conflict between India and Pakistan could escalate to include nuclear use. If confirmed, one of my first priorities will be to resume the Security, Strategic Stability, and Nonproliferation talks with Pakistan, which provide a dedicated venue to exchange views on Pakistan's intentions and defense needs, as well as strategic stability. I will also seek to discuss these important issues with India as we strengthen our bilateral relationship.

*Question 2.* One of the most dangerous developments of recent years has been the proliferation of nuclear weapons in South Asia. Since the 1998 tests, India and Pakistan have both deployed increasingly sophisticated nuclear weapons on a range of platforms. A nuclear war in South Asia could easily lead to millions of casualties and the United States needs to do everything in its power to prevent such a conflict. I am very alarmed that our confrontational approach to Pakistan may endanger our ability to work with them on these vital issues. That being said:

- What recent talks have been held with Pakistan and India regarding these issues, and what were the outcomes?

Answer. I understand that the last formal Strategic Security Dialogue that focused on these issues with India both took place in May 2016. If confirmed, I look forward to being fully briefed on these talks, their outcomes, and implementation efforts to date.

*Question 3.* One of the most dangerous developments of recent years has been the proliferation of nuclear weapons in South Asia. Since the 1998 tests, India and Pakistan have both deployed increasingly sophisticated nuclear weapons on a range of platforms. A nuclear war in South Asia could easily lead to millions of casualties and the United States needs to do everything in its power to prevent such a conflict. I am very alarmed that our confrontational approach to Pakistan may endanger our ability to work with them on these vital issues. That being said:

- What is the administration view of India's development of what is, essentially, an ICBM in the form of the AGNI V? Can this missile range all of the United States?

Answer. The administration continues to urge all states with nuclear weapons to exercise restraint regarding missile capability testing. The administration encourages efforts to promote confidence building and stability and to discourage actions that might destabilize the region. India advertises the AGNI V as a deterrent and having a range of approximately 5000 km.

*Question 4.* One of the most dangerous developments of recent years has been the proliferation of nuclear weapons in South Asia. Since the 1998 tests, India and Pakistan have both deployed increasingly sophisticated nuclear weapons on a range of platforms. A nuclear war in South Asia could easily lead to millions of casualties and the United States needs to do everything in its power to prevent such a conflict. I am very alarmed that our confrontational approach to Pakistan may endanger our ability to work with them on these vital issues. That being said:

- What are your ideas for slowing or ending the arms race in South Asia?

**Answer.** If confirmed, I would encourage India and Pakistan to resume dialogue with each other on this important issue, and I would encourage countries in possession of nuclear weapons to meet to discuss common concerns, confidence building, and risk reduction mechanisms.

**Question 5.** One of the great challenges we face today is the spread of dual use technology that enables nuclear or other WMD proliferation. In some cases countries lack the capacity to enforce their United Nations Security Council Resolution 1540 obligations to prevent such proliferation. In other cases, countries ignore the proliferation activities of their national companies. We need to do everything possible to prevent proliferation. I was very concerned to see the FY 2019 request for NADR funds cut by nearly one-third from the levels appropriated in FY 18:

- Given the role that NADR funding plays in support of the Export and Related Border Security Program in improving countries capacities to meet their UNSCR 1540 obligations and prevent proliferation, why has this funding request come in so much below the FY 2018 levels?

**Answer.** The FY 2019 funding request for the Export Control and Related Border Security Program (EXBS) was straight-lined from the FY 2018 level at \$59.6 million. While the overall NADR request was reduced, I understand that funding was protected for key WMD nonproliferation programs in order to prevent them from being adversely affected.

**Question 6.** One of the great challenges we face today is the spread of dual use technology that enables nuclear or other WMD proliferation. In some cases countries lack the capacity to enforce their United Nations Security Council Resolution 1540 obligations to prevent such proliferation. In other cases, countries ignore the proliferation activities of their national companies. We need to do everything possible to prevent proliferation. I was very concerned to see the FY 2019 request for NADR funds cut by nearly one-third from the levels appropriated in FY 18:

- Given that North Korea has built its nuclear program by using illicit procurement and financial networks, many of which involve China, what additional measures will the administration consider pursuing with China to inhibit the North Korean program?

**Answer.** If confirmed, I will prioritize U.S. diplomacy to bring maximum pressure on North Korea and cut off its capacity to violate the U.N. Security Council resolutions. I look forward, if confirmed, to being fully briefed on our current range of actions to press Chinese officials to do more to fully implement the requirements set out in the U.N. Security Council Resolutions.

If confirmed, I also look forward to reviewing and enhancing our broader efforts to bolster the ability of high-risk countries to meet UNSCR requirements and prevent the diversion of WMD-related materials to rogue states and terrorists. For example, EXBS programs are active in critical transshipment hubs like Malaysia, Singapore, Vietnam, South Africa, Tanzania, and Panama, and in countries that pose proliferation financing risks in the Asia Pacific, Middle East and North Africa, and South and Central Asia.

**Question 7.** The Comprehensive Test Ban Treaty is a cornerstone of both the efforts to prevent the spread of nuclear weapons and to verify the activities of countries that have nuclear weapons through the use of international monitoring. The United States has signed but not ratified the treaty.

- Does the Trump administration support United States ratification of the CTBT?
- Does the administration support continued American funding for the Comprehensive Test Ban Treaty Organization and the international monitoring stations?

**Answer.** I understand that the administration will not seek ratification of the Comprehensive Nuclear Test Ban Treaty, but the United States intends to abide by its unilateral nuclear explosive testing moratorium and calls on all states possessing nuclear weapons to declare or maintain a moratorium on nuclear explosive testing.

Further I understand that the United States will continue to support the Comprehensive Nuclear Test Ban Treaty Organization Preparatory Commission's development and operation of the International Monitoring System and supporting systems, which serve to monitor for nuclear tests and also provide collateral benefits.

**Question 8.** I am concerned by calls in the Nuclear Posture Review for the development of new low yield warheads to be deployed on sea based platforms alongside higher yield systems. My view is that this can lead to a dangerous situation in which Russia (or another adversary) would not know what sort of warhead was on an incoming system.

- What is the rationale behind the development of the low yield nuclear warheads?
- How do you see this warhead impacting strategic stability or crisis stability in a conflict situation?

Answer. While I was not part of the deliberations on the 2018 Nuclear Posture Review (NPR), that document recommends pursuing supplemental low-yield capabilities that provide flexibility and bolster the credibility of our deterrent force. These capabilities are meant to strengthen deterrence by denying potential adversaries any mistaken confidence that their limited nuclear employment can provide a useful advantage over the United States or its allies.

This capability is intended to reinforce strategic stability and crisis stability. Russia has made clear in its statements and actions that it perceives some advantage by maintaining the existing disparity in non-strategic nuclear weapons. The low-yield sea-based capability demonstrates to Russia, in a measured way, that the United States has the ability to respond proportionately to Russia's use of non-strategic nuclear weapons. Expanding survivable U.S. response options beyond only high-yield weapons raises the nuclear threshold in crisis by introducing an additional risk to Russia and thereby enhances strategic stability.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN A. THORNTON BY SENATOR ROBERT MENENDEZ

*Indo-Pacific Strategy*

*Question 1.* Our National Security Strategy defines China as a rival and a revisionist power. It lays out that "China and Russia challenge American power, influence, and interests, attempting to erode American security and prosperity."

- If we view our relationship as zero-sum what incentive does China have to working with us on issues such as North Korea, climate change, or maritime disputes?

Answer. As Secretary Tillerson stated during the Diplomatic and Security Dialogue with China in June 2017, the United States seeks a constructive and results-oriented relationship with China. If confirmed, I will pursue the bilateral relationship with China consistent with this vision, but remain clear-eyed on the need to stand up for our interests and those of our allies and partners whenever necessary. This includes pushing China to do more on collective security challenges, the most pressing of which is the North Korea's illegal ballistic missile and nuclear weapons program, our top national security priority. This also includes making sure that this remains a top agenda item in our discussions with senior Chinese officials. If confirmed, I will work to ensure that our economic relationship with China is fair and reciprocal and not marred by the unfair practices China has pursued in recent years. However, I will not shrink from responding to Beijing's challenges to the rules-based system, or from China's efforts to subvert the sovereignty of its neighbors and other Indo-Pacific nations, if confirmed. I will also remain committed to standing up for freedom and human dignity, and continue to push China to respect universal human rights and fundamental freedoms.

*Question 2.* What is our affirmative agenda with China? I know what we're doing to China but what (global and regional) issues are we actively trying to work with them on?

Answer. When appropriate, we should seek to broaden practical cooperation and achieve results on issues of shared concern. If confirmed, I will seek to make progress and achieve results on issues like the U.S. opioid crisis, preventing global pandemics, and strengthening international peacekeeping efforts. We should also continue working with China to address regional challenges such as achieving lasting peace in Afghanistan. Previous successes the United States has had working with China on issues like wildlife trafficking and global health security show that it is possible to cooperate with China on issues of mutual interest.

*Question 3.* Senior administration officials, including Secretary Tillerson, have said that human rights are "embedded" in U.S. policy. However, President Trump has called President Xi "a very special man" who is "highly respected" and a "powerful representative of his people" and left human rights off the agenda when he visited Beijing this past November. President Trump has boasted about having a "great relationship" with President Duterte who has killed his own people without due process—which President Trump appears to have a situational affection for—in his misguided drug war.

- Mrs. Thornton, do you agree with President Trump that President Xi is a “powerful representative of his people” or that President Duterte should be lauded and admired?

Answer. I am troubled by the deterioration of the human rights environment in China. During my time as Acting Assistant Secretary, I have regularly condemned human rights violations and abuses in China, and raised and advocated for individual cases of concern with Chinese counterparts. With regard to the Philippines, the U.S. and the Philippines have a deep and broad relationship that has been a cornerstone of peace and stability in the region for over 70 years. It is built on shared values, and shared sacrifice for democracy. We should encourage greater respect for human rights, fundamental freedoms, and the rule of law, and believe that these obligations promote long-term security. I remain deeply concerned by reports of extrajudicial killings associated with the drug war. The United States has expressed concerns with the prosecution of the drug war on multiple occasions with the Philippine Government, and we should continue to do so. We should also continue strongly urging the Philippines to ensure its law enforcement efforts are carried out consistent with its human rights obligations.

*Question 4.* Can you please explain in concrete terms what that means with respect to human rights in China, and two or three examples that you have acted on it?

Answer. During my time as Acting Assistant Secretary, I regularly condemned human rights violations and abuses in China, and raised and advocated for individual cases of concerns with Chinese counterparts. At consecutive sessions of the United Nations Human Rights Council since February 2017, I ensured the United States raised our concerns publicly about reports of China's arbitrary detention and torture of lawyers and activists, constraints on civil society and religious practices, discrimination against/human rights abuses with respect to the denial of rights to Tibetans and Uighurs, the crackdown on peaceful political expression, and reprisals against human rights activists. In March 2017, I reviewed and approved how the Department of State's annual Human Rights Report detailed the continued widespread abuses of human rights and fundamental freedoms in China. Later that month, Secretary Tillerson made his first visit to China, during which he and I made clear that the United States would continue to advocate for human rights and fundamental freedoms, including freedom of religion and belief, universal values such as human rights and religious freedom. The following month, on the sidelines of the U.S.-China summit at Mar-a-Lago, I raised specific human rights cases of concerns with Chinese counterparts. In April 2017, we secured the release of an American businesswoman from Houston who had been in prolonged pretrial detention in China for over two years, one of several American citizens I have personally helped to overcome exit bans.

Over the past year, I have also supported Department of State officials' attendance at the Chinese trials and sentencing of numerous human rights lawyers and activists who have reportedly faced serious mistreatment and torture while in detention, and private meetings privately with the wives and family members of those who have been detained. I have directed the drafting of Department of State statements marking the passing of Chinese Nobel Peace Prize Laureate Liu Xiaobo, the two-year anniversary of the launch of the Chinese Government's nationwide campaign of intimidation against defense lawyers and rights defenders, and the detention of Swedish citizen and Hong Kong bookseller Gui Minhai. I also approved the publication by our Embassy of a statement on International Human Rights Day, and a joint statement with the German Embassy on the sentencing of Chinese human rights defenders Wu Gan and Xie Yang.

Among our most intensive efforts this year to advance our human rights agenda in China was our effort to secure Liu Xiaobo's freedom. In June 2017, the Department of State called on China to allow Liu Xiaobo access to international medical specialists and to be allowed to seek medical treatment abroad. In July, under my leadership, the Bureau of East Asian and Pacific Affairs arranged for a leading American cancer specialist to travel to Shenyang to visit and treat Liu, and reiterate calls for his ability to seek medical treatment abroad. Following Liu's passing, the Secretary released a statement calling for the release from house arrest of Liu's widow, Liu Xia, and her ability to depart China. If confirmed, I will continue to lead persistent public and private efforts to press for Liu Xia's ability to communicate freely and travel, including abroad.

In December, the United States took action to promote accountability for serious human rights abuses in China by designating a former Chinese prison official under the December 2017 Executive Order implementing the Global Magnitsky Human Rights Accountability Act. Moreover, we have used our high-level meetings with the

Chinese to raise U.S. concerns around issues such as China's foreign NGO management law, exit bans placed on U.S. citizens, and specific detentions of Chinese activists. I, and my colleagues in the Bureau of East Asian and Pacific Affairs, have met regularly with Chinese human rights lawyers and activists such as Chen Guangcheng, leaders of non-government and non-profit organizations promoting greater respect for human rights in China such as Dui Hua Foundation founder John Kamm, and members of ethnic and religious minority groups such as World Uighur Congress president Dolkun Isa and Tibetan filmmaker Dhondup Wangchen. If confirmed, I will continue to raise our concerns about China's human rights issues, both in our private conversations and publicly, and encourage greater respect for human rights, fundamental freedoms, and the rule of law in China.

*Question 5.* What points of leverage do you think the U.S. has, and what points would you be willing to use, to obtain freedom for Liu Xia, the widow of 2010 Nobel Peace Prize winner Liu Xiaobo?

Answer. The United States remains deeply concerned about Liu Xia's well-being and freedom. I have helped lead persistent public and private high-level efforts to press for Liu Xia's ability to communicate freely and travel, including abroad. If confirmed, I will continue to review and make use of all tools at my disposal to press for Liu Xia's well-being and freedom of movement, including her freedom of expression and freedom to travel abroad as she chooses.

*Question 6.* The administration's National Security Strategy focuses largely on China, but only references human rights once. Do you think this sends a message to China and the region that the administration is not concerned about the issue?

Answer. Promoting respect for human rights and fundamental freedoms, including freedom of religion, remains a key component of American foreign policy. The President's National Security Strategy identifies as one of its four pillars the need to continue to advance America's influence abroad to protect our security and ensure our prosperity. Our advancement of democracy, human rights, and the rule of law have contributed to the success story of the Indo-Pacific region over the last half century, and if confirmed, I will continue to uphold and work to move forward these fundamental U.S. values in the region.

#### *Taiwan*

*Question 7.* As you know, I am the co-chair of the Senate Taiwan Caucus and last week, the Senate Foreign Relations committee reported out of committee the Taiwan Travel Act which would encourage high-level engagement for U.S. officials to meet their Taiwan counter-parts.

- Do you agree that supporting high-level U.S. engagement with Taiwan is in our national security interest?

Answer. Taiwan has long been a vital U.S. partner, a democratic success story, and a force for good in the world. Taiwan shares U.S. values, has earned our respect, and continues to merit strong U.S. support.

Consistent with the Taiwan Relations Act, United States officials regularly visit Taiwan to advance our unofficial relationship through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO), and vice versa. If confirmed, I would seek and consider opportunities for visits to Washington and Taipei by senior-level authorities that advance our unofficial relationship and enable substantive exchanges on issues of mutual interest and concern.

*Question 8.* Should U.S. restrictions on visits between officials from the U.S. and Taiwan be removed or revised? If not, why should they remain in place?

Answer. Under the umbrella of our unofficial relationship, the United States and Taiwan conduct, through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO), a broad range of normal interactions, including arms sales, visits, trade negotiations, and education and cultural exchanges.

Consistent with the Taiwan Relations Act, U.S. officials regularly visit Taiwan to advance our unofficial relationship through AIT and TECRO, and vice versa.

*Question 9.* Around the world, we have seen Taiwan's diplomatic channels close due to undue Chinese pressure in multiple capitols. We have witnessed Chinese warplanes fly over Taiwan and the use of commercial jets to violate airspace agreements.

- If confirmed, how do you plan to support our democratic partner in countering undue Chinese influence?

**Answer.** The United States has long maintained that cross-Strait differences are matters to be resolved peacefully, without the threat or use of force or coercion, and in a manner acceptable to the people on both sides of the Taiwan Strait. There is no change in our position. My commitments and assurances to Taiwan, including faithful implementation of the Taiwan Relations Act, are firm and long-standing.

The United States has an enduring interest in cross-Strait peace and stability. I would encourage authorities in Beijing and Taipei to engage in constructive dialogue that seeks a peaceful resolution of differences acceptable to the people of both sides of the Taiwan Strait on the basis of dignity and respect. If confirmed, I would oppose to unilateral actions by either side to alter the status quo across the Strait.

#### *South China Sea*

**Question 10.** I remain very concerned about China's long-term strategic intent and by China's aggressive program of land reclamation in the South China Sea over the past several years, including the placement of additional military assets on Woody Island in the Paracels, and the building of infrastructure in the Spratlys that could easily be turned to military use. China's continued efforts to coerce other claimants and change the status quo in waters claimed by the Philippines, Indonesia, Vietnam, Brunei and Malaysia -demands a powerful U.S. response.

- Beyond the conduct of freedom of navigation operations, which is the purview of the Department of Defense, what should U.S. strategy be in the South China Sea? Past diplomatic efforts that called for self-restraint, no dredging and no militarization have obviously failed.

**Answer.** The United States should work with partners and allies to uphold the rules-based order throughout the region, including in the South China Sea. We should continue to insist that China and others respect international law in their approach to South China Sea disputes. We should to press China and all the South China Sea claimants to refrain from new construction on, and militarization of, disputed features, and to commit to managing and resolving disputes peacefully, without the threat or use of force or coercion. With respect to their maritime claims and activities, we should continue to engage both publicly and privately with all South China Sea claimants, including China, to eliminate restrictions to freedoms of navigation and overflight and other lawful uses of the sea that do not conform to international law as reflected in the Law of the Sea Convention. We also need to urge both China and other claimants to conclude a meaningful Code of Conduct for the South China Sea.

We should keep engaging our allies and partners bilaterally and through plurilateral and in multilateral fora, including ASEAN, to advocate for respect for international law. As the primary multilateral institution in Southeast Asia, ASEAN has political weight greater than the sum of its parts, especially on contentious issues like those concerning the South China Sea. We should continue to encourage a unified ASEAN position that affirms and promotes the international rules and standards that underpin East Asian stability and prosperity. Additionally, ASEAN-centered institutions such as the East Asia Summit—in which the United States, China, and many regional allies and partners also participate—are additional venues in which we can play an active role to enhance respect for the rules-based order, including at the leaders level.

**Question 11.** After the Olympics, the Vice President appeared to attempt to clarify our North Korea policy saying if the North Koreans want to talk, we'll talk. In Vancouver, Secretary Tillerson said that the North Koreans must demonstrate a commitment to denuclearization before talks can begin. President Trump has said the U.S. would be willing to talk "under the right circumstances."

Under what specific conditions should the U.S. enter into negotiations with North Korea?

- An extended moratorium on North Korea missile and nuclear tests?
- An explicit declaration by Pyongyang that it will return to its commitments under the September 2005 Six Party Talks agreement?

**Answer.** The administration has stated an openness to talks with a credible partner. There has not been a credible indication from the North Korean regime that it wants to engage in meaningful dialogue. An announced and intentional moratorium from North Korea on missile and nuclear tests could be one way to demonstrate its readiness to talk. I don't believe the administration has any intention of returning to the mistakes of the past, and is mindful that North Korea has demonstrated its penchant for violating previous agreements.

*Hong Kong*

*Question 12.* The U.S. has prided itself across different administrations in its support for democratic movements around the world. Yet it has been painfully quiet on Hong Kong, where the Chinese Government is methodically eroding Hong Kong's autonomy and the rights guaranteed to Hong Kong under the Basic Law.

- What steps has the administration taken the past year to counter these developments, and what steps will it take to uphold Hong Kong's autonomy?

Answer. I share your concerns regarding the growing threats to One Country Two Systems, and pledge to support the defense of Hong Kong's high degree of autonomy.

I firmly support, and will continue to advocate for, Hong Kong's highly developed rule of law, and respect for human rights and fundamental freedoms. I believe that societies are best served when diverse political views are protected and can be freely expressed.

I believe that an open society, with the highest possible degree of autonomy and democratic participation, and governed by the rule of law, is essential for Hong Kong's stability and prosperity.

The State Department has consistently called on the Central Government to honor its commitments to uphold the rule of law in Hong Kong, as well as to ensure lawful and procedural respect for the Basic Law. Hong Kong's highly respected rule of law system, the integrity of Hong Kong's legislature, and the independence of Hong Kong's judiciary, have been critical to the continued success of the Hong Kong Special Administrative Region.

The June 2017 release of the State Department's "Review of Key Developments in Hong Kong" described several concerns related to the autonomy of Hong Kong and called on the Central Government to honor its commitments. State Department officials at all levels, including at Consulate General Hong Kong, regularly meet with government officials, activists, representatives from civil society, and private citizens to discuss a wide range of topics bearing on the interests of the United States and its friends and allies—foremost among them are Hong Kong's autonomy and human rights and fundamental freedoms.

*Question 13.* If confirmed, would you support additional governance programming that supports the democratic movement in Hong Kong?

Answer. Hong Kong's highly respected rule of law system, the integrity of Hong Kong's legislature, and the independence of Hong Kong's judiciary, have been critical to the continued success of the Hong Kong Special Administrative Region. If confirmed, I would support governance programming that strengthens the Hong Kong institutions that play critically important roles in protecting Hong Kong's high degree of autonomy and fundamental freedoms.

*Question 14.* Do you believe the consensus view among more than 95 percent of climate scientists that climate change is real and that combustion of fossil fuels, in combination with other anthropogenic activities that release greenhouse gases into the atmosphere, is causing climate change?

Answer. President Trump made clear when the United States joined other G-20 countries in last year's G-20 Leaders' Declaration in stating that the administration remains committed to mitigating greenhouse gas emissions through, among other ways, increased innovation on sustainable and clean energy and energy efficiency, and working towards low greenhouse gas emissions energy systems. The United States will continue to support a balanced approach to climate mitigation, economic development, and energy security that takes into consideration the realities of the global energy mix. If confirmed, I will support the administration's commitment to continue helping our partner countries reduce emissions from forests and other lands, to adapt to the impacts of climate change, and to respond to natural disasters.

*Question 15.* Given the significance of climate diplomacy to the U.S.-China relationship, and the significant investment that China is making at home and abroad in renewable energy development, will you work to restore the climate cooperation dialogue between the U.S. and China—a former cornerstone of the U.S.-China relationship?

Answer. The United States seeks a constructive and results-oriented relationship with China, and as a leader in global energy, the United States is a critical force in advancing energy efficiency and clean energy efforts around the world as demand for energy increases. If confirmed, I will work to continue strengthening U.S. energy security and respond to energy challenges from around the region that affect U.S. economic policy and national security. I will also seek to broaden practical coopera-

tion and achieve results on issues of shared concern in line with administration policy.

If confirmed, I will have my bureau help promote an “all of the above” energy strategy focusing on secure, stable, diversified, and modern global energy systems that uses a broad range of market-based energy solutions, including renewable energy, advanced energy technologies, energy efficiency, oil and liquefied natural gas, and governance solutions, to advance U.S. interests, global energy security, and economic development.

*Question 16.* Given how seriously every nation in the world take the threat of climate change, wherein every nation has committed to some degree to cut its carbon emissions, how will you aim to engage and convince China’s neighbors to partner with the U.S. to meet their clean energy and energy self-reliance goals?

Answer. The United States will continue to be a leader in clean energy and innovation, and we understand the need for transforming energy systems given the dynamic change in our own market in recent years. American businesses are at the forefront of innovation in the clean energy and energy efficiency technologies, and American workers are the best trained in the world. Our guiding principles should include universal access to affordable and reliable energy and open, competitive markets that promote efficiency and energy security. Over the past 10 years, the United States has shown that it can reduce emissions while growing the economy and promoting energy security. Since 2005, the United States’ net greenhouse gas emissions have decreased 11.5 percent while the U.S. economy has grown 15 percent, adjusted for inflation. If confirmed, I will seek to engage with partners based on our track record of innovation and results.

*Question 17.* If the President is serious about seeking a better deal for America under the Paris Agreement, how will conceding leadership to China result in outcomes that could objectively be seen as better for the U.S.?

Answer. I believe the United States remains a leader in clean energy and innovation, and we are committed to lowering our greenhouse gas emissions through innovation to protect the environment while increasing economic growth. Over the past 10 years, the United States has shown that it can reduce emissions while growing the economy and promoting energy security. Since 2005, the United States’ net greenhouse gas emissions have decreased 11.5 percent while the U.S. economy has grown 15 percent, adjusted for inflation.

#### *Conflicts of Interest*

*Question 18.* If confirmed, you will be handling diplomatic relationships with countries that are significant U.S. trading partners. I am very concerned about possible conflicts of interest between our diplomacy and our President’s overseas business arrangements. We know that the President owns assets in several countries. We also suspect that he has taken loans from foreign entities. But we still don’t know the full extent of his holdings and the details of any foreign loans because he has not been fully transparent with the American people. The fact that China approved new trademarks for the Trump Organization and Ivanka Trump’s company over the past year only underscores this point. One could imagine a situation where you, if confirmed, are negotiating an agreement with a country in which the President’s business is trying to obtain trademarks, potentially presenting a conflict between what is in the financial interest of the President versus the economic interests of the American people at large.

- So my question to you is, without a public disclosure of the President’s business relationships how can you and the American people know that your negotiations with other countries will not benefit the President at the expense of ordinary Americans?
- And without a full public disclosure, how can you be sure that the person you’re negotiating with doesn’t know more about the President’s business dealings than you do?

Answer. I have consistently acted in the best interest of the United States Government and the American people throughout my government service and will continue to do so as Assistant Secretary if I am confirmed. I will never place the interests of any individual or company ahead of those of the American people.

I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 19.* During the U.S.-China Summit held last April in Florida and last November in Beijing, President Trump did not raise the question of respect for human rights and the rule of law in China and in Tibet. Since 1997, all U.S. Presi-

dents have publicly challenged the sitting Chinese President to negotiate with the Dalai Lama or his representative to find a lasting solution to the Tibetan issue.

- Would you personally commit to pressing the Chinese leadership for a resolution of the Tibetan issue through a speedy resumption of dialogue with the Tibetan side, without preconditions?
- If appointed, would you recommend and make sure that President Trump calls publicly on the Chinese President to address the grievances of the Tibetan people through dialogue with the Dalai Lama?

Answer. I share your concerns about the lack of respect for human rights and rule of law in Tibet. If confirmed, I will urge Chinese authorities to engage in meaningful and direct dialogue with the Dalai Lama or his representatives, without preconditions, to lower tensions and resolve differences. I will also call on China to provide meaningful autonomy for Tibetans and cease restrictions on Tibetan religious, linguistic, and cultural practices, and speak out against Chinese Government interference in Tibetan religious matters, particularly the selection, education, and veneration of the reincarnate lamas who lead the faith. I will also recommend that the United States expresses publicly, and at the highest levels of government, U.S. concerns about restrictions on the rights of Tibetans and other ethnic and religious minorities in China and urge Chinese authorities to engage in meaningful and direct dialogue with the Dalai Lama or his representatives, without preconditions.

#### *Chinese Political Prisoners*

*Question 20.* On behalf of Senator Schumer, from the great state of New York we wanted to ask you about Americans who have been detained in China. As of today, there are approximately 100 Americans detained or imprisoned in China. There are nearly 40 other Americans who are subject to “exit bans” and are therefore unable to leave China. Amongst those imprisoned is Li Kai, a New Yorker who was arrested by the Chinese authorities in September 2016 and has remained imprisoned in China.

- If confirmed, what are specific actions will you take as Assistant Secretary to advocate for the prompt release Li Kai and all other Americans imprisoned in China?

Answer. The safety and security of U.S. citizens, including those who are detained in China, will be one my top priorities. I will do everything I can to protect the rights of U.S. citizens in China and elsewhere in the Asia-Pacific. When they are not, I will do everything I can to continually raise their cases with the Chinese. While we have managed in recent months to secure the return to the U.S. of several American citizens previously detained subject to “exit bans,” I will certainly continue to advocate for progress on remaining cases. We have also recently added a new warning to our travel advisory for China regarding potential for arbitrary application of laws.

I have been closely following the case of Li Kai, and I know the State Department, including our consulate in Shanghai, has been in regular contact with his family.

This situation is extremely troubling, and we regularly raise Mr. Li’s case with the Chinese. I have personally raised Mr. Li’s case with high level Chinese officials, and if confirmed, I will continue to do so, advocating for Mr. Li’s rights and urging China to return him home.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO SUSAN A. THORNTON BY SENATOR MARCO RUBIO

*Question 1.* Our understanding from Wall Street Journal news reports and other sources is that the National Security Council convened a Policy Coordination committee conference call on Friday, May 26, 2017 (hereinafter “PCC conference call”), to discuss with NSC staff and other administration officials whether FBI agents should arrest or detain several officials from China’s Ministry of State Security who had allegedly conducted official business while in the United States in violation of their transit visas, and whose plane was about to depart a New York airport. Did Acting Deputy Assistant Secretary of State for East Asian and Pacific Affairs Laura Stone (hereinafter “Acting DAS Stone”) participate in this PCC conference call on May 26, 2017?

Answer. I was out of the country on official travel on the date of the call. My understanding is that officials from USG agencies, including Acting DAS Stone, participated in an interagency secure call on May 26.

While I did not participate in the meeting as I was on official travel, I was briefed in a secure environment on the details of this meeting when I returned. The State Department would be happy to provide a classified briefing as follow up to your question.

I remain committed to protecting U.S. sovereignty, and to working closely with the law enforcement community to ensure the safety and security of the American people and that China does not engage in law enforcement activity in the United States without U.S. consent. If confirmed, I will continue to cooperate with inter-agency colleagues ensure China abides by President Xi's commitment to President Trump in Beijing in November to coordinate all law enforcement activities in the United States with U.S. authorities. I have pressed China to adhere to this commitment during my interactions with Chinese officials.

*Question 2.* Did any other officials from the State Department, including the Bureau of East Asian and Pacific Affairs (hereinafter "EAP Bureau"), participate in this PCC conference call on May 26, 2017? If yes, who?

Answer. My understanding is that officials from several other bureaus from the State Department participated as well as many other interagency representatives.

*Question 3.* During the PCC conference call on May 26, 2017, did Acting DAS Stone or any other EAP Bureau officials oppose, object to, or otherwise not support proposals for FBI agents to arrest or detain several officials from China's Ministry of State Security at a New York airport who had allegedly conducted official business while in the United States in violation of their transit visas?

Answer. I believe we should be extremely concerned about actions by foreign officials in the United States that would be inconsistent with U.S. sovereignty, and we should take action to address this issue. My understanding is that in this, and in similar cases, the State Department advocated for a strong and appropriate response, consistent with Vienna Conventions and in a manner that supports and upholds U.S. interests.

*Question 4.* Did you convey, in any way and at any time, any guidance or direction to Acting DAS Stone or any other EAP Bureau officials as to what position, posture, and/or actions the State Department in general or the EAP Bureau in specific should take in the PCC conference call on May 26, 2017, with regard to whether FBI agents should arrest or detain several officials from China's Ministry of State Security at a New York airport who had allegedly conducted official business while in the United States in violation of their transit visas? If yes, please describe your guidance or direction?

Answer. No, as I was out of the country on official travel at that time.

*Question 5.* If your answer to the previous question is no, please explain why not, especially given your position as Acting Assistant Secretary of State for East Asian and Pacific Affairs and your responsibility for the EAP Bureau's official actions? And did you deputize any other State Department employee to act in your absence?

Answer. I did not participate in this impromptu working-level interagency call as I was on official travel out of the country.

*Question 6.* Will you provide us with the Statement of Conclusions for the PCC conference call on May 26, 2017?

Answer. My understanding is that as this was an impromptu interagency secure call, and therefore there was no formal Statement of Conclusions issued.

#### *On Subsequent PCC Meeting to Discuss the May 26th Outcome*

*Question 7.* As we understand from Wall Street Journal news reports and other sources, the National Security Council convened in the following week a Policy Co-ordination committee meeting (hereinafter "PCC meeting") to discuss, among other things related to U.S.-China relations, the outcome of the May 26th PCC conference call. Did you attend this subsequent PCC meeting?

Answer. No. I also did not participate in the meeting, due to subsequent official travel.

*Question 8.* During this subsequent PCC meeting, did you oppose, object to, or otherwise not support efforts to lay out a specific policy, plan of action, or other interagency understanding if the FBI should once again find itself either in the position to arrest or detain Chinese officials conducting official business in violation of their transit visas, or in another comparable situation?

Answer. I did not participate in the meeting as I was on official travel. I was briefed in a secure environment on the details of this meeting when I returned.

I remain committed to protecting U.S. sovereignty, and to working closely with the law enforcement community to ensure the safety and security of the American

people and that China does not engage in law enforcement activity in the United States without U.S. consent. If confirmed, I will continue to cooperate with inter-agency colleagues ensure China abides by President Xi's commitment to President Trump in Beijing in November to coordinate all law enforcement activities in the United States with U.S. authorities. I have pressed China to adhere to this commitment during my interactions with Chinese officials.

*Question 9.* During this PCC meeting, did you express or otherwise convey the view that the United States should not be confrontational towards China?

Answer. I did not personally participate in the meeting as I was on official travel.

I am committed to a clear-eyed and forthright approach to China. If confirmed, my approach will be to ensure that where we have differences, the U.S. Government confronts China directly.

*Question 10.* Will you provide us with the Statement of Conclusions for the PCC meeting to discuss the outcome of May 26th PCC conference call?

Answer. I am not aware of a Statement of Conclusions issued by the National Security Council for this meeting.

*Question 11.* In February 2017, a group of 11 democratic governments—with whom the United States has historically partnered to advance human rights issues in China—sent a letter to the Chinese Minister of Public Security on the issue of torture and the secret detention of dozens of human rights lawyers (hereinafter “February 2017 letter”). The United States declined to sign the February 2017 letter, which prompted an onslaught of negative media attention and unfortunately furthered the narrative that, in the words of the Washington Post editorial board, “the Trump administration will play down human rights in its foreign policy.” Please describe the State Department’s decision-making process in making a recommendation on whether or not the United States should sign the February 2017 letter?

- Did you unilaterally make the decision on whether or not the State Department should support the United States signing the February 2017 letter? If yes, why?
- If your answer to the previous question is no, then did you make any recommendation to Secretary of State Rex Tillerson or to any other senior State Department official on whether or not the United States should sign the February 2017 letter? If yes, then what recommendation did you make and to whom did you convey the recommendation? And did you consult with the Bureau of Democracy, Human Rights and Labor (hereinafter “DRL”) on any such recommendation?

Answer. The United States has repeatedly raised concerns over China’s deteriorating human rights situation with Chinese officials through many different mechanisms and, if I am confirmed, I will work hard to ensure that we continue to do so. At the 34th session of the United Nations Human Rights Council in February 2017, the United States raised our concerns publicly about reports of China’s arbitrary detention and torture of lawyers and activists. We also raised concerns about reports of torture in China in detail in the State Department’s annual Human Rights Report on China released the following month. On the sidelines of the U.S.-China summit at Mar-a-Lago in April 2017, senior U.S. Department of State officials raised human rights prisoner cases of concern with Chinese counterparts. Over the past year, Department of State officials have attended the trials and sentencing of numerous human rights lawyers and activists who have reportedly faced serious mistreatment and torture while in detention, and met privately with their wives and family members. In July 2017, the Department of State marked the two-year anniversary of the launch of the Chinese Government’s nationwide campaign of intimidation against defense lawyers and rights defenders and raised concerns about reports of their alleged torture and denial of access to independent legal counsel. In December, we took action to promote accountability for serious human rights abuses in China, in particular the detention and torture of human rights activist Cao Shunli, by designating a former Chinese prison official under the December 2017 Executive Order implementing the Global Magnitsky Human Rights Accountability Act. The following month, we released a joint statement with the German Embassy in Beijing on the sentencing of human rights defenders Wu Gan and Xie Yang, in which we publicly condemned the allegations of their serious mistreatment. We should welcome other countries speaking out on this issue as well, and, if confirmed, I will continue to look for opportunities to work with like-minded countries to address China’s human rights abuses. I am firmly committed to opposing torture and other human rights violations and abuses in China and elsewhere in the world.

As with all policy matters under consideration at the Department of State, arriving at consensus positions is a primary goal, and I have certainly not made any poli-

cies unilaterally. The decision by the U.S. Government not to join the February 2017 letter was related to timing and the recent arrival of a new administration, rather than any lack of commitment or disagreement about substance.

*Question 12.* During your time in the State Department's Bureau of East Asian and Pacific Affairs (hereinafter "EAP Bureau"), has Joshua Wong ever requested to meet with you?

Answer. It is my understanding that Joshua Wong has not requested a meeting with me in the past. Officers from the EAP Bureau and other parts of the State Department, both in Washington, D.C. and in Hong Kong, however, have met with Joshua Wong on multiple occasions, just as they have with many other Hong Kong citizens of influence across the political spectrum. If confirmed, I would stand ready to meet with Hong Kong citizens from across the political spectrum, including democracy activists like Joshua Wong. I would also instruct Consulate General Hong Kong to do the same.

*Question 13.* During your time in the EAP Bureau, have you ever met with Joshua Wong? If not, why not?

Answer. I have not personally met with Joshua Wong, but me officers from the EAP Bureau and other parts of the State Department, both in Washington, D.C. and in Hong Kong, however, have met with Joshua Wong on multiple occasions, just as they have with many other Hong Kong citizens of influence across the political spectrum. If confirmed, I would stand ready to meet with Hong Kong citizens from across the political spectrum, including democracy activists, like Joshua Wong. I would also instruct Consulate General Hong Kong to do the same.

*Question 14.* During your time in the EAP Bureau, have you met with any Hong Kong-based pro-democracy advocates? How many and with whom in particular?

Answer. I, and/or members of my teams, have met with Anson Chan, Martin Lee, Dennis Kwok, Joshua Wong, Jeffrey Ngo, and others. State Department officials at all levels, including at Consulate General Hong Kong, regularly meet with Hong Kong Government officials, activists, representatives from civil society, and private citizens to discuss a wide range of topics bearing on the interests of the United States including human rights, fundamental freedoms, and democracy. If confirmed, I would stand ready to meet with Hong Kong citizens from across the political spectrum, including democracy activists, and would instruct Consulate General Hong Kong to do the same.

The United States firmly supports Hong Kong's high degree of autonomy, rule of law, and respect for human rights and fundamental freedoms. We recognize the Sino-British Joint Declaration and the Basic Law as the bedrock of Hong Kong's autonomy under "one country, two systems." We support freedom of expression and believe that societies are best served when diverse political views are respected and can be freely expressed. If confirmed, I will continue to promote these priorities through our engagement with the Government and people of Hong Kong, as well as the Chinese Central Government.

*Question 15.* If confirmed, do you commit to meeting with Joshua Wong, Agnes Chow, and other young pro-democracy activists in Hong Kong?

Answer. Yes. If confirmed, I would stand ready to meet with Hong Kong citizens from across the political spectrum, including democracy activists, and I would instruct Consulate General Hong Kong to do the same.

*Question 16.* If confirmed, do you commit to instructing U.S. Consul General to Hong Kong Kurt Tong to meeting with Joshua Wong, Agnes Chow, and other young pro-democracy activists in Hong Kong?

Answer. Yes. If confirmed, I will instruct Consulate General Hong Kong to meet with Hong Kong citizens from across the political spectrum, including young pro-democracy activists.

*Question 17.* If confirmed, do you commit to instructing U.S. Consul General to Hong Kong Kurt Tong to send a clear message that the United States will not tolerate China's erosion of the "one country, two systems" model?

Answer. Yes. If confirmed, I will continue to have the United States voice our concerns, including through Consulate General Hong Kong, over any actions by the Chinese Central Government that appear inconsistent with China's commitment in the Basic Law to allow Hong Kong to exercise a high degree of autonomy under the "one country, two systems" framework. If confirmed, I will also continue to urge China to respect these principles as enshrined in the Sino-British Joint Declaration and the Basic Law.

*Question 18.* Anson Chan recently said that Hong Kong is the "canary in the coal mine" for rule of law, political rights and freedom of expression in China, all of

which are essential also to protecting U.S. economic interests as well as the interest of American businesses operating in China. What actions can the U.S. Consulate General in Hong Kong take to demonstrate American support for Hong Kong's autonomy and for fundamental freedoms—including academic freedom, freedom of expression, freedom of assembly—in Hong Kong?

*Answer.* The United States has firmly supported Hong Kong's high degree of autonomy, rule of law, and respect for human rights and fundamental freedoms. The State Department supports freedom of expression and believes that societies are best served when diverse political views are protected and can be freely expressed.

The State Department believes that an open society, with the highest possible degree of autonomy and democratic participation, and governed by the rule of law, is essential for Hong Kong's stability and prosperity.

If confirmed, I will continue to urge the Chinese Central Government to honor its commitments to uphold the rule of law in Hong Kong, as well as to ensure respect for the Basic Law. Hong Kong's highly respected rule of law system, the integrity of Hong Kong's legislature, and the independence of Hong Kong's judiciary, have been critical to the continued success of the Hong Kong Special Administrative Region.

The State Department and our Consulate General Hong Kong have been very active in demonstrating American support for these ideals both in private and in public—such as through the June 2017 release of the “Review of Key Developments in Hong Kong” that described several concerns related to the autonomy of Hong Kong and called on the Central Government to honor its commitments. If confirmed, I would instruct Consulate General Hong Kong and State Department officials at all levels to continue to engage privately and publicly with Hong Kong and Central Government officials and institutions in support of Hong Kong's autonomy and fundamental freedoms. I would also support governance programming that strengthens the Hong Kong institutions that play critically important roles in protecting Hong Kong's high degree of autonomy and fundamental freedoms.

*Question 19.* The Trump administration has emphasized the concept of reciprocity in our dealings with China. What are your views on the principle of reciprocity in the context of U.S.-China relations?

*Answer.* In order to realign and rebalance our relationship with China, there needs to be significant changes in China's behavior bilaterally, regionally, and globally in important security, diplomatic, and economic areas. In particular, China must enact a more fair and reciprocal trade and investment relationship with the United States. China should play by the same rules and standards the United States and other countries are expected to follow, whether that be human rights for people in their territory, trade and investment, or international law.

In our efforts to promote reciprocity, I believe that the United States must remain consistent with our own values such as respect for the rule of law, respect for U.S. sovereignty, and transparency.

*Question 20.* During your time in the State Department's Bureau of East Asian and Pacific Affairs (hereinafter “EAP Bureau”), what specific policy proposals have you supported at the Department to actualize the idea of bringing greater reciprocity to America's relationship with China?

*Answer.* In order to realign and rebalance our relationship with China, there must be significant changes in China's behavior bilaterally, regionally, and globally in important security, diplomatic, and economic areas. To ensure reciprocity for the open access China and many other countries enjoy in the United States, I have strongly supported efforts to gain better access in China for U.S. businesses and products, foreign journalists, non-governmental organizations, and religious organizations.

*Question 21.* During your time in the EAP Bureau, what specific proposals with regard to bring greater reciprocity to America's relationship with China have you blocked or otherwise not support from moving forward?

*Answer.* In order to realign and rebalance our relationship with China, there must be significant changes in China's behavior bilaterally, regionally, and globally in important security, diplomatic, and economic areas. To ensure reciprocity for the open access China and many other countries enjoy in the United States, I have strongly supported efforts to gain better access in China for U.S. businesses and products, foreign journalists, non-governmental organizations, and religious organizations. As an example, I have advocated in the past for journalistic visas and duration of stay in China, reciprocal treatment for restrictions on movements of diplomatic personnel, access for official personnel to the Tibetan Autonomous Region, and in many other fields, including requests for legal assistance, market access, etc. I am not aware of having blocked any such proposals. In our efforts to promote reciprocity,

I believe that the United States must remain consistent with our own values. I would not support any efforts that violate our laws, sovereignty, or the Constitution.

*Question 22.* The Chinese Government wields its ability to grant or deny visas to international scholars, journalists, civil society representatives, diplomats and others as a weapon. Academics who try to tackle politically sensitive topics find themselves banned from entering China for years at a time-a virtual death blow to the careers of young scholars while Chinese scholars experience no such similar restrictions in attempts to enter the United States. In a similar vein Members of Congress who are outspoken critics of the Chinese Government find their visas denied or delayed to the point of making a trip ineffectual, while at the same time that Chinese Government officials and Chinese Communist Party officials are routinely granted visas and granted access to all parts of the United States. Diaspora communities, such as Tibetan-Americans, find their requests to travel to Tibet repeatedly denied while Chinese Government officials and Chinese Communist Party officials who implement repressive policies against these same ethnic minority regions travel freely in the United States. Chinese-funded think tanks in the United States abound while American non-governmental organizations (“NGOs”) and think tanks find their activities further restricted under the recently-passed foreign NGO management law. Do you agree with this assessment?

Answer. I am committed to working towards ensuring that U.S. civil society, media, legislators, and scholars have full access to China.

Executive Order 13780, which was signed by the President last March, requires the Department of State to undertake a worldwide review of nonimmigrant visa reciprocity agreements and arrangements. The Department noted discrepancies between the U.S. visa regime and China's and signaled to the Chinese that our visa agreements must be reciprocal. The Department is preparing now to take the steps necessary to make our visa regimes reciprocal including for validity and fees, consistent with INA Sections 221(c) and 281.

Regarding Chinese officials' ability to travel to the United States, U.S. consular officers adjudicate visas on a case-by-case basis in accordance with U.S. law and regulations, including for those applicants who are government officials of a foreign country. The State Department regularly denies travel if it is not in the interests of the United States.

*Question 23.* Do you agree that this assessment reflects a lack of reciprocity in the U.S.-China relationship, especially as it relates to visas?

Answer. If confirmed, I am committed to continue working towards ensuring that U.S. civil society, media, legislators, and scholars have full access to China, and that reciprocity is observed. The Department has pursued a policy of reciprocity with regard to visas with China and has held annual consular dialogues towards this end.

President Trump signed Executive Order 13780, requiring the Department of State to undertake a worldwide review of nonimmigrant visa reciprocity agreements and arrangements. EAP's posts are currently reviewing all visa agreements with foreign countries, including Mission China. During an initial review of the information provided by China, we noted discrepancies between its visa regime and ours. We have signaled to the Chinese that our visa agreements must be reciprocal and are preparing now to take the steps necessary to make our visa regimes reciprocal, including for validity and fees, consistent with INA Sections 221(c) and 281.

Regarding Chinese officials' ability to travel to the United States, U.S. consular officers adjudicate visas on a case-by-case basis in accordance with U.S. law and regulation, including for those applicants who are government officials of a foreign country. The State Department regularly denies travel if it is not in the interests of the United States.

*Question 24.* What steps could the State Department take to signal to the Chinese Government that the U.S. is prepared to act in its own best interest and that reciprocity will underpin future visa considerations? Are you prepared to lead such an effort if confirmed?

Answer. If confirmed, I will work with the Bureau of Consular Affairs to ensure that the United States' visa regime is reciprocal, consistent with the requirements in Immigration and Nationality Act Sections 281 and 221(c), respectively.

Under Executive Order 13780, the State Department is reviewing China's visa policies as part of a worldwide review of nonimmigrant visa reciprocity. China is aware that, should visas offered to U.S. citizens not be considered reciprocal with what we offer to Chinese travelers, the United States will insist that changes be made to make them reciprocal. If confirmed, I will fully support such efforts and measures.

*Question 25.* If confirmed, are you prepared to recommend the denial of visas to Chinese officials who oversee policies in places like the Tibet Autonomous Region and/or the Xinjiang Uyghur Autonomous Region until American diplomats, journalists and NGOs are granted reciprocal access to these areas?

Answer. I am committed to working towards ensuring that U.S. civil society, media, legislators, and scholars have full access to China.

Regarding Chinese officials ability to travel to the United States, U.S. consular officers adjudicate visas on a case-by-case basis in strict accordance to U.S. law and regulation, including for those applicants who are government officials of a foreign country. The State Department regularly denies travel if we feel it is not in the interests of the United States.

*Question 26.* During your confirmation hearing on , I raised concerns about the removal of the Taiwanese flag from various webpages on the State Department's website—including the Bureau of East Asian and Pacific Affairs' webpage on Taiwan at <https://www.state.gov/p/ead/ci/taiwan/> as well as the Bureau of Consular Affairs' webpage on Taiwan at <https://travel.state.gov/content/travel/csi-repository/csi-landing/csi-catalog/twn.html>—beginning sometime in 2017. When specifically were Taiwanese flags removed from these webpages of the State Department's website?

Answer. The two websites cited were updated to remove Taiwan's flag, in accordance with long-standing policy on the unofficial nature of U.S.-Taiwan relations, on August 2017 and January 2018 respectively.

*Question 27.* Did you order, offer guidance on, or personally take any actions to implement, the removal of Taiwanese flags from these webpages on the State Department's website?

Answer. I believe Taiwan is a vital partner, a democratic success story, and a force for good in the world. Taiwan shares our values, has earned our respect, and merits our strong support.

As the acting senior official in the Bureau of East Asian and Pacific Affairs, all decisions made by the bureau are my responsibility. The two websites cited were updated to remove Taiwan's flag, in accordance with long-standing policy on the unofficial nature of U.S.-Taiwan relations.

The United States' one China policy is based on the three joint communiqués and the Taiwan Relations Act (TRA). If confirmed, I commit to continuing to uphold that policy.

*Question 28.* What specific role did you, in your capacity as Acting Assistant Secretary of State for East Asian and Pacific Affairs, play in the State Department's removal of the Taiwanese flag from the Bureau of East Asian and Pacific Affairs' webpage on Taiwan at <https://www.state.gov/p/ead/ci/taiwan/>?

Answer. As the acting senior official in the Bureau of East Asian and Pacific Affairs, all decisions made by this bureau are my responsibility. The website cited was updated to remove Taiwan's flag, in accordance with long-standing policy on the unofficial nature of U.S.-Taiwan relations.

During an annual update of this website in August 2017, the Bureau of East Asian and Pacific Affairs removed the Taiwan flag, as including it was inconsistent with guidelines on relations with Taiwan prohibiting the display of symbols of sovereignty of the "Republic of China" (ROC).

The "U.S. Bilateral Relations Fact Sheet" on this website contains extensive information about the United States' robust relationship with Taiwan and Taiwan's positive role in the international community.

The United States' one China policy is based on the three joint ués and the Taiwan Relations Act (TRA). If confirmed, I commit to continuing to uphold that policy.

Taiwan is a vital partner, a democratic success story, and a force for good in the world. Taiwan shares our values, has earned our respect, and continues to merit our strong support.

*Question 29.* In your testimony before the committee, you said "our policy is to not display the flag of the R.O.C. on U.S. official government websites." The March 4, 2011, memorandum from the State Department on "Guidelines on Relations with Taiwan" (hereinafter the "March 2011 Guidelines Memo") contains no provisions regarding Taiwan's flag, however. When was this new policy (in your words) "to not display the flag of the R.O.C. on U.S. official government websites" established?

Answer. The March 2011 Guidelines memo was revised in October 2015 to better reflect long-standing U.S. policy regarding the display of the Taiwan flag. The United States' one China policy is based on the three joint communiqués and the Taiwan Relations Act (TRA). If confirmed, I commit to continuing to uphold that policy.

Taiwan is a vital partner, a democratic success story, and a force for good in the world. Taiwan shares our values, has earned our respect, and continues to merit our strong support.

*Question 30.* Did you author, approve, support, or otherwise play a role in formulating, the new policy to effectuate the removal of Taiwan's flag from the State Department's website and other U.S. Government websites?

Answer. Not displaying the Taiwan flag, including on U.S. Government websites, is consistent with the United States' long-standing policy given the unofficial nature of U.S.-Taiwan relations.

*Question 31.* Was the removal of Taiwan's flag from the State Department's website pursuant to a new State Department memo circulated in 2015 (hereinafter "the 2015 Guidelines memo) that supersedes the March 2011 Guidelines Memo?

Answer. Yes. The removal of the Taiwan flag from U.S. Government websites is consistent with the United States' long-standing policy on the unofficial nature of U.S.-Taiwan relations.

*Question 32.* Did you author, co-author, approve, or otherwise play a role in formulating, the 2015 Guidelines Memo that supersedes the March 2011 Guidelines Memo on U.S. relations with Taiwan?

Answer. As the then Deputy Assistant Secretary responsible for China and Taiwan, I was part of the U.S. Government interagency process that formulated the 2015 guidelines memo that better reflects longstanding U.S. policy.

The United States' one China policy is based on the three joint communiqués and the Taiwan Relations Act (TRA). If confirmed, I commit to continuing to uphold that policy.

*Question 33.* Will you provide us with a copy of the 2015 Guidelines Memo and any other memo that supersedes the March 2011 Guidelines Memo on U.S. relations with Taiwan?

Answer. Per the Department's standard practice, I would be happy to have my team share the memo referenced above with your staff in camera and answer any questions they may have.

*Question 34.* Last year, I, along with Senators Menendez, Gardner and others, re-introduced the Taiwan Travel Act to encourage visits between American and Taiwanese officials at all levels of government, including officials from the State Department and the Defense Department. Do you believe the current restrictions on meetings with high-level Taiwanese officials are obstacles to addressing many of the challenges that we face in the region and would you support reviewing and updating the State Department's guidance to allow more official visits between the U.S. and Taiwan?

Answer. Consistent with the Taiwan Relations Act (TRA), U.S. officials regularly visit Taiwan to advance our unofficial relationship through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO), and vice versa. If confirmed, I will seek and consider opportunities for visits to Washington and Taipei by senior-level officials and authorities that advance our unofficial relationship and enable substantive exchanges on issues of mutual concern.

There has been high-level engagement, facilitated, as deemed appropriate, by AIT and TECRO. For example, in September 2017, EPA Administrator Scott Pruitt met with Ying-yuan Lee of the Taiwan authorities to exchange views on our collaboration under the International Environmental Partnership (IEP). In July 2017, Veterans Affairs Secretary Shulkin received Taiwan's Veterans Affairs Council minister. In April 2014, U.S. Environmental Protection Agency (EPA) Administrator Gina McCarthy traveled to Taipei to highlight 20 years of environmental cooperation between the United States and the Taiwan authorities. There have also been numerous exchanges between sub-cabinet level U.S. officials and the Taiwan authorities.

*Question 35.* During your confirmation hearing, I asked whether you would commit to encouraging high-level visits between senior U.S. Government officials to meet with their Taiwanese counterparts in Taipei. Your answer was non-committal, however, so I would request greater clarity on your position with an answer that begins with "yes" or "no" to my question.

Answer. Yes. In accordance with the Taiwan Relations Act, U.S. officials regularly visit Taiwan to advance our unofficial relationship through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO), and vice versa. If confirmed, I will seek and consider opportunities for vis-

its to Washington and Taipei by senior-level authorities that advance our unofficial relationship and enable substantive exchanges on issues of mutual concern.

*Question 36.* If confirmed, will you push for high-level Taiwanese officials to enter the United States under conditions that are appropriately respectful for the dignity of such high-level officials?

Answer. Yes. If confirmed, I will seek and consider opportunities for visits to Washington and Taipei by senior-level authorities that advance our unofficial relationship and enable substantive exchanges on issues of mutual concern, consistent with the Taiwan Relations Act and our one China policy. Such visitors from Taiwan are treated in an appropriately respectful manner.

The United States facilitates, from time to time, representatives of the Taiwan authorities to transit the United States. Such transits are undertaken out of consideration for the safety, comfort, convenience, and dignity of the passenger and are in keeping with our one China policy.

*Question 37.* If there was an opportunity for the United States to deepen our relationship with senior members of Taiwan's Government, would you support such an opportunity?

Answer. Yes. If confirmed, I will seek and consider opportunities to deepen our relationships with senior-level Taiwan counterparts that enable substantive exchanges on issues of mutual concern, consistent with the Taiwan Relations Act and our one China policy.

Strengthening our long-standing friendship with the people on Taiwan has been a key element of U.S. policy toward Asia.

*Question 38.* If President Tsai or Taiwan's Foreign Minister were visiting Hawaii, would you support them meeting with the Commander of U.S. Pacific Command to exchange views on important security matters in East Asia?

Answer. Consistent with the Taiwan Relations Act (TRA), U.S. officials visit Taiwan to take concrete steps to advance our unofficial relationship through the American Institute in Taiwan (AIT) and Taipei Economic and Cultural Representative Organization (TECRO), and vice versa.

If confirmed, I will seek and consider opportunities for visits by senior-level authorities that advance our unofficial relationship and enable substantive exchanges on issues of mutual concern, consistent with the TRA and our one China policy.

*Question 39.* Have you ever opposed, objected to, or otherwise not supported a proposal for Taiwan's president, foreign minister, or other senior official to meet with the Commander of U.S. Pacific Command in Hawaii?

Answer. Consistent with the Taiwan Relations Act (TRA), U.S. officials visit Taiwan to take concrete steps to advance our unofficial relationship through the American Institute in Taiwan (AIT) and Taipei Economic and Cultural Representative Organization (TECRO), and vice versa.

I have and, if confirmed, will continue to support interaction between U.S. and Taiwan senior-level authorities that advances our unofficial relationship and enable substantive exchanges on issues of mutual concern, consistent with the TRA and our one China policy.

*Question 40.* Do you believe the "Six Assurances" provide the cornerstone for the basis for America's relationship with Taiwan?

Answer. The United States has been firmly committed to the U.S. one China policy, the three joint communiqués, and the Taiwan Relations Act. I believe the "Six Assurances" are also an integral part of the U.S. approach to Taiwan.

*Question 41.* If confirmed, how do you plan to strengthen our security and economic partnership with Taiwan?

Answer. Taiwan is a vital partner, a democratic success story, and a force for good in the world. Taiwan shares our values, has earned our respect, and continues to merit our strong support. The United States should remain firmly committed to its one China policy, based on the three U.S.-PRC joint communiqués and the Taiwan Relations Act (TRA).

Secretary Tillerson, in his January 2017 Senate confirmation process, reaffirmed the U.S. commitment to our one China policy and the December 2017 National Security Strategy further reiterated that commitment.

If confirmed, and under the umbrella of our unofficial relationship, I will encourage the conduct, through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO), of a broad range of interactions, including arms sales, visits, trade discussions, and educational and cultural exchanges.

The security of Taiwan is central to the security of the broader Indo-Pacific region and stable cross-Straits relations as essential to maintaining regional stability.

If confirmed, I will remain fully committed to carrying out the TRA.

We should also strengthen the two-way trade and investment relationship, including through dialogue in our Trade and Investment Framework Agreement (TIFA) process, so we can work together to bring resolution to long-standing areas of concern. The United States and Taiwan authorities are working closely through TIFA discussions, convened under the auspices of AIT and TECRO. The TIFA is the key forum for trade dialogue between the United States and Taiwan, as it provides an opportunity for both sides to find ways to further expand our trade and investment relationship.

*Question 42. What does the One-China Policy mean to you and do you believe that the United States has the right to define our own One-China Policy?*

Answer. The United States' one China policy is based on the three joint communiqués and the Taiwan Relations Act (TRA).

Our one China policy has helped ensure peace and stability across the Taiwan Strait and in the region for decades. This policy has enabled us to be a leader in maintaining robust unofficial relations with Taiwan while pursuing a constructive relationship with China.

The TRA provides the framework for the United States and Taiwan to cooperate in a wide range of mutually beneficial areas including energy, the environment, and scientific research.

Under the umbrella of our unofficial relationship, the United States and Taiwan conduct, through the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO), a broad range of interactions, including arms sales, visits, trade discussions, and educational and cultural exchanges.

The long-standing friendship with the people on Taiwan remains a key element of U.S. Asia policy. The enduring relationship under the TRA represents a unique asset for the United States and is an important multiplier of our influence in the region. This friendship is grounded in history, shared values, and the common commitment to democracy, free markets, rule of law, and human rights.

The United States has a deep and abiding interest in cross-Straits peace and stability. It is important that both sides of the Taiwan Strait understand the importance of these benefits and work to establish a basis for continued peace and stability. The benefits that stable cross-Straits ties have brought to both sides of the Taiwan Strait, the United States, and the region have been enormous.

If confirmed, I would continue to support our robust relations with Taiwan and encourage authorities in Beijing and Taipei to engage in constructive dialogue that seeks a peaceful resolution of differences acceptable to the people of both sides of the Taiwan Strait.

*Question 43. Would port visits of U.S. Naval ships to Taiwan be consistent with the one China Policy?*

Answer. The United States should remain fully committed to carrying out the Taiwan Relations Act (TRA). Consistent with the TRA and our one China policy, unofficial relations between the United States and Taiwan should continue to feature a robust security cooperation program that includes maintenance, training, and exchanges. Over the last few years, the United States has nearly doubled the number of annual security cooperation events, further enabling Taiwan to strengthen its self-defense capability. If confirmed, I will remain fully committed to carrying out the TRA.

*Question 44. Do you support returning to an annualized arms sale process with Taiwan, such as what occurred before 2001?*

Answer. If confirmed, I will continue to support arms sales to Taiwan. In June 2017, the administration notified Congress of a \$1.42 billion defense arms sale package. Consistent with the Taiwan Relations Act (TRA), the United States has regularly made available to Taiwan defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability and maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan. This supports improved relations across the Taiwan Strait by providing Taipei with the confidence to pursue constructive interactions with Beijing.

The long-standing policy on defense sales to Taiwan has contributed to the security of Taiwan and also supported the maintenance of peace and stability across the Taiwan Strait. Arms sales are a visible demonstration of U.S. support for Taiwan. U.S. security assistance to Taiwan is greater than just the provision of arms. The

United States also supports Taiwan with training, doctrine development, and expertise on asymmetric approaches to warfare, helping Taiwan to strengthen its self-defense capability.

*Question 45.* Why do you believe U.S. arms sales to Taiwan have been so inconsistent?

Answer. U.S. long-standing policy on defense sales to Taiwan has been consistent across seven different U.S. administrations. U.S. sales of defense articles and services are guided by the Taiwan Relations Act and based on an assessment of Taiwan's defense needs, and in accordance with procedures established by law. This consistent policy has contributed to the security of Taiwan and also supported the maintenance of peace and stability across the Taiwan Strait.

*Question 46.* During your time in the Bureau of East Asian and Pacific Affairs, have you personally played a role in delaying any pending U.S. arms sales to Taiwan?

Answer. No. During my time in the Bureau of East Asian and Pacific Affairs, I have consistently worked to expeditiously process all requests, for arms sales to Taiwan, including the June 2017 sale, in accordance by the Taiwan Relations Act. If confirmed, I will continue to do so.

*Question 47.* It has long been the policy of the U.S. Government, provided by the Tibetan Policy Act, to promote dialogue between the envoys of the Dalai Lama and the Chinese Government toward a solution on the Tibet issue that guarantees the respect of the "distinct identity" of the Tibetan people. The dialogue is now at a standstill and the lack of substantive progress toward a genuine resolution continues to be a thorny issue in U.S.-China relations. The United States has played a key role in encouraging past dialogues. Would you, if confirmed, personally commit to pressing Chinese leadership for a resolution of the Tibetan issue through a speedy resumption of dialogue with the Tibetan side, without preconditions?

Answer. I am deeply concerned by the lack of meaningful autonomy for the people of Tibet. If confirmed, I will urge Chinese authorities to engage in a meaningful and direct dialogue with the Dalai Lama or his representatives, without preconditions, to lower tensions and resolve differences. I also will continue to urge China to cease restrictions on the religious, linguistic, and cultural traditions and practices of the Tibetan people.

*Question 48.* Will you, if confirmed, commit to pressing the Chinese authorities to allow for the opening of a U.S. consulate in Lhasa?

Answer. If confirmed, I will continue to press the Chinese Government to allow the opening of a U.S. Consulate in Lhasa.

*Question 49.* Will you, if confirmed, commit to explaining to the Chinese that the U.S. will recognize and interact with the person chosen independently, to succeed the current Dalai Lama through Tibetan Buddhism's spiritual tradition, and consistent with the processes described by the current Dalai Lama?

Answer. If confirmed, I will reaffirm to Chinese authorities that the United States will continue to respect the religious practices and traditions of Tibetans and to meet with those persons we deem it in our interest to meet. This includes those reincarnate lamas who lead the faith, such as the Dalai Lama.

*Question 50.* Will you, if confirmed, also make it clear that the United States will not accept a Chinese Government-controlled process to select the Dalai Lama's successor?

Answer. If confirmed, I will speak out against Chinese Government interference in Tibetan religious practices, particularly the selection, education, and veneration of the reincarnate lamas who lead the faith, such as the Dalai Lama. I will continue to raise directly with the Chinese Government our concerns about restrictions placed on the religious freedom of Tibetans.

*Question 51.* What points of leverage do you think the United States has to obtain freedom outside China for Liu Xia, the widow of 2010 Nobel Peace Prize winner Liu Xiaobo? If confirmed, what points would you be willing to use?

Answer. I remain deeply concerned about Liu Xia's well-being have frequently pressed Chinese officials on her right to travel freely, and have worked with like-minded partners to press her case. If confirmed, I will continue to review and make use of all tools at my disposal to press for Liu Xia's well-being and freedom of communication and movement including travel abroad.

*Question 52.* If confirmed, would you commit to trying to go see Liu Xia?

Answer. I remain deeply concerned about Liu Xia's well-being. If confirmed, I am committed to exploring all avenues, including whatever requests for access and visits will make Liu Xia's situation better.

*Question 53.* Senior administration officials, including Secretary of State Rex Tillerson, have said that human rights are "embedded" in U.S. foreign policy. Can you please explain in concrete terms what you believe that means with respect to human rights in China, and also provide two or three examples of your having acted on it?

Answer. Promoting respect for human rights and fundamental freedoms, including freedom of religion or belief, remains a key component of American foreign policy. Our values regarding human rights, fundamental freedoms, and human dignity should guide our foreign policy and how we work with other countries. U.S. advancement of democracy, human rights, and the rule of law have contributed to the success story of the Indo-Pacific region over the last half century and, if confirmed, I will work to advance these fundamental U.S. values in the region.

During my time as Acting Assistant Secretary, I regularly condemned human rights violations and abuses in China, and raised and advocated for individual cases of concerns with Chinese counterparts. At consecutive sessions of the United Nations Human Rights Council since February 2017, I ensured the United States raised our concerns publicly about reports of China's arbitrary detention and torture of lawyers and activists, constraints on civil society and religious practices, discrimination against/ human rights abuses with respect to the denial of rights to Tibetans and Uighurs, the crackdown on peaceful political expression, and reprisals against human rights activists. In March 2017, I reviewed and approved the Department of State's annual Human Rights Report detailing the continued widespread abuses of human rights and fundamental freedoms in China. Later that month, Secretary Tillerson made his first visit to China, during which he and I made clear that the United States would continue to advocate for human rights and fundamental freedoms, including freedom of religion and belief, universal values such as human rights and religious freedom. The following month, on the sidelines of the U.S.-China summit at Mar-a-Lago I raised specific human rights cases of concerns with Chinese counterparts. In April 2017, we secured the release of an American businesswoman from Houston who had been in prolonged pretrial detention in China for over two years, one of several American citizens I have personally helped to overcome exit bans.

Over the past year, I have also supported Department of State officials' attendance at the Chinese trials and sentencing of numerous human rights lawyers and activists who have reportedly faced serious mistreatment and torture while in detention, and private meetings privately with the wives and family members of those who have been detained. Publicly, I have drafted and approved the Department of State statements marking the passing of Chinese Nobel Peace Prize Laureate Liu Xiaobo, the two-year anniversary of the launch of the Chinese Government's nationwide campaign of intimidation against defense lawyers and rights defenders, and the detention of Swedish citizen and Hong Kong bookseller Gui Minhai. I also approved the publication by our Embassy of a statement on International Human Rights Day, and a joint statement with the Germany Embassy on the sentencing of Chinese human rights defenders Wu Gan and Xie Yang.

Among our most intensive efforts this year to advance our human rights agenda in China was our effort to secure Liu Xiaobo's freedom. In June 2017, the Department of State called on China to allow Liu Xiaobo access to international medical specialists and to be allowed to seek medical treatment abroad. In July, under my leadership, the Bureau of East Asian and Pacific Affairs arranged for a leading American cancer specialist to travel to Shenyang to visit and treat Liu, and reiterate calls for his ability to seek medical treatment abroad. Following Liu's passing, the Secretary released a statement calling for the release from house arrest of Liu's widow, Liu Xia, and her ability to depart China. If confirmed, I will continue to lead persistent public and private efforts to press for Liu Xia's ability to communicate freely and travel, including abroad.

In December, the United States took action to promote accountability for serious human rights abuses in China by designating a former Chinese prison official under the December 2017 Executive Order implementing the Global Magnitsky Human Rights Accountability Act. Moreover, we have used our high-level meetings with the Chinese to raise U.S. concerns around issues such as China's foreign NGO management law, exit bans placed on U.S. citizens, and specific detentions of Chinese activists. I, and my colleagues in the Bureau of East Asian and Pacific Affairs, have met regularly with Chinese human rights lawyers and activists such as Chen Guangcheng, leaders of non-government and non-profit organizations promoting

greater respect for human rights in China such as Dui Hua Foundation founder John Kamm, and members of ethnic and religious minority groups such as World Uighur Congress president Dolkun Isa and Tibetan filmmaker Dhondup Wangchen. If confirmed, I will continue to raise our concerns about China's human rights issues, both in our private conversations and publicly, and encourage greater respect for human rights, fundamental freedoms, and the rule of law in China.

*Question 54.* During your time at the State Department's Bureau of East Asian and Pacific Affairs, how many Chinese human rights advocates or Chinese dissidents have you met with? Please provide us with notable examples in recent years.

Answer. I am troubled by the well-documented deterioration of the human rights situation in China. During my time in the EAP Bureau, I have met with countless human rights advocates and Chinese dissidents, including the Dalai Lama, Rebiya Kadeer, Liu Xiaobo (prior to his detention), and many others. If confirmed, I will continue to meet with such individuals and raise specific human rights cases of concern with Chinese authorities, as appropriate.

*Question 55.* Will you commit to trying to visit all of the people wrongfully detained in China who are relatives of U.S. citizens?

Answer. The safety and security of U.S. citizens is one of the Department's top priorities. Consular officers help U.S. citizens at all hours of the day, in all types of situations, be it criminal matter, a health crisis, or simply needing passports or birth certificates.

I have regularly raised cases of detained American Citizens with my Chinese counterparts, and U.S. consular officials regularly visit U.S. detainees as permitted under our bilateral agreements with China.

For others persons wrongfully detained in China, the State Department remains committed to helping shine a light on their cases. If confirmed, I will continue to raise and advocate for individual human rights cases of concern with Chinese authorities and encourage greater respect for human rights, fundamental freedoms, and the rule of law in China. If the families desire it, I am always happy to meet with them.

*Question 56.* Are you aware of cases where the Chinese Government has detained a U.S. citizen or otherwise prevented a U.S. citizen from exiting as leverage to coerce a Chinese citizen into returning to China? If yes, what policies will you advocate, if confirmed, to counter and reverse this practice by the Chinese Government?

Answer. Yes, I and other senior U.S. Government officials have regularly raised exit bans with the Chinese, particularly when these seem to involve parties not under investigation. The Department recently had success on lifting an exit ban on a young woman after significant, high-level intervention.

The State Department should continue to push China to lift exit bans for all U.S. citizens, and to have a more transparent process on how they are applied and can be lifted. If confirmed, I as Assistant Secretary will continue to raise these cases at the highest level necessary to ensure the release of U.S. citizens detained or the ability of U.S. citizens to depart China.

*Question 57.* Chinese President Xi Jinping has cracked down harshly on dissent, targeting ethnic and religious minorities, human rights lawyers, journalists, civil society activists, and even average internet users for arrest and imprisonment. The Chinese Government has also ramped up its hostility toward foreigners and foreign entities through restrictive new legislation and official propaganda. How will you persuade Chinese officials to end practices and policies that harm both the people of China and U.S. interests, including those of American businesses?

Answer. If confirmed, I will continue to review and make use of all tools at my disposal to promote greater respect for human rights, fundamental freedoms, and the rule of law in China, including in coordination with likeminded countries and partners. I am committed to continuing to raise our concerns over respect for human rights, including freedom of religion and belief, in all my conversations with Chinese officials, and to advocate for specific cases of concern.

The State Department regularly presses China in support of U.S. business interests. As part of the overall effort to ensure a fair and reciprocal economic relationship between the United States and China, the State Department protests instances in which American companies operating in China are subject to opaque rules, arbitrary imposition of regulations, and political interference in their business operations. If confirmed, I will continue to advocate for U.S. companies operating in China and strongly urge Chinese authorities to work constructively with company representatives to resolve business disputes in the spirit of openness, transparency, and without resort to coercion or threat.

*Question 58.* How can State improve its coordination with American business and academic institutions to advance practices and policies that enhance freedom in China?

Answer. The United States has repeatedly raised concerns about freedom of expression, including as it relates to academic and media freedom, including at the U.S.-China Social & Cultural Dialogue and other engagements with Chinese leadership. The State Department should continue to call on Chinese authorities to unblock websites of U.S. business and media, eliminate restrictions that impede the ability of journalists to practice their profession, and allow all individuals to express their views without fear of retribution. The State Department should continue supporting the efforts of American chambers of commerce and business associations in their efforts to highlight their business practices, including transparency, respect for the individual and diversity, and corporate social responsibility.

The State Department's Bureaus of Educational and Cultural Affairs and East Asian and Pacific affairs are engaged in detailed discussions with higher education associations to discuss best practices for academic engagement with China. The goal is to help universities encourage Chinese students to experience the full range of American values during their time in the United States, including freedom of expression. U.S. Mission China also supports exchange programs that engage important segments of Chinese society, and fosters relationships with influential emerging leaders and other stakeholders in both countries.

*Question 59.* Do you agree with President Trump and his National Security Strategy document that the People's Republic of China is a strategic competitor of the United States?

Answer. Yes, I believe that the National Security Strategy reflects our increasing concerns about Chinese actions that are undermining the international rules-based order.

The United States should not shy away from speaking forthrightly about, and contesting, Chinese policies and actions that undermine the international order that has fostered peace and prosperity for the Indo-Pacific region for decades.

We should also remain committed to seeking a constructive and results-oriented relationship with China. We should continue to cooperate with China where we can to broaden and address issues of common interests, including the threat posed by North Korea and the flow of illegal opioids from China, while addressing our differences constructively.

*Question 60.* Was President Obama and his administration correct or incorrect not to describe China as a strategic competitor? Why so?

Answer. China is now the world's second largest economy with increasingly far flung business interests, one of the most capable and growing militaries in the Asia-Pacific, and an active player on the global stage. Our policies should continue to evolve and adapt to present-day China and to other changes to the international environment.

*Question 61.* If confirmed, will you make "the long-term strategic competition with China" also a principal priority for the State Department's Bureau of East Asian and Pacific Affairs? What changes or sustained efforts do you plan to make to the Bureau of East Asian and Pacific Affairs to better prepare it for dealing with China as a strategic competitor to the United States?

Answer. The rise of China poses a major challenge to U.S. interests in East Asia and the Pacific. If confirmed, I will ensure the Bureau of East Asia and Pacific Affairs' approach to dealing with the challenges is consistent with the National Security Strategy. We should not shy away from speaking forthrightly about and contesting Chinese policies and actions that undermine the international order that has fostered peace and prosperity for the Indo-Pacific region for decades. It should be in every country's interest to uphold this order, and if confirmed, I will make working with our Indo-Pacific allies and partners to defend and strengthen the rules-based system a priority. I will also work with colleagues across the Department of State and throughout the interagency to ensure that we apply the same, consistent approach outside the region to pushing back against Chinese behavior when it threatens to undercut the global rules-based order.

*Question 62.* If confirmed, what role would you make defending fundamental human rights and universal values in China play in efforts by the Bureau of East Asian and Pacific Affairs to make "the long-term strategic competition with China a priority"?

Answer. The State Department should not shy away from speaking forthrightly about and contesting Chinese policies and actions that undermine the international order that has fostered peace and prosperity in the Indo-Pacific region for decades.

We should continue to work with China on important issues, from North Korea to countering the flow of illegal opioids. At the same time, we should draw a clear distinction where we disagree. We must remain committed to defending our values and championing human rights and fundamental freedoms around the world.

In pursuit of our vision of a free and open Indo-Pacific region, the United States should continue to work cooperatively with allies and like-minded partners to uphold the rules-based order, and to advance fundamental U.S. values around democracy, human rights, and the rule of law in the region. Our strategy should be to continue to promote democratic values and work closely with other democracies to strengthen respect for human rights and fundamental freedoms, including freedom of expression and freedom of religion and belief. If confirmed, I am committed to continuing to make use of all tools at our disposal to press for progress on human rights in China as a key component of U.S. foreign policy in the region.

*Question 63.* During a State Department press briefing prior to the inaugural U.S.-China Diplomatic and Security Dialogue, you were asked a question about the administration's approach to the South China Sea. During your response, you noted, "We think it's important that tensions are lowered over these issues." Do you view lowering tensions with China as policy goal in and of itself?

Answer. No. U.S. policy advocates that maritime disputes in the South China Sea should be resolved peacefully. Maintaining peace, security, and the freedoms of navigation and overflight and other lawful uses of the sea have been and should continue to be a priority for the United States. During the past year, the State Department has approved numerous operations, including freedom of navigation operations, to defend these principles. I continue to have serious concerns over ongoing developments in the South China Sea, and we should continue to condemn coercion and call on all parties, including China, to set the conditions for constructive diplomatic engagement.

*Question 64.* Do you place a higher priority on lowering tensions with regard to the Chinese Government's provocative actions to change the status quo in the South China Sea or on preventing the South China Sea's domination by the Chinese Government?

Answer. The United States should prioritize maintaining peace, security, stability, and the freedoms of navigation and overflight and other lawful uses of the sea. I have serious concerns over ongoing developments in the South China Sea.

I fully support the administration's policy to oppose intimidation, coercion, and the threat or use of force by any claimant to assert South China Sea claims, and note that China's activities, in particular, continue to overshadow those of other claimants in scope and provocativeness.

If confirmed, I will continue to support operations to defend freedom of navigation and overflight, and to engage bilaterally with countries across the region and through multilateral fora to reinforce support for the rules-based international system that has been indispensable for the peace, security, and prosperity of the Indo-Pacific region, including in the South China Sea.

*Question 65.* Do you believe that the Obama administration gave too much priority to concluding the Paris Accord and, as a result, was too soft on China's expansionist behavior in 2015?

Answer. Concluding the Paris Accord was a stated priority of the Obama administration. If confirmed, I believe the United States should not shy away from speaking forthrightly about and contesting Chinese policies and actions that undermine the rules-based system that has fostered peace and prosperity for the Indo-Pacific region for decades. It is important for the United States to have a strong posture in the Indo-Pacific, which will enable the United States to better safeguard our interests in the region, including ensuring that our allies and partners are secure from military threats or coercion. The United States should continue to encourage cooperation to maintain free and open seaways, promote good governance and transparent infrastructure financing practices, and advance unimpeded commerce under free market principles.

If confirmed, I will work with our allies and partners to advance the region's security and prosperity, develop its institutions, and prevent the erosion of the rules-based international order.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN A. THORNTON BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. The promotion of human rights and democracy has been a longstanding priority for me throughout my career. As Principal Deputy Assistant Secretary responsible for Chinese and Mongolian Affairs and then acting Assistant Secretary of the East Asian and Pacific Affairs Bureau, I have worked to ensure that human rights issues are consistently raised in our engagements with countries across the region at all levels. In our bilateral and multilateral engagements, I have worked to ensure that the advancement of human rights and the promotion of democratic values are enshrined in high-level statements.

During my time as Acting Assistant Secretary, I regularly condemned human rights violations and abuses in China, and raised and advocated for individual cases of concerns with Chinese counterparts. For example, in April 2017 we secured the release of an American businesswoman from Houston who had been in prolonged pretrial detention in China for over 2 years. In December we took action to promote accountability for serious human rights abuses in China by designating a former Chinese prison official under the December 2017 Executive Order implementing the Global Magnitsky Human Rights Accountability Act. Moreover, we have used our high-level meetings with the Chinese to raise U.S. concerns around issues such as China's foreign NGO management law, exit bans placed on U.S. citizens, and specific detentions of Chinese activists.

I also accompanied Secretary Tillerson to Burma last November to press the Government of Burma to address the ongoing crisis in northern Rakhine State and have supported efforts to hold those responsible for ethnic cleansing to account. I supported the application of Global Magnitsky sanctions to hold accountable individuals involved in significant corruption or gross violation of human rights in Burma as well.

If confirmed, I will continue to ensure that the promotion of human rights and democratic values remain a high priority in our diplomatic engagement in the Asia-Pacific region.

*Question 2.* What are the most pressing human rights concerns in the East Asian and Pacific region today? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in East Asia and the Pacific? What do you hope to accomplish through these actions?

Answer. I am concerned by an increase in government efforts across the Asia-Pacific region to shrink the space for civil society, including through the passage of overly restrictive NGO registration and management laws in places like China and Cambodia, and restrictions on fundamental freedoms, including expression and assembly. Burma's democratic transition has encountered serious obstacles, and I am very concerned by the ethnic cleansing in northern Rakhine State and the continued arrest and detention of political prisoners.

In China, I remain troubled by reports that lawyers and activists, including foreign nationals, are being arbitrarily detained, tortured, and forced to confess to political charges on state media, and that in many cases, authorities have retaliated against their families. Additionally, I am concerned about conditions akin to martial law that have been imposed in Xinjiang and some Tibetan areas. China's restrictions on religious expression and indigenous language education in Tibet and Xinjiang limit U.S.-China cooperation on counterterrorism issues. These repressive practices not only violate human rights but also exacerbate social unrest and ethnic tension, and can actually foment violence. If confirmed, I will continue to focus attention on China's human right abuses, both in our private conversations and publicly, and encourage greater respect for human rights, fundamental freedoms, and the rule of law in China.

The human rights situation in the DPRK remains one of the worst in the world. I recently had the honor of meeting with a group of North Korean refugees and heard their concerns about the deplorable human rights abuses committed by the North Korean regime. They described horrific conditions inside the country and the terrifying journey through China to freedom. If confirmed, I will continue to prioritize North Korean human rights. I will seek additional ways to amplify refugee voices, promote accountability for those responsible for human rights violations and abuses, and increase the flow of independent, uncensored information into, out of, and within the DPRK. In addition, I will continue to press for China to stop its practice of detaining and refouling North Korean asylum seekers.

In engagement across the region, including at the highest levels, we should continue to constantly message the importance of an active civil society, protection of human rights, and respect for the rule of law. We should also continue working with likeminded governments and NGO partners to sustain and expand programs to support embattled civil society organizations and provide them with the resources they need to continue their vital work. We should keep vetting all security force units prior to their receipt of U.S. funded assistance in accordance with the Leahy Law, and not provide assistance to any security force unit where we have credible information of commission of a gross violation of human rights. If confirmed, I will work to ensure that we continue to apply the Leahy Law, and will continue to examine closely cases that may merit the application of sanctions under the Executive Order 13818, which implements the Global Magnitsky Human Rights Accountability Act.

If confirmed, I will continue to uphold and work to advance the fundamental U.S. values of democracy and human rights in the region.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in advancing human rights, civil society and democracy in general?

Answer. Backsliding on democracy, governance, corruption and human rights is undermining prospects for stability and growth in some countries. The shifting tactics of authoritarian regimes to constrain civil society represent difficult obstacles and challenges to advancing human rights, civil society, and democracy in general in the region.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in the East Asia and Pacific region?

Answer. Yes. I have met frequently with representatives from human rights, civil society, and other non-governmental organizations throughout my career. If confirmed, I will continue to be committed to meeting with these organizations in the United States and in the East Asia and Pacific region.

*Question 5.* Will you and your team actively engage with countries in the East Asia and Pacific region to address cases of key political prisoners or persons otherwise unjustly targeted?

Answer. Yes. If confirmed, my team and I will actively engage with countries in the East Asia and Pacific region to address cases of key political prisoners or persons otherwise unjustly targeted.

*Question 6.* If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I will work to ensure that we continue to faithfully uphold and apply the Leahy Law and ensure we do not provide assistance to any security force unit where we have credible information of commission of a gross violation of human rights. If confirmed, I will ensure that our staff at our posts and in the EAP Bureau dedicated to Leahy vetting continue to receive accurate, current guidance on the Leahy Law and continue to vet all security force units prior to their receipt of U.S. funded assistance.

*Question 7.* Will you engage with the people of the East Asia and Pacific region on matters of human rights, civil rights and governance as part of your mission?

Answer. Yes. If confirmed, I will continue to engage with the people of the East Asia and Pacific region on matters of human rights, civil rights and governance as part of my mission.

*Question 8.* What will you do to promote, mentor and support your staff who come from diverse backgrounds and underrepresented groups in the Civil and Foreign Service?

Answer. I believe strongly in the value of diversity. I will continue to be committed to fostering a diverse and inclusive team, as I have throughout my career, including as Principal Deputy Assistant Secretary in the Bureau of East Asian and Pacific Affairs where I have stressed the importance of inclusion, leadership, and professional development in our recruitment of personnel. If confirmed, I will ensure that the EAP Bureau continues to promote equal opportunities for all of our personnel, particularly those from diverse backgrounds or historically underrepresented groups. I will also ensure EAP managers prioritize mentoring and ensure that we are developing a new generation of diplomats to represent our country effectively. I will encourage my Deputy Assistant Secretaries, Office Directors, and Deputy Directors to play an active role in outreach to the Department's 13 Employee Affinity

Groups and 19 Employee Organizations so we can recruit and retain a workforce that reflects the diversity of American society. By collaborating closely with these and other groups, we can foster an environment that is diverse and inclusive. I will foster a work environment which recognizes the contributions of all employees, and will make sure they have information available about the Department's Diversity and Inclusion Strategic Plan. In the past year as Acting Assistant Secretary, diversity has been a core value in our recruitment at all levels, and especially for leadership positions as I believe we need to model diversity at the highest levels of government.

*Question 9.* What steps will you take to ensure your supervisors are fostering an environment that is diverse and inclusive?

Answer. I will continue to emphasize the importance of diversity, leadership, and professional development for all of our employees and reward supervisors who proactively bring in new and diverse voices and ideas to their teams and their work products. I am very supportive of Department of State programs to promote diversity, including through mechanisms such as the Pickering and Rangel Fellowships. I am proud that EAP is slated to host over two dozen Pickering and Rangel Fellows in domestic and overseas positions this summer where we can share unique opportunities in the EAP region. I hope their positive early career experiences serving in the EAP region will encourage their subsequent return to more senior Civil or Foreign Service assignments in our region.

I encourage supervisors to value the contributions of all members of their team: Civil Service, Foreign Service, Locally Engaged Staff, expanded professional associates (EPAP), and employed family members (EFMs), Fellows, and interns, etc. I have emphasized to supervisors the importance of giving constructive feedback, not just in the annual performance evaluations but throughout the year. As the Bureau leverages opportunities for training, public-speaking, travel, and formal or informal leadership, selecting EAP candidates that represent the geographic and cultural diversity of American society will be an important factor. We are working to increase the mobility and opportunities for advancement for our Civil Service team members by identifying developmental roles and establishing career ladders for many of our positions. This will empower and motivate Civil Service colleagues to remain connected with our missions overseas and enable us to retain expertise in the Department.

In addition to creating opportunities for employees to continue their professional development, I support formal and informal networking across the bureau to encourage mentoring and exchange of diverse views at all levels. I have encouraged hiring managers to consider the profile of their current teams and find ways to recruit to add new skill sets and diversity of views and experiences to their mix. The recruitment of personnel from diverse backgrounds and underrepresented groups into the Civil and Foreign Service is something I have strongly supported, and if confirmed, I will continue to prioritize this in the professional development of EAP's managers and leaders.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to fully comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns, if any arise, through appropriate channels.

*Question 11.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns, should they arise, through appropriate channels.

*Question 12.* Do you or do any members of your immediate family have any financial interests in the East Asia and Pacific region?

Answer. My investment portfolio includes diversified funds that may have investments in companies in the East Asia and Pacific region; however, the funds are exempt from the conflicts of interest rules and have been reviewed by the State Department Ethics Office. I am committed to ensuring that my official actions will not give rise to conflicts of interest. I will divest my interests in any investments the State Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 13.* Does the State Department agree with the determination of the U.N., Human Rights Watch, and several senators in this Congress, that the atroc-

ities committed in the last year amount to crimes against humanity? If not, why not?

**Answer.** The Secretary of State reviewed the facts available to him as part of a careful and deliberative process, and concluded that abuses in Burma's northern Rakhine State, by some among the Burmese military, security forces, and local vigilantes, constituted ethnic cleansing against Rohingya. This determination in no way prejudices any further analysis on whether other mass atrocities have taken place, including crimes against humanity.

**Question 14.** Do you, speaking for yourself, believe the atrocities amount to crimes against humanity? If you cannot answer, will you pledge now to conduct an immediate review, with consultation with civil society, and with this committee, and reach a determination about the legal status of the atrocities committed in Rakhine?

**Answer.** I share your grave concern regarding the atrocities committed by Burmese security forces and vigilantes against Rohingya, and believe that those responsible for human rights abuses and violations should be held accountable. Historically, the Secretary of State has decided whether to characterize particular atrocities as genocide, crimes against humanity, or ethnic cleansing after reviewing factual assessments and legal assessments.

**Question 15.** If the U.S. Government determined that crimes against humanity had been committed, what would be the response?

**Answer.** If the Secretary of State determines that crimes against humanity occurred, if confirmed, I would have the EAP bureau work with others in the Department, Congress, and the interagency, as well as relevant international bodies and partners, to shape an appropriate response, consistent with applicable law.

**Question 16.** Would you agree that the U.S. Government should seek debate in the U.N. Security Council on whether to refer the situation in Burma to the International Criminal Court? If not, why not?

**Answer.** Whether to seek debate in the U.N. Security Council on a particular issue, as well as whether to support particular action by the U.N. Security Council, is a decision that would be made in consultation with other bureaus in the Department, relevant agencies, and the National Security Council.

**Question 17.** Has the State Department determined whether the atrocities in Rakhine amounted to genocide? Has the State Department determined that the atrocities in Rakhine did not amount to genocide?

**Answer.** The Secretary of State reviewed the facts available to him as part of a careful and deliberative process, and concluded that abuses in Burma's northern Rakhine State, by some among the Burmese military, security forces, and local vigilantes, constitute ethnic cleansing against Rohingya. This determination in no way prejudices any further analysis on whether other mass atrocities have taken place, including genocide.

**Question 18.** Do you agree that the U.S. Government would be obligated to determine that the crime of genocide was committed, if credible information is obtained that shows a "genocidal intent" on the part of perpetrators? Do you agree that genocidal intent is shown when credible information is obtained that perpetrators committed the atrocities in Rakhine with the intent to destroy the Rohingya population in Burma in whole or in part, whether by outright violence, destruction of property, or full-scale deprivation of basic rights? If credible information showing such intent was obtained, do you not agree that the U.S. Government would be obligated to determine that genocide had been committed?

**Answer.** "Genocide" is defined in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (the "Genocide Convention"), which the United States ratified in 1988. Historically, the Secretary of State has decided whether to characterize particular atrocities as genocide after reviewing factual and legal assessments.

**Question 19.** If the U.S. Government determined that genocide had been committed, what would be the response?

**Answer.** If the Secretary of State determines that genocide occurred, if confirmed, I would have the EAP bureau work with others in the Department and the interagency, as well as relevant international bodies and partners, to shape an appropriate response, consistent with applicable domestic and international law.

**Question 20.** Responses to Burma: The Government of Burma has not responded to any of the main pleas by the U.S. Government and international actors to address the atrocities in Burma.

They have refused to cooperation with a U.N. mandated fact finding mission, have now declared the special rapporteur persona non grata, and largely refuse to provide access to Rakhine by U.N. and humanitarian actors, human rights groups, and journalists. All of this stubbornness and obstruction occurs as Burma's nascent democratic transition shows signs of weakening. The military has completely blocked efforts to end its constitutionally protected role in the Government, and it is still committing serious abuses during operations in other ethnic minority areas, blocking access to humanitarian agencies, and causing mass displacement.

Given the context of the terrible abuses in Rakhine, and breakdown in the democratic transition, it is now clear that ordinary diplomatic approaches of engagement and dialogue are no longer meaningfully effective, and clearing the administration agrees, because it has now begun, at the U.N. Security Council in New York and the U.N. Human Rights Council in Geneva, to press for stronger measures against Burma, and has bilaterally imposed travel restrictions on military commanders, and recently added a senior Burmese military official, Gen. Maung Maung Soe, to the Treasury Department Specially Designated Nationals (SDN) list.

Do you agree with this approach? Do you agree that the time has come for stronger measures, aimed at imposing real world costs on Burmese military commanders implicated in abuses and who are imperiling the democratic transition?

*Answer.* I share your grave concern regarding the atrocities committed by Burmese security forces and vigilantes against Rohingya. We should target sanctions of Burmese military officials responsible for human rights abuses and violations, both to promote accountability and to apply further pressure on the military to cooperate with the international community. At the same time, while the elected civilian government has short comings, it is more open to continued progress on human rights and democratic reform than the military. Given the complex role the military has in the country, and the ongoing struggle between the military and the elected civilian government, we should carefully calibrate our actions such that they do not have unintended spillover effects that could strengthen the military vis-à-vis the civilian government, for example by damaging the larger economy or engendering greater public support for the military.

*Question 21.* Do you agree that, if handled correctly, increased sanctions on senior military commanders could help pressure them to begin cooperating with the international community?

*Answer.* Targeted sanctions on Burmese military officials represent one of the key policy tools to apply pressure on the military to cooperate with the international community, and we should consider additional targeted sanctions as appropriate.

*Question 22.* Will you pledge to accelerate efforts to add more names of senior military commanders to the SDN list?

*Answer.* We should consider options to promote accountability for Burmese military officials involved in atrocities, including with additional targeted sanctions. All sanctioned persons are added to Treasury's Specially Designated Nationals and Blocked Persons (SDN) list.

*Question 23.* Do you support the passage of S. 2060, Burma Human Rights and Freedom Act, in this Congress? If not, why not?

*Answer.* I believe we should continue to help the democratically-elected government improve governance, human rights, and economic reforms. The civilian leadership, for example, has undertaken nascent reform efforts, and it's important we are careful not to inadvertently undermine those efforts. I believe targeted actions, rather than broad sanctions, can be the most effective means for holding Burma's military to account for abuses.

*Question 24.* What other increased costs can the U.S. Government impose on the senior Burma military command, to change their thinking and behavior?

*Answer.* In response to the Burmese military's role in the crisis in Rakhine State, the United States has ceased consideration of JADE Act travel waivers for current and former senior leaders of the Burmese military, and has withdrawn invitations for Burmese officials to participate in events with the U.S. military. We should continue options to promote accountability, including targeted sanctions. In addition, pursuant to the Leahy Law, the United States has assessed that there is credible information implicating all military units and officers involved in operations in northern Rakhine State in the commission of gross violations of human rights, as such making them ineligible to receive U.S. assistance.

*Question 25.* Do you pledge to work with your colleagues at the State Department to urge other states and regional entities, including the European Union, to impose sanctions and travel restrictions?

Answer. If confirmed, I will encourage likeminded countries and entities to use available legal measures to promote accountability for members of the Burmese security forces responsible for human rights violations and abuses. To this end, we should provide likeminded countries with information, as appropriate.

*Question 26.* Will you pledge to oppose Burmese military involvement or participation in all regional and military exercises, until and unless they begin to take steps to address their human rights abuses?

Answer. In response to the Burmese military's role in the crisis in Rakhine State, I agree with opposing Burmese flag officer-level participation in regional military exercises in which the United States is a co-host. We should continue to do so until we assess that the Burmese military has taken appropriate steps to address human rights abuses.

#### TPP

*Question 27.* Last week, the eleven countries that continued to negotiate the Trans-Pacific Partnership Agreement, including Canada and Mexico, announced that they will sign a new version of the TPP in March.

- In your view[s], how would a renegotiated TPP affect the trading and economic relationship among the U.S., Japan, Australia, and ASEAN nations involved?
- I had some concerns about TPP. But I'm also concerned that unilaterally removing the U.S. from those discussions may not only have undermined our ability to engage constructively in the Asia-Pacific region, but may also have an indirect effect on economic opportunities with our closest neighbors.

Answer. The President has consistently expressed an interest in pursuing trade agreements that serve the interests of U.S. businesses, workers, and long-term U.S. economic security. This includes strengthening our economic relationships across the Indo-Pacific region, including with the TPP-11 countries, in any way that achieves these goals. As the President has made clear, we should only consider TPP if we are able to make a substantially better deal for the United States.

We should work with our partners to advance high-standard, free, fair, and reciprocal trade and investment relationships.

If confirmed, I will focus on expanding opportunities for U.S. firms across the Indo-Pacific and rebalancing our economic relationships to ensure fairness. We should also continue to work bilaterally and through multilateral fora such as APEC to encourage economic growth and open and fair business opportunities.

*Question 28.* Human Rights Watch has estimated that the number of victims killed by President Duterte's drug war campaign is more than 12,000. We need to send a much stronger message to the Philippines and President Duterte—and also assure that our hands are not covered in blood as well if U.S. weapons or other support for the Philippines National Police are used in some of these murders. If confirmed, how do you plan to send a stronger message that the United States will not stand idly by as President Duterte continues to violate international law and kill his own people without due process?

Answer. The United States has expressed its serious concerns regarding extrajudicial killings associated with the drug war on multiple occasions with Philippine Government officials, and we should continue to do so. If confirmed, I will continue to urge the Philippine Government to ensure that its law enforcement efforts are consistent with its human rights obligations and conducted in accordance with the rule of law. I will also encourage the Philippine Government to conduct thorough and transparent investigations into all credible reports of extrajudicial killings.

The best way for the Philippines to deal with the issue of combating illicit drugs is by adherence to the rule of law and strengthening community resources and support systems. Therefore, we are working with the Philippines to improve drug prevention, treatment, and rehabilitation programs; strengthen respect for human rights; and build capacity of the justice sector to handle criminal cases effectively, efficiently, and in line with the rule of law. We also vet all security force units prior to their receipt of U.S. funding in accordance with the Leahy Law which prohibits assistance to any security force unit where we have credible information that the unit has committed a gross violation of human rights.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN A. THORNTON BY SENATOR TODD YOUNG**

*Question 1.* Ms. Thornton, thank you for meeting with me this week. I enjoyed our discussion and look forward to working together in the future. Based on my concerns and the counsel of my constituents, I have been active in attempting to help address the horrible crisis in Burma and Bangladesh impacting the Rohingya. It is important to be clear—what we have seen in Burma constitutes a clear and deplorable case of crimes against humanity and ethnic cleansing. I believe it is imperative to protect ethnic and religious minorities in Burma and hold the Government accountable. Ms. Thornton, if confirmed, do you commit to working with me and this committee to craft the best possible U.S. policy toward Burma?

Answer. I share your serious concern regarding the atrocities committed in northern Rakhine State, which Secretary Tillerson has concluded constituted ethnic cleansing against Rohingya. I am also deeply concerned by the humanitarian situation of the over 688,000 Rohingya refugees who have fled to neighboring Bangladesh as a result of the violence, as well as the internal displacement of thousands remaining in Rakhine State. In addressing these challenges, I believe the Department should engage closely with Congress on Burma and if confirmed, I will do so.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN A. THORNTON BY SENATOR EDWARD J. MARKEY**

*Question 1.* Within the State Department budget, how would funding for Asia-related issues change from the enacted FY2017 budget?

Answer. The FY 2019 foreign assistance request of \$431 million for the Asia-Pacific region is 10 percent above the FY 2018 request and 47 percent below the FY 2017 Actual.

The FY 2019 Diplomatic Engagement request of \$315 million for the Asia-Pacific region is 3 percent below the FY 2018 Request and a 14 percent below the FY 2017 Actual.

This budget request would support the administration's Indo-Pacific strategy that is based on respect for sovereignty, democratic values, the rule of law, open markets, fair and reciprocal trading frameworks, freedom of navigation, and private sector-led economic growth. The request supports programs that help counter violent extremism, strengthen maritime capacities, defend against cyberattacks, tackle transnational crime, and promote trade and investment that will foster economic opportunities for the American people.

The request also funds the strategic priorities in the Indo-Pacific by supporting U.S. treaty allies and emerging strategic partners to promote shared national security interests, trade, and investment that fosters economic opportunities for the American people.

*Question 2.* There is no U.S. Ambassador to South Korea. The Coordinator for Sanctions Policy position was eliminated. Please describe how the State Department will be staffed to successfully execute the administration's North Korea policy—both the "engagement" component, as well as the "pressure" component.

Answer. I believe the Department is fully capable and appropriately staffed to conduct both pressure and engagement regarding North Korea. The Office of Korean Affairs works closely with multiple other bureaus and offices in the State Department, and with interagency partners, to effectively implement the U.S. Government's North Korean policy. We have a highly capable and well-respected senior diplomat, Chargeé d'Affaires Marc Knapper, leading our tremendous U.S. Embassy team in Seoul.

*Question 3.* Which countries still provide the greatest revenue streams to North Korea? When executing the so-called pressure campaign, how would you prioritize which countries would receive the greatest pressure?

Answer. Entities in China and Russia still provide the greatest revenue streams to North Korea. Both governments have said they are committed to implementing U.N. Security Council resolutions to their fullest extent, though there is still illicit trade with North Korea. North Korean workers in China and Russia also provide a revenue stream to the regime. Stopping illicit transactions from these entities in China and Russia continue to be an administration priority to reduce the revenue streams that support the DPRK regime's illegal nuclear and missile programs.

*Question 4.* Can the United States deter a North Korea armed with a nuclear-armed intercontinental ballistic missile, and how would that shape policy formulation? If North Korea can be deterred, why should the United States consider a preventive military strike, especially given the potential consequences? If North Korea

cannot be deterred, how would a limited strike teach Kim Jong Un not to strike the United States or our allies?

**Answer.** The administration has stated that its goal is the complete, verifiable, and irreversible denuclearization of the Korean Peninsula and that the administration seeks to achieve that goal through a peaceful, diplomatic solution. This is being done through putting maximum pressure on the North Korean regime to change Kim Jong Un's calculus, so that he will engage in meaningful dialogue towards denuclearization. The United States should continue to lead the international community in diplomatically and economically isolating the North Korean regime. However, as the President and the Secretary of State have also made clear, all options are on the table.

**Question 5.** Getting U.S. China policy right is critical for U.S. prosperity and security. China is the biggest strategic competitor to the United States and seeks to gain advantages where it senses weakness. How can the United States better protect a free and open liberal international order, intellectual property rights, and a democracy free from Chinese Government influence without overly risking a trade war, or worse, military conflict?

**Answer.** The United States should continue to work cooperatively with allies and like-minded partners to uphold the rules-based order, and to advance fundamental U.S. values around democracy, human rights, and the rule of law in the Indo-Pacific region. We should continue to promote democratic values and work closely with other democracies to strengthen respect for human rights and fundamental freedoms, including freedom of expression and freedom of religion or belief. If confirmed, I am committed to continuing to make use of all tools at our disposal to press China to live up to its responsibilities as a member of the rules-based international order.

The United States should have a constructive, results-oriented relationship with China. We should not shy away from speaking forthrightly about and contesting Chinese policies and actions that undermine the international order that has fostered peace and prosperity in the Indo-Pacific region for decades. We should continue to work with China on important issues, from North Korea to countering the flow of illegal opioids to encouraging greater protection of intellectual property rights. At the same time, we should draw a clear distinction where we disagree, and I will, if confirmed, remain committed to defending our values and championing human rights and fundamental freedoms around the world.

**Question 6.** In his State of the Union speech, President Trump asked Congress to pass legislation to help ensure U.S. foreign assistance dollars "always serve American interests, and only go to America's friends." How would a more transactional approach to U.S. foreign aid benefit U.S. interests? How would such a policy change shape U.S. foreign assistance in the Asia-Pacific?

**Answer.** The FY 2019 budget request provides the necessary resources to advance peace and security, expand American influence, and address global crises, while making efficient use of taxpayer resources. It will modernize State Department and USAID diplomacy and development to advance a more secure and prosperous world by helping to support the development of more stable.

I believe it is important to assess our foreign assistance carefully to make sure that it serves American interests. If confirmed, I look forward to working with Congress to ensure U.S. foreign assistance continues to serve American interests.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCIS R. FANNON BY SENATOR ROBERT MENENDEZ**

***U.S. Energy Diplomacy (specific countries)***

**Question 1.** Recent gas finds in the eastern Mediterranean have the potential to make Israel a net energy exporter for the first time in its history and have created opportunities for energy cooperation as well as potential conflict between Israel and its neighbors.

- What do you believe is the United States role in Middle East energy diplomacy?

**Answer.** The United States role in Middle East energy diplomacy is to engage nations throughout the region in support of our own energy security goals and the energy security of our partners. Our diplomacy should ensure that energy flowing from, into, and within the region is affordable, reliable, and from diversified sources. U.S. energy diplomacy should support increasing exports of U.S. energy resources and technologies to the region as appropriate. Further, the United States should ensure energy markets in the region are free and transparent so that U.S. businesses

can compete fairly for new opportunities abroad. The United States is now a global leader on all energy fronts—particularly production and innovation—and we can work with our partners in the region to diversify their energy sectors, reduce vulnerabilities, and promote our mutual energy security interests.

*Question 2.* Recent gas finds in the eastern Mediterranean have the potential to make Israel a net energy exporter for the first time in its history and have created opportunities for energy cooperation as well as potential conflict between Israel and its neighbors.

- If confirmed, what will your priorities be with respect to your Bureau's engagement in the region?

Answer. If confirmed, my priority for the Bureau of Energy Resources' engagement in the Middle East will be to support U.S. foreign policy goals, including the energy security of the United States and of our partners by ensuring the region contributes to stable and efficient global energy markets. In working with our partners in the Middle East to diversify their energy sectors, we can also encourage greater energy integration among them. We can strive for this by promoting a shared economic prosperity that can serve as the foundation for peace and better relations. Our engagement will seek to create new commercial opportunities in the Middle East for U.S. businesses and develop new export markets for U.S. energy resources, technologies, and services.

*Question 3.* Lebanon's recent offshore gas tender includes part of Israel and Lebanon's disputed maritime border. Israeli Energy Minister Yuval Steinitz has said that a diplomatic resolution to the dispute "is preferable to threats" but has also warned Lebanon not to explore in the disputed line of contact.

- If confirmed, how will you engage with both sides to resolve this issue?

Answer. I understand that both sides appreciate the strong prospect for the private sector to develop offshore resources in the vicinity of the disputed area should an arrangement between them be reached. If confirmed, and if there was interest in a U.S. role facilitating negotiations on the area of overlapping maritime claims by Israel and Lebanon, I would work with State Department colleagues to help the parties proceed in reaching a resolution quickly and in a manner acceptable to both Lebanon and Israel.

*Question 4.* Lebanon's recent offshore gas tender includes part of Israel and Lebanon's disputed maritime border. Israeli Energy Minister Yuval Steinitz has said that a diplomatic resolution to the dispute "is preferable to threats" but has also warned Lebanon not to explore in the disputed line of contact.

- Do you see any potential for cooperation between the two countries (Lebanon and Israel)?

Answer. I understand that both countries' officials are interested in drawing upon the best practices and lessons learned from developing and marketing offshore hydrocarbons elsewhere in the Eastern Mediterranean to develop their offshore resources for the benefit of their peoples. If confirmed, I would work with State Department colleagues to help the parties reach a resolution quickly and in a manner acceptable to both Lebanon and Israel.

*Question 5.* Iraq, despite its hydrocarbon resources, is Iran's second largest export market for natural gas.

- How can improvements to Iraq's energy infrastructure improve its domestic gas production capacity?

Answer. Despite having the world's twelfth-largest gas reserves—nearly 3.8 trillion cubic meters (tcm)—Iraq's natural gas production in 2016 was just 1,000 million cubic meters (mcm), lagging far behind the other hydrocarbon-producing countries in the region. Further, Iraq has the world's second-largest natural gas flaring rate and burns off about 48 mcm per day mcmd (representing about \$2.5 billion in annual value lost). This gas flaring takes place because Iraq does not have the necessary gas processing and transport infrastructure.

Iraq could alleviate the need for expensive imports, improve the reliability of its electricity delivery, and eventually become a major exporter of gas and petrochemicals if it addresses the flaring of associated gas at major oil production sites and develops its considerable domestic gas resources.

I understand that American companies are already seeing success participating in Iraq's gas industry. GE is installing gas turbines in electrical plants and Orion Gas Processors recently announced a framework agreement to build facilities to capture the gas from a field in southern Iraq and to transform it into usable fuels. Other U.S. companies are engaging the Iraqi Ministry of Oil to help reduce gas flaring and to utilize this wasted resource.

*Question 6.* Iraq, despite its hydrocarbon resources, is Iran's second largest export market for natural gas.

- If confirmed, how would you work with Iraq to lessen its dependence on Iranian gas?

Answer. Iraq began importing gas from Iran in June 2017—starting at 7 million cubic meters per day (mcmd), with the potential to increase significantly—resulting in an estimated \$3.7 billion in annual revenue for Iran. By developing its own substantial natural gas resources, Iraq could significantly reduce its dependence on Iranian gas while building up its own energy infrastructure and economy.

Assisting Iraq in reducing its dependence on Iranian gas must be an important part of the effort to improve Iraq's energy security. Increasing Iraq's resilience in the face of attempts to use energy as a source of foreign influence over Iraqi foreign and national security policies is an important policy priority. If confirmed, I would continue these efforts as a critical part of an overall strategy not only to support Iraq but also to mitigate Iran's ability to project malign influence throughout the region.

*Question 7.* Do you believe clean energy cooperation with China and India is in the U.S. interest? Will you commit to continuing the separate bilateral efforts on clean energy development with China and India?

Answer. I believe clean energy cooperation with China and India advances U.S. energy security and opportunities for U.S. business by advancing the broader objectives of supporting sustainable, transparent, and predictable international energy markets and promoting universal access to affordable and reliable energy.

If confirmed, I will seek to advance secure, stable, diversified, and modern global energy systems that uses a broad range of market-based energy solutions, including advanced energy technologies, renewable energy, energy efficiency, and energy governance with China and India.

*Question 8.* If confirmed, under your leadership, will ENR engage in countries when as asked for assistance and advice on pursuing energy development according to their self-determined interests?

Answer. Yes. If confirmed, I would support the Bureau of Energy Resources (ENR) promoting energy security for the United States and our partners and allies by promoting diverse global energy supplies from all energy sources. The United States is not in the business of picking winners and losers. ENR engagement, including assistance, promotes global political stability and prosperity through a multitude of avenues, including energy development and diversification. It is my understanding that ENR supports countries' in accordance with their self-determined preferences. If confirmed I would intend to continue this practice.

*Question 9.* Will you commit to upholding the principles of self-determination within the Power Africa program?

Answer. Increasing electricity access in Sub-Saharan Africa is in the strategic interest of both the United States and African nations. Power Africa is a partnership. Its members—12 U.S. Government agencies, 16 like-minded bilateral and multilateral development partners, and more than 140 private sector companies—partner with African nations to help African leaders and citizens determine their own future. Power Africa works best when African Governments are committed to making the necessary reforms to attract investment in their power sectors. This also benefits the United States, opening opportunities for American investment in African economies.

I understand that the Department of State utilizes ENR and our embassies to work with governments to strengthen enabling environments and implement the critical reforms that attract private investment in power generation, transmission, and distribution projects. When engaging on Power Africa, my understanding is that ENR respects the principle of self-determination with partner countries. If confirmed I would intend to continue this practice.

*Question 10.* What host-country factors, beyond ENR's own resource and capacity constraints, would result in the U.S. limiting or restraining engagement on energy diplomacy?

Answer. ENR, working with our energy officers in our embassies and with inter-agency colleagues, uses energy diplomacy and engagement to help resource-rich countries overcome investment climate issues that stifle economic growth and limit the ability of U.S. firms to compete fairly in those markets. If these countries can attract energy investments, especially cutting-edge energy technology from all energy sources, this will improve their own energy security and provide the foundation for economic growth, political stability, and democratic values.

My understanding is that ENR focuses its efforts on countries seeking reform, U.S. allies and partners, and those with significant energy potential.

*Question 11.* Do you believe that U.S. foreign energy policy and diplomacy encouraging foreign countries, particularly developing countries, to pursue the development of energy generation from imported fuels, comports with the broader U.S. foreign policy objective of ensuring that developing countries achieve self-reliance?

Answer. U.S. national security benefits when other countries improve their energy security through domestic energy production and avoid overdependence on single suppliers. Access to affordable, reliable, diverse, and secure energy strengthens developing countries and their economic and political development. Diversification of fuel types, supply sources (countries of origin), and delivery routes also strengthens the energy security of those countries.

The United States plays an important role in supporting the energy security of other countries through U.S. investments and U.S. exports of energy resources and technologies. In Eastern Europe, for example, U.S. liquefied natural gas (LNG) provides another option to countries which are overly dependent on Russian gas imports. U.S. companies, with their advanced technologies, are often vital to the development of the natural resources in other countries. Jamaica has increased its own energy security, and thereby reduced its dependence on Venezuelan oil imports, through the development of renewables and natural gas imports with the help of ENR's technical assistance.

In addition to work regarding energy generation, I understand that ENR and U.S. embassies practice diplomacy and, in some cases, provide technical assistance to encourage transparency, the rule of law, and the establishment of proper institutional frameworks to attract long-term energy investment. Proper Institutional frameworks can underpin economic development, political stability and promote shared democratic values.

*Question 12.* What are your views on the need to balance domestic energy security with the energy interests of other nations?

Answer. Countries can strengthen their own energy security through increasing domestic energy production, decreasing their dependence on a single foreign supplier, and seeking access to energy supplies through a variety of fuel types, sources of energy, and delivery routes. The United States has taken this approach. The boom in U.S. energy production has benefited U.S. consumers, boosted our exports, and increased our own national security. U.S. energy exports increases the energy security of other countries not only because the United States is a reliable, transparent supplier of all types of energy but also because U.S. exports increase the liquidity, price efficiency, and competitiveness of global hydrocarbon markets.

*Question 13.* Would you oppose ENR engagement in facilitating energy resource development in countries that want U.S. technical expertise but may not want to import "U.S. energy export?"

Answer. If confirmed, I would support ENR promoting energy security for the United States and our partners and allies by promoting diverse global energy supplies from all energy sources. Facilitating the market-driven development of energy resources abroad provides opportunities for U.S. companies to invest and opportunities to export U.S. energy resources, technologies, and services including U.S. technical expertise. Doing so helps our allies and partners diversify their energy sources and bring economic gains back home. We believe in free and open markets. U.S. businesses are competitive across the energy sector in the development and provision of resources, technologies, and services. They can compete more effectively on a level playing field.

*Question 14.* What assurances can you give me that the President, the NSC, or Sec. Tillerson share your perspective?

Answer. President Trump and Secretary Tillerson have publicly supported increasing the energy security of the United States and our partners and allies through increased energy production, greater access to energy markets, fewer barriers to energy trade and development, and U.S. energy and energy technology exports. The President and Secretary recognize the importance of energy security in our economic system and to our national security.

*Question 15.* Would you pushback against any such political pressure that is contrary to your understanding on what and with whom ENR should engage based on the administration's foreign economic principles?

Answer. As I mentioned in my opening statement, if confirmed, I will focus on three objectives—energy security through diplomacy, governance, and electricity for

all. These energy goals support the administration's own energy and foreign policy objectives.

*Pipeline/Offshore Drilling*

*Question 16.* How do you account for the negative externalities to the American people of something like a cross-border pipeline, or offshore drilling, if the energy resources those efforts are supporting are being sent abroad?

Answer. All energy infrastructure projects bring both positive and negative externalities. These projects, even where they support energy exports, support U.S. jobs and utilize U.S. expertise and technologies. We should identify and take into consideration all factors surrounding energy projects to help policy makers assess the overall national interest. If confirmed, I will work with the State Department and in the interagency so that policy makers take into account all externalities and points of view expressed about energy projects.

*Question 17.* What degree of responsibility do you believe oil companies (versus taxpayers) should bear for disaster mitigation when oil industry operations cause a spill or disaster?

Answer. The Department of State does not regulate oil industry operations. If confirmed, I will work with the appropriate government officials to assure that disaster mitigation strategies and response plans are as robust as possible, consistent with the scope of my responsibilities and applicable U.S. laws.

*Question 18.* Do you believe bankruptcy protection should shield oil companies from liability and financial responsibilities to pay for cleanup and recovery efforts?

Answer. The State Department does not have jurisdiction over bankruptcy issues. However, if confirmed, I will work to encourage the use of best practices by energy companies to help ensure they meet all applicable obligations for cleanup and recovery, consistent with the scope of my responsibilities and applicable U.S. laws.

*Question 19.* If confirmed, how would you approach advising foreign governments, including developing countries and countries with concentrations of vulnerable populations living near energy resources or industrial areas, about public health, safety and liability regulation of energy developers?

Answer. If confirmed, I will continue with ENR's efforts to strengthen energy sector governance, access, and reliability in emerging economies and build the capacity of governments to develop the energy resources of their countries for long-term national benefit. I understand that ENR foreign assistance programs are integral to the Bureau's diplomatic engagements overseas, provide critical support for the Department's objectives and the administration's global diplomacy priorities. ENR's programs leverage expertise from across the U.S. Government and leading U.S. universities and laboratories. Further, I understand that ENR's programs also provide access to qualified independent subject-matter experts and technical specialists to support the objectives to: 1) build institutional and human resource capacity needed to ensure strong energy sector governance and transparency in the resource sectors in emerging economies; 2) provide governments and civil society with the tools needed to help support responsible development of their domestic resources; and 3) support power market reforms and efforts to leverage regional electrical interconnections, strengthen energy security, and advance regional cooperation. If confirmed, I will seek to continue this important work.

*Question 20.* Will you commit to engaging with civil society and local community representatives, including marginalized populations and women leaders, in your diplomatic engagements on energy development abroad?

Answer. If confirmed, I will seek to engage in discussions with all relevant stakeholders in the extractive industries including affected communities where these resources are located. ENR has for many years engaged actively with civil society representatives individually and within multilateral energy fora. ENR also has engaged on the important issue of gender and energy in multilateral engagements and through bilateral efforts.

If confirmed, I will ensure the bureau continue its efforts to work with civil society in our diplomatic engagements on energy development abroad. I also will coordinate our efforts with our U.S. Agency for International Development colleagues to help ensure a unified message of engagement with civil society is implemented.

*Question 21.* Will you describe your commitment to protecting human rights and preventing the exploitation of vulnerable populations and the approaches you will take to prioritize these imperatives in U.S. energy diplomacy?

Answer. The protection of internationally recognized human rights is of paramount importance to the Department of State and to me. If confirmed, I will pro-

mote U.S. policies to advance these interests and share U.S. best practices regarding the responsible development of a country's domestic resources.

ENR works with countries around the world to improve hydrocarbon and mineral sector governance and oversight and encourages universal access to affordable and reliable energy supply through power sector reform and development. I would continue our close collaboration with the U.S. Agency for International Development and work to connect the Governments of resource rich countries with international best practices for the sound and transparent governance of extractive resources.

*Question 22.* How do you define or interpret "U.S. energy exports," as described in Objective Goal 2.3.1 of the State Dept., and USAID's Joint Strategic Plan, and do you see it including facilitation of U.S. energy developers, not just fuels, gain access to foreign markets?

Answer. I consider U.S. energy exports to include exports of our energy resources, technologies, equipment, and services. This approach is consistent with the National Security Strategy and the intent of the Department's Joint Strategic Plan Objective 2.3.1. U.S. exports, whether commodities, goods, or services, help our allies and partners diversify their energy sources and improve their energy security, and importantly, they also promote economic growth and job creation here in the United States. U.S. energy companies (including energy developers) are part of that strategic and economic value chain.

It is important to ensure a level playing field though reduction of barriers that hinder U.S. companies from competing in foreign markets and advocacy on behalf of U.S. companies. If confirmed, I would work to ensure the Bureau will advance fair and reciprocal economic relationships in the energy sector.

*Question 23.* Is "energy exports" code for fossil fuels? If not, what else are we talking about and do others like President Trump, Secretaries Perry and Tillerson, and Ambassador Craft agree that we are talking about something other than coal, oil or gas?

Answer. The Trump administration has repeatedly and publicly called for an 'all-of-the-above' approach to energy. The President's National Security Strategy (December 2017) states that the United States will promote exports of its energy resources, technologies, and services. It makes no distinction between fossil and non-fossil energy and does not seek to pick winners and losers. The United States is fortunate to be a leader in energy development, production, and innovation across the entire range of energy sources. As such, I understand that ENR promotes U.S. exports of energy resources, technologies, and services—including highly efficient fossil fuels and renewables—through engagement with foreign governments to ensure fair and reciprocal treatment for U.S. companies operating in overseas markets. The Bureau also works in partner nations to build institutional capacity; provides the tools to support responsible resource development; and, supports power market reforms, all of which advance administration priorities and allow our partners to make fully informed, market-based decisions.

*Question 24.* How would ENR "promote" U.S. oil or coal exports in foreign policy when these commodities are traded globally based on global market prices per unit, and that the basic economic principles of supply and demand determine production and sales?

Answer. ENR promotes U.S. oil and coal exports by promoting open, transparent, and market-based energy sectors and removing barriers to trade, which increases opportunities for U.S. energy exporters regardless of fluctuations in commodities prices. ENR promotes energy security for U.S. allies and partners, which includes the diversification of energy sources, supplies, and routes. As the United States is a reliable supplier and a recent exporter of multiple energy resources, ENR has been able to promote U.S. energy exports, including oil, coal, and liquefied natural gas, to strengthen global energy security. ENR furthers U.S. energy technology exports, including advanced clean coal power generation equipment, through commercial advocacy. ENR also supports the transformation of electricity markets in key countries, helping to develop the transparent and competitive market mechanisms that often make low-cost fuels the most efficient choice of power supply.

*Question 25.* What is your experience in facilitating "alternative energy" development and how does it compare with your experience (in terms of time and scope) with fossil fuel energy development?

Answer. I have considerable experience working with both fossil-based and non-fossil based energy. As such, it is difficult to assess time and scope with precision in light of this overlap.

For example, while serving as senior Legislative Assistant to Senator Ben Nighthorse Campbell, I drafted Good Samaritan legislation which sought to promote

the clean-up of abandoned hard rock mines that were leaching into and harming watersheds. As counsel to the Senate Committee on Environment & Public Works committee, I drafted and negotiated a variety of provisions to the Energy Policy Act of 2005, including the motor fuels title, which established the Renewable Fuels Program.

As head of Murphy Oil Corporation's government affairs function, I worked on a variety of oil and natural gas projects in the U.S. and elsewhere. Yet, I also supported Murphy Oil's acquisition of Hankinson Renewable Energy, a significant ethanol plant based in Hankinson, North Dakota.

BHP Billiton is the world's largest diversified resources company. As head of their Washington office, I supported the company's oil and gas operations. I also supported BHP's sale of U.S. coal mines, in particular of its Navajo coal mine to the Navajo Nation. That transaction represented a meaningful act of the Navajo Nation's right to self-determination, as it turned the prior owner, BHP, into their employee.

In addition, as a "diversified resources company," BHP invested in other commodities that were foundational to "alternative energy." For example, solar and electric vehicles require significantly more copper than coal-based generation or internal combustion engines. BHP owns and operates the world's largest copper mine. I supported BHP's public rollout of its Climate Change: Portfolio Scenario Analysis. That document and others illustrated that irrespective of potential policy scenarios, the company projected significant growth. The company's diversity of commodities meant that it could reallocate investment to whatever commodity would flourish.

*Question 26.* If the contrast is great, will you commit to recruiting experts to manage this important part of ENR's portfolio?

Answer. I believe in the importance of diversity in terms of cultures, genders and points of view. If confirmed, I commit to recruit the best experts to advance ENR's portfolio.

*Question 27.* Do you believe it is appropriate for ENR to endorse or promote particular energy technologies or products?

Answer. If confirmed, I will support an all of the above international energy policy that strengthens the energy security of the United States and our allies. Maintaining market access for U.S. energy products, technologies and services, and ensuring sustainable, transparent, and predictable international energy markets for our partners and ourselves is crucial to our security. ENR is not in the business of picking winners and losers. However, ENR does leverage its technical expertise to provide solutions that are appropriate for different contexts. I recognize that market-informed laws and regulations are essential to balancing emissions reduction and economic growth goals. Laws and regulations should be performance-based and technology neutral.

*Question 28.* What do you believe the President meant when he said in the State of The Union on January 20, 2018: "I am asking the Congress to pass legislation to help ensure American foreign Assistance dollars always serve American interests, and only go to our friends?"

Answer. The President is committed to ensuring that American foreign assistance serves American interests. The 2019 Budget prioritizes assistance that protects the American people, promotes U.S. prosperity, and advances American interests and values.

*Question 29.* How do you believe a policy that "ensure[s] American foreign Assistance dollars always serve American interests, and only go to our friends" would, or should, be carried by the ENR bureau?

Answer. It is important to assess our foreign assistance based on a number of factors, with the top reason being that our assistance should serve American interests. Countries' support for U.S. priorities in international fora is one indicator to consider, but there are other important factors to consider as well.

*Question 30.* Do you believe the U.S. should limit diplomatic and development engagements to our "friends?" Who are our "friends?" Would you agree that disengaging with nations who may not necessarily be our "friends" could create opportunities for our global competitors like Russia and China, or extremist elements like Boko Haram and ISIS, to fill the void we create?

Answer. The U.S. Government has a longstanding policy of using diplomacy and development not only to strengthen existing friendships but to build new ones, and to pursue pragmatic and constructive relationships even with those governments with which there are many areas of deep disagreement. For this reason, the United States maintains broad and continuing dialogues not only with our closest partners

and allies but with strategic competitors. The Trump administration has stated its commitment to use America's influence to promote peace, prosperity, and the development of successful societies. If confirmed, I would uphold this commitment and ensure the Department of State uses energy diplomacy to establish a stable, secure, and resilient global energy supply, to strengthen the transparency and efficiency of global energy markets, and to promote universal access to affordable and reliable energy. Achieving these goals will require the United States to broaden the consensus behind these core principles by reaching beyond its traditional partners and allies. There is also a clear need to prevent foreign powers, criminal groups, or terrorist organizations from using political and economic influence or overt acts of violence to undermine these goals. If confirmed, I would continue State Department efforts to ensure energy resources are not used for malign political ends or to finance criminal or terrorist activities.

*Question 31.* If a country determines its best interests are to mobilize its own domestic energy resources, i.e. not import of U.S. fossil fuels, would that count against considering them "an economic partner of the U.S." or not a "friend?"

Answer. If confirmed, I will continue the State Department's work to lower barriers to investment, improve commercial climates, and ensure U.S. energy companies are able to compete on a level playing field across the globe, and I am confident that U.S. energy exports will continue not only to compete but to thrive in the years ahead.

Yet, it is unrealistic to think that U.S. exports alone will solve the world's energy security challenges. As such, the United States is a strong supporter of the right of every country to develop its own sovereign national resources in pursuit of national security and prosperity. The strong and vocal support of the United States for projects such as the Southern Gas Corridor—a project that will not transport a single molecule of U.S.-origin natural gas, but will help our partners and allies in Europe improve the diversity and stability of their energy supply—demonstrates a commitment to energy security that is distinct from efforts to promote the export of U.S. energy resources, services, and technologies. If confirmed, I will promote energy security even where U.S. energy exports are not directly implicated.

*Question 32.* Was your departure from BHP at all related to the company's portfolio shift towards less carbon intensive activities and changes in political and federal strategy with respect to climate change have anything to do with your departure?

Answer. No. BHP did not and would not shift its business strategy according to political changes in the U.S. or anywhere else in the world. BHP views its investments and operational decisions according to 50 plus year time horizons. Further, BHP's commodity diversity provides a high degree of resilience under any potential global policy scenario. In fact, my work with BHP on scenario analysis and disclosure issues, among others, was foundational to my decision to form a bipartisan energy and environment consultancy, The Coefficient Group.

*Question 33.* Will you commit to staffing the ENR bureau with professional staff at all levels with diverse experience, expertise and background to ensure ENR remains effective in delivering in all areas of the Bureau's "all of the above" approach to energy diplomacy.

Answer. I take issues of diversity and inclusion very seriously, which have been shaped by my personal and professional experience. As I indicated in my opening statement, my mother and her family immigrated to the United States in 1969 with little more than an aspiration for a better life. I saw firsthand the importance of inclusion of diverse nationalities and ethnicities. Professionally, I have worked with diverse and multi-cultural teams to advance commercial ventures. I have a keen appreciation for the benefits that diversity in culture and perspective can bring to any endeavor.

I believe in the importance of diversity in terms of cultures, genders and points of view. If confirmed, I commit to recruit the best experts to advance ENR's "all of the above" approach to energy diplomacy, and will seek to build and retain a diverse team and ensure that all are meaningfully included at all levels of the organization.

*Question 34.* Executive Order 13770, "Ethics Commitments by Executive Branch Appointees," requires every appointee to sign a pledge which states that they "will not for a period of 2 years after the date of my appointment participate in any particular matter on which I lobbied within the 2 years before the date of my appointment or participate in the specific issue area in which that particular matter falls."

As a lobbyist for BHP Billiton, you submitted disclosures that state the specific issue areas you lobbied on over the past two years. Many of these specific issue areas appear to fall within the scope of work for the position to which you have been

nominated. At our meeting in my office and at your nomination hearing, you said that State Department ethics lawyers were going to “carve out” these issue areas.

Listed below are some of the relevant specific issue areas that you lobbied on over the past two years. For each one, please explain how the specific issue area does not apply to the work of the ENR Bureau or, if it does, how the State Department will create “carve outs” that would allow you to fulfill the full scope of responsibilities for this position without having to recuse yourself from any matter or seek a waiver for EO 13770.

*34a. Issues related to methane emissions (no bill)*

Answer. This matter related to BHP’s participation in “One Future,” an industry group comprised of companies throughout the natural gas value chain committed to reduce their methane emissions to a collective “one percent.” BHP supported One Future’s mission and sought to promote voluntary methane emissions reductions with U.S. EPA.

One Future is a domestic U.S. organization and EPA’s proposed methane emissions programs were wholly domestic. As such, this is not a particular matter or specific issue area that I would anticipate working on as Assistant Secretary for the Energy Resources Bureau if I am confirmed.

*34b. Issues related to climate change (no bill)*

Answer. BHP has agreed with the United Nations’ views on climate change and IPCC reports since the early 2000s. The company has shared its views consistently since that time.

I supported BHP’s public roll-out of its report, “Climate Change: Portfolio Analysis” and subsequent, “Climate Change: Portfolio Analysis Views After Paris.”

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from particular matters in which BHP is a party. Further, the roll-out of BHP’s Climate Change reports did not involve the Energy Resources Bureau, and I would not expect any promotion of those reports before the Energy Resources Bureau in the future.

*34c. Issues related to climate change, including carbon capture sequestration, conservation, and general climate change policies (no bill)*

Answer. BHP has agreed with the United Nations’ views on climate change and IPCC reports since the early 2000s. The company has shared its views consistently since that time.

I supported BHP’s public roll-out of its report, “Climate Change: Portfolio Analysis” and subsequent, “Climate Change: Portfolio Analysis Views After Paris.” This included sharing the report with officials during the former administration.

BHP signed a partnership agreement with Beijing-based, Peking University to research potential application for carbon capture utilization and storage in the steelmaking process. I supported the company’s public roll-out of this initiative. This included sharing notification of this initiative with officials during the former administration.

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from matters in which BHP is a party. Further, neither the roll-out of BHP’s Climate Change reports nor the partnership with Peking University involved the Energy Resources Bureau, and I would not expect those matters to come before the Energy Resources Bureau in the future.

*34d. Financial transparency issues (no bill)*

Answer. BHP supported U.S. adoption of mandatory disclosure of extractive industry payments to governments. This included BHP’s support of section 1504 of the Wall Street Reform and Consumer Protection Act. As noted, this matter concerned SEC regulations, and BHP’s work on this issue does not relate to the Bureau of Energy Resources,

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from matters in which BHP is a party.

*34e. Extractives Industry Transparency Initiative (no bill)*

Answer. I was listed along with BHP’s other registered lobbyist on all filings as a routine matter, rather than removing me and putting me back on LDA filings. BHP supported U.S. adoption of EITI. However, BHP’s other lobbyist worked on the U.S. EITI issues.

The Department of Interior noticed its withdrawal from U.S. participation of EITI in light of legal privacy restrictions and low participation rates. In light of this withdrawal and that I did not work on the issue, there is no prospect of triggering Executive Order 13770’s restrictions related to past lobbying if I am confirmed.

*34f. Issues related to climate change policy, including carbon capture and sequestration and voluntary methane reductions (no bill)*

Answer. BHP has agreed with the United Nations' views on climate change and IPCC reports since the early 2000s. The company has shared its views consistently since that time.

I supported BHP's public roll-out of its report, "Climate Change: Portfolio Analysis" and subsequent, "Climate Change: Portfolio Analysis Views After Paris." This included sharing the report with officials during the former administration.

BHP signed a partnership agreement with Beijing-based, Peking University to research potential application for carbon capture utilization and storage in the steelmaking process. I supported the company's public roll-out of this initiative. This included sharing notification of this initiative with officials during the former administration.

Additionally, BHP participated in "One Future," an industry group comprised of companies throughout the natural gas value chain committed to reduce their methane emissions to a collective "one percent." BHP supported One Future's mission and sought to promote voluntary methane emissions reductions with U.S. EPA.

One Future is a domestic U.S. organization and EPA's proposed methane emissions programs were wholly domestic.

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from matters in which BHP is a party. Further, neither the roll-out of BHP's Climate Change reports, the partnership with Peking University, nor One Future initiative involved the Energy Resources Bureau, and I would not expect those matters to come before the Energy Resources Bureau in the future.

*34g. Issues related to NAFTA renegotiation*

Answer. BHP won the right to develop the Trion field with partner PEMEX in Mexico's offshore leasing. BHP was interested in understanding how NAFTA negotiations could affect the development of that discovered resource.

BHP's inquiries did not involve the Bureau of Energy Resources. Further, if confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from BHP.

*34h. Issues related to energy policy priorities*

Answer. BHP has shale resources across four regions in three U.S. states. "Energy policy priorities" relates to BHP's interest in better understanding the direction of the U.S. Government policy priorities that could affect its production profile.

BHP's inquiries, which focused on domestic policy, did not involve the Bureau of Energy Resources. Further, if confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from BHP.

*34i. Issues related to energy security (no bill)*

Answer. Two BHP executives visited Washington from Australia. I was listed, along with my other former BHP registered lobbyist colleague because we supported them in preparation for their trip. Neither of us participated in the meeting that this filing references.

Neither my own work nor the White House meeting that I did not attend involved matters before the Bureau of Energy Resources. Further, if confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from BHP.

*34j. Issues related to climate change policy, including the Paris accords and carbon capture and sequestration technology and funding (no bill)*

Answer. BHP has agreed with the United Nations' views on climate change and IPCC reports since the early 2000s. The company has shared its views consistently since that time.

I supported BHP's public roll-out of its report, "Climate Change: Portfolio Analysis" and subsequent, "Climate Change: Portfolio Analysis Views After Paris." This included sharing the report with officials during the former administration.

BHP signed a partnership agreement with Beijing-based, Peking University to research potential application for carbon capture utilization and storage in the steelmaking process. I supported the company's public roll-out of this initiative. This included sharing notification of this initiative with officials during the former administration.

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from matters in which BHP is a party. Further, neither the roll-out of BHP's Climate Change reports nor the partnership with Peking University involved the Energy Resources Bureau, and I would not expect those matters to come before the Energy Resources Bureau in the future.

*34k. Issues related to global commodities trade policy (no legislation or trade agreement discussed)*

Answer. As the world's largest diversified resources company, BHP closely monitors and conducts various scenario analyses on the demand for various commodities.

I supported BHP in sharing their views with officials serving during the former administration. This effort to share views with administration officials did not involve the Bureau of Energy Resources.

If confirmed, I will follow the directions of Ethics counsel and will adhere to my ethics pledge, which requires a recusal from BHP.

*Question 35. While working for Murphy Oil, what specifically did you lobby on regarding “all provisions relating to the regulation of retail tobacco sales” in the Family Prevention and Tobacco Control Act? Did you lobby to weaken the bill in any way, including with regard to warning labels on tobacco products?*

Answer. At the time in 2008, Murphy Oil Corporation owned and operated a network of retail fueling stations. Murphy's retail business was a member of the National Association of Convenience Stores (NACS). As a NACS member, Murphy's retail business participated in NACS-related advocacy programs. NACS sought what it contended were practical and fair changes to the proposed legislation. The House Energy & Commerce agreed to modify their bill and President Obama signed the legislation into law.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCIS R. FANNON BY SENATOR JOHN BARRASSO

*Question 1. Have you read the Inspector General's report?*

Answer. Yes.

*Question 2. What specific steps would you take to deal with the duplication, redundancies, and confusing lines of authorities on international energy policy that are outlined in that report?*

Answer. The U.S. Constitution empowers the President with authority to “make treaties” with advice and consent of the Senate. In establishing the Department of State in 1789, Congress provided that “[t]he Secretary of State shall perform such duties . respecting foreign affairs as the President of the United States shall assign to the Department, and he shall conduct the business of the Department in such manner as the President shall direct.”

In establishing the Department of Energy in 1977, Congress provided that “the Secretary of State shall continue to exercise primary authority for the conduct of foreign policy relating to energy and nuclear nonproliferation.” Although the Department of State has primary authority on foreign policy, it has coordinated and collaborated with respective experts across the cabinet in the interest of the American people.

For example, the Department broadly, and the Bureau of Energy Resources more specifically has a strong history of meaningful and effective collaboration. For example, ENR worked closely with the Department of Defense (DoD) and the intelligence community to identify key energy infrastructure in Syria, allowing DoD to target and degrade ISIS' ability to produce and sell oil, thereby eliminating a key revenue source for the terrorist organization. ENR also collaborates with the Department of Treasury in the design and implementation of energy-related sanctions on Russia and North Korea.

The Office of Inspector General report raised legitimate concerns over “Inter-agency Coordination” between DoE and State. However, the report did not provide specific recommendations for improvement on this matter as the OIG did in multiple other instances. This fact, coupled with the report itself as well as my own understanding, suggests that concerns raised reflected management failures.

If confirmed, I intend to meet regularly with respective peers across the inter-agency and Departments of Defense and Treasury, in particular to better understand their processes for collaboration. I will also meet with DoE leaders, many of whom I have known and worked with beginning in 2001, and seek to build on the established best practice working across the interagency. There is absolutely no reason that the Department of State cannot work collaboratively to advance American foreign policy objectives as it does elsewhere across the interagency. I take seriously the responsibilities before me, and if confirmed, pledge to advance “foreign policy

relating to energy" "in such manner as the President shall direct." This necessarily requires working with all parties to advance American interests.

*Question 3.* What efforts has the administration taken to effectively demonstrate that the United States opposes Nord Stream II?

Answer. I understand that the administration has taken a very active approach to convey its clear opposition to the proposed Nord Stream II pipeline through public statements and private diplomatic engagement. Secretary Tillerson publicly affirmed in Warsaw on January 29 that, "the United States opposes the Nord Stream 2 pipeline. We see it as undermining Europe's overall energy security and stability, and it provides Russia yet another tool to politicize energy.." The Secretary went on to state, "Nord Stream II would continue to keep Europe more dependent on Russia for natural gas.[and].it also allows Russia to now use the natural gas supply system as a political tool to create more pressure on countries like Ukraine and elsewhere." Secretary Tillerson stated earlier, at the Wilson Center in Washington in November 2017, "we continue to view the development of pipelines like the Nord Stream II and the multiline TurkStream as unwise, as they only increase market dominance from a single supplier to Europe."

Other Senior State Department officials as well as other federal agencies have affirmed this position publicly at home and abroad. I understand that the Department has also engaged in vigorous private multilateral and bilateral diplomatic engagement with a wide range of European counterparts and private sector officials.

*Question 4.* Do you support imposing sanctions on Russian energy export pipelines, like Nord Stream II?

Answer. Sanctions on Russian energy export pipelines, in accordance with CAATSA Section 232, can be a powerful tool to change the behavior of the Russian Federation. Proponents of the Nord Stream II pipeline have stated publicly that the existence of these sanctions has increased project financing costs for Nord Stream II. I cannot speculate on potential future sanctions actions; however, I would consider supporting the imposition of sanctions on Russian energy export pipelines, consistent with the public guidance issued by Secretary Tillerson on CAATSA Section 232. Any decision to implement such sanctions should be coordinated with our European allies, as envisioned by the law, in order to preserve trans-Atlantic unity on Russia sanctions.

*Question 5.* If confirmed, how will you assist U.S. businesses and industries in gaining greater access to global markets?

Answer. In support of the National Security Strategy, I will ensure the Bureau of Energy Resources (ENR) advocates for an open, transparent, and market-based global energy sector that advances U.S. economic interests. I will also lead Bureau efforts to promote exports of U.S. energy resources, including coal, to strengthen global energy security and to help our allies and partners become more resilient against those that use energy to coerce.

ENR has a meaningful role to play to help level the playing field and open markets. Currently several geologically abundant countries may present prohibitive above ground risk profiles. As I noted in my opening statement, if confirmed, I will seek to focus ENR's work on governance and transparency to open markets for U.S. interests.

If confirmed, I will also advocate for U.S. energy firms to gain greater access to global markets to sustain U.S. economic growth and job creation.

*Question 6.* If confirmed, would you ensure that the State Department is promoting all forms of energy projects across the globe, including oil, gas, and coal?

Answer. I believe that maintaining market access for U.S. energy resources, technologies, and services, and ensuring sustainable, transparent, and open international energy markets for our partners and ourselves is crucial to our economic and energy security. I fully support an "all of the above" approach and recognize that advocating for the full range of energy sources allows the United States to advance a diversified energy supply across multiple global contexts. It is not our job to pick winners and losers.

During my confirmation hearing, Foreign Relations committee Ranking Member Menendez asked my views on a related topic. I offered that it was my understanding that ENR is fuel source "agnostic," and that "it's truly an all-of-the-above approach... And so it wouldn't be a weighted measure of one fuel source over another."

If confirmed, I will seek to promote a secure, stable, diversified, and modern global energy system that uses a broad range of market-based energy solutions including advanced energy technologies, coal, oil, natural gas, renewable energy, energy efficiency, and energy governance solutions to advance U.S. interests, promote global energy security, and drive economic development.

*Question 7.* With billions of people without power, do you believe we should be promoting fossil fuels that are affordable and reliable, such as coal and natural gas, while supporting new technologies that reduce their carbon output?

Answer. Promoting universal access to affordable and reliable energy using an “all of the above” approach promotes energy security and economic growth for the United States and our partners and allies. In response to Foreign Relations committee Ranking Member Menendez during my confirmation hearing I stated that it was my understanding that ENR is fuel source “agnostic,” and that “it’s truly an all-of-the-above approach … And so it wouldn’t be a weighted measure of one fuel source over another.”

If confirmed, I will work closely with the interagency, industry representatives, international organizations, and partner countries to help communities around the world access and use fossil fuels more cleanly and efficiently and also to deploy renewable and other clean energy sources in line with a market-based approach. Related laws and regulations should be performance-based and technology neutral. If confirmed, I would also seek to support the transformation of electricity markets around the globe, helping to develop transparent and competitive market mechanisms to facilitate the most efficient choice of power supply.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCIS R. FANNON BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What will you do to promote, mentor and support your staff who come from diverse backgrounds and underrepresented groups in the Civil and Foreign Service?

- What steps will you take to ensure your supervisors are fostering an environment that is diverse and inclusive?

Answer. I take issues of diversity and inclusion very seriously, which have been shaped by my personal and professional experience. As I indicated in my opening statement, my mother and her family immigrated to the United States in 1969 with little more than an aspiration for a better life. I saw firsthand the importance of inclusion of diverse nationalities and ethnicities. Professionally, I have worked with diverse and multi-cultural teams to advance commercial ventures. I have a keen appreciation for the benefits that diversity in culture and perspective can bring to any endeavor.

If confirmed, I will seek to build and retain a diverse team and ensure that all are meaningfully included at all levels of the organization. In my view, the State Department would be a natural leader in demonstrating diversity and inclusion given its global mandate.

*Question 2.* Do you commit to bring to the committee’s attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President’s business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 3.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President’s business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 4.* Do you or do any members of your immediate family have any financial interests in the energy sector?

Answer. Yes. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in those companies the State Department Ethics Office deemed necessary to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 5.* Does Russia represent a serious threat to European stability and prosperity?

Answer. Yes, Russia represents a serious threat to European stability and prosperity. Its occupation and attempted annexation of Crimea in 2014, as well as its aggression in eastern Ukraine, demonstrate a lack of respect for the rules-based

order that has ensured Europe's peace and prosperity since the end of World War II.

Russia uses its energy resources to advance its geopolitical goals in Europe. Over-dependence on a sole supplier of energy creates leverage for politicizing these vital resources. Russia demonstrated its willingness to use this leverage to achieve its geopolitical objectives when it disrupted gas supply to and through Ukraine in 2006, 2009, and 2014, harming Ukraine and other Eastern European countries. Europe's diversification of fuel energy sources, types, and routes is critical to reducing Russia's leverage and ensuring Europe's continued stability and prosperity.

*Question 6.* Do you agree that Russia/Gazprom manipulates European gas markets because Russia prioritizes the strategic and geopolitical value of its gas resources over revenue generation?

Answer. Russia has demonstrated its willingness to leverage its role as Europe's single largest supplier of natural gas for strategic and geopolitical ends, notwithstanding its dependence on hydrocarbon exports for a significant portion of its state budget.

Russia/Gazprom's decision to invest billions in the Nord Stream II and Turkish Stream projects in order to bypass Ukraine as a gas transit state, deprive Ukraine of gas transit revenue, and sever a vital link to the European Union is a clear example of prioritizing strategic ends over market rationale. Its willingness to prioritize geopolitical leverage over revenue generation by disrupting gas supply to and through Ukraine in 2006, 2009, and 2014, which harmed Ukraine and other Eastern European countries, serves as another example.

*Question 7.* How would you characterize Russian interference in the Krk Island project?

Answer. Russia uses a number of overt and covert approaches to influence public opinion and the policies of other governments. Russian disinformation campaigns aim to discredit energy infrastructure projects in Eastern and Central Europe and preserve Russia's dominant market position. Russia then uses its dominant market position to advance its own projects and further Russia's geopolitical goals in Europe.

As with other energy diversification projects in the region, Russia has attempted to use economic tools such as contract terms and unrealistic promises of investments and ancillary projects to undermine commitments both in Croatia and in Hungary, the two markets key to determining the Krk project's viability. Russia offers tantalizing projects to maintain its dominant position in vulnerable markets such as a multilane TurkStream, to undercut other proposals that would promote real diversification.

*Question 8.* What specific steps will you take to counter Russian efforts to oppose to Krk?

Answer. If confirmed, I will focus Bureau of Energy Resources (ENR)'s diplomatic efforts on encouraging Croatia and regional partners such as Hungary to move forward with the deployment of an offshore Floating Storage and Regasification Unit (FSRU) at Croatia's Krk Island. We will continue to highlight the importance and benefits of diversification and emphasize the need for countries to invest in their own energy security. The United States also plans to provide technical assistance to support this project consistent with U.S. support of projects that advance energy security through energy diversification.

I understand and support the administration's ongoing, comprehensive approach to countering Russian malign influence in the region. This work focuses on responding to Russian disinformation and propaganda, exposing Russian influence operations as such, building resilience in partner governments and populations, countering corruption, building the capacity of an independent news media, developing information-sharing mechanisms with partner nations, and increasing the cost of these destabilizing activities on those that carry them out.

*Question 9.* Because of Russia's strategic imperative behind its gas supplies and deliveries, do you believe promoting U.S. gas exports to Europe will solve this problem?

Answer. U.S. gas exports can be one element of a multi-faceted response to reduce the leverage Russia holds over Europe through energy supplies. U.S. gas exports will increase the supply of gas available for purchase worldwide, contributing to a global, liquid market for natural gas, all of which supports Europe's efforts to diversify its sources, supplies, and routes for gas. However, Europe itself must play the central role in reducing Russia's energy leverage over the continent. Through infrastructure investments, including LNG terminals and gas interconnectors, and the creation and implementation of robust legal and regulatory regimes, like the Third

Energy Package, Europe can ensure that Russian firms are compelled to adhere to market principles.

*Question 10.* Do you think U.S. gas suppliers are willing to supply gas, at a potential loss, if Russia effectively drives down the price of gas in Europe's regional markets?

Answer. ENR and our interagency colleagues advocate for European energy security, including access to U.S. liquefied natural gas (LNG). However, the U.S. Government does not direct our private companies regarding where to sell their products and, likewise, does not set prices. U.S. private sector companies operate according to their own commercial terms in the best interest of their shareholders. As such, it is unlikely that they would supply gas to Europe at a loss in the long-term. The United States and U.S. firms contribute to global energy security through their demonstrated respect for and advancement of market principles and increased natural gas supplies and build a global, liquid and transparent market.

European Union efforts to increase its own energy security by diversifying its energy mix have served to reduce Russia's market dominance and ability to set prices. Gazprom/Russia flourishes in opaque systems where it can exploit prospective importing countries through unfair and manipulative practices. By contrast, increased access to LNG and new energy distribution channels and sources introduces market competition that will force Gazprom to compete in a more open, rules-based marketplace. For example, Lithuania substantially reduced its dependence on Russian gas after it opened an LNG import facility in 2014. As a result of Lithuania's newfound market leverage, Gazprom reduced the price of Lithuania's 2005–2015 supply contract by 20 percent.

*Question 11.* What would your strategy be to "promote an increase in U.S. energy exports," as described in Performance Goal 2.3.1 in the State and USAID Joint Strategic Plan, where regional prices for certain energy products is especially challenging for certain U.S. energy product suppliers, or when the price of energy commodities depresses demand for those commodities produced in the U.S.?

Answer. A strategy to promote an increase in U.S. energy exports includes identifying infrastructure and energy sector opportunities overseas for U.S. companies, facilitating rigorous and efficient permitting of safe and efficient cross-border infrastructure, and advocating for U.S. companies entering new markets. The strategy presumes working with multilateral, foreign and domestic energy stakeholders to strengthen good governance, increase transparency, and remove barriers to energy development and trade for U.S. companies. Finally, it would include providing technical assistance, sharing of U.S. best practices, and communicating opportunities and risks to governments and industry to advance U.S. energy priorities and businesses.

The Department of State can further grow export opportunities for U.S. energy technology and commodity exporters irrespective of commodity market fluctuations by opening new markets through the promotion of U.S. financial and business models to support the transformation of electricity markets. The flexibility and responsiveness of U.S. exporters, the cost efficiencies gained through technological advances in U.S. production, and the reliability of U.S. supply make the United States a preferred exporter. Technology and reliability also make the United States an attractive partner and supplier. If confirmed, I will work to maximize all of these levers to grow U.S. energy and energy technology exports.

*Question 12.* Would you agree that a balanced, and multi-faceted, strategy to combat Russian energy influence in the region, that includes technical assistance on regulatory reforms and power generation and transmission capacity, financial assistance and facilitation of U.S. private sector investments in domestic energy resource mobilization, is necessary for success?

Answer. A balanced approach is important to counter Russian energy influence in Europe. Russia uses its position as the largest natural gas supplier to Europe to apply pressure throughout the continent. Russian-backed gas pipelines such as Nord Stream II and a multi-line Turkish Stream seek to extend Russian market power in Europe and bypass Ukraine as an important transit country of Russian gas to Europe. If confirmed, I would continue to utilize diplomatic engagement and foreign assistance to support European goals to enhance security through diversification of energy type, source, and transit routes.

*Question 13.* What position do you believe the U.S. should take on the Turkstream pipeline?

Answer. Secretary Rex Tillerson stated in November 2017 that a multi-line Turkstream is "unwise" because it does not advance Europe's need for greater en-

ergy diversification. This position is especially pronounced in the Balkans, where countries rely entirely or almost entirely on Russian gas imports.

I understand that Russia supports a multiline Turkstream because it would enable Gazprom to reduce the volume of gas it would otherwise export to Europe through Ukraine. The first Turkish Stream pipeline, which I understand Turkey views as a national security priority, will have an annual capacity of 15.75 billion cubic meters (bcm) and will supply Istanbul. The second Turkish Stream pipeline would enable Gazprom to send a further 15.75 bcm to Europe without transiting Ukraine. Neither line would advance Turkey or Europe's energy diversification efforts but instead would lock-in their reliance on Russian gas volumes for years to come. Turkey and many of the Balkan countries are in challenging situations because Russia either is their chief or exclusive source of natural gas.

I understand that the United States long has supported Europe and Turkey's energy diversification efforts as a key to strengthening their energy security and their broader national security. Russia has used Europe's dependence on its gas as a political weapon to undermine its security. The United States also recognizes that a country's reliance on a single source of energy supplies can make it vulnerable to disruptions and higher energy prices. The United States has a national security interest in seeing the Balkan countries and Turkey further develop their economies and pursue their European aspirations. If confirmed, I would support continued efforts in the Balkans and Turkey to advance energy diversification through projects like the Southern Gas Corridor, the Interconnector Greece-Bulgaria, the Interconnector Bulgaria-Serbia, and the Krk Island LNG import terminal in Croatia.

*Question 14.* What will you do to support Europe's Third Energy Package, particularly in Eastern Europe?

**Answer.** Implementation of the Third Energy Package is particularly important in Eastern Europe where many countries are dependent on Russian gas. Eastern European countries must play a central role in efforts to reduce Russia's energy leverage over the region by ensuring that all firms, including Russian firms, are compelled to adhere to market principles.

If confirmed, I will continue to use diplomatic outreach to highlight the importance of an open and competitive energy market that allows for efficient production, transmission, and pricing while encouraging investment. This engagement should take place with the Energy Community, which includes the countries of the Western Balkans, Georgia, Moldova, and Ukraine, as well as with the 28 member states of the EU, all of which have committed to implementing the Third Energy Package. Further, if confirmed, I will work closely with our European partners and allies to encourage and support implementation of market liberalization rules and laws designed to ensure the proper functioning of Europe's energy market and to guarantee that all companies play by free market rules. We will encourage the EU to quickly pass and implement a pending amendment to the gas directive of the Third Energy Package in order to fully apply EU law to both offshore and onshore pipelines entering the EU.

*Question 15.* What technical assistance and energy development assistance would you recommend the U.S. provide our allies and strategic partners in Europe to improve Domestic Energy Resource Mobilization as a means of achieving greater energy security?

**Answer.** If confirmed, I would support assistance that helps to improve European allies' and partners' domestic energy security and diversifies their energy sources, supplies, and routes to advance regional energy security. Domestic resource mobilization is country-specific and depends in part on the presence of energy resources, governments' policy priorities, technical and human resource capacity, and other domestic factors. If confirmed, I would also encourage my team to view foreign assistance for the development of domestic resources in Europe in a regional context that acknowledges existing market linkages. Dependence on a single supplier for energy imports leaves countries vulnerable to external pressure from countries that use energy as a geopolitical weapon.

*Question 16.* Do you feel that climate change represents a threat to life on Earth?

**Answer.** I believe that climate change is real and is a threat to the planet. To address this global challenge requires concerted action on a global scale to advance sound science, accelerate technological and commercial innovation, and establish legal and regulatory systems that promote sustainable economic and environmental outcomes.

*Question 17.* Do you believe it is appropriate and necessary for the U.S. Government to take some form of action to reduce U.S. carbon pollution?

Answer. I fully support the administration's policy of a balanced approach to climate change mitigation, economic development, and energy security that takes into consideration the realities of the global energy mix. It is important to note that the U.S. has successfully delinked GHG emissions from economic growth. From 2005 to 2015, the U.S. economy grew by 15 percent while net GHGs decreased by more than 11 percent. This is an American success story that, if confirmed, I will promote around the world.

The National Security Strategy also recognized climate change and the importance of maintaining U.S. involvement and leadership. Page 22 provides, "Climate policies will continue to shape the global energy systems. The U.S. will continue to advance an approach that balances energy security, economic development, and environmental protection. The U.S. will remain a global leader in reducing traditional pollution, as well as greenhouse gases while expanding our economy."

Although climate change as an issue falls outside the Energy Bureau's remit, if confirmed, I will work to promote energy innovation, including in sustainable and clean energy and energy efficiency, and support for low greenhouse gas emissions energy systems.

*Question 18.* Do you share the opinions of Sec. Mattis, Sec. Powell, and Sec. Hagel that climate change represents a serious national security threat to the U.S.?

Answer. I defer to the National Security Council and leadership teams at the Departments State and Defense to comment on specific threats to the national security of the United States. However, I would also note that Director of National Intelligence Dan Coats, in his Statement for the Record on the Annual Threat Assessment stated that: "The impacts of the long-term trends towards a warming climate, more air pollution, biodiversity loss, and water scarcity are likely to fuel economic and social discontent—and possibly upheaval—through 2018."

*Question 19.* In response to Sen. Young's question to you at your hearing where he stated: "my inference would be that you'd also agree that energy security is a necessary and important part of our national security. do you agree that the actions and priorities of the Bureau of Energy and Natural [sic] Resources can be optimized if they're carried out in support of a written strategic plan for the bureau?" you answered: "I think that I would just point out that the foundation would be the National Security Strategy which speaks to this very issue."

- Are you aware that the National Security Strategy no longer includes any references to climate change?

Answer. Innovation and technological progress are the key to reducing the production of greenhouse gases and its impact on climate. It is important to note that on page 22 the NSS provides, "Climate policies will continue to shape the global energy systems. . The U.S. will continue to advance an approach that balances energy security, economic development, and environmental protection. The U.S. will remain a global leader in reducing traditional pollution, as well as greenhouse gases while expanding our economy." Although, climate change falls outside the remit of the Energy Bureau, if confirmed, I will work to open markets and remove barriers to energy development and trade, providing access and a level-playing field for American companies so that they can pursue innovation and technological advances in the global energy market.

*Question 20.* Given your commitment to provide Sen. Young with a written strategic plan for the Bureau, can you commit to me that the Bureau's strategic plan will account for the nexus climate change world energy production, the global security risks' associated with the effects of climate change?

Answer. If confirmed, I will ensure the ENR strategy remains consistent with the administration's climate policy and the commitment in the National Security Strategy "to advance an approach that balances energy security, economic development, and environmental protection" and supports U.S. global leadership in "reducing traditional pollution, as well as greenhouse gases, while expanding the U.S. economy." The Bureau of Oceans and International Environmental and Scientific Affairs (OES) leads the State Department on developing international climate policy and manages strategic bilateral and multilateral partnerships on climate change. I commit that, if confirmed, I will work closely with OES and partners across the interagency to ensure the work of the Energy Bureau supports the administration's climate policy and advances the U.S. position at the center of the global energy system as a leading producer, consumer, and innovator.

*Question 21.* The President's FY19 Budget proposal's very deliberate elimination or reduction of funds for nearly all programs to address climate change is a clear demonstration of political hostility to U.S. action to address climate change and clean energy programs.

- Are you prepared to and willing to pushback against any political agenda that is antithetical towards addressing climate change or supporting the advancement of clean energy within the ENR bureau's programs?

**Answer.** Over the past 10 years, the United States has shown that it can reduce emissions while expanding the economy and promoting energy security. Since 2005, the United States' net greenhouse gas emissions have decreased 11.5 percent while the U.S. economy has grown 15 percent, adjusted for inflation. A large portion of these reductions have come as a result of the adoption by the private sector of innovative energy technologies, especially in the energy sector.

Collaborative U.S. public and private efforts over the past 10 years have resulted in dramatic decreases in the cost of low-emissions technologies and fuels, including natural gas, solar, wind, energy storage, and energy efficiency. Natural gas prices have dropped to about a third of what they were in 2007 and the cost of utility-scale solar PV has dropped by more than 64 percent. These are all American success stories that, if confirmed, I would seek to promote around the world.

If confirmed, I will work with other countries to continue advancing innovation in the development and deployment of a broad array of technologies that will ultimately enable the United States to achieve our climate and energy security goals.

**Question 22.** Can you commit that you will work to maintain, or defend, the ENR bureau's core objectives as it relates to advancing an "all of the above" approach to energy diplomacy?

**Answer.** I believe that maintaining market access for U.S. energy products, technologies and services, and ensuring sustainable, transparent, and predictable international energy markets for our partners and ourselves is crucial to our security. I fully support the "all of the above" approach and recognize that advocating for the full range of energy sources allows the United States to advance a diversified energy supply across multiple global contexts. If confirmed, I will seek to advance secure, stable, diversified, and modern global energy systems that uses a broad range of market-based energy solutions, irrespective of fuel type, and will pursue a range of governance solutions to advance U.S. interests, promote global energy security, and drive economic development.

**Question 23.** Given the significance of climate diplomacy to the U.S.-China relationship, and the significant investment that China is making at home and abroad in renewable energy development, will you work to restore the climate cooperation dialogue between the U.S. and China—a former cornerstone of the U.S.-China relationship?

**Answer.** My understanding is that the Bureau of Energy Resources (ENR) leads the Department's efforts to forge international energy policy, strengthen U.S. and global energy security, and respond to energy challenges from around the world that affect U.S. economic and national security. The Bureau of Oceans and International Environmental and Scientific Affairs (OES) leads the Department on developing international climate policy and manages strategic bilateral and multilateral climate change partnerships. Therefore, if confirmed, I would look to OES and the China team within the Bureau of East Asian and Pacific Affairs to consider the appropriate evolution of the U.S.-China Climate Change Working Group, consistent with the administration's climate policy.

With that said, given the U.S. position as a leader in the global energy system, I recognize the importance of maintaining a constructive and results-oriented relationship with China, as the U.S. will remain a critical force in advancing energy efficiency and clean energy efforts around the world as demand for energy increases.

**Question 24.** How will you work to promote transparency and accountability in global energy development?

**Answer.** If confirmed, I would pursue several avenues to promote transparency and accountability in global energy development. I would raise these issues in bilateral and multilateral energy security dialogues that ENR collaborates on with many of our global partners. I would also continue ENR's efforts to strengthen energy sector governance, access, and reliability in emerging economies to build the capacity of governments to develop and utilize their energy resources for long-term national benefit. I understand that ENR's programs support transparency and accountability objectives by: 1) building institutional and human resource capacity in emerging economies needed to ensure strong energy sector governance and transparency in the resource sectors; 2) providing governments and civil society with the tools needed to help support responsible development of domestic resources; and 3) supporting power market reforms and efforts to leverage regional electrical interconnections, to strengthen energy security, and advance regional cooperation.

Moreover, I would work with USAID colleagues to ensure transparency and accountability are key pillars in our assistance, while also working together to seek new opportunities to underscore the need for transparency and accountability in our energy assistance work.

*Question 25.* Are you committed to working with foreign governments to develop adequate accountability policies, and to fight corruption between foreign governments and U.S. and international energy developers operating around the world?

Answer. If confirmed, I will work bilaterally with foreign governments and engage in multilateral fora to promote transparency abroad, improve energy resource governance, and reduce corruption. Further, I will continue ENR's efforts to work with countries around the world to improve hydrocarbon and mineral sector governance and oversight and pursue universal access to affordable and reliable energy supply through power sector reform and development.

If confirmed I would also continue the Department of State and USAID's work with partner countries to prevent corruption before it starts and to strengthen detection and enforcement efforts, including encouraging countries to meet multilateral standards and political commitments.

*Question 26.* As an adviser to the Secretary of State, will you advocate for the development of robust replacement rule governing the implementation of Sec. 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (PL 111-203)?

Answer. Section 1504 remains United States law. Writing, promulgating, and implementing regulation is the purview of the Securities and Exchange Commission (SEC). I understand that the Securities and Exchange Commission is in the process of promulgating a replacement rule to implement Section 1504. If confirmed, I will strongly advocate for robust transparency and governance programs globally, as it is a critical means to advance U.S. liberal democratic values, is foundational to free markets, and provides prerequisite conditions for U.S. private sector investment.

*Question 27.* What role do democratic institutions and citizen-responsive governments play in the development of foreign countries' energy resources?

Answer. Strong democratic institutions, citizen engagement, and a free press are vitally important to the successful development of extractive resources. Revenue transparency of a country's energy and natural resources fosters government accountability by providing citizens a window into government budgets, helps citizens hold their leadership accountable, and facilitates public debate.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO FRANCIS R. FANNON BY SENATOR EDWARD J. MARKEY

*Question 1.* China intends to spend more than 360 billion dollars through 2020 on renewable power sources like solar and wind. In 2017 alone, China invested twice as much as the United States in clean energy, 86.5 billion dollars of which went to solar—more than half of the global market.

Unfortunately, President Trump's recent budget proposal will reduce our nation's ability to compete in global renewable energy markets. We know that government investment in renewable energy development and deployment is essential to the success of these industries.

- The Bureau of Energy and Natural Resources has long promoted an “all-of-the-above” approach to energy diplomacy. What do you think of that vision?

Answer. I believe that maintaining market access for U.S. energy products, technologies and services, and ensuring sustainable, transparent, and predictable international energy markets for our partners and ourselves is crucial to our security. I fully support the “all of the above” approach and recognize that advocating for the full range of energy sources allows the United States to advance a diversified energy supply across multiple global contexts. If confirmed, I will seek to advance secure, stable, diversified, and modern global energy systems that use a broad range of market-based energy solutions including advanced energy technologies, renewable energy, energy efficiency, and governance solutions to advance U.S. interests, global energy security, and economic development.

*Question 2.* Do you think that renewable energy has an important role to play in energy diplomacy?

Answer. I believe that it is important to promote energy supply diversity in terms of source and location. This necessarily includes renewable energy sources as means to support the energy security of the United States and our partners and allies while also advancing universal access to affordable and reliable energy. The Department of State's Bureau of Energy Resources (ENR) leads the Department's engagement with the International Renewable Energy Agency (IRENA) and actively par-

ticipates in the organization's work program and development as a Council member. If confirmed, I will continue to advance ENR's work in coordination with USAID and other interagency partners to promote energy diversification, increased access to affordable and reliable energy, and to develop efficient and sustainable energy policies abroad through technical assistance and public-private partnerships.

*Question 3.* Can you commit to energy diplomacy that promotes renewable energy and energy efficiency? Can you pledge to applying time, budget, staffing, travel, and other resources at a level equal to those of other energy issues addressed at ENR?

**Answer.** Advancing renewable energy and energy efficiency are key elements of an overall approach to promote diversified energy supply for the United States and our partners and allies. If confirmed, I will work to ensure that access to energy is diversified, in accordance with the National Security Strategy. I intend to devote appropriate staff resources, travel, and budget to support renewable energy and energy efficiency as elements of the overarching mission of advancing energy security and exports of U.S. energy resources, technologies and services.

Improved energy efficiency represents an important component of energy security as it stabilizes grids, lessens dependence on unstable or nefarious foreign sources, increases energy access, and supports industrial growth. U.S. industry leads in energy efficiency. According to the 2017 U.S. Energy and Jobs Report, the U.S. energy efficiency market employs approximately 2.2 million people, including 290,000 manufacturing jobs. If confirmed, I will advocate strongly for the adoption of U.S. business and finance models across the globe and open, transparent global energy markets in which U.S. companies can successfully compete.

*Question 4.* Do you think Saudi Arabia has the solar resources to become a major producer of solar energy if it wanted to?

**Answer.** Saudi Arabia has announced ambitious renewable energy targets as part of Saudi Vision 2030. The first test for Saudi Arabia's ability to reach these ambitious goals will come this year, as they have announced plans for \$7 billion in renewable energy projects in 2018, which will include 3.3 gigawatts of solar photovoltaic power as well as 800 megawatts of wind power.

Saudi Arabia will have to balance the priorities laid out in their 2030 vision between attracting private investment for renewable asset development against local content rules aimed at boosting their domestic economy. In this context, Saudi Arabia has potential to reach its domestic solar production goals with a balanced investment strategy and targeted technical exchange. If confirmed, I will work to ensure that U.S. energy-related engagement with Saudi Arabia reflects the administration's goals including the promotion of U.S. technological and financial solutions to reduce barriers for investment and ensuring energy security for the United States and our partners and allies.

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**United States Senate**  
WASHINGTON, DC 20510

February 6, 2018

The Honorable Donald J. Trump  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear Mr. President:

As many serious and urgent threats compete for attention, we believe it is important to remain focused on the growing threat that Iran's ballistic missile program represents. We applaud your administration's recent actions with respect to Iran's ballistic missile program. We are eager to work with the administration to take additional steps to better protect the United States and our allies against this threat.

As you know, Tehran oppresses the Iranian people and denies them their human rights. Abroad, Tehran uses their resources to fund terrorism and foment instability. As the world's worst state sponsor of terrorism, Iran actively supports terrorist groups like Hezbollah and props up the murderous Assad regime that uses gas to slaughter the Syrian people.

To make matters worse, Iran has actively pursued a ballistic missile program that threatens our forward deployed troops, our allies, and our interests. In fact, Director of National Intelligence Dan Coats testified in May that "Iran has the largest ballistic missile force in the Middle East and can strike targets up to 2,000 kilometers from Iran's borders." This capability puts forward deployed U.S. troops and key allies like Israel in direct danger today.

Unfortunately, Tehran's ballistic missile threat may soon extend well beyond the region—even to our homeland. As DNI Coats testified in May, "Tehran's desire to deter the United States might drive it to field an intercontinental ballistic missile (ICBM). Progress on Iran's space program could shorten a pathway to an ICBM because space launch vehicles use similar technologies." This fact is especially disturbing because Iran's ballistic missiles would be capable of carrying nuclear weapons. Our intelligence community assesses that "Tehran would choose ballistic missiles as its preferred method of delivering nuclear weapons..."

Given these facts, we applaud the administration's decision on January 4, 2018, to impose sanctions against five Iranian entities that support its ballistic missile program. We believe that these sanctions represent an important step in undermining Iran's ballistic missile program. However, we call upon the administration to immediately designate – using authorities under Executive Order 13382 – all remaining agents, affiliates, and subsidiaries associated with the designated entities and their parent companies. We also believe that more robust sanctions are necessary. Therefore, we call on the administration to work with Congress to impose sanctions on any sector of the Iranian economy that is directly or indirectly associated with the development or transfer of ballistic missile parts, components, or technology. This includes designating or otherwise sanctioning the foreign and domestic supply chains associated with

Iran's ballistic missile programs. We encourage the administration to work with allies and partners to make these sanctions multilateral where possible.

Furthermore, we understand that the revolutionary regime in Tehran has given control of its ballistic missile inventory to the Islamic Revolutionary Guard Corps (IRGC), and that the IRGC's Aerospace Force (IRGC-AF) is chiefly responsible for the upkeep, transfer, maintenance and testing of these weapons. We call on the administration to conduct a review and impose sanctions against any persons or entities within the Islamic Republic that offer material support to the IRGC-AF. This material support can be as high-tech as those engaged in warhead engineering for Iran's missiles, or as low-tech as fixing the transporter-erector launchers (TELs) that provide Iran's missile force with mobility.

As you know, North Korea and Iran have a robust ballistic missile relationship. Given this relationship, we are also concerned that collaboration between those two countries could enable Iran to rapidly and surreptitiously build an ICBM-deliverable nuclear weapon. This development—combined with the radical and revisionist nature of the regime in Tehran—would represent an unacceptable risk to the security and interests of Americans. We stand ready to work with the administration to provide any resources or authorities needed to better address this proliferation threat.

Thank you again for your administration's focus on this issue. We stand ready to work together to better protect our troops, our allies, and ultimately our homeland against Iran's ballistic missile program.

Sincerely,

Todd Young  
U.S. Senator

Marco Rubio  
U.S. Senator

Tom Cotton  
U.S. Senator

John Cornyn  
U.S. Senator

Ted Cruz  
U.S. Senator

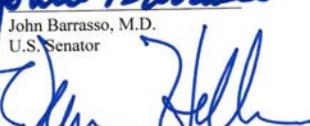
James M. Inhofe  
U.S. Senator

  
Cory Gardner

U.S. Senator

  
Steve Daines

U.S. Senator

  
John BarrassoJohn Barrasso, M.D.  
U.S. Senator  
Dean Heller

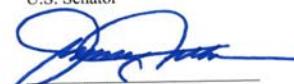
U.S. Senator

  
Shelley Moore Capito

U.S. Senator

  
David A. Perdue

U.S. Senator

  
Johnny Isakson

U.S. Senator

  
James E. Risch

U.S. Senator



## NOMINATIONS

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TUESDAY, FEBRUARY 27, 2018

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

The committee met, pursuant to notice, at 2:30 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Todd Young, presiding.

Present: Senators Young, Risch, Gardner, Barrasso, Merkley, Cardin, Shaheen, Murphy, Kaine, and Booker.

**OPENING STATEMENT OF HON. TODD YOUNG,  
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Good afternoon. This hearing of the Senate Foreign Relations committee will come to order.

I want to thank Senator Merkley for joining me to convene this hearing. I am grateful for our partnership on this and so many other issues.

I also want to thank our distinguished nominees for being here.

And I also want to thank Senator Cornyn, a good colleague from Texas, for being here.

This afternoon, we will consider four nominees for positions that are important to this committee and to our country. We will divide today's hearings into two panels. The first panel will include two nominees.

First is the Honorable Kevin Moley, who is nominated to be Assistant Secretary of State for International Organization Affairs. Ambassador Moley served as the representative of the United States to the Office of the United Nations and other international organizations in Geneva from 2001 to 2006. Ambassador Moley I would also like to note and thank you for your service in the United States Marine Corps to Iraq.

The second nominee on the first panel is the Honorable Josephine Olsen, who is nominated to serve as the Director of the Peace Corps. Dr. Olsen has deep experience in the Peace Corps beginning in 1966 as a Peace Corps volunteer in Tunisia. She later served as Country Director, Regional Director, Chief of Staff, Deputy Director, and then Acting Director.

I welcome both of you.

Our second panel will also include two nominees.

First will be Mr. Erik Bethel, who is nominated to be the United States Alternate Executive Director of the International Bank for Reconstruction and Development. Mr. Bethel has spent more than 2 decades in work related to finance and emerging markets. I

would also note that Mr. Bethel is a proud fellow graduate of the United States Naval Academy.

The second panel will also include Mr. Sean Cairncross, who is nominated to be the Chief Executive Officer of the Millennium Challenge Corporation, or MCC. Mr. Cairncross currently serves as a Deputy Assistant to the President and Senior Advisor to the Chief of Staff.

With that, I would now like to call on Ranking Member Merkley for his opening remarks. Senator Merkley?

**STATEMENT OF HON. JEFF MERKLEY,  
U.S. SENATOR FROM OREGON**

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

I am pleased that we have these nominees here today for these four important international roles, and I hope that each of the individuals believes in the work of the bureau or agency that they have been nominated to lead.

I have been disturbed by the Trump administration's proposed budgets which for 2 consecutive years have cut U.S. funding for diplomacy and development by over 30 percent. These organizations have a tremendous amount to offer.

As leaders, you must know that stewardship and command responsibility are critically important. The professional men and women who serve in the bureaus and agencies are working very hard, advocating every day for Americans' interests and deserve excellent leadership that supports them, defends them, protects their work from political attacks.

The roles that each of you have been nominated to serve represent some of the most important work our country undertakes in addressing pressing global challenges. Your leadership comes at a time when many have been disappointed in the de-emphasis of diplomacy and development under the current administration. When people around the world look at what truly makes America great, it is our belief that we can do well when others do well, where prosperity is complementary not a zero sum.

As the United States emerged as a global leader in the 20th century, one of our proudest legacies was in helping to create the multilateral institutions that would provide a platform for nations to resolve conflict without resorting to bloodshed. The result has not always been perfect. It is sometimes hard to recognize what conflicts have been prevented. But much excellent work has been done and many conflicts have been prevented and much development has been promoted.

The bureaus and agencies that our nominees are proposed to lead represent some of the many complementary ways that U.S. leadership engagement have evolved to meet the challenges we face in the 21st century.

The Bureau of International Organization Affairs, or IO, is the nerve center for supporting U.S. engagement through all our United Nations missions and through other important multilateral forum.

For more than 56 years, the Peace Corps has provided American citizens of all ages from all walks of life the opportunity serve abroad by providing their expertise to developing communities and

sharing their experiences and passion with others when they return home.

The International Bank for Reconstruction and Development is also critical. As a nation, we are justly proud that after World War II, the Marshall Plan helped rebuild Europe into a community of nations that have been among our most stalwart allies in meeting the challenges we face today. But even before the war was won, we worked with our allies to develop international financial agreements that would complement our political and military efforts to achieve and maintain peace, including the IBRD, which was set up to encourage international trade necessary to rebuild and re-integrate global markets.

And finally, the Millennium Challenge Corporation, or MCC, a relatively new initiative started under George W. Bush. It has had a distinct track record of success complementing our broader aid and development policies and programs, operating as a new model for providing foreign aid for economic development based on partnerships with recipient countries, designed to use American aid as a catalyst rather than a substitute for local based economic development.

I look forward to hearing from each of the witnesses about how they will ensure that America continues to lead on diplomacy and development.

Senator YOUNG. Well, thank you, Senator Merkley.

In order to be respectful of my colleague's time, I would now invite Senator Cornyn to say any comments you would like, sir.

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Well, thank you, Mr. Chairman and members of the committee. I appreciate your allowing me to be here today to recommend an extremely well qualified candidate, Sean Cairncross, to be the Chief Executive Officer of the Millennium Challenge Corporation. Sean, as you pointed out, Mr. Chairman, currently serves as the Deputy Assistant to the President of the United States, as well as a senior advisor to the President's Chief of Staff.

Sean was my lawyer for an important period of time, and in that capacity I trusted him with my professional life, my reputation, and my future. And I do not know how much more I could say than that in terms of my confidence in him and I hope the confidence you will learn to have in him and his judgment.

He was the Deputy Executive Director and General Counsel at the National Republican Senatorial committee for two cycles and represented me individually to make sure I complied with all applicable laws after he left that particular position.

As I have hinted at, he is a man of great character and on numerous occasions has proven his ability to deftly respond to adversity and conflict.

He is a man of many talents and wide-ranging interests. He is a lawyer by training, as I said, holding a J.D. from New York University, but he also has a master's Cambridge in international relations. And perhaps his most important qualification, he is a devoted husband and father of two wonderful children.

I am sure his experience, his character, his training will prepare him well to serve in this new challenge. Obviously, the Millennium Challenge Corporation, as Senator Merkley said, has been an important part of our diplomatic efforts and support for developing countries. And I know this is a challenge that Sean looks forward to enthusiastically, and I have every confidence he will perform in a way that will make all of us proud and that will serve our country well.

Thank you, Mr. Chairman.

Senator YOUNG. Well, thank you, Senator Cornyn, for your presence here today. You are welcome to stay if you like, but if you need to depart, I certainly understand that.

With that, Ambassador Moley, I would welcome your opening statement, 5 minutes or less, please.

**STATEMENT OF HON. KEVIN EDWARD MOLEY, OF ARIZONA, TO BE ASSISTANT SECRETARY OF STATE, INTERNATIONAL ORGANIZATION AFFAIRS**

Ambassador MOLEY. Chairman Young, Ranking Member, I am honored to be here today as the President's nominee to be Assistant Secretary of State for International Organizations.

I would like to take this opportunity to thank my wife of 48 years Dorothy. Unfortunately, she cannot be here, but I would not be here without her support, advice, patience, and above all, love.

I would also like to thank two senior former career members of our Foreign Service who are here today in support of my nomination: Assistant Secretary of State Linda Thomas Greenfield, former Ambassador Greenfield to Liberia, and also former Director General of the Foreign Service; as well as Ambassador Jim Foley, who was our Ambassador to Haiti and later our Ambassador to Croatia and later still Deputy Commandant of the War College.

I have been privileged and honored to have served my country in the administrations of three Presidents: during President Reagan's administration, in positions of increasing responsibility at HCFA, now CMS; in President Bush 41's administration, as Assistant Secretary of Management and Budget and later as the Deputy Secretary at the U.S. Department of Health and Human Services. In President Bush 43's administration, following 9/11, I was nominated to be U.S. Ambassador to the U.N. and other international organizations in Geneva. I was confirmed and served for 4 and a half years as Ambassador.

Following my tenure as Ambassador, I served as Chairman of the Board of Project Concern International, a San Diego-based NGO doing development work in Latin America, Asia, and Africa. In that capacity, I traveled to Mexico, Guatemala, Tanzania, Zambia, and Ethiopia to observe and assist in PCI's mission. In Tanzania, Zambia, and Ethiopia, I met with our U.S. Ambassadors to solicit their views and advice.

If confirmed, I would lead the Bureau of International Organization Affairs, which is the U.S. Government's primary interlocutory with the United Nations and other international agencies and organizations. The Bureau is charged with advancing the President's vision of robust multilateral engagement as a crucial tool in advancing U.S. national interests. U.S. multilateral engagement spans a

wide range of global issues, including peace and security, nuclear proliferation, human rights, economic development, global health, and many more.

Within the Department of State, the Bureau of International Organization Affairs is known as the “bureau without borders,” neither constrained by geography nor subject matter. The range of issues within its purview is extremely broad and to meet its challenges requires the expertise of not only our very able career foreign service officers and civil servants, but also the expertise from other bureaus of the State Department, other agencies of government, as well as outside experts. If confirmed, I would look forward to working collegially with all those in and out of government to further America’s interests.

My guiding principle, if confirmed to lead IO, will be America first but not alone. This means, for example, that at USUN New York, under the extraordinarily able leadership of Ambassador Haley and her team, we will, when necessary to protect our interests and those of allies, not hesitate to use the veto, as we have done recently when Israel was most unfairly attacked.

In Geneva and elsewhere, where we have U.S. missions to the U.N., and do not have the benefit of the veto, we must be extremely vigilant to protect America’s interests. For example, in Geneva, we must protect America’s most important product, intellectual property, in the deliberations of the World Intellectual Property Organization. Likewise, we must protect the integrity and fair use of the Internet at the International Telecommunications Union. There are over 20 international organizations in Geneva, in all of which we have important issues at stake.

In Vienna, at our mission to UNVIE, we have vital interests before the IAEA and other agencies.

In Rome, at our mission to the United Nations, we must increase our efforts to promote sustainable development.

In Montreal, at our mission to ICAU, we will protect America’s civil aviation interests.

In Nairobi, we have interests in protecting the environment and reducing poverty.

I have touched on only a few of the plethora of important issues which will confront the bureau without borders. I am sure you have interests which I have not mentioned. I look forward to your questions.

In summary, Senators, I am proud to have served our nation as an Assistant Secretary, Deputy Secretary, and United States Ambassador. However, the title of which I am most proud I earned over 50 years ago on the Parade Deck at Parris Island, South Carolina, United States Marine. *Semper Fi.*

Thank you.

[Ambassador Moley’s prepared statement follows:]

#### PREPARED STATEMENT OF HON. KEVIN EDWARD MOLEY

Chairman Young, Ranking Member Merkley: I am honored to be here today as the President’s nominee to be Assistant Secretary of State for International Organizations. I would like to take this opportunity to thank my wife of 48 years, Dorothy. I wouldn’t be here without her support, advice, patience, and above all, love.

I’ve been privileged and honored to have served my country in the administrations of three Presidents, during President Reagan’s administration, in positions of in-

creasing responsibility at HCFA, now CMS, in President Bush 41's administration as Assistant Secretary of Management and Budget and later as the Deputy Secretary of the U.S. Department of Health and Human Services. In President Bush 43's administration, following 9/11, I was nominated to be U.S. Ambassador to the U.N. and other International Organizations, in Geneva. I was confirmed and served for four-and-a-half years as Ambassador.

Following my tenure as Ambassador, I served as Chairman of the Board of Project Concern International (PCI Global.org), a San Diego based NGO, doing development work in Latin America, Asia, and Africa. In that capacity I traveled to Mexico, Guatemala, Tanzania, Zambia, and Ethiopia to observe and assist in PCI's mission. In Tanzania, Zambia, and Ethiopia I met with our U.S. Ambassadors to solicit their views and advice.

If confirmed, I would lead the Bureau of International Organization Affairs (IO), which is the U.S. Government's primary interlocutor with the United Nations and other international agencies and organizations. The Bureau is charged with advancing the President's vision of robust multilateral engagement as a crucial tool in advancing U.S. national interests. U.S. multilateral engagement spans a wide range of global issues, including peace and security, nuclear proliferation, human rights, economic development, global health, and many more.

Within the Department of State, the Bureau of International Organizations Affairs (IO) is known as the "Bureau without Borders," neither constrained by geography nor subject matter. The range of issues within its purview is extremely broad and to meet its challenges requires the expertise of not only our very able career Foreign Service Officers, and Civil Servants, but also the expertise from other Bureaus of the State Department and other agencies of government, as well as outside experts. If confirmed, I would look forward to working collegially with all those in, and out, of government to further America's interests.

My guiding principle, if confirmed to lead IO, will be "America First, but not alone." This means, for example, that at USUN New York, under the extraordinarily able leadership of Ambassador Haley and her team, we will, when necessary to protect our interests, and those of allies, not hesitate to use the veto, as we have done recently, when Israel was most unfairly attacked. In Geneva and elsewhere, where we have U.S. Missions to the U.N., and do not have the benefit of the veto, we must be extremely vigilant to protect America's interests. For example, in Geneva, we must protect America's most important product, intellectual property, in the deliberations of the World Intellectual Property Organization (WIPO). Likewise, we must protect the integrity and fair use of the internet at the International Telecommunications Union (ITU). There are over 20 international organizations in Geneva, in all of which we have important issues at stake. In Vienna, at our Mission to UNVIE, we have vital interests before the IAEA, and other agencies. In Rome, at our Mission to the United Nations, we must increase our efforts to promote sustainable development. As the old adage goes, "It's far better to teach a person to fish than to give them a fish." In Montreal, at our Mission to ICAU, we will protect America's civil aviation interests. In Nairobi, we have interests in protecting the environment and reducing poverty.

I have touched on only a few of the plethora of important issues which will confront the "Bureau without Borders." I am sure you have interests which I have not mentioned. I look forward to your questions.

Senators, in summary, I am proud to have served our nation as an Assistant Secretary, Deputy Secretary, and as a United States Ambassador; however, the title of which I am most proud, is the title I earned over 50 years ago on the Parade Deck at Parris Island, South Carolina: United States Marine.

Thank you.

Senator YOUNG. Nice close, Mr. Ambassador.  
Dr. Olsen?

**STATEMENT OF HON. JOSEPHINE OLSEN, OF MARYLAND,  
NOMINATED TO BE DIRECTOR OF THE PEACE CORPS**

Dr. OLSEN. Chairman Young, Ranking Member Merkley, and other distinguished members of the committee, including Senator Cardin from my home State of Maryland, it is an honor to appear before you today as the President's nominee to lead the Peace Corps. I am grateful to President Trump for his trust and con-

fidence. I am also grateful to all those who helped me prepare for today.

I also want to recognize my family members who are here today and watching live in Portland, Oregon and in Salt Lake City, Utah.

I vividly remember standing in a small classroom before 40 students on my first day as a Peace Corps volunteer in Tunisia. I was 22 years old, nervous, and had no idea what my first words would be. In Arabic, French, or English. I stepped forward, said my name, and asked for theirs. Together, with that day's lesson, my 2 years as a Peace Corps volunteer began.

I discovered who I was in the face of challenges and circumstances that I had never known. I learned to listen to, respond, and honor people who were different than me. I learned about a way of life in North Africa that was unlike mine in Salt Lake City, Utah. I learned that regardless of differences, there was so much that connected us. I also learned what it meant to serve my country, to be part of something far, far greater than myself.

From that day in Tunisia, service and the Peace Corps have remained central themes of my life. Since taking my oath as a volunteer, I have been passionately dedicated to lifting up the mission and goals of the agency.

My Peace Corps journey continued when I became a country director, then regional director, later chief of staff, deputy director, and subsequently acting director. Each of these vantage points have reaffirmed my deep belief in the power of the Peace Corps to change lives across borders and here at home.

Time and again, I have had the honor of seeing Americans engaging with communities in countless countries throughout the world. I have also seen the remarkable way that returned Peace Corps volunteers teach, inspire, and strengthen communities here at home.

Becoming a Peace Corps volunteer ignites a passion for service that illuminates incredible possibility around the world and throughout the United States. This passion for service glows in Memphis, Tennessee where return Peace Corps volunteer Jay Sieleman brought back to life the Blues Foundation, which is now the largest blues organization in the world. Jay, who after serving as a legal advisor in the Peace Corps in the Solomon Islands, understood the importance of helping preserve American history and the role that communities play. This is why he both raised funds globally to build the Blues Hall of Fame in Memphis and simultaneously developed initiatives to extend community outreach.

This passion also glows in the more than 7,000 volunteers who are currently serving in more than 60 countries. This passion also glows in the more than 230,000 returned Peace Corps volunteers, the majority of whom live here in the United States.

Returned Peace Corps volunteers bring home unique language, cultural, and diplomatic skills. They return with deep knowledge about the countries where they served and new perspectives about the ways in which our country engages with the world. Today, they are running Fortune 500 companies, leading NASA missions on the International Space Station, helping Alaska Native villages with food security, and teaching our nation's next generation of leaders at schools and universities across this country.

In addition to my Peace Corps service, my work at the University of Maryland these past 8 years has further prepared me to lead the Peace Corps, if confirmed. As a professor, I guided the university's global health education programs and saw the importance of cross-community collaboration and capacity building for sustainable impact.

Mr. Chairman and members of the committee, many of you have asked about my vision for Peace Corps within its mission and three goals.

First, if confirmed, I will ensure that the Peace Corps remains the world's preeminent volunteer agency that offers all Americans the opportunity to serve their country regardless of age, where they live, or walk of life.

Second, I will conduct a full country portfolio review to both make certain that Peace Corps is sending volunteers to interested countries where they are most needed, where they stand poised to achieve the greatest impact, and where they deliver the best return on investment for American taxpayers.

Third, I will ensure that the Peace Corps recruit the most resilient volunteers and that while serving, the agency's top priorities will always remain keeping them safe, healthy, and productive in doing their jobs. This includes, Senators, continuing to reduce risks for volunteers and respond effectively and compassionately to those who become victims of crime, including sexual assault. Volunteers can count on the Peace Corps being there for them every step of the way as the agency continues to advance its mission, which has changed countless lives in its 57 years and I have no doubt countless more in the years to come.

Chairman Young, Ranking Member Merkley, and other distinguished members of the committee, again thank you for the opportunity to appear before you today. Thank you for your support for the Peace Corps and its incredible volunteers. I look forward to your questions.

[Dr. Olsen's prepared statement follows:]

PREPARED STATEMENT OF DR. JOSEPHINE (JODY) K. OLSEN

Chairman Young, Ranking Member Merkley, and other distinguished members of the committee; it is an honor and a privilege to appear before you today as the President's nominee to lead the Peace Corps.

I am grateful to President Trump for his trust and confidence. I am also grateful to all those who helped me prepare for today. I also want to recognize my daughter, son-in-law, and brother, who are here, and family who are watching live.

I vividly remember standing in a classroom before 40 students at the Lycée de Garçon de Sousse on my first day as a Peace Corps Volunteer in Tunisia. I was 22 years old, nervous, and had no idea what my first words would be. In Arabic, French or English.

I stepped forward, said my name, and asked for theirs. Together, with that day's lesson, my two years as a Peace Corps Volunteer had begun. I discovered who I was in the face of challenges and circumstances that I had never known. I learned to listen to, respect, and honor people who were different than me. I learned about a way of life in North Africa that was unlike mine in Salt Lake City, Utah.

I learned that regardless of differences, there was so much that connected us. I also learned what it meant to serve my country—to be part of something far, far greater than myself. From that day in Tunisia, service has remained a central theme in my life. So too has the Peace Corps.

Since taking my oath as a Volunteer, I have been passionately dedicated to lifting up the mission and goals of the agency. My Peace Corps journey continued when I became a country director; then regional director; and later, Chief of Staff; Deputy

Director; and subsequently, Acting Director. Each of these vantage points has reaffirmed my deep belief in the power of the Peace Corps to change lives across borders and here at home.

Time and again, I have had the honor of seeing Americans engaging with communities in Togo, Peru, Armenia, and countless other countries. And I have seen the remarkable ways that Returned Peace Corps Volunteers teach, inspire, and strengthen communities back home in the United States.

Becoming a Peace Corps Volunteer ignites a passion for service that illuminates incredible possibility around the world and throughout the United States.

This passion for service glows in Memphis, Tennessee, where Returned Peace Corps Volunteer Jay Sieleman brought back to life the Blues Foundation, which is now the largest and most renowned blues organization in the world. Jay, who after serving as a legal advisor in the Peace Corps in the Solomon Islands, understood the importance of helping preserve American history and the role communities play. This is why he both raised funds globally to build the Blues Hall of Fame in Memphis and simultaneously developed initiatives to extend community outreach, provide medical and health support to musicians, and grant educational and scholarship opportunities for the next generation of blues players.

As I speak, this passion glows in the more than 7,000 Volunteers who are currently serving in more than 60 countries. This passion also glows in the more than 230,000 Returned Peace Corps Volunteers all across the United States. Returned Peace Corps Volunteers bring home unique language, cultural and diplomatic skills. They return with deep knowledge about the countries where they served, and new perspectives about the ways in which our country engages with the world. They are true global citizens contributing to our global economy, our country, and the urban and rural communities where they live and work all across the United States.

Today, they are running Fortune 500 companies, leading NASA missions on the International Space Station, helping Alaska Native villages with food security, and teaching our nation's next generation of leaders at schools and universities across our country.

In addition to my Peace Corps service, my work at the University of Maryland, has further prepared me to lead the Peace Corps if confirmed. I have guided the University's global health education programs. In the process of working with students and health care professionals across the globe, I have seen the importance of cross-community collaboration and capacity building for sustainable impact.

Mr. Chairman and members of the committee, many of you have asked about my vision for the Peace Corps within its mission and three goals:

- First, if confirmed, I will ensure that the Peace Corps remains the world's pre-eminent volunteer agency that offers ALL Americans the opportunity to serve their country. Regardless of their age, where they live, or their walk of life.
- Second, I will conduct a full country portfolio review to both make certain that Peace Corps is sending volunteers to interested countries where they are most needed, where they stand poised to achieve greatest impact, and where they deliver the best return on investment for American taxpayers.
- Third, I will ensure that the Peace Corps recruit the most resilient Volunteers and that while serving, the agency's top priorities will always remain keeping them safe, healthy, and productive in doing their jobs. This includes, Senators, continuing to reduce risks for Volunteers and respond effectively and compassionately to those who become victims of crime, including sexual assault.

In those tragic instances, Volunteers can count on the Peace Corps being there for them every step of the way. I see no higher priority for the Peace Corps than the safety and security of our Volunteers as the agency continues to advance its mission, which has changed countless lives in its 57 years—and, I have no doubt, countless more in the years to come.

Chairman Young, Ranking Member Merkley, and other distinguished members of the committee; again, thank you for the opportunity to appear before you today.

Thank you for your support of the Peace Corps and its incredible Volunteers. I look forward to your questions.

Senator YOUNG. Thank you, Doctor.

Ambassador Moley, as you know, fentanyl is a synthetic opioid that is significantly more potent than heroin. Fentanyl and related substances are linked to the horrible and ongoing opioid epidemic in this country and have become increasingly available. This is a terrible problem around the country I know but most especially, I would say, in certain States like my home State of Indiana.

According to the Congressional Research Service, quote, clandestine-produced fentanyl, as well as most illicit fentanyl precursor chemicals and fentanyl analogs, are primarily sourced from China and smuggled into the United States through Mexico, Canada, or other direct mail. Unquote. In addition, the DEA suspects Mexican labs may use precursor chemicals smuggled over the southwestern border to produce fentanyl.

Mr. Moley, as the Assistant Secretary of State for International Organization Affairs, you would develop and implement U.S. policy as it relates to international organizations. If confirmed, do you commit to working closely with me and my office to ensure our nation has the optimal strategy for using our voice, our vote, and our influence in international organizations to address the illicit international production and trafficking of fentanyl and related substances?

Ambassador MOLEY. Senator, thank you for your question. And yes, I certainly will make that commitment to work with you and your staff to combat fentanyl trafficking.

Specifically, the Universal Postal Union based in Bern, Switzerland, which is in the purview of our U.N. mission to Geneva and, quite frankly, when I served there was something of an after-thought—it is now front and center in terms of our ability to combat the opioid crisis, exploiting vulnerabilities in U.S. and international mail. In fact, Senators Portman and Carper released a report on January 24th on this very subject, and there is much that we can do in increasing our ability to intercept that traffic using AEDs, advanced electronic data, i.e., bar codes with more information about the sender, which is often not in place when mail comes into the United States carrying, trafficking fentanyl.

So I absolutely make that commitment to work with you and your staff and others. I know others on this committee are in States that also have extreme opioid crises.

Senator YOUNG. Thank you, Mr. Ambassador. I know the people of Indiana appreciate that commitment as well.

Mr. Moley, as you know, Ambassador Haley has prioritized U.N. peacekeeping reform. What do you see as the top priority when it comes to U.N. peacekeeping reform?

Ambassador MOLEY. U.N. peacekeeping reform, Senator, is a very important priority for Ambassador Haley and all of us who, if confirmed, would be working in IO. There are over 100,000 U.N. peacekeepers, at an expense of \$8 billion, in 15 missions currently. There have been issues in respect to sexual exploitation and abuse. On the other hand, there is a recent GAO report that suggests that it is much less expensive for U.N. peacekeepers to be used in some of these areas than obviously would be to use U.S. armed forces.

So it is very important that we make sure that Secretary-General Guterres, who is making reform efforts in this area, has the tools necessary to ensure that the units that are deployed are appropriate for the cause they are serving and are well trained and do not subject the indigenous population to sexual abuse and exploitation.

Senator YOUNG. Well, I appreciate your interest in and knowledge of this issue, as I know the ranking member does.

On September 7th, Senator Merkley and I sent a letter to the General Accountability Office requesting a formal review of all ongoing United Nations peacekeeping operations, and that review is underway and is about one-third complete. When that review is complete, if confirmed, do you commit to reviewing it and working with my office and other members of this committee to implement any prudent recommendations for U.N. peacekeeping?

Ambassador MOLEY. Absolutely, Senator. If confirmed, I would look forward to working with you and your staff on this issue because U.N. peacekeepers are at the heart of the U.N.'s credibility, and if we lose credibility for those peacekeepers, then we have little further to go on. And it is absolutely essential. And I believe Secretary-General Guterres shares that view as well.

Senator YOUNG. Dr. Olsen, many who are observing these hearings may not be familiar with the Peace Corps. Based on your deep experience in the Peace Corps, as well as your preparation for this hearing, perhaps in your own words you can share for those who are watching what you see as the fundamental mission or purpose of the Peace Corps.

Dr. OLSEN. Thank you very much, Senator, for that question.

Peace Corps' mission is world peace and friendship and three goals: to assist in technical assistance with counterparts in countries that invite volunteers to serve; second, to share who they are as Americans; and third, to bring that experience back home sharing with Americans as returned volunteers continue to serve. Thus, the core purpose of Peace Corps or the core mission and activities of Peace Corps is to recruit from all Americans, to ensure they have good situations in which to serve, and to keep them safe, secure, and healthy while serving.

Senator YOUNG. So how are we doing? How is the Peace Corps doing in fulfilling that important mission? And what are some areas you believe may require increased attention? And if you could highlight how you envision addressing any of these areas that may require increased attention, that would be most helpful.

Dr. OLSEN. Thank you, Senator.

Peace Corps is doing very well. I obviously have biases. Peace Corps' recruitment is at—about 22,000 people apply a year, the highest ever, with 7,300 volunteers in the field in over 60 countries, as I said before. The welcome to Peace Corps around the world is very strong and the collaboration with countries is very strong. And the work that returned Peace Corps volunteers do here in the United States affects communities, education institutions throughout the United States.

Peace Corps needs to continue to focus on strong programming, strong health support, and risk reduction for crime and sexual assault. Peace Corps has come a long way in the last few years, particularly the last 2 or 3 years, in setting up systems that can greatly reduce the risk of crime and sexual assault. If confirmed, I will focus strongly on strong programming, strong health support, strong risk reduction, safety and security, and honoring those volunteers who have returned back to this country to serve here.

Senator YOUNG. Thank you.

With that, I will turn to the ranking member, Senator Merkley.

Senator MERKLEY. Thank you both for your testimony and for your willingness to consider leading these organizations.

Ms. Olsen, I am delighted to know that you have a son and his family in Oregon and that you visit it regularly. So continue to visit often. [Laughter.]

Senator MERKLEY. And you bring an extensive background in the Peace Corps to consideration of this mission of leadership.

You mentioned in your testimony that there is no higher priority for the Peace Corps than the safety and security of our volunteers as the agency continues to advance its mission. It is in fact a setting that Peace Corps volunteers put themselves into that is not inherently safe. It does not have many of the layers of protection that we might have in our lives here in the United States, friends nearby, all forms of communication, transportation, and so forth. And so there is inherent risk. But obviously you hope to minimize that.

And so I thought I would just ask, as one looks back on some of the cases of the past that received some considerable attention, the Kate Puzey case, which I think happened when you were an Acting Director, and Nick Castle. We passed the Nick Castle Act. Well, it recently passed the Senate Foreign Relations committee. He had died in China as a Peace Corps volunteer without adequate medical care. As you look back on some of these things, how does it shape the sense of where you want to go in trying to enhance, under difficult conditions, the health and welfare of the volunteers?

Dr. OLSEN. Thank you, Senator.

And my grandchildren are waving at you right now from their classroom in Portland, Oregon.

I still grieve the murder of Kate Puzey, and I remain heartbroken. And in honor of her life and her light as a Peace Corps volunteer in Benin, I commit to continue to strengthen safety and security, privacy support through training, through safety and security officers, through regional officers to ensure that risk reduction can continue to be as strong as absolutely possible.

I also note with the passing of Mr. Castle, who was a volunteer in China and the legislation that is I know now before you, any legislation that strengthens the commitment of Peace Corps in safety and security and in health is critical for the agency. And the agency is grateful that the Senate staff worked with the Peace Corps in shaping and building that very important piece of legislation.

I personally, if confirmed, will continue to directly work with the Office of Victim Advocacy and the Office of Sexual Assault Risk Reduction and Response, the two offices at Peace Corps that are involved in training all Peace Corps staff and all Peace Corps volunteers in sexual assault, risk reduction, and response and that that continued in-service training and support stay strong, that Peace Corps continue to be a best practices agency that works strongly with other agencies and organizations.

Senator MERKLEY. Thank you very much. I appreciate that.

And, Ambassador Moley, I wanted to give you a chance just to state a few things on the record. You are an investor with a broad portfolio that touches on many market sectors that could be influenced by U.S. policy at the U.N.. My understanding is that you have agreed to, if confirmed, sell those holdings that raise conflict of interest concerns. Is that correct?

Ambassador MOLEY. Yes, I have, Senator. I have signed an ethics agreement that would require me to divest those interests.

Senator MERKLEY. Great. Thank you.

In 2004, you wrote a letter to the editor of the International Herald Tribune" that defended the Bush administration's practices in the detention of enemy combatants in Guantanamo. There has been a lot of debate in the many years, 14 years, since and we learned a lot. Is there any ways in which your thoughts in regard to detention have evolved?

Ambassador MOLEY. Well, they have evolved to the extent, Senator, that I still believe that Lord Steyn was repudiated by the very fact that he mentioned that we were conducting the detentions at Guantanamo illegally against both U.S. law, international law, and the Geneva Conventions. As we now know, of course, in the case of Hamdan v. Rumsfeld, decided June 29th, 2006, of course, we subjected our detention principles in Guantanamo to our courts, and we are under now a new legal framework than we were at the time. Obviously, my letter was not written without the assistance and clearance of legal counsel from the State Department, from the Justice Department, from the Defense Department, and from the State Department. But as I said, Hamdan v. Rumsfeld I think clearly repudiates Lord Steyn's principal contention that we were operating outside the law.

Senator MERKLEY. Thank you. I will note that in contesting his arguments you argued that his concern that use of force was presented against the prisoners—you contested that and said we are operating completely on humane treatment of detainees. We did have significant additional information. Any changes in your thoughts in that regard?

Ambassador MOLEY. To the extent that I was wrong at the time, it was by virtue with the assurances I had received from the Department of the Navy.

Senator MERKLEY. Thank you very much.

The Trump administration has cut funding to the United Nations Population Fund which provides critical maternal and family planning support to women and children in vulnerable situations. I saw them at work in the refugee camps in Bangladesh providing essential aid as hundreds of thousands of refugees were pouring in.

If confirmed, would you consider advocating to restore this critical funding?

Ambassador MOLEY. Senator, I was not present, of course, when those deliberations and decisions were being made, and I certainly look into that issue. I know that there are differences of opinion in regard to that issue. In fact, my predecessor, Sheba Crocker, Assistant Secretary of State at the time, has said that the rationale for cutting those funds is incorrect. And I will be taking into consideration both her comments, quite frankly, and also those of those people who made the decision at the time. So it is an issue of importance to many of you on the committee, and I will in fact look into it.

Senator MERKLEY. Thank you.

Ambassador MOLEY. If confirmed.

Senator YOUNG. I would note that we are likely to go to multiple rounds here by members' requests, so at least two rounds, again 7 minutes for questions.

Senator Gardner?

Senator GARDNER. Thank you, Mr. Chairman. Does that mean I get both rounds now or do I have to wait?

Senator YOUNG. You have got to wait. We want to see how you do on this first round. [Laughter.]

Senator GARDNER. Thank you, Mr. Chairman.

Thanks to both of the nominees for your service. Thanks for being here today. I am grateful for your support.

Dr. Olsen, I will start with you. Thank you very much for the book that you presented in my office, Pauline Berkey I believe. For the information of members of the committee, could you explain how Colorado State is really responsible for the Peace Corps? [Laughter.]

Dr. OLSEN. I would be delighted to.

Senator GARDNER. Thank you, which is a true statement. And I also want to brag up Colorado, because if you look at per capita, Boulder, Colorado, I think is the number three biggest contributor to the Peace Corps.

Dr. OLSEN. It is.

Senator GARDNER. Fort Collins, Colorado is number five to the Peace Corps. We are very proud of that fact. So thank you for your service.

Ambassador Moley, in the 114th Congress, this body passed legislation that would require the State Department to develop a U.S. strategy to endorse and obtain observer status for Taiwan in appropriate international organizations, including Interpol, the World Health Organization, the International Civil Aviation Organization, and others.

Could you explain to me efforts that you would pursue to ensure full U.S. support for Taiwan's meaningful participation in international organizations?

Ambassador MOLEY. Senator, we will pursue Taiwan's participation in any and all international fora, which does not have a requirement for participation of statehood, and we will make a very strong effort to get them involved. They are an important participant in many ways and would add to the international debate in many, many of the fora before the United Nations. If statehood is not required for membership, there is no reason why Taiwan should not be admitted.

Senator GARDNER. I think Taiwan can play a critical role in global leadership, whether it is issues relating to disease control, eradication, crime organizations and eradication, and participation in a number of organizations involved in relief efforts, criminal efforts that we have got to make sure that they have their full participation. Thank you for that.

And I hope that you will give me this commitment—I think you just did—that you will raise at the highest levels with international counterparts, including with representatives from the People's Republic of China, that commitment.

Ambassador MOLEY. You have my full commitment, Senator.

Senator GARDNER. Thank you very much, Ambassador.

In September 2017, I authored letters to 21 nations asking them to close their diplomatic facilities in Pyongyang and to support expelling North Korea from the United Nations as part of the administration's maximum pressure campaign.

Would you support efforts to expel North Korea from the United Nations and other international organizations?

Ambassador MOLEY. I will support the administration's position in respect to increasing leverage at every level on DPRK.

Senator GARDNER. I believe the administration has done a pressure campaign as well on many of these embassies and countries in Pyongyang. Is that correct?

Ambassador MOLEY. You will have my support.

Senator GARDNER. You will continue that. Thank you.

Mr. Chairman, I yield my time.

Senator YOUNG. Thank you.

Senator GARDNER. Actually, Mr. Chairman, do you mind? I got really excited about yielding, but I do have a couple more questions I want to get to, if you do not mind. Reclaiming my time.

Senator YOUNG. You mean—

Senator GARDNER. In round two. Thank you.

Senator YOUNG. Go ahead.

Senator GARDNER. Thank you.

Ambassador Moley, continuing with you along this line of questioning, could you share with me your strategy to combat the anti-Israel bias at the United Nations and other international organizations?

Ambassador MOLEY. Well, it is particularly pervasive, Senator, as you know, at the Human Rights Council, which is meeting as we speak in Geneva. Our Acting Assistant Secretary, Ambassador Molly Phee, is there as we speak, and I know she will make every effort—and I certainly would, if confirmed—to push back against anti-Israel bias as reflected in item 7 of the Human Rights Council's deliberations.

Senator GARDNER. Would you support withdrawal of the United States' participation in the Human Rights Council if they continue this anti-Israel bias?

Ambassador MOLEY. As you may know, we come up for our term limit in 2019, and I will, if confirmed, be participating in those deliberations to make a determination as to what is in our best interest to seek another term or not. Sometimes it is more appropriate to be inside the tent than outside the tent, but there are certainly arguments to be made on both sides of that.

Senator GARDNER. And thank you.

And last question. Could you outline a strategy that will help ensure and prevent the Palestinian Authority from obtaining international recognition at the United Nations and other international organizations?

Ambassador MOLEY. At this time, Senator, we are not aware of any effort for them to gain that recognition, but we will fight it at every turn, should it arise. As you know, we left UNESCO as a consequence of them being admitted to statehood in that organization.

Senator GARDNER. Thank you, Ambassador.

And I have 2 minutes remaining on my time. Before I yield it back, Dr. Olsen, if you would like to pontificate on Colorado State University, that is fine with me. If not, I will yield back my time.

Dr. OLSEN. I will just say two faculty in 1960 wrote what became the outline of Peace Corps, and in fact, they were invited back to Washington, DC by Sargent Shriver in March of 1961 to help guide the initial formation of Peace Corps.

Senator GARDNER. Thank you.

Senator YOUNG. Thank you, Senator Gardner.

Senator Shaheen?

Senator SHAHEEN. Thank you.

Thank you both for your willingness to be nominated for these very important posts.

Ambassador Moley, as you may be aware, last month U.S.-supported forces in Syria captured two ISIS fighters who were believed to be members of the group known as the Beatles. These two captured men are alleged to have been intimately involved in the imprisonment, torture, and murder of one of my former constituents, James Foley. Mr. Foley's family has publicly requested that President Trump take steps to ensure that these two men are held responsible for their crimes, meaning that they be tried either in the United States or in some sort of an international arena.

If confirmed, do you commit to pursuing options to bring them to justice, including through international justice mechanisms?

Ambassador MOLEY. If confirmed, Senator, I do so commit. Every effort should be made to bring these people to justice.

Senator SHAHEEN. And do you have any thoughts about where the most appropriate place would be to do that?

Ambassador MOLEY. Quite frankly, Senator, I do not. I know what I have read in the public media, but I am not, as yet, confirmed and have not been read in on that issue. But I will commit to making every effort to bring them to justice and will work with you in that regard.

Senator SHAHEEN. Well, thank you very much. I appreciate that and I know that the Foley family will as well.

I want to follow up a little bit on Senator Merkley's question about UNFPA because in March of 2017, the Trump administration invoked the Kemp-Kasten amendment to withhold U.S. funding for the United Nations Population Fund. Now, that amendment states that no U.S. funds may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization.

Ambassador Moley, are you aware or have you heard from anybody in the administration any information that would suggest that UNFP has been engaged in this prohibited behavior?

Ambassador MOLEY. Senator, only to the extent that in briefing materials I have seen the allegation that funding has gone to a Chinese health agency which has, in fact, implicitly or explicitly coerced abortion.

Having said that, I recognize there are conflicting opinions, and as I mentioned, my predecessor as recently as April wrote an article—Sheba Crocker—to the extent that she does not believe that there is proof of that allegation. I am intending to reach out to

former Assistant Secretary of State Crocker to hear her rationale for why she does not believe that is the case. Having said that, if confirmed, of course, I will then have information about the deliberation and the determination that was made by the President in this regard.

Senator SHAHEEN. Well, I very much appreciate your following up on that. I am not aware nor have I heard from anyone in the administration that UNFPA is engaged in any behavior that would mean that it would be prohibited from gaining funds. So I think your willingness to follow up is very important, and I hope you will share with this committee what you learn with that regard and that we will take action if your finding is that they should not be prohibited from receiving funds because, as Senator Merkley pointed out, they do tremendous and very important work for women and children in so many parts of this world. And for us to dramatically reduce funding there has had serious consequences for women and families.

I also want to follow up on your comments about when it is appropriate to withdraw from international organizations. I appreciate that international organizations do not always do what we would like them to do, and that sometimes presents foreign policy challenges. But the fact is it seems to me that often when we withdraw, we reduce our ability to influence what those organizations do rather than increase it.

So under what circumstances would you advise us withdrawing from an international organization?

Ambassador MOLEY. Senator, it would be determined by the circumstances at the time. If confirmed, I can assure you that I would make sure that all sides of the issue were heard because, as I indicated earlier, oftentimes as repugnant as some of these organizations' decisions may be, better to be inside the tent, as you have indicated, than outside the tent. Having been inside the tent and outside the tent, for example, as the head of the delegation at the U.N. Human Rights Commission when I was Ambassador, the predecessor to the Human Rights Council, and later as the deputy head of delegation on four occasions when we were inside the tent as members of the Human Rights Commission, there are arguments to be made on both sides of that as to points of leverage that can be used from both the outside and from the inside. But I would make sure that we made a mature, thoughtful decision before we would ever decide to leave an organization.

Senator SHAHEEN. Well, thank you. I appreciate that. I am of the view that it is generally more important to be inside the tent looking out than outside the tent looking in.

Ambassador MOLEY. As do I, Senator.

Senator SHAHEEN. I will paraphrase that.

Ms. Olsen, I very much appreciate your past experience at the Peace Corps and your willingness to take on the role as Director there. I am not going to ask you about the safety issue because I believe that is still a serious concern for Peace Corps volunteers and you have addressed that in your comments. And I appreciate your talking about what you would do as Director to address that, and I would encourage you to follow through on that and anything

that I or this committee can do to help you with that I know we would be very willing to do so.

Dr. OLSEN. I really appreciate your comments, Senator. And the agency, and if I am confirmed, I look forward to working with you on continuing to strengthen the safety and security.

Senator SHAHEEN. Thank you very much.

Thank you, Mr. Chairman.

Senator YOUNG. Well, thank you, Senator Shaheen.

Senator Kaine?

Senator KAINES. Thank you, Mr. Chair, and thank you to the witnesses.

I will start, Dr. Olsen, with you. I was at a breakfast this morning, and I was chatting with a young man who told me that he had just gotten back from being a Peace Corps volunteer in Latin America. And I said, well, in my committee this afternoon, we are going to have the nominee to be head of the Peace Corps before us. And he said, well, tell me about the nominee. I said, well, she was in the Peace Corps, and I was going to say other things about you, but he just stopped me and said, oh, I am sure she will be fine. [Laughter.]

Senator KAINES. The 230,000, as you described, Peace Corps alums—they get a lot of confidence—even if they do not know you, they get a lot of confidence when there is a nominee who has lived what they have lived. And you have done that not only in your service in Tunisia but as a country director, regional director, acting chief, other capacities with the Peace Corps.

Dr. OLSEN. Thank you, Senator.

Senator KAINES. Do we make enough use of our 230,000 Peace Corps veterans?

Dr. OLSEN. Senator, that is a great question. And I would say probably not. The return volunteers are eager to serve to continue in their work.

Senator KAINES. Absolutely.

Dr. OLSEN. And I think the ways that collectively we can reach out and encourage their cross-cultural skills, language skills so that they can do even more to make communities stronger.

Senator KAINES. I think the Peace Corps volunteers that I know, including in my own family, have so much to offer, and they are offering. You shared the example of the individual in Memphis I guess in your opening comments, which I read. They are doing so much on their own. They have had the experience that has equipped them for a life of public service. But it seems that there are just strategic ways we can use them to explain to our public the value of the kind of diplomacy and soft power that Peace Corps represents. And I would hope that one of your initiatives, obviously, the current members, recruiting, growing if possible, taking care of the health and safety needs of the current Peace Corps volunteers is the key responsibility. But I hope you will contemplate ways that you can continue to ask these wonderful returning Peace Corps veterans to consider doing even more because I think their skill set is a remarkable one.

But congratulations to you for your nomination.

I want to ask you, Mr. Moley, really quickly on global organizations. I was interested in your exchange with Jeanne Shaheen,

Senator Shaheen. And you are right. Sometimes these organizations are reprehensible.

But I will admit I was troubled by a recent move of the administration on an organization that was not reprehensible because it was only getting started. In September of 2016, the U.S. worked, together with other organizations at the U.N., to put together a global compact on migration. And the idea behind this global compact was that migrants and refugees are getting to be more and more of a constant in the world, and whether they are driven by natural disasters, weather emergencies, climate change, civil wars, corruption, we see millions and millions of people transiting the globe often from one continent to another as refugees and migrants. And that is not likely to change.

And so the idea behind the global compact was maybe we, nations of the world, need to share our best practices again and really think about policies. The U.S. was sort of the originator of the idea of the compact, and it was nothing more than an effort to convene a dialogue among all nations of the world to determine what future best practices might be.

In December of 2017, on the eve of the first meeting of the global compact on migration in Mexico, the Trump administration announced it would not send the U.S. representative. I think we were the only nation that did not have representation there.

And I have asked State Department folks at the table why that is, and they have indicated that we are concerned about our sovereignty. They did not say that the organization was reprehensible. They did not evidence to anti-Israel bias. They said we were concerned about our sovereignty.

Obviously, that argument would suggest we would never be involved in any international organization, which is an untenable position. And there is nothing about participating in a global dialogue to share best practices about how to deal with migrants and refugees that involves an incursion into the sovereignty of the United States at all.

So I guess I would first ask, do you know anything about the reason for the decision of the United States to withdraw itself uniquely from the global compact on migration?

Ambassador MOLEY. No, Senator, I do not. Having said that, I will commit to you that I will, if confirmed, look into it, and hopefully give you a more studied response.

Senator Kaine. I would appreciate that.

Would you agree with me that the issue of migrant and refugee flows in the world is a significant issue, both humanitarian but also a national security issue that affects many nations, including the United States?

Ambassador MOLEY. It is clearly a significant issue. As to why we made that determination in December 2017, quite frankly I have not been read in. I do not know the deliberations that took place. But I will confirm to you that I will find out.

Senator Kaine. I am proud enough—maybe sometimes too proud—of our country to think that we are not going to come up with the best solutions or policies on this issue if the United States is absent from the table. I do not think we have all the answers,

but I think we have an awful lot of answers and an awful lot of expertise. I assume that you would share that opinion as well.

Ambassador MOLEY. I do.

Senator KAIN. All right. Thank you, Mr. Chair. I do not have other questions.

Senator YOUNG. Thank you, Senator Kaine.

Mr. Moley, have you been following the situation in Eastern Ghouta, Syria, including the attacks by the Russians and the Assad regime on civilians and medical facilities?

Ambassador MOLEY. Yes, Senator, and of course, I am aware of the sanctions—excuse me—the ceasefire that Ambassador Haley has managed to finally get past the Security Council despite delay from Russia itself, and I think she should deserve great credit for having achieved that this past Saturday.

Senator YOUNG. So I would echo your commendation of her efforts and her team's efforts. Russia has killed hundreds of innocent men, women, and children using its position on the Security Council to delay that resolution calling for a ceasefire.

When Russia acts this way at the Security Council, how do you believe the U.S. and the international community more broadly should respond?

Ambassador MOLEY. And, Senator, to add to that, Russia continues to obstruct in the way of issuing a veto just yesterday I believe in respect to its transmission of arms to Yemen. And they vetoed the sanctions against Iran that would have been imposed at Ambassador Haley's recommendation. So I think working with Ambassador Haley and her team and others of our ambassadors, I think we need to push back at Russia at every turn in regard to their vetoing peaceful resolutions that otherwise would be passed.

Senator YOUNG. Clearly they are trying to test us on many fronts. So I am happy with that response.

According to its website, the U.N. Relief and Works Agency for Palestine refugees, or UNRWA, operates 677 elementary and preparatory schools in its five areas of operation, as well as eight secondary schools in Lebanon, for approximately 515,000 Palestinian children. Helping to educate children who would not otherwise receive such education is unambiguously good. I would note that the United States has been the largest single donor to this U.N. relief agency.

Mr. Moley, are you aware of the educational activities supported by this entity?

Ambassador MOLEY. Yes, I am. And I agree with you, Senator, of their importance. There are certain other issues related to that of concern to us, but I do agree with the importance of educating children everywhere, most especially in Palestine.

Senator YOUNG. So you reference so many other issues. I will dive in. Some of the textbooks being used in these schools reportedly include maps that omit the state of Israel and include images and examples that promote violence and support martyrdom. If we are trying to encourage a durable peace—and that is what we all want, a durable peace—between the Israelis and Palestinians, textbooks with this sort of content are completely counterproductive. It is difficult for me to justify to my constituents using their tax dollars to support schools that utilize such textbooks.

Mr. Moley, you seem to be aware of these reports. You are nodding affirmatively. And so if confirmed, do you commit to looking into this issue and reporting back to my office within 90 days on a plan to ensure U.S. tax dollars are not supporting the use of textbooks that foster hate towards Israel, support terrorism, or degrade women?

Ambassador MOLEY. Senator, I do commit to supporting and working with you and your team on this issue. I do have a relationship from my time in Geneva with the head of UNRWA, Pierre Krahembuhl, who at that time in Geneva was a deputy at the International Committee of the Red Cross. And I would like to think that we could use your leverage, the Senate's leverage, and that of the State Department to make sure that these textbooks are not proliferated.

Senator YOUNG. Thank you, Mr. Ambassador.

I am going to move on to the U.N. Human Rights Council. It was brought up earlier. What is your assessment of the council overall, and what do you see as the most important reforms that the United States should pursue with respect to the council?

Ambassador MOLEY. Well, as you know, the council, previously the commission, was reformed in 2006 to some benefit but also to some not so benefit geographically in terms of representation. Having said that, I think it will be a continuing effort to assure that countries do not join or not voted onto the Human Rights Council principally for the purpose of defending themselves and using it as a forum to accuse us, as well as Israel, unfairly.

Senator YOUNG. So you have spoken to the council's membership on treatment of Israel, which I appreciate. I share that concern.

So would membership reform be both appropriate and an important objective, including open ballots and competitive elections, were you to be confirmed?

Ambassador MOLEY. Agreed, Senator, absolutely.

Senator YOUNG. Well, as the chairman and sitting next to the ranking member of the subcommittee that oversees multilateral institutions, would you commit to, if confirmed, working with my subcommittee and my office, where possible, related to U.N. Human Rights Council reform?

Ambassador MOLEY. Absolutely and unequivocally.

Senator YOUNG. Dr. Olsen, I am sure you would agree that when Americans volunteer to join the Peace Corps, as roughly 65 Hoosiers have over the last year, we want them to be able to serve safely, free from violence and sexual assault. You have spoken I think unambiguously about that, and I am grateful for that.

In preparation for this hearing, have you reviewed the Nick Castle Peace Corps Reform Act of 2018? I think the name was invoked earlier. I am not sure the legislation was.

Dr. OLSEN. Yes.

Senator YOUNG. Could you speak to any general impressions you have regarding the bill?

Dr. OLSEN. Thank you, Senator.

It is an excellent bill, and it provides the opportunity for Peace Corps to continue to take very strong steps towards health and safety of the volunteer, particularly the health of the volunteer. And I look forward, if confirmed, to carry out the elements of the

bill and to continue to enhance the health care of every single Peace Corps volunteer.

Senator YOUNG. I think you indicated earlier—you must have been referencing this legislation—

Dr. OLSEN. Yes.

Senator YOUNG.—where Senate committee staff worked with Peace Corps staff. And my supposition is that, if confirmed, you would commit your staff to engaging this committee on all future reform efforts like that.

Dr. OLSEN. Absolutely, Senator.

Senator YOUNG. Senator Merkley?

Senator MERKLEY. Thank you.

This month, Senator Young and I sent the Senate and House Appropriations committees a letter detailing severe food shortages worldwide and requested increased funding for the World Food Program. I am directing this to Ambassador Moley. If confirmed, will you advocate for additional funding for the WFP? And what steps will you take to rally the international community to address a number of famines that we have currently ongoing around the world?

Ambassador MOLEY. Senator, as you know, we are the largest contributor to the World Food Program, currently at 39 percent. I was obviously not part of the deliberations or determinations that prepared the current 2019 budget or the 2018 budget. Having said that, I would urge additional funding, whether it comes from the United States or other participants, to the World Food Program. We face four major famines currently, Yemen, Nigeria, Sudan, and Somalia, and potentially elsewhere. And obviously, the World Food Program—although you and I had a conversation last evening about better to teach a person to fish than to give them the fish, nonetheless, if there are no fishes available, one has to send fishes to the people that need it most.

Senator MERKLEY. I think you have summarized our conversation exactly right. [Laughter.]

Senator MERKLEY. I was just speaking earlier today with some experts on Sudan who were noting the fact that so much of the challenge there is coming from the chaos and disruption of war that has made normal activities that one might support their family with incredibly difficult to the point of producing a famine.

My colleague, Senator Young, has noted that in Yemen just the enormous difficulty of even getting relief into the country. And he continues to champion cranes, and I have not heard you talk about loading cranes today. I am kind of surprised about that. He has continued to say we have got to make sure that we address these famines.

I want to turn back to the United Nations Relief and Works Agency. My colleague pointed out the enormous critique we have of some of the material in the textbooks. What UNRWA has done is follow U.N. policy which is to use the textbooks provided by the host nation. But they have then instructed their teachers not to teach that material that is offensive and to provide supplemental materials. What else should be done to address this situation?

Ambassador MOLEY. Senator, I suspect much needs to be done. Having said that, I have not been read into the situation as it cur-

rently exists. Having said that, I pledge to you that I will, A. And B, I do believe that my relationship with Pierre Krahenbuhl, the current head of UNRWA, will serve me well in that function. And I look forward to working with both you and the chairman and working cooperatively and making sure we are all on the same page in respect to the exact circumstances on the ground, if confirmed.

Senator MERKLEY. Great. I will look forward to your insights on that.

And it is my understanding that the Government of Israel supports this aid. They recognize that it is very hard to have an economy in the West Bank because it is isolated. It is surrounded and does not have easy access for inputs to an economy or an ability to get goods out to sell to the world, and that having these 500,000 children in school learning and being able to, hopefully, contribute in some way is better than having 500,000 children out of school. And they also do a tremendous amount on health care as well.

Do you share the view that it is helpful in this challenging situation to have this investment in health care and education?

Ambassador MOLEY. Absolutely and unequivocally.

Senator MERKLEY. Thank you.

Then I just wanted to toss an open question your way. You can answer it as quickly or as at length as you would like, but you served as U.S. Ambassador to the United Nations missions in Geneva. What did you learn from that experience in terms of the value of multilateral engagement?

Ambassador MOLEY. Multilateral engagement is a keystone to American diplomacy as reflected in pillar four of the National Security Strategy that was outlined by the President and released in December of 2017.

I think one of the most disappointing things I did learn, however, Senator, was that oftentimes our friends mistook compromise with concession. Much of that I believe comes from their own past experiences, colonial powers in Africa and elsewhere. And I found that quite regrettable at times.

Having said that, we as a nation stand on principle and lead by example, and I would like to think that we could continue to do so.

Senator MERKLEY. Thank you.

And I guess I do have one last question for you, which is you mentioned it is sometimes better to be inside the tent than outside. The Paris Accord or Paris Agreement is based on the U.N. Framework Convention on Climate Change, and at this point, we would officially come out about November 2020 I believe is the date. Are there reasons to stay deeply engaged between now and then and perhaps to stay longer in terms of taking on the challenge of climate?

Ambassador MOLEY. In respect to remaining engaged, absolutely, Senator. The fact is that the President made clear in the G-20's leaders declaration that we remain committed to mitigating greenhouse gas emissions. And I take that charge very seriously whether it is inside or outside.

Senator MERKLEY. Thank you.

Senator YOUNG. Well, that concludes panel number one, and I would like to thank both of you for your time and your interest in

serving. We will briefly adjourn in order to allow the nominees for panel number two to take their places at the table. [Recess.]

Senator YOUNG. I would like to call this hearing back to order for panel number two.

Once again, I would like to welcome Mr. Erik Bethel and Mr. Sean Cairncross. Mr. Bethel is nominated to be the United States Alternate Executive Director of the International Bank for Reconstruction and Development. Mr. Cairncross is nominated to be the Chief Executive Officer of the Millennium Challenge Corporate, or MCC.

With that, I welcome you, Mr. Bethel, to provide your opening comments in 5 minutes or less, please.

**STATEMENT OF ERIK BETHEL, OF FLORIDA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS**

Mr. BETHEL. Thank you, Senator. Chairman Young, Ranking Member Merkley, and distinguished members of the Foreign Relations committee, it is a great privilege to appear before you today.

I am honored that President Trump nominated me to serve as the U.S. Alternate Executive Director for the International Bank for Reconstruction and Development. I am grateful for the support of the President and also for the support of Secretary Mnuchin.

Before I begin, I would like to introduce the members of my family sitting in the audience today: my wife Michelle; my children, Ana Cristina, Niko, and Panchi; and my mother Diana who is an emigre from Cuba. I would also like to acknowledge my late father, Paul Bethel, who spent a career in public service with the U.S. Department of State. His legacy is critical to my being with you here today. Most importantly, I am especially grateful to have my wife Michelle in my life and for her continued support of my desire to serve our nation.

I have long aspired to work in the public sector, especially—

Senator YOUNG. Mr. Bethel, if I could just interrupt. My apologies. I understand we have votes around 4 o'clock, and I have consulted with the ranking member. If there is any way to condense any comments—the same with you, Mr. Cairncross—I think we can probably get our questions done before the vote and will not have to return.

Mr. BETHEL. Certainly.

Senator YOUNG. Thank you, sir.

Mr. BETHEL. I have long aspired to work in the public sector, especially in the capacity of finance and emerging markets and poverty reduction. Furthermore, I strongly believe in the mission of the World Bank, and I look forward to sharing my objectives with you as a candidate and to answering any questions you might have.

For more than 2 decades, I have worked at the intersection of finance and emerging markets. I have also lived and I have worked in Latin America. I speak Spanish and I speak Mandarin and I speak Portuguese. If confirmed, I will utilize by professional experiences to promote the mission of the World Bank and to further U.S. interests.

Cycles of corruption, poverty and crime pose an enduring threat to the immense potential of the developing world, and I believe it is important to address these issues. We would be wise to heed the words of Edmund Burke, who said that the only thing necessary for evil to triumph is for good men to do nothing. If the developing world is to realize the future it deserves, it must overcome these longstanding obstacles with the support of the organization like the World Bank.

And if confirmed, I would seek to leverage the U.S. contributions to the bank to ensure that its finance efforts are used productively and that they remain consistent with our nation's foreign policy interests. And I will also advocate for additional efforts to curb corruption, human trafficking, and abuses of power in order to promote opportunities for those in the developing world to live longer, healthier, and better lives.

Finally, if confirmed as Alternate Executive Director of the IBRD, I will work closely with members of this committee and its staff and with other Members of Congress to perform my responsibilities as effectively as possible.

Mr. Chairman, I thank you for this opportunity to appear before you and other members of the committee, and I look forward to your questions. Thank you.

[Mr. Bethel's prepared statement follows:]

#### PREPARED STATEMENT OF ERIK BETHEL

Chairman Corker, Ranking Member Cardin, and distinguished members of the Foreign Relations committee, it is a great privilege to appear before you today. I am honored that President Trump nominated me to serve as the United States Alternate Executive Director of the International Bank for Reconstruction and Development, and I am grateful for the support of the President and Secretary Mnuchin.

Before I begin, I'd like to introduce members of my family sitting in the audience today: my wife Michelle, my children Ana Cristina, Nicolas, and Panchi, and my mother Diana, an émigré from Cuba. I would also like to acknowledge my late father Paul Bethel who spent a career in public service with the U.S. Department of State. His legacy is critical to my being here with you today. Most importantly, I'm especially grateful to have my wife Michelle in my life, and for her continued support of my desire to serve our nation.

I've long aspired to work in the public sector, especially in the capacity of finance, emerging markets, and poverty reduction. Furthermore, I strongly believe in the mission of the World Bank. I look forward to sharing my objectives as a candidate and to answering any questions involving my qualifications and experiences.

For more than two decades, I have worked at the intersection of finance and emerging markets. I have also lived and worked in Latin America and Asia. If confirmed, I will utilize my professional experiences to promoting the mission of the World Bank and furthering U.S. interests.

Cycles of corruption, poverty, and crime pose an enduring threat to the immense potential of the developing world. I believe that it is important to address these issues. We would be wise to heed the words of Edmund Burke who said, "The only thing necessary for the triumph of evil is for good men to do nothing." If the developing world is to realize the future it deserves, it must overcome these longstanding obstacles with the support of organizations like the World Bank.

If confirmed, I would seek to leverage the U.S. contributions to the bank in order to ensure that its finance efforts are used productively and that they remain consistent with our nation's foreign policy interests. I will also advocate for additional efforts to curb corruption, human trafficking, and abuses of power in order to promote opportunities for those in the developing world to live longer, healthier, and better lives. Finally, if confirmed as Alternate Executive Director of the IBRD, I will work closely with the members of this committee and its staff, and with other Members of Congress, to perform my responsibilities as effectively as possible.

Mr. Chairman, I thank you for this opportunity to appear before you and the other members of the committee, and I look forward to your questions.

Senator YOUNG. Thank you.  
Mr. Cairncross?

**STATEMENT OF SEAN CAIRNCROSS, OF MINNESOTA, TO BE  
CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE  
CORPORATION**

Mr. CAIRNCROSS. Thank you, Mr. Chairman.

I would like to start by thanking Senator Cornyn for his thoughtful introduction, and I appreciate his confidence in my nomination. I have always been proud to have worked for him, and I am hopeful that I will be able to continue working with him going forward.

Chairman Young, Ranking Member Merkley, members of the committee, it is a privilege to appear before you today as President Trump's nominee to serve as the next Chief Executive Officer of the Millennium Challenge Corporation.

And if I could just beg the committee's indulgence for a quick second, I would like to introduce the members of my family here today. No one does anything alone. Or at least, I have not. And I have been blessed with a great support network. This is dad and mom, Andy and Donna; my sister-in-law Margaret; my wife Emily whom I met when I was 6. And these are my kids, India and Dominic. I met them when I was older. [Laughter.]

Mr. CAIRNCROSS. I have been interested in foreign affairs and America's role in the world since I was a boy growing up in Minnesota. As a student, I studied international relations both in Washington, D.C. and overseas in England and as a graduate student living in England. Living abroad gave me an appreciation for the importance of how our country is perceived overseas and the power our country has to inspire and to be a force for good in the world.

I became involved in national politics as a means to becoming engaged in the American democratic process and in government. I served in senior management positions in two national party committees, overseeing hundreds of employees and budgets that aggregated in the hundreds of millions of dollars. When I served as chief operating officer and general counsel to these organizations, I was responsible for the reporting and the compliance of these highly regulated, highly scrutinized, very visible organizations. And I feel very fortunate to have gained this management experience while also actively participating in the democratic process.

I entered government when I joined the White House in January 2017. During my time in the administration, I have had the opportunity to participate in the national security policymaking process, and I have gained a practical respect to complement my formerly academic appreciation for the role of American soft power and U.S. foreign engagement.

Emily and I do our best to teach our children what it means to be an American and to appreciate it. Indeed, my daughter India just returned last week from New York in a model United Nations program. And it is our sincere hope that they leave today's hearing remaining interested in U.S. engagement and assured that America is a constant force for good in the world. That good governance, economic freedom, and ruling justly are not just words but concrete

values that America supports throughout the world to improve lives and support her interests.

I am honored and humbled to be nominated to lead the Millennium Challenge Corporation, which embodies this. It provides a framework that mobilizes these ideals while also requiring partner country commitment and holding partner countries accountable.

If confirmed, I have three overarching priorities that I would pursue.

First, I would maintain the MCC's model, its strong track record of data-driven, accountable results. And I would seek to deepen the bipartisan support the agency has enjoyed. And to do this, I would rely on MCC's deeply knowledgeable, talented, and diverse staff.

Second, I would seek to increase collaboration with other U.S. Government agencies and third party partners, in particular U.S. businesses, and maximize the crowding in of these resources, as well as the crowding in of domestic partner country resources.

Finally, I would like to help realize the potential of regional compacts. Legislation pending here before the Senate would open the door to MCC's being able to build regional markets, and I believe that if carefully done and done in a focused manner, there is great potential there.

Mr. Chairman, the MCC is a tremendous asset in America's foreign policy toolkit. If confirmed, I would commit to work hand in hand with this committee, with Congress, with the administration, and other MCC stakeholders to maintain its record of bipartisan support and measured accountability.

I am honored to be here. I look forward to answering any of your questions. Thank you.

[Mr. Cairncross's prepared statement follows:]

#### PREPARED STATEMENT OF SEAN CAIRNCROSS

Before I begin, I'd like to thank Senator Cornyn for his thoughtful introduction; I am grateful for his trust and confidence in my nomination, and I am proud to have worked for him.

Chairman Young, Ranking Member Merkley, members of the committee, it is a privilege to appear before you today as President Trump's nominee to serve as the next Chief Executive Officer of the Millennium Challenge Corporation.

If I could beg the committee's indulgence, I would like to thank the members of my family who are here today. Nobody accomplishes anything alone—or at least I haven't—and I've been very fortunate to be surrounded by strong support. This is mom and dad, Donna and Andy. This is my sister-in-law, Margaret. And this is my wife, Emily—whom I met when I was six—and these are my children, India and Dominic.

I have been interested in foreign affairs and America's role in the world since I was a boy, growing up in Minnesota. As a student, I studied international relations, both as an undergraduate, in Washington D.C. and England, and as a graduate student in England. Living abroad gave me an appreciation for the importance of how our country is perceived overseas—and the power that the United States has to inspire and be a force for good in the world. I became involved in national politics as a means to become involved in the American democratic process and government. I served in senior management in two national party committees, overseeing hundreds of employees and budgets that aggregated in the hundreds of millions of dollars. When I served as chief operating officer and general counsel to these organizations, I was responsible for the compliance and reporting of these highly visible, scrutinized, and regulated entities. I feel fortunate to have gained this management experience while actively participating in our nation's electoral process.

I entered government when I joined the White House in January 2017. During my time in the Trump administration I've had the opportunity to participate in the national security policy making process, and I have gained a practical respect—to

compliment my formerly academic appreciation—of the importance of American soft power and U.S. global engagement.

Emily and I do our best to teach our children to appreciate what it means to be an American. Indeed, India just participated in a model United Nations program in New York last weekend. It is our wish that they remain interested in U.S. engagement, and it is our hope that they leave this hearing today with a deeper understanding, and assurance, that the United States is a constant force for good in the world. That good governance, economic freedom, and ruling justly are not just words, but concrete values that America supports throughout the world to improve lives and support her interests.

The Millennium Challenge Corporation embodies this, providing a framework that mobilizes these ideals while also requiring partner country commitment and holding partner countries accountable for results. I am honored and humbled to be nominated to lead such a unique and effective agency.

Mr. Chairman, if confirmed, I will take the lead at MCC during an exciting, yet challenging time for the agency and the development community at large. With this in mind, I have three overarching priorities that I'd plan to pursue.

First, I would maintain MCC's model, and its track-record of transparent, data-driven results—and its strong history of bi-partisan support—and I will rely on MCC's deeply knowledgeable, diverse, and talented professional staff in doing so.

Second, I would seek to increase collaboration with U.S. Government agencies and third party partners, particularly U.S. businesses—and maximize the "crowding in" of domestic partner country resources.

Finally, I'd like to help realize the potential of regional compacts. Legislation pending with the Senate would open the door for the MCC to engage in regional market building. I believe that, done correctly, there is tremendous potential to increase MCC's impact. Mr. Chairman, MCC is a great asset in America's foreign policy toolbox. Should I be confirmed to lead it, I commit that I will work hand in hand with this committee, Congress, and the administration to maintain MCC's bi-partisan support and its standard of measurable accountability in reducing poverty through economic growth.

I look forward to discussing these, and other matters concerning MCC today—and, hopefully, in the future.

**Senator YOUNG.** Thank you, Mr. Cairncross. You quickly summarized your professional background. What professional qualities have prepared you to assume this position? Give me a concise answer, one of two things, please.

**Mr. CAIRNCROSS.** Yes, sir. My management experience overseeing two organizations national in scope, subject to an enormous amount of scrutiny, in particular on their budgets, how the money is raised and spent, and as counsel, being responsible for the compliance of the organization and that transparency is something that—and building that culture of compliance, which I was responsible for, is something that I believe is transferable to the MCC. In fact, the MCC's record of transparency is vital to the agency, and I intend to continue that.

**Senator YOUNG.** Mr. Cairncross, I am glad you emphasized the importance of the term is in the development community "crowding in" private sector resources in compact countries served by MCC. What more can we do in this particular area to get more money crowded in?

**Mr. CAIRNCROSS.** Sure. Thank you for the question, Senator.

There are several different avenues to this. The study that you co-chaired with Senator Shaheen noted that where U.S. foreign assistance is engaged in a country, it is a relatively small portion. In fact, 50 percent of that or so is private capital flowing in. And so I would seek to increase that engagement. I think the efforts being made, for example, in Ghana and the compact that we are engaged in there and the stamp of approval that the MCC creates in working with these governments to create institutional reform targeted

at corruption, for example, really helps engage that private sector capital. I think there is also, on the other end of it, maximizing the leverage that other entities bring, such as OPIC, and working to de-risk these environments and draw more capital in.

Senator YOUNG. Our office will continue to look closely at this matter. We want to be supportive however possible. So, if confirmed, if you discover that additional authorities or resources are needed in order to optimize the involvement of the private sector, will you let myself and our office know so that we can work with MCC to get you those resources and/or authorities?

Mr. CAIRNCROSS. Absolutely. I appreciate it.

Senator YOUNG. Thank you.

Mr. Cairncross, with regard to the choice of MCC compact recipients, what weight would you place on a country's scorecard performance versus its strategic importance to the United States?

Mr. CAIRNCROSS. Sure. Senator, I think the MCC has a great track record of success because it has adhered to a very objective model in country selection. And so those eligibility criteria and good governance, economic freedom, and investment in the people are key to the agency's success.

I think that with respect to the larger strategic interests of the United States, the way I view it is MCC is not deployed necessarily strategically, but where it is active, it serves to buttress and support U.S. strategic interests.

And then finally, the board of directors that works with the MCC and oversees it is really there to provide that last overarching spectrum of policy input over the MCC's objective criteria. So before a country is selected, eligible for a compact, even if it hits those criteria, it still needs to be approved by the board of directors in order to engage in a compact.

Senator YOUNG. So your point is there is already a measure of discretion built into the system because the board of directors is able to exercise its oversight.

Mr. CAIRNCROSS. There is, sir. There is a measure of discretion that is built in on that level. And then there is also the threshold programs of the MCC which address countries that do not quite meet that eligibility criteria but are on the verge and through institutional reforms may be able to get there.

Senator YOUNG. Thank you.

Senator Merkley?

Senator MERKLEY. Thank you much, both of you.

And the question I wanted to ask you, Mr. Bethel, is related to the loans that the World Bank has made to Burma. The Government of Burma and the military of Burma have been engaged in a massive ethnic cleansing operation resulting in more than 300 villages burned, children killed, women and daughters raped, fathers slaughtered, and have driven more than—well, now—almost 700,000 people across the border.

In that type of situation, how should the World Bank respond to use its leverage? Should it cut off loans? Should it make them contingent upon dramatic changes in the governance? Should it say we will lend you money, but it has to go to very specific projects and monitor it carefully? Should it insist that international organizations be admitted to Rakhine State before any additional assistance

is provided? How can the IBRD use its leverage or how should it use its leverage?

Mr. BETHEL. Thank you, Senator. I think that is a very important consideration. Having been to Burma in the last couple of years, I am very familiar with the issue, the Rohingya issue, that you are referring to, and it is a very challenging and complicated issue.

It is too early to say, at least in my estimation, what should be done until and if I am fortunate enough to be confirmed. I do not know that it would be appropriate for me to comment on the specific World Bank policy or loans that are being administered or not in this case. But the general sentiment is one where the World Bank should not be lending to countries that either are state sponsors of terror or that are committing atrocious acts on their own population generally speaking.

I appreciate the question, and should I be confirmed, I would be delighted to work with your committee on addressing the issue.

Senator MERKLEY. Thank you. I appreciate that.

And, Mr. Cairncross, when you studied international relations at American University I believe—

Mr. CAIRNCROSS. Yes, sir.

Senator MERKLEY.—did you specialize in any particular area of international relations, Middle East policy, Asian policy, national security, any particular aspect?

Mr. CAIRNCROSS. Sure. Both my college undergraduate thesis and my graduate dissertation were done in intelligence.

Senator MERKLEY. In intelligence. And so in the course of that, did you take a lot of courses that were basically related to the third world economic development?

Mr. CAIRNCROSS. I did take an international economics course at Cambridge, sir.

Senator MERKLEY. Focused on developing nations?

Mr. CAIRNCROSS. Developing nations were a portion of the course, yes.

Senator MERKLEY. And can you share with us if you have had the opportunity to live in or—we had the Peace Corps up here earlier—any projects you have had in developing nations?

Mr. CAIRNCROSS. No, sir. I have not lived in a developing nation. And if confirmed, one of the first things I would plan to do is to travel and put my feet on the ground and deal with the host government and put my eyes on MCC's work.

Senator MERKLEY. Have you currently traveled to any of the compact nations?

Mr. CAIRNCROSS. I have not, Senator, but that would be an immediate priority of mine.

Senator MERKLEY. Do you speak any foreign languages?

Mr. CAIRNCROSS. I do not, sir.

Senator MERKLEY. I wanted to ask you a couple questions related to Reince Priebus, your work with him as top advisor to the chief of staff. And you have already answered these. I know the answers, but I think it is valuable to have them on the record unless I got the answers wrong.

Did you have any involvement in the development or execution of the President's Muslim ban?

Mr. CAIRNCROSS. I did not, sir.

Senator MERKLEY. Did you have any discussions involved in the firing of Jim Comey?

Mr. CAIRNCROSS. No, sir.

Senator MERKLEY. Have you been interviewed or do you expect to be interviewed as part of Robert Mueller's Russia investigation?

Mr. CAIRNCROSS. I have not been, and I do not expect to be.

Senator MERKLEY. So the MCC is a partner to more conventional U.S. aid and development. What do you see as kind of the valuable—what do you see as most significant about its unique strategy?

Mr. CAIRNCROSS. I think the MCC is so unique because it occupies a very singular niche along the development arc of a country that it is working with. And so it is really transitioning from that USAID portion to a place where a country is attempting to build a sustainable economy. And it is a need and merit system. So the agency is looking to consolidate gains in poor countries who are pursuing good policies, pursuing open government, economic freedom for their people, and investing into their people. And that singular mission, with the staff that I have met and dealt with at the MCC who are so impressive—they are very mission-driven. It is a very professional organization, and I think that makes it very unique.

I also, Senator, think it is unique in the respect that all of its projects are tracked and measured, and that is not just some internal MCC white paper. It is measured by independent third party agencies and organizations. And then that is put online and put out into the public. And that builds, I believe, great confidence in the MCC's expenditure of taxpayer dollars and helps make the case for U.S. assistance.

Senator MERKLEY. Thank you.

One of the issues that has come up has been reports that the eight political positions that are at MCC—that there are plans by the White House to expand that to more than two dozen. Are you familiar with those plans, and do you have an opinion on that?

Mr. CAIRNCROSS. I am not familiar with those plans, Senator. I should say I appreciate the time that you and I have spent discussing the matter and with your staff. And what I can commit to you is that, if confirmed, I would strive to keep the MCC a performance-based professional development organization. I think both its bipartisan support that it has enjoyed and the confidence of its talented staff and maintaining that staff is key to the agency's success.

Senator MERKLEY. So you would not support expanding the political positions beyond the eight positions that there are currently on the staff.

Mr. CAIRNCROSS. Correct, Senator. I am not looking to politicize the MCC.

Senator MERKLEY. Thank you.

And I thought I should give you a chance to just comment on the racial bias lawsuit that was at RNC. It was settled, and I assume those were not government funds that it was settled with. Those were campaign side funds?

Mr. CAIRNCROSS. That is correct. They were campaign private donations to the committee.

Senator MERKLEY. And do you support diversity and non-discrimination within the organization?

Mr. CAIRNCROSS. Absolutely, Senator. I believe it is a very important—I believe diversity should be a celebrated thing. I believe it enriches the work environment. I believe particularly in an agency like the MCC it leads to better decision-making and, if confirmed, I would seek to grow the agency's diversity.

Senator MERKLEY. Thank you.

Senator YOUNG. Well, I want to thank our nominees for appearing here today. That concludes our hearing.

For the information of members, the record will remain open until the close of business on Thursday, including for members to submit questions for the record.

Thank you again to each of you.

This hearing is adjourned.

[Whereupon, at 4:00 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO HON. KEVIN EDWARD MOLEY BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy?

- What has been the impact of your actions?

Answer. In 2002, while serving as U.S. Ambassador at U.N. Geneva, I chaired the U.S. Delegation to the U.N. Human Rights Commission (precursor to the Human Rights Council). In 2003, 2004, and 2005, I served as Deputy Chair of the U.N. Human Rights Commission. In each session of the Human Rights Commission in which I participated we named and shamed nations around the world which we believed were violating their citizens' human rights.

Additionally, I served as Chair of an NGO named PCI Global and in that capacity have traveled to Africa and Latin America. This has reinforced my strong belief that the United States must lead in advocating for human rights around the world, including at home.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my career, I believe I have demonstrated my commitment to promoting the careers of those from backgrounds not traditionally represented in the State Department. Ambassador Linda Thomas Greenfield, who served with me in Geneva went on to become Ambassador to Liberia, Director General of the Foreign Service and, most recently, Assistant Secretary of State for African Affairs, Linda was kind enough to attend my hearing in support of my nomination. Ambassador Joel Danies, recently confirmed to be our Ambassador to Gabon, is our first Haitian born American to be confirmed as a United States Ambassador; he was my deputy in Geneva and an important advisor to me.

I will continue, as I have throughout my government and private sector career, to seek out talented individual from all backgrounds to serve with me, and ensure they have the tools to succeed in their careers.

*Question 3.* What steps will you take to ensure each of the supervisors within the Bureau of International Organizations are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will ensure that all supervisors in the Bureau of International Organizations are fostering an environment that is diverse and inclusive, and will tolerate nothing less. This will be a priority of my leadership, if confirmed.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, to exercise leadership within the Department to promote compliance with those laws and rules and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, to exercise leadership within the Department to promote compliance with those laws and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. My investment portfolio includes companies that have a presence abroad. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in those companies the State Department Ethics Office deemed necessary to avoid a conflict of interest and will remain vigilant with regard to my ethics obligations.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. KEVIN EDWARD MOLEY BY SENATOR CHRISTOPHER A. COONS**

*Question 1.* If confirmed as Assistant Secretary of State for International Organization Affairs, are you committed to working with the Senate and House of Representatives on a bill to review the United States' contributions to multilateral organizations, the Multilateral Aid Review Act of 2017 (S.1928)?

Answer. Yes. I am committed to rigorous and effective oversight of international organizations. I agree that assessing the use of U.S. taxpayer funding to international organizations is essential to ensure funding is being used as effectively and efficiently as possible. The Bureau of International Organization Affairs coordinates the oversight of international organizations that receive U.S. funding directly through their governance bodies and indirectly through independent review entities. If confirmed, I welcome the opportunity to engage closely with the experts at the State Department on how best to reinforce this critical oversight, and commit to working with both the Senate and the House of Representatives on the bill and its objectives.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. KEVIN EDWARD MOLEY BY SENATOR CORY A. BOOKER**

*Question 1.* Last month, the administration announced that it is withholding the bulk-approximately 83 percent-of the United States's annual contribution to the U.N. Relief and Works Agency for Palestine Refugees (UNRWA). Established by the U.N. General Assembly in 1949, UNRWA provides an array of critical services to Palestinian refugees in the West Bank, Gaza, Jordan, Lebanon, and Syria.

Jordan hosts the largest Palestinian refugee population in the Middle East: more than two million people in total. I have personally visited UNRWA sites in Jordan. The services provided by UNRWA are an important safety valve for the Jordanian Government, which is also currently hosting more than 600,000 Syrian refugees and whose resources are spread increasingly thin.

- How do these proposed budget cuts risk harming our Jordanian allies, whose cooperation we need on a host of critical security issues, including counterterrorism?
- How does undermining the Jordanian Government serve our strategic interests?

Answer. If confirmed, I would support the U.S. commitment to Jordan and to addressing the needs of the most vulnerable, as demonstrated by the voluntary contribution by the United States of \$60 million to UNRWA in January to keep schools

and health systems operating in Jordan, the West Bank, and Gaza. Jordan remains one of the United States' closest allies. Secretary Tillerson underscored the enduring value of that partnership during his February 2018 visit to Jordan when he signed a new five-year, \$6.375 billion Memorandum of Understanding (MOU) with Foreign Minister Safadi. The MOU, along with the U.S.-Jordanian partnership on a range of issues, demonstrates the depth and breadth of this important bilateral relationship. In addition, since the start of the Syrian crisis, the United States, through the Bureau for Population, Refugees, and Migration as well as USAID/Food for Peace, provided nearly \$1.1 billion in humanitarian aid for programs to the Syrian response in Jordan to meet the life-saving needs of refugees, including food, shelter, and water, in addition to humanitarian assistance at the regional level to support Iraqi, Palestinian, and other refugees in Jordan.

*Question 2.* With regards to the U.N. Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), can you commit to me that if confirmed, you will not seek or advance any proposals to further diminish MONUSCO's size, capacity, or budget in the absence of real progress toward greater civilian security on the ground?

Answer. If confirmed, I commit to ensuring that the United States carefully reviews and analyzes each U.N. peacekeeping mission as its mandate comes up for renewal to evaluate whether it is appropriate to the current situation in the country and to determine how it is advancing U.S. objectives and interests. I understand that the mandate for MONUSCO will be renewed by the U.N. Security Council on March 27, and that the U.N. made the decision to reduce MONUSCO's troop strength in March 2017 by drawing down underperforming troops in order to increase overall effectiveness while sending an important signal to other poor performers that they must improve.

If confirmed, I commit to a rigorous and objective examination of each mission, which is vital to ensuring that U.N. peacekeeping missions have realistic and achievable mandates which advance political solutions, have the support of host governments, and maintain clear exit strategies. I look forward to working with you and members of the committee, if confirmed, and with other U.N. Security Council members to reach consensus on supporting a MONUSCO mission that is responsive, flexible, and able to actively and effectively fulfill its mandated tasks, especially protecting civilians and supporting the electoral process.

*Question 3.* In your view, has the U.N. Security Council over-burdened MONUSCO—or any other U.N. peacekeeping operations—with too unrealistic or cumbersome of a mandate? If so, how will you seek to address this problem if confirmed?

Answer. The Secretary-General and MONUSCO leadership have consistently called for greater streamlining of the Mission's tasks. If confirmed, I will work with the Security Council, other U.N. member states, and the U.N. to address critical structural, bureaucratic, operational, and political challenges to maximize the effectiveness of MONUSCO and of all U.N. peacekeeping missions. This effort would include seeking opportunities for U.N. humanitarian and development agencies to assume tasks better suited to their expertise, seeking to eliminate extraneous capabilities or programming, and working to institutionalize a culture of performance at the U.N. in which only the highest performing troops and police are deployed to U.N. missions.

To date, with an authorized troop ceiling of 16,215 military personnel, 660 military observers and staff officers, and 1,441 police, and an annual budget of \$1.1 billion, MONUSCO remains one of the largest and most expensive U.N. peacekeeping missions. There has been a peacekeeping presence in the DRC since 1999, and over the years the U.N. Security Council has added numerous tasks, which have diverted resources from the core mission of civilian protection and stabilization. MONUSCO is stretched to capacity to fully execute its mandate, and the DRC Government at times actively undermines the Mission. MONUSCO also faces operational challenges stemming from the size of the country, the lack of infrastructure, the lack of capacity of the national security forces, the number of armed groups, and the unwillingness of some troop contributors to conduct offensive operations. If confirmed, I look forward to further reviewing these and other issues to ensure the MONUSCO mandate is appropriate and effective.

*Question 4.* What will you do to ensure that MONUSCO is best positioned to confront the numerous serious challenges facing the country ahead of the planned elections in December 2018?

Answer. In the U.N. Security Council, the United States has called for MONUSCO to be more responsive to the needs of the Congolese people, and to

adapt the Mission when necessary as the political landscape changes. If confirmed, I will continue to urge MONUSCO to prioritize the protection of civilians and electoral support tasks, to direct budgetary resources so they are aligned with these priorities, and to continue reporting to the U.N. Security Council on the progress of electoral timelines and on implementation of the December 31, 2016 Agreement.

I commit to work with you to ensure that the United States engages its international partners, the U.N., and the DRC Government to support the conduct of peaceful, inclusive, timely, and credible elections in 2018. Due to the lack of basic infrastructure in the DRC and its sheer size, elections will not be possible without the technical, logistical, political, and security support of MONUSCO. The U.N. Security Council prioritized MONUSCO's electoral support task, including supporting implementation of the December 31, 2016 Agreement, during the 2017 mandate renewal. I understand that MONUSCO meets regularly with the DRC Government, opposition, and the Independent National Electoral Commission (CENI) to advance the Agreement, with a key focus on promoting implementation of its confidence-building measures.

*Question 5.* What can be done to ensure that peacekeeping troop contributors can adequately protect themselves from attacks like the one that occurred in December?

Answer. If confirmed, I commit to reviewing how we can do more to ensure peacekeeping forces can adequately protect themselves. As your question highlights, the past several years have seen a dramatic increase in fatal attacks on U.N. peacekeepers. The December 7, 2017 attack on MONUSCO in North Kivu was the worst attack on U.N. peacekeepers in recent history, resulting in the death of 15 U.N. peacekeepers while wounding more than 50 others. Today, as U.N. peacekeepers are asked to do more in increasingly complex and volatile environments, the U.N. Security Council owes it to these men and women to work hard to reform the U.N. system as urgently as possible.

The Secretary-General's recently published "Review of Peacekeeping Fatalities Due to Acts of Violence" highlighted the link between the safety and security of peacekeepers and accountability for performance, demonstrating that underperformance can be fatal. If confirmed, I will work to institutionalize a culture of performance and accountability at the U.N. in which only the highest performing troops and police are deployed to U.N. missions. The lives of peacekeepers and those they are mandated to protect depend on it.

Increasing the availability of objective information to support performance-based decision-making is an important part of making missions more effective on the ground and enhancing the safety and security of peacekeepers. This performance-based data will also help the United States allocate training and equipment to troop- and police-contributing countries to better support each country's needs and better address the effectiveness of U.N. peacekeeping.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JOSEPHINE OLSEN BY SENATOR ROBERT MENENDEZ

*The Legacy of Kate Puzey's Murder*

I understand that Kate Puzey's death weighs heavily on you and I appreciate the concern that you have expressed, throughout your confirmation, for this tragedy. I would still like a better understanding of the following:

*Question 1.* At the time, what was your understanding and involvement in the Peace Corps' handling of the information and events surrounding Kate Puzey's attempts to report on the sexual abuse she witnessed during her assignment in Benin?

Answer. I had no knowledge or involvement in Peace Corps' handling of the information surrounding Kate Puzey's attempts to report on the fraternization and sexual abuse she heard about during her assignment in Benin.

*Question 2.* At what point did you become aware of Kate Puzey's situation?

Answer. I became aware of Kate's murder on/about March 12, 2009. After receiving preliminary information of the events that took place in Benin, on March 24, 2009 I asked Peace Corps' Inspector General to conduct a thorough investigation into the circumstances surrounding the matter. The Inspector General issued its report on May 7, 2009. I developed an understanding of the events in Benin upon receipt of the Inspector General's report.

*Question 3.* As Acting Director, did you administer any disciplinary action to anyone along the chain of command who mishandled Kate Puzey's attempts to report abuse?

Answer. In 2009, Peace Corps ended employment and contractual relations with individuals in Benin who were involved in the management of or mishandling of Kate's communications and individuals in Benin arrested in connection with her murder.

*Question 4.* How should the Peace Corps have handled the entire case surrounding Kate Puzey differently?

Answer. In retrospect, I believe Peace Corp Benin staff should have paid more immediate attention to the concerns raised by Kate; should have taken immediate measures to ensure Kate's safety pending inquiries and corrective actions; and, most importantly, should have taken steps to handle Kate's communications with more discretion and care.

*Question 5.* Are you confident that the necessary reforms have been made to prevent such an incident (i.e. Peace Corps volunteers or employees who want or need to help, or who want to report abuse, and protections for whistleblowers) from happening again?

Answer. Yes. The reforms and policy changes established and implemented in response to the Kate Puzey Peace Corps Protection Act of 2011, including those expressly addressing Volunteer confidentiality and whistleblowing, provide safeguards against similar incidents.

*Question 6.* As the Acting Director of the Peace Corps at the time of these incidents, what responsibility do you take for how the Peace Corps handled the incidents surrounding Kate Puzey?

Answer. As Acting Director at the time of Kate's murder, I was responsible for all matters at the Peace Corps. However, as I explained above, I was not aware or involved in the events leading up to Kate's tragic death. While I continue to mourn the loss of Kate, I know that I ordered a timely investigation into the matter and took corrective actions where warranted. If I am confirmed, I assure you I will vigorously advance and, where appropriate, improve upon all measures to ensure the safety and health of Peace Corps volunteers.

#### *Maximizing Volunteer Skillsets*

The Peace Corps attracts highly talented and motivated individuals who want to put their skills to work to demonstrate the U.S.'s goodwill and generosity. It is important for the Peace Corps to address development needs by utilizing volunteers with most useful skillsets.

*Question 7.* How are volunteers' expertise tailored to their Peace Corps assignments?

Answer. A considerable amount of work goes into matching Peace Corps Volunteer's skills, among other attributes, with where they will have the most impact while serving. A combination of Peace Corps' deep understanding of the development needs of host countries, targeted recruiting, knowledge of priorities at the community level, programming and training play critical roles in the agency's unique ability to precisely match volunteers with work assignments.

*Question 8.* What efforts does the Peace Corps make to recruit volunteers with specific skills sets based on specific country needs?

Answer. Peace Corps' Office of Volunteer Recruitment and Selection works to recruit potential applicants who possess the skills that host countries have identified are necessary to complete specific projects. Peace Corps incorporates this information into its annual recruitment strategy and implementation plan. Peace Corps also has the ability to modify its recruitment outreach to adapt to new requests.

*Question 9.* Understanding that the Peace Corps provides volunteers based on proposed needs as determined by host countries, what influence or advice does the Peace Corps provide to host countries on accepting volunteers with specific expertise that could help address specialized needs in certain communities?

Answer. Peace Corps Country Directors and program staff maintain close working relationships with host country governments and partner agencies and are deeply versed in with the development needs in countries where the agency operates. Peace Corps works within the parameters of six program sectors: education; health; community and economic development; agriculture; youth; and environment, and places volunteers in sites according to community need and technical skillsets.

*Question 10.* Do you believe it to be appropriate for the Peace Corps to advise host countries on their development needs?

Answer. Peace Corps does not advise host countries on their development or other needs. Rather, the agency works closely with stakeholders in the above mentioned six programming sectors to determine where Peace Corps volunteers can best help countries meet their development needs.

*Opening and Terminating Peace Corps Missions*

During your tenure as Acting Director the Peace Corps you opened several new missions.

*Question 11.* What is the operational status of the missions you opened during your time as Acting Director of the Peace Corps?

Answer. During my time as Acting Director, Peace Corps did not open any new posts.

*Question 12.* Do you intend, or want, to open new Peace Corps missions?

Answer. If confirmed, I will conduct a full country portfolio review to both make certain that Peace Corps is sending volunteers to interested countries where they are most needed and where they stand poised to achieve greatest impact.

*Question 13.* If so, how would you allocate resources, based on the President's FY 19 Budget request for Peace Corps that represents a 3.4 percent reduction from FY 17 enacted amounts, to make this possible?

Answer. The country portfolio review will ensure that Peace Corp volunteers are working in countries where they are delivering the best return on investment for American taxpayers.

*Question 14.* In any instance where the Peace Corps finds it needs to terminate missions, will you commit to informing Congress about these decisions and to the development and execution of a strategic and gradual process to ending missions?

Answer. Yes, I will most certainly inform Congress.

*Diversity*

Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity.

*Question 15.* What steps will you take to ensure that supervisors and managers within the Peace Corps are fostering workplaces that are diverse and inclusive?

Answer. The Peace Corps actively supports a culture of inclusion that builds on the strengths of the diversity of America and of the countries where volunteers serve. I will work to ensure that the agency continues to reflect the population of the United States.

*Question 16.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Peace Corps?

Answer. Increasing the number of minority Volunteer applicants was an objective of the agency's 2014–2018 strategic plan. Since then, the agency has achieved its goal of increasing the number to 35 percent. If confirmed, I will continue to work to strengthen diversity and inclusion across the agency.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JOSEPHINE OLSEN BY SENATOR BENJAMIN L. CARDIN

*Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Since taking my oath as a Volunteer, I have been committed to upholding Peace Corps' mission and three goals. As the director of the University of Maryland, Baltimore Center for Global Education Initiatives, I taught international social work, global social policy, and issues in global women's and children's health. As I stated in my confirmation hearing, my passion is supporting the Peace Corps mission to work directly with disadvantaged populations overseas and better the lives of individuals in the communities and countries where its volunteers serve.

*Sexual Assault*

*Question 2.* What additional work is necessary to advance Peace Corps' Sexual Assault, Risk Reduction, and Response Program?

Answer. Peace Corps can continue to be more proactive in providing information about sexual assault prevention and awareness to volunteers, staff, and counter-

parts. The agency can continue to advance the impressive work of its Sexual Assault Risk Reduction and Response Program (SARRR) and Office of Victim Advocacy (OVA) by continually evaluating the impact of its efforts and making necessary improvements accordingly.

*Question 3.* How will you approach redefining the Peace Corps culture to be a trauma-informed organization, specifically as it relates to sexual assault?

Answer. I believe the Peace Corps is committed to continuing its evolution as a trauma-informed agency. It is my understanding that SARRR and OVA staff have the expertise to and are delivering trauma-informed care at both individual and systems levels. If confirmed, I will support the agency's endeavors to use this lens in all aspects of the program, from policy development to training to individual victim response.

*Question 4.* Understanding that you are committed to establishing a culture of safety within the Peace Corps, how should the Peace Corps pond to Peace Corps Volunteer reports of living or working in hostile environments where they are experiencing physical, mental, or sexual abuse or harassment?

Answer. There is no higher priority for the Peace Corps than the safety and security of its volunteers. I am fully committed to working to ensure that the agency further upgrades and implements comprehensive, Volunteer-centered policies for safety and security, including thorough procedures to train and guide staff who respond to harassment or abuse reports. I will work to ensure that volunteers have the training and information they need to report all types of safety and security violations, and staff have the resources they need to respond.

#### *Diversity*

*Question 5.* While the Peace Corps has done an admirable job to improve the diversity of its recruits, including increasing recruitment at Historically Black Colleges and Universities, what steps do you think the Peace Corps must take to reduce attrition the among get accepted recruits who ultimately decide not to take their Peace Corps assignment?

Answer. The agency can continue to advance efforts to strengthen its culture of inclusion and openness in fielding and supporting a Volunteer corps that reflects the rich diversity of our country. This includes the integration of comprehensive intercultural competence, diversity, and inclusion, as noted in the agency's 2018–2022 Strategic Plan. In addition, the agency can take proactive steps to reduce minority attrition rates by providing personal attention to and comprehensive information to interested candidates about the long-term benefits of Volunteer service, including the competitive career skills they can develop while serving as a Volunteer. Peace Corps can also provide more support and services to returned Peace Corps volunteers to help them prepare for jobs in multiple fields and sectors, tapping into the network of more than a quarter million returned volunteers.

*Question 6.* What do you believe are the barriers most accepted volunteers who opt out of accepting an volunteer assignment, or drop out somewhere along the application and acceptance process, and what should the Peace Corps do to alleviate these barriers of entry into the Peace Corps?

Answer. More research and analysis remains to be done. However, often accepted candidates withdraw because of personal reasons, alternative job opportunities, presumed costs associated with service, and health and safety concerns. Peace Corps can always take more action to help ensure Americans from all backgrounds are able to serve. If confirmed, I commit to working with you, your staff, and other Members of Congress to find solutions to the barriers that impact accepted applicants' decision to withdraw.

*Question 7.* If confirmed, will you condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. Yes. I will comply with anti-discrimination laws and regulations to promote a professional work environment.

#### *Care for Returned Volunteers*

*Question 8.* Will you commit to working with the Department of Labor to improve the handling and dispensation of healthcare benefits to return volunteers, especially to those return volunteers who become disabled as a result of their service?

Answer. If confirmed, I look forward to working closely with the Department of Labor and other stakeholders to ensure returned Peace Corps volunteers who suffered a disability while serving have the appropriate information to file a claim with the Department of Labor. Additionally, I will support Peace Corps' efforts to stream-

line the filing and adjudication process. Promoting health services for Peace Corps volunteers and returned volunteers will be one of my priorities.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIK BETHEL BY SENATOR TODD YOUNG**

*Question 1.* The U.S. Alternate Executive Director represents the United States Government as the largest shareholder of the World Bank. This individual is charged with conveying U.S. positions and priorities to World Bank management and other board members. In your view, from a U.S. perspective, should the World Bank continue to lend money to China? If so, what is the rationale for supporting World Bank lending to one of the world's largest economies and a leading strategic competitor of the United States? Over the last several decades, the geopolitical and economic landscape has changed considerably. One of the most visible transformations has occurred in China—a country that currently has the world's second-largest GDP. Given the marked changes in China's income and financial capacity, including ready access to international capital markets and domestic resources, it would be wise to adjust World Bank lending policies accordingly. In particular, China's role needs to shift from borrower to donor.

Answer. Currently, the United States only supports lending to China that addresses basic human needs in the country's poorest regions, and if confirmed, I will continue to ensure that U.S. legislation concerning World Bank lending to China is followed. While the World Bank's high standards and knowledge can provide important benefits to people in the poorest regions of China, I will work to encourage the World Bank to do more to provide these benefits through non-lending activities, such as reimbursable technical assistance.

*Question 2.* What is your view on the "graduation" of countries from International Bank for Reconstruction and Development (IBRD)-lending status? How should the World Bank consider ending its formal lending relationship with upper middle-income countries? How does the current graduation criteria apply to China?

Answer. The World Bank should focus its resources on poorer countries with less access to other sources of finance, and where its work can have the greatest impact on growth and poverty reduction. Furthermore, "graduation" should be viewed as a status symbol that countries embrace, as it would indicate a successful implementation of sound economic policies.

If confirmed, I will press the World Bank to more rigorously apply its Graduation Policy. This entails: (1) that the World Bank conduct in-depth and credible assessments of a given country's key institutions in order to understand any gaps to graduation; and (2) focus any activities within the countries that have crossed the income threshold on those remaining gaps to graduation. I will also push the World Bank to set a limit on the amount of overall IBRD finance that can be allocated to countries above the graduation income threshold, thereby reserving scarce development resources for the countries that need the most support.

In 2016, China crossed the graduation-eligible income threshold (currently set at \$6,895 GNI per capita for FY 2018). Once a country crosses this income threshold, the World Bank is expected to begin graduation discussions to assess a country's ability to access external capital markets on reasonable terms and its progress in establishing key institutions for economic and social development.

*Question 3.* What in your view are the strategic consequences of the Asian Infrastructure Investment Bank (AIIB) for the World Bank?

Answer. The AIIB presents both a risk and an opportunity to the World Bank. There are substantial infrastructure needs in Asia, and the AIIB can play a role in addressing this financing gap. However, these investments must be conducted using high standards for environmental and social protections as well as procurement. Furthermore AIIB-financed projects should not place an unsustainable debt burden on the recipient country.

World Bank projects follow the high standards that we view are essential. One method of increasing financing available for infrastructure while at the same time addressing the social environmental and governance issues mentioned above, is by allowing the AIIB to provide co-financing to World Bank designed and managed projects. This can be a means of effectively channeling the AIIB's financial resources in a responsible manner, while ensuring that the World Bank's high standards are applied.

*Question 4.* The World Bank has initiated and supported a number of programs in Yemen. If confirmed, will you ensure the World Bank keeps me and my office up to date on programs in Yemen and how we can be helpful?

Answer. Yes. If confirmed I will ensure that the WB keeps you and your office up to date on progress.

*Question 5.* Based on your preparation for this hearing and your experience in investment banking, would you please describe how the World Bank uses bonds and insurance to finance development? With respect to the use of bonds and insurance mechanisms to finance development, what lessons do you believe we can draw from the World Bank's experience with U.S. foreign assistance? If confirmed, will you ensure the World Bank keeps me and my office up to date on these and other innovations for financing development?

Answer. The principal means by which the World Bank uses bonds to finance development is by using its triple-A credit rating to leverage shareholder equity by up to five times in international capital markets and using the proceeds for lending to developing countries. The Multilateral Investment Guarantee Agency (MIGA) is the World Bank's chief provider of investment guarantees and political risk insurance for non-commercial risk.

As you note, however, the World Bank has also increasingly been using innovative financial products to spur growth and support public and private sector development. Several examples include: (1) the use of catastrophe bonds to help Mexico and several Latin American countries to protect against fiscal and macroeconomic impacts of natural disasters; and (2) the Pandemic Emergency Facility managed by the World Bank that uses financing from Germany and Japan to provide insurance for low-income countries in the event of an outbreak of a virus. These examples indicate the potential for using foreign assistance to catalyze private and donor finance, though many of these innovations are relatively new and the models are untested.

If confirmed, I will work to keep you up to date on the World Bank's use of innovative financing for development purposes.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SEAN CAIRNCROSS BY SENATOR ROBERT MENENDEZ**

*Anti-Muslim Policies*

Indonesia is the recipient of the largest MCC compact, and has the largest Muslim population in the world.

*Question 1.* How do you feel then-candidate Trump's call for "a total and complete shutdown of Muslims entering the United States" in December of 2015 and Executive Orders 13769 and 13780 effects the U.S. Government and MCC's work in Indonesia and other countries with large Muslim populations?

Answer. The MCC compact in Indonesia closes out in April of this year, and my understanding is that it has been largely very successful. In particular, I understand that the nutritional anti-stunting components and the procurement modernization components of the compact have and will continue to yield positive results. I am unaware of any affects that the above-referenced comments or executive order have had concerning the Indonesian compact or compacts in any other MCC countries.

I believe that MCC is an excellent representative of the U.S. Government's foreign engagement efforts—providing hundreds of millions of U.S. taxpayer dollars on concrete projects in partner countries to reduce poverty through economic growth. If confirmed, I intend to continue MCC's track-record of helping foreign nations build their capacity for sustainable economic growth.

*Question 2.* What is your personal opinion of then-candidate Trump's statement and of EO 13769

Answer. With respect to the above referenced comments, I do not support such a shutdown. With respect to the above referenced EO, I defer to experts in homeland security with respect to travel security matters.

*White House Role*

You have worked closely with the chiefs of staff of the White House going back to the presidential transition immediately following the November 2016 presidential elections.

*Question 3.* What was the scope of your responsibilities as the senior advisor to White House Chief of Staff Reince Priebus beginning in January 2017?

Answer. I assisted Mr. Priebus in attempting to coordinate activities of various White House components, and served as Mr. Priebus's proxy on the Deputies and Principals committees of the National Security Council.

*Question 4.* Did your responsibilities change when General John Kelly assumed the position of White House Chief of Staff?

Answer. Yes; I no longer attended National Security Council meetings, including those meetings referenced in response to (a) above.

*Question 5.* What was, or is currently, your role in hiring White House staff, or in setting or implementing the White House's security clearance policy?

Answer. At no time have I had a role in hiring White House staff or in setting or implementing the White House security clearance policy.

*Question 6.* As senior advisor to the White House chief of staff, were you aware that senior White House staff, including Rob Porter and Jared Kushner, had not been granted permanent security clearances as of the end of 2017?

Answer. No.

*Question 7.* What discussion have you had with Reince Priebus or John Kelly about the inability of senior White House staff needing access to highly-classified information, but being unable to obtain permanent security clearances?

Answer. I have not discussed this matter with either Mr. Priebus or General Kelly.

*Question 8.* What was the nature of your discussions or advice on these matters?

Answer. I have not discussed this matter with either Mr. Priebus or General Kelly.

*Question 9.* Through your work within the White House, were you aware of the spousal abuse allegations against former staff secretary Rob Porter?

Answer. No.

*Question 10.* Did you ever discuss those allegations with Reince Priebus, John Kelly, or any other White House staff?

Answer. No.

*Question 11.* If aware, were you concerned about those allegations?

Answer. [not applicable].

*Question 12.* Do you believe the White House has handled the manner properly?

Answer. I believe it appropriate that Mr. Porter no longer works at the White House, and that steps have been taken to improve the security clearance process.

#### *Public Statements on Acorn as a Political Spokesperson*

You have spent most of your career as political operative within the RNC, including serving as a spokesperson for the RNC and for Republican candidates. In 2008, in a report produced by NPR, you stated that ACORN, an organization that worked to register voters in minority neighborhoods, was "a quasi-criminal, Democrat-affiliated organization that willfully and openly breaks the law, is a clear and present danger to the integrity of the election process, and constitutes a threat to public safety." Furthermore, you once stated that ACORN's filing of lawsuits alleging voter suppression was "an abomination that attempts to subvert the very foundation on which America stand."

*Question 13.* Do you still hold the opinion that ACORN is "a quasi-criminal, Democrat-affiliated organization that willfully and openly breaks the law, is a clear and present danger to the integrity of the election process, and constitutes a threat to public safety?"

Answer. I no longer believe that ACORN is any of the above.

*Question 14.* If so, would you please qualify these beliefs?

Answer. [not applicable].

*Question 15.* Why do you believe that appealing to the U.S. court system about perceived election irregularities constitutes "an abomination"?

Answer. I do not recall the specifics of this particular matter; however, I do not believe that a legitimate lawsuit to fight voter suppression is a negative.

Public Statements on Voter Fraud as a Political Spokesperson: You once defended a Republican campaign direct mailing that went out to elderly voters in Florida with a "voter registration tracking form" which listed their affiliation as "unconfirmed." You said that the mailer was "a fundraising gimmick" that was sent to an internal mailing list. Yet, according to the St. Petersburg Times, the mailer went to numerous life-long Democrats, and Florida's Republican Secretary of State "called the

mailing ‘unfortunate’ because of its potential to make some voters question the validity of their registration.”

*Question 16.* Do you agree with Florida’s then-Secretary of State that telling elderly voters that their voter registration is “unconfirmed” could lead to confusion regarding their voter registration status?

Answer. I do not recall the specifics of this particular matter; however, if the St. Petersburg Times note referenced above is correct, then I do agree with Florida’s then-Secretary of State.

*Public Statements on Voter Suppression as a Political Spokesperson*

You once stated that a Democratic campaign flyer alleging vote suppression by Republican entities “creates uncertainty and fear among the voting public, which itself amounts to nothing less than vote suppression.”

*Question 17.* In your opinion, how is providing information warning about potential vote suppression is equivalent to vote suppression?

Answer. I do not recall the specifics of this particular matter; however, I do not believe that a legitimate notice concerning voter suppression is a negative

*Defendant in a Racial Discrimination Case*

You were a defendant in a civil action in 2010 against the National Republican Senatorial committee (NSRC) that alleged discrimination based on race and a hostile work environment based on race. According to the plaintiff’s complaint, you berated the plaintiff after being told by your assistant that he had not “hopped to” when instructed to clean up trash after an event, which was not in his scope of duties, telling him that “if he did not straighten up, he would lose his home.” In your meeting with committee staff, you said that you terminated the defendant because of complaints from female employees and problems with the defendant’s honesty. The defendant had worked at the NSRC for 15 years before you terminated him.

*Question 18.* Do you maintain the plaintiff’s allegation to be false?

Answer. Yes.

*Question 19.* Were similar complaints submitted during those 15 years or did they only surface after your arrival at the NSRC?

Answer. There had been at least one incident before 2009 of which we became aware.

*Question 20.* If the latter, do you have an explanation for why the employee’s behavior only attracted complaints after you began working at the NSRC?

Answer. [No Response.]

*Question 21.* Have there ever been any other workplace-related complaints against you or any employees under your supervision? If so, how were these complaints resolved?

Answer. No.

*Question 22.* Do you commit to ensuring an open and fair workplace, free from hostility and discrimination?

Answer. Yes.

*Question 23.* Can you provide examples from your past management experience when you have created and helped maintain such an open workplace?

Answer. I have required personnel to take anti-harassment and anti-discrimination training in past organizations. I have regularly encouraged employees to raise any workplace issues with their supervisors, designated point people, and other agency leaders, and, during my time as counsel to organizations, I would regularly meet with personnel at all levels to ensure that the workplace environment was healthy.

I have also written, reviewed, and updated organizational policies and the procedural methods for dealing with potential workplace issues.

*Robert Blau*

On February 26, I sent a letter to the Acting MCC CEO which raised my concerns about MCC’s Vice President, Department of Compact Operations, Robert Blau. As you know, Mr. Blau made several troubling comments during an all-hands meeting last June, comments which reportedly left MCC’s dedicated and professional staff shaken and disturbed. During the meeting, Mr. Blau made comments that raise questions about his approach to and treatment of employees based on their political leanings, sexual orientation, and national origin. Furthermore, in the over eight months since the meeting, Mr. Blau has reportedly made repeated inappropriate re-

marks to staff, including inquiries about employees' ethnic backgrounds, with an apparent focus on minorities, and expressed his discomfort with promoting diversity.

*Question 24.* Do you agree that Mr. Blau's comments were inappropriate and offensive to MCC employees?

Answer. Yes.

*Question 25.* If reports that MCC staff have filed several complaints against Mr. Blau because of his comments with regards to race, gender, and diversity are confirmed, do you commit to review all complaints made against Mr. Blau?

Answer. Yes.

*Question 26.* If so, and you find upon review of the complaints that Mr. Blau's behavior has reflected poorly on the MCC's reputation for professionalism and has been detrimental to the morale of MCC employees, will you take appropriate action including, if necessary, terminating Mr. Blau's employment at the MCC?

Answer. If so, yes.

#### *Public Comments made About Sen. McCaskill*

In 2012 you said of Senator Claire McCaskill that her "sense of entitlement is troubling" and that "it seems Senator McCaskill doesn't believe the rules apply to her." And in 2011 you said that a revision to her FEC report "calls into question the fact whether you can believe what she says."

*Question 27.* Do you still hold these opinions of Senator McCaskill?

Answer. I do not. I believe that during the 2012 cycle Senator McCaskill made a public and good faith effort to appropriately address any such 2012 cycle issues.

#### *Diversity and Combatting Hostile Work Environments*

Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity.

*Question 28.* What steps will you take to ensure that supervisors and managers within MCC are fostering an environment that's diverse and inclusive?

Answer. If confirmed, I will set a tone from the top of the agency that diversity is critical to effective work and highly valued, enriches the work environment, and leads to better decision making. Among other things, I will participate in diversity and inclusion refresher training sessions and will require that all senior leadership participate along with me.

*Question 29.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups at the MCC?

Answer. If confirmed, I will support such staff—and promote their inclusion throughout the various MCC decision making processes.

*Question 30.* As a possible official of the Trump administration, will you condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. Yes.

*Question 31.* What will you do to ensure that statements by the Trump campaign and transition teams that are racist, xenophobic, misogynistic, or otherwise denigrate human rights and support abuses, will not become government policy?

Answer. If confirmed I intend to keep MCC focused on its mission of reducing poverty through economic growth in the poorest, best governed countries in the world.

*Question 32.* Will you uphold the rights of all persons to equality and freedom from discrimination, and call on Americans to refrain from discrimination of any sort?

Answer. Yes.

#### *Mr. Robert Blau*

It is my understanding that many of the complaints about Mr. Blau's comments have not been reported through the MCC ethics office or other formal channels, but were relayed verbally to senior staff, who then discussed them with Mr. Blau in person. These complaints were also not included in Mr. Blau's performance evaluation. As such, there is apparently no written record cataloguing the number and nature of the alleged inappropriate and offensive comments that Mr. Blau has made to MCC staff over the past nine months.

*Question 33.* Given the lack of an official record of staff complaints, please explain any proactive steps you plan to take to collect, review, and evaluate concerns about Mr. Blau's comments and behavior. If confirmed, I have committed to further review of any and all complaints made against Robert Blau, verbal or written, and that I

will take all appropriate steps to address this matter. This includes conversations with management and staff to fully understand the context and concerns; as well as a conversation with Robert Blau. If confirmed, I commit to working with the team at MCC in this review process.

*Elliot Brody*

*Question 34.* During your recent tenure at the Republican National committee (RNC), did you work in any capacity with Elliot Brody, who then served as vice chairman of the Trump Victory Fund, a joint fundraising committee between the Trump campaign and the RNC? If so, please describe the nature and extent of your interactions and communications with Mr. Brody.

Answer. I did not work with Mr. Brody during the 2016 election cycle.

*Question 35.* During your time in the White House, did you ever attend any meetings with Mr. Brody or arrange any meetings between Mr. Brody and other White House personnel? If so, please describe the nature of these meetings, including the date, who attended, and what was discussed.

Answer. No.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SEAN CAIRNCROSS BY SENATOR BENJAMIN L. CARDIN

*Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. While protection of human rights and democracy are very important to me personally, they have not been a particular emphasis of my professional career to date. If confirmed, I look forward to promotion of these core beliefs as CEO of MCC.

*Question 2.* What are the most pressing human rights concerns in MCC compact and threshold countries? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in those countries? What do you hope to accomplish through these actions?

Answer. If confirmed, I will seek to maintain and further strengthen MCC's commitment to partnering only with countries committed to just and democratic governance and to controlling corruption. The scorecard remains a clear hurdle for countries to meet in order to be considered for compact selection. The Democratic Rights and Control of Corruption 'hard hurdles' provide a strong screening mechanism as well.

That said, there is room for growth in many, if not all, of MCC compact and threshold countries which is why MCC countries are held to a clear standard throughout the life-cycle of a compact and must maintain their eligibility at all times. MCC can and has suspended or terminated assistance to countries that have failed to maintain their commitment to good governance and, if confirmed, I will ensure that MCC continues to do so.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in MCC compact and threshold countries advancing human rights, civil society and democracy in general?

Answer. As mentioned above, there is room for improvement on human rights, civil society, and democracy in many, if not all, of MCC compact and threshold countries. Often policy and institutional reforms can take time to come to fruition, particularly in developing countries and nascent democracies. I believe MCC maintains tremendous leverage in partner countries to incentivize advancements in these key areas and to hold partners to a high standard throughout the development and implementation of compact or threshold program. MCC's leverage stems not only from the specific program, but MCC's ability to serve as a bridge to the private sector, further mobilizing capital and bringing resources to bear. Finally, as previously mentioned, MCC can and has suspended or terminated assistance to countries that have failed to maintain their commitment to good governance which increases the agency's leverage.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in MCC compact and threshold countries?

Answer. Yes.

#### *Leadership Vision*

*Question 5.* What is your vision for advancing MCC as a leading economic development agency?

Answer. I intend to maintain MCC's record of data-driven, transparent, and mission focused model and seek to broaden MCC's engagement with (1) other U.S. Government agencies; and (2) private-sector parties to maximize MCC impact in partner countries.

I also intend to leverage the incentive power that MCC has in attempting to achieve concrete policy results both before eligibility selection and also during the compact development and implementation phases.

*Question 6.* Aside from authorization of concurrent and subnational compacts, what do you see as the top policy reforms necessary to enhance MCC's reach? With the rise of more middle income countries in the developing world, the world's poor will be increasingly located in countries outside MCC's current focus. How might the MCC respond to this changing face of global poverty?

Answer. If confirmed, I intend to look for new ways to leverage MCC's presence in developing countries through enhanced partnerships and engagement with the private sector. I also see room for further collaboration with OPIC and potentially a new International Development Finance Corporation, if enacted.

Finally, I understand MCC has done considerable analysis about the agency's country candidate pool and I look forward to reviewing in depth and consult further with stakeholders, if confirmed, before determining the best course of action and specific policy proposals.

*Question 7.* What is your vision for the Threshold program?

Answer. While I look forward, if confirmed, to delving into the details of the threshold program and possible next steps, I believe that the threshold program currently is an important tool to incentivize and achieve concrete policy and institutional reforms that improve the investment climate and fight corruption. Threshold programs can help a country become eligible for a compact and is an important tool for MCC to gain a sense of a potential compact country's true commitment to achieving sustainable economic growth.

#### *Evaluation and Accountability*

*Question 8.* What are your priorities as they relate to furthering the agency's leadership on transparency and evidence-based decision-making?

Answer. I intend to keep MCC at the leading edge of transparent assistance organizations. Transparency builds capacity within partner countries and builds confidence domestically that U.S. tax dollars are being used as efficiently and effectively as possible, and ultimately helps make the case for U.S. foreign engagement.

*Question 9.* In the State of Union, President Trump called on "Congress to pass legislation to help ensure American foreign Assistance dollars always serve American interests, and only go to our friends". What will you do to ensure that MCC realizes this statement and ensures that foreign assistance provided by MCC "only go to our friends"? What guidance has MCC received from the White House on executing the President's call to "ensure American foreign Assistance dollars always serve American interests, and only go to our friends"?

Answer. I intend to maintain MCC's objective selection criteria and model. I believe that U.S. strategic interests do not dictate where MCC engages, but where MCC does engage its actions buttress and support U.S. strategic interests. Moreover, MCC's work in the world's best governed poorest nations will hopefully lead to more allies and strategic partnerships.

#### *Diversity*

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. First, I will support such staff—and promote their inclusion throughout the various MCC decision making processes. I will make clear to staff and stakeholders that I value diversity—as I did during my recent testimony to this committee.

Second, I will seek to hire from as broad a pool of potential applicants as possible—including internal and external MCC candidates—in order to increase both female and minority staff members at MCC. I will ensure that this goal is communicated to department and division leadership with hiring authority.

*Question 11.* What steps will you take to ensure each of the supervisors at the MCC are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will set a tone from the top of the agency that diversity is critical to effective work and highly valued, enriches the work environment, and leads to better decision making. Among other things, I will participate in diversity and inclusion refresher training sessions and will require that all senior leadership participate along with me.

*Question 12.* If confirmed, will you condemn and oppose policies and practices at MCC that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. Yes.

#### *Conflicts of Interest*

*Question 13.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. Yes.

*Question 14.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. Yes.

*Question 15.* Do you or do any members of your immediate family have any financial interests in MCC compact and threshold countries?

Answer. No.

#### *Host Country Ownership*

MCC's model puts country constraints, priorities, and systems at the center of its work—leading to greater sustainability of development gains over time.

*Question 16.* How would you deepen the MCC's approach to country ownership and sustainability of impact at the agency?

Answer. I believe that partner country financial commitment, such as Nepal contributing \$130 million to their compact program, is an important demonstration of country ownership. I would seek to grow partner country resource mobilization.

Also important is making sure that there is a strong process to gain civil society buy-in during the development phase which I intend to maintain and look for ways to improve.

*Question 17.* How might you better ensure that countries are able to build on MCC's legacy and continue the oversight, management, funding, monitoring, and evaluation of programs after MCC leaves?

Answer. One of MCC's lasting legacies is the transfer of knowledge and the processes through which a successful project is run: open procurement; appropriate taxation; maintenance funds, etc. Much of this is instituted through the country "Accountable Entities"—referred to as MCAs. I believe that working with host governments to gain a commitment to preserving the MCA best practices beyond the life of the compact is important to continuing the oversight, management, funding, monitoring, and evaluation of MCC projects post close-out date.

*Question 18.* What role do you believe host countries and local partners, that MCC works with, should play determining development projects and goals that involve MCC?

Answer. Host country leadership in identifying economic constraints and targeting constraints has been a vital component of MCC's success to date. While this must continue, MCC should fully engage to ensure that the process moves forward expeditiously, and that delay is not created by an overreliance on process. Ultimately, the partner country must support the project to achieve sustainability.

#### *USAID*

*Question 19.* Have you discussed USAID's "Strategic Transitions" initiative with Administrator Green?

Answer. I have not discussed Strategic Transitions with Ambassador Green.

*Question 20.* What role do you see MCC playing in realizing the aims of the "Strategic Transitions initiative"?

Answer. I will be happy to respond to the Senator, or the Senator's staff once I have discussed the matter with Ambassador Green.

*Question 21.* What is your vision for how MCC and USAID should engage to best leverage their individual strengths, in support of U.S. national interests?

Answer. MCC's singular mission of reducing poverty through economic growth occupies a critical stage on a partner country's development arc. USAID's work at poverty alleviation and disaster relief occupy the front end of that arc, and MCC's engagement with a country is an indicator that a country has moved along that arc to the point of (1) attempting to embrace policies that reflect good governance, economic freedom, and investment in its people; and (2) targeting key constraints on economic growth and developing an MCC-funded investment that addresses those constraints with a goal of alleviating poverty. Conditions in countries at this critical stage still vary widely—with MCC engaged everywhere from Niger—one of the poorest countries in the world—to Georgia and Morocco.

This also does not mean that MCC and USAID do not work in many of the same countries or otherwise closely coordinate programming where possible. Good examples of this include MCC's complementary work with Power Africa and PEPFAR in countries where MCC is engaged. This reflects an efficient model of U.S. Government assistance agencies working closely to avoid redundancy, stay on mission, and maximize impact.

Ultimately, MCC's work should help build capacity for sustainable economic growth, and consolidate policy gains in a partner country. This supports broader U.S. strategic interests by building strategic partnerships and countering competing global development models that are being pursued, in particular from China. This dovetails with the administration's goals as expressed in Pillar IV—in particular encouraging aspiring partner countries—of the National Security Strategy and in the focus on global development finance that includes the Development Finance Initiative. While U.S. strategic interests do not dictate where MCC works, where MCC does work the agency supports and bolsters U.S. strategic interests.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD**  
SUBMITTED TO SEAN CAIRNCROSS BY SENATOR EDWARD J. MARKEY

The Honduran electoral commission in December 2017 declared President Juan Orlando Hernández winner of Honduras' presidential election despite widespread reports of voter irregularities. The Los Angeles Times January 27 reported that police brutality and post-election protest crackdowns by the police had not been investigated and on February 16, the leader of an international anti-corruption panel in Honduras resigned citing rising hostility from the Honduran Government. These reports indicate that the Honduran Government has failed to fight corruption or support human rights, important indicators for Honduras to receive U.S. assistance through the Millennium Challenge Corporation. Control of corruption is an especially critical indicator for MCC funding.

*Question 1.* How will you ensure that governments that fail to respect human rights and appear hostile to tackling corruption remain ineligible for MCC Compact funding?

Answer. If confirmed, I will seek to maintain and further strengthen MCC's commitment to partnering only with countries committed to just and democratic governance and to controlling corruption. The scorecard remains a clear hurdle for countries to meet in order to be considered for compact selection. The Democratic Rights and Control of Corruption 'hard hurdles' provide a strong screening mechanism to help ensure that the types of countries you describe in your question do not receive MCC compact funding. In addition, countries are held to a clear standard throughout the life-cycle of a compact and must maintain their eligibility at all times. MCC can and has suspended or terminated assistance to countries that have failed to maintain their commitment to good governance and, if confirmed, I will ensure that MCC continues to do so.

*Question 2.* Are there mechanisms to evaluate Threshold funding to ensure that U.S. assistance is not being used by governments to oppress their people? What internal controls are in place to ensure that U.S. funding, given the MCC model, is not diverted through corrupt means?

Answer. Threshold programs incorporate numerous accountability mechanisms to ensure that U.S. assistance is tied to results and is only used only for its intended purposes. These mechanisms include establishing a special implementation unit,

known as an accountable entity, through which technical assistance and other goods and services are competitively procured and paid for only when strict policies and procedures are met. Accountable entities prepare anti-fraud and corruption plans to adhere to and their financial statements are audited by third-party firms. MCC also provides its own regular oversight of program results and in certain cases can withhold funding if conditions related to reform objectives are not met.

In addition to both financial controls within the Threshold program and an evaluation of a country's Control of Corruption score on MCC's scorecard, MCC maintains a strong eligibility monitoring program whereby country actions with respect to political rights, civil liberties, and control of corruption are closely tracked. Should a country engage in a pattern of actions inconsistent with MCC's eligibility criteria, I would not hesitate to recommend a suspension or termination of assistance to that country.

*Question 3.* Is the scorecard an adequate predictor of a country's ability to successfully implement development projects?

Answer. I believe the scorecard is a strong tool for assisting MCC in identifying countries with policy environments that will allow MCC's funding to be effective in reducing poverty and promoting economic growth. MCC evaluates performance in three areas—Ruling Justly, Investing in People, and Encouraging Economic Freedom—using independent, third-party policy indicators.

In particular, the 'hard hurdles' on Democratic Rights and Control of Corruption help monitor whether the countries MCC partners with are ensuring freedom of expression, the rule of law, and open political participation for all, as well as whether public officials are using public office for private gain. This wealth of information is invaluable to MCC as it evaluates countries during the annual selection process.

It is important to note that while the scorecard is an important component of MCC's selection process, it is not the only component. My understanding is that the Board relies on a full suite of 'supplemental information' that provides further context and information on the suitability of potential compact partners.

No single tool will ever be a perfect predictor of future success, and the scorecard is no exception to that. However, it remains a powerful tool and one that has played an important role in helping MCC achieve its impressive track record.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO SEAN CAIRNCROSS BY SENATOR JEFF MERKLEY**

*Question 1.* What do you see as the development goals of this administration? Where does MCC fit in with USAID and the broader development goals of this administration?

Answer. MCC's singular mission of reducing poverty through economic growth occupies a critical stage on a partner country's development arc. USAID's work at poverty alleviation and disaster relief occupy the front end of that arc, and MCC's engagement with a country is an indicator that a country has moved along that arc to the point of (1) attempting to embrace policies that reflect good governance, economic freedom, and investment in its people; and (2) targeting key constraints on economic growth and developing an MCC-funded investment that addresses those constraints with a goal of alleviating poverty. Conditions in countries at this critical stage still vary widely—with MCC engaged everywhere from Niger—one of the poorest countries in the world—to Georgia and Morocco.

This also does not mean that MCC and USAID do not work in many of the same countries or otherwise closely coordinate programming where possible. Good examples of this include MCC's complementary work with Power Africa and PEPFAR in countries where MCC is engaged. This reflects an efficient model of U.S. Government assistance agencies working closely to avoid redundancy, stay on mission, and maximize impact.

Ultimately, MCC's work should help build capacity for sustainable economic growth and consolidate policy gains in a partner country. This supports broader U.S. strategic interests by building strategic partnerships and countering competing global development models that are being pursued, in particular from China. This dovetails with the administration's goals as expressed in Pillar IV—in particular encouraging aspiring partner countries—of the National Security Strategy and in the focus on global development finance that includes the Development Finance Initiative. While U.S. strategic interests do not dictate where MCC works, MCC supports and bolsters U.S. strategic interests where it does work.

*Question 2.* This administration has been reluctant to criticize foreign leaders for human rights and democracy issues. Will this impact the range of countries the MCC is willing to do business with?

Answer. In order for a country to be eligible for MCC engagement, they must first pass the MCC scorecard and then be selected by the MCC board of directors as eligible to develop a program. The MCC's scorecard indicators are objective third-party indicators that include a "hard hurdle" democratic rights indicator. This indicator consists of a civil liberties and political rights indicators, and is designed to take into account human rights and democracy issues.

*Question 3.* As Senator Menendez raised in his letter of February 23 to Jonathan Nash, Acting MCC CEO, there are reports that a senior Trump administration MCC appointee (Mr. Blau) has made employees uncomfortable by taking hostile stances towards diversity—including using language diminishing efforts to ensure fair workplace representation and treatment of ethnic minorities, LGBTQ, and women. If confirmed how, specifically, would you address this issue?

Answer. I will conduct an appropriate review to make certain I know the facts. I will make clear to both the individual in question and to all MCC staff that I find such language unacceptable. I will take all appropriate steps to address the matter.

*Question 4.* You said during the hearing that you value diversity and believe that it makes for a stronger workplace. As the leader of the MCC what specific steps would you take to ensure that diversity is highly valued within the organization? What oversight and metrics would you seek to consult to ensure that conscious and unconscious bias is being adequately addressed?

Answer. First, I will make clear to staff and stakeholders that I value diversity—as I did during my recent testimony to this committee. Second, I will seek to hire from as broad a pool of potential applicants as possible—including internal and external MCC candidates—in order to increase both female and minority staff members at MCC. I will ensure that this goal is communicated to department and division leadership with hiring authority. Finally, I will review MCC's overall hiring process to ensure it is focused on and equipped to realize this goal.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD**  
**SUBMITTED TO SEAN CAIRNCROSS BY SENATOR CORY A. BOOKER**

*MCC in Africa*

As Ranking Member of the Africa subcommittee of the SFRC, I am pleased to see that the MCC has developed compacts with 17 sub-Saharan African countries in the last 14 years.

*Question 1.* Can you discuss the potential MCC Threshold Programs in Africa and how you see them as a gateway to a full compact?

Answer. Threshold programs provide countries with a potential gateway to a compact by advancing policy reforms and strengthening institutions to address the most binding constraints to economic growth. Threshold programs complement the "MCC Effect" created by the scorecard and allow MCC to assess the opportunity for an impactful and cost-effective partnership before committing to a larger compact.

I have met with the Selection and Eligibility team at MCC and I know they are actively monitoring developments across the continent to identify potential new Threshold Programs. If confirmed, I will look forward to identifying potential new Threshold Program partners for MCC's Board to consider during the FY 19 country selection process.

My understanding is that MCC is currently working with three African countries through its Threshold Program—Sierra Leone, Togo, and The Gambia. The \$44 million threshold program with Sierra Leone is creating the foundation for more effective and financially sustainable provision of critical water and electricity services. A program with Togo to address critical constraints in ICT and land tenure is pending board approval. In December 2017, MCC selected The Gambia for a threshold program, recognizing the watershed moment for democracy in that country.

*MCC in Niger*

I am particularly interested in the MCC Compact with Niger, especially because I believe we are overly relying on our DoD presence to bring stability in Niger without an overarching political strategy to stabilize the Sahel, provide for sustainable livelihoods, and empower civilian leaders.

*Question 2.* Can you tell me more about MCC compact in Niger and how you hope it contributes to a more stable Sahel?

Answer. In July 2016, MCC signed a \$437 million compact with Niger focused on strengthening the agricultural sector. My understanding is that MCC is working with the Government of Niger to rehabilitate and develop irrigation systems to increase crop yields, promote sustainable livestock and improve market access for farmers. In addition, the compact will help establish a national water resource management plan and natural resource and land use management plans, and build local capacity. In Niger, the agricultural sector employs more than 80 percent of the population so MCC's compact is aimed at increasing revenues for mainly small-scale farmers and creating jobs. These economic opportunities are expected to support stability through sustainable livelihoods and build capacity for local communities.

*Question 3.* Is Niger's 2017 downgrading on Freedom House's "political rights" index expected to affect Niger's MCC eligibility or compact implementation?

Answer. While Niger's performance on the FY 18 scorecard has not changed Niger's current eligibility status, I understand that MCC communicated clearly to the Government of Niger that it was concerned about the three-point decline in Niger's Political Rights score, even though Niger continues to pass the scorecard. Passing the scorecard is a necessary, but not sufficient, condition of MCC eligibility. If confirmed, I will ensure that MCC continues to closely monitor political rights in Niger.

*Question 4.* How, if confirmed, will you advise U.S. diplomatic messaging to leverage MCC investments in order to prevent more democratic backsliding in Niger?

Answer. During compact development and during the current implementation stage, I understand that MCC has closely coordinated with the U.S. Embassy in Niamey and with other USG agencies active in Niger. They remain in sync on messaging, as MCC does in all partner countries. During compact implementation in any country, MCC continues to monitor a partner country's performance in various areas, including democratic governance and consistently messages that progress on implementation must be accompanied by strong policy performance.

MCC's investments are always subject to countries maintaining their commitment to MCC's values of democratic governance, which includes guarantees of freedom of expression, the rule of law, and open political participation for all. One thing I admire about MCC is its willingness to suspend or terminate assistance to countries that fail to adhere to this commitment. If confirmed, I will advise continued messaging to the Government of Niger that MCC is closely monitoring events on the ground with a focus on the fair treatment of the political opposition and civil society, and on the rule of law. Significant further deterioration of political rights could adversely affect MCC's partnership with Niger.

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## NOMINATIONS

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THURSDAY, MARCH 1, 2018

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

The committee met, pursuant to notice, at 10:05 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Ron Johnson, presiding.

Present: Senators Johnson [presiding], Gardner, and Murphy.

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

Senator JOHNSON. Good morning. This hearing of the Senate Foreign Relations committee will come to order.

We gather today to consider three nominations. Mr. Robert Pence is the President's nominee to be Ambassador to Finland. Dr. Judy Shelton is the nominee to be U.S. Executive Director of the European Bank for Reconstruction and Development. And Mr. Trevor Traina is the President's nominee to be the Ambassador to Austria. I want to welcome all the nominees and their families and friends. I want to thank all of you for your willingness to serve this nation. I certainly congratulate you for your nomination by President Trump, and I will let you introduce your family and friends in your opening statements.

Before moving to those opening statements, I would also like to welcome our distinguished colleague from Texas, Senator John Cornyn, who will introduce our nominee to be Ambassador to Finland. Senator Cornyn?

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Well, thank you, Chairman Johnson and Senator Murphy. And to members of the committee, I am honored to be here.

Let me just start by congratulating all three of the nominees for their nomination and their willingness to serve. But I am especially proud to introduce Robert Pence to serve as the United States Ambassador to Finland.

Bob is the founder and chairman of the board of the Pence Group, a development company, but he is much more than just a successful businessman. He is a leader whose civic engagement is extensive and rooted in a deeply held sense of public obligation. For example, Bob serves on the board of directors for a foundation run

by the actor, Gary Sinise, that supports our veterans and our first responders.

He cares deeply about education and the arts too, having serving on the boards at George Mason University, American University, and the Kennedy Center here in Washington. He has taught at Georgetown and Yale, and quite incredibly, he has got not only a law degree but multiple master's degrees in subjects like Italian and Renaissance literature. You might literally say Bob is a Renaissance man. But I do believe he is still working, he said, on last chapter on his Ph.D. dissertation on Dante.

In short, Bob exhibits all the finest attributes of a diplomatic leader. He is an entrepreneur and a lawyer. He is an advocate, an educator, and a lifelong student of the world and history. He knows how to collaborate with all different types of people and has plenty of relevant experience that will aid him in this new capacity.

Finland, as the committee knows, is an increasingly important country geopolitically because it shares an 800-mile border with Russia. It is on the front lines of Russia's attempts at hybrid warfare, its attempts to influence the news, as well as diplomacy and elections. And there is a lot we can learn from Finland's experience combating those sorts of activities.

Further, the Helsinki Accords show that Finland has long been near the center of global politics both as a host of and participant in them, and more recently Finland assumed the 2-year rotating chairmanship of the Arctic Council. Finland is a valuable partner and a close friend of the United States. We work together on issues like trade. In the defense context, we recently signed a bilateral defense cooperation agreement.

Our relations with Finland are underpinned by our shared democratic values and close ties between our people. About 700,000 Americans trace their ancestry to Finland, and 200,000 Fins visit the United States each year. Bob, I am convinced, understands these connections acutely.

In short, I am grateful to Bob and Suzy for responding to the call to public service and the President's offer of a nomination of this important position. And I am here to offer my unequivocal endorsement of Bob Pence as the next Ambassador to Finland. And I appreciate your consideration of this nomination.

Senator JOHNSON. Well, thanks, Senator Cornyn. You are certainly welcome to stay, but we know you have a busy schedule, so you are also free to go on to your schedule.

Finland and Austria are important benchmarks for the strength of transatlantic relations. Since the end of the Cold War, Austria and Finland have followed clear Western trajectories. Both are pluralistic democracies and have robust market economies. Both joined the European Union in 1995 where Austria has the sixth and Finland has the seventh highest GDP per capita. And both joined NATO's Partnership for Peace program in the mid-1990s, allowing them to develop working relationships with the alliance. Last year, the U.S., Finland, and other NATO and EU members established a center in Helsinki dedicated to countering cyber attacks, disinformation, and propaganda, which we all realize is a huge problem particularly in Eastern Europe.

Austria has been a strong U.S. partner in promoting stability in Southeast Europe and has advocated forcefully for incorporating the rest of the Western Balkans into the EU.

Austria and Finland have also supported EU sanctions on Russia for its actions in Ukraine despite considerable cost to their economies.

Austria and Finland's clear embrace of the West is a testament to the strength of Western institutions and transatlantic solidarity.

If confirmed as the highest representatives of the United States to these countries, you will both be tasked with maintaining and strengthening these important relationships.

The European Bank for Reconstruction and Development was founded to aid the transition of former communist countries from planned to free market economies. Unlike other multinational development banks, it is tasked with promoting private sector development in countries that are committed to democratic governance and market economies. As the largest single shareholder, the United States must use its influence to promote sound investments and honor that bank's unique mandate.

Before introducing the nominees, I would like to recognize our distinguished ranking member for his comments. Senator Murphy?

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

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

Welcome to all of you. I want to thank our nominees and their families for being here today. You are all going to serve in different roles, but the common thread binding this panel all together is your responsibility for furthering our transatlantic relationship with Europe. These relationships remain close. They are irreplaceable, but they are strained right now, as you will find when you get on the ground.

This is the first hearing that we have had since the President submitted his budget for the coming year, and it is just unbelievable that this attack on diplomacy and on the State Department continues with another proposed 30 percent cut to the State Department and USAID. At a time of rising instability with refugee flows at their highest since World War II, now is the time to be investing in the tools that help manage these challenges not proposing dramatic, drastic, and draconian cuts. There is no other agency in the Federal Government today that has been targeted by this administration like the State Department, and you are going to feel that when you are on the ground. If the United States is not leading, then countries like Russia and China, Saudi Arabia and Iran fill the void, bringing with them values that look nothing like the ones that we bring to the table when we are present.

If confirmed, Mr. Pence and Mr. Traina, you are going to be representing the United States in Finland and Austria. While neither of these countries are members of NATO, both Finland and Austria are important partners to the alliance, and Finland in particular is seeking a much closer relationship with us.

Equally critical is our representation on the European Bank for Reconstruction and Development. This is a bank that has been focused historically on Eastern Europe, the post-Soviet republics, but

more recently on North Africa and the Middle East. And in these places, a strong private sector is so vital to political stability that often, as we know, accrues to our national security.

Thank you all for being here today, and I really look forward to your testimony.

Senator JOHNSON. Thank you, Senator Murphy.

Again, I want to thank the nominees and their families and encourage you in your opening statements to introduce your families and friends. I do not think I can add really to Senator Cornyn's introduction of Mr. Pence, but Mr. Pence, if you would like to present your opening statement.

**STATEMENT OF ROBERT PENCE, OF VIRGINIA, TO BE THE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND**

Mr. PENCE. Chairman Johnson, Ranking Member Murphy, distinguished members of the committee, it is an honor to appear before you today as President Donald Trump's nominee to be the United States Ambassador to the Republic of Finland. I am also grateful to Senator Cornyn for his gracious introduction of me to this committee.

I am humbled by the President's selection of me for this position and for the support of Vice President Mike Pence, who I might add is no relation of mine. I relish the opportunity of working with Secretary Rex Tillerson and the competent and dedicated women and men of the State Department at Mission Finland and in the various federal agencies whose portfolios touch and concern Finland. If confirmed, I will direct all of my energies in meeting the trust and responsibility placed upon me.

I am here today with the love of my life Suzy; our three sons, Steve, Geoff, and Brian; and their children. Our parents Hank and Stella and Bud and Dolly have passed on. The memory of them and the love, guidance, and support that they and the rest of our family have given me makes my being here today possible.

I am a lifelong Washingtonian. I built a career over the past 47 years in commercial real estate. My work has led me to develop many of the management and diplomatic skills I expect to call upon, if confirmed. My projects have involved substantial interactions with political, administrative, civic, and business interests. If confirmed, I look forward to working with President Sauli Niinisto, Prime Minister Juha Sipila, Foreign Minister Timo Soini, and the Finnish people and their civic, cultural, educational, military, and religious institutions.

I am most proud of my part in establishing the Gary Sinise Foundation, which supports veterans, first responders, and their families. I have also supported our troops through my work with the American University Law school, and I am proud to have participated in launching a program that allows those who have served honorably in the military of the United States of America to attend our law school tuition free.

It has been an incredible honor to have served on various boards of the Kennedy Center and with my wife Suzy as members of the Kennedy Center International committee, which travels abroad to

advance and create the Kennedy Center Gold Medal in the Arts program. That program is at the root of our relations with other nations, their citizens, and their cultures. The nexus of my professional and private interests is most evident in my role as chair of the construction committee of the new building at the Kennedy Center. You see it rising on the Potomac today.

If confirmed, I will bring similar dedication and leadership to America's relationship with the Government and people of Finland. In December, Finland celebrated the 100th anniversary as a sovereign nation. Finland has transformed itself from a farm and forest economy to a diversified modern industrial economy. To do so, it needed a highly educated and technically trained workforce. It has succeeded.

If confirmed, I will employ all of my professional and philanthropic and other experiences to advance our nation's interest and build upon our alliance with Finland.

America has welcomed Finland's integration into western economic and political structures. Finland provided the venue for the Helsinki Accords of 1975, the terms and conditions of which Russia has not yet fully complied. Finland joined the European Union in 1995 and, while not a member of the North Atlantic Treaty Organization, it joined NATO's Partnership for Peace program and was designated a NATO Enhanced Opportunity Partner at the 2014 Wales Summit. Finland is a member of both the Arctic Council and the Northern Group, two alliances formed to deal with the complex military, commercial, and ecological issues confronting the area.

The important strategic relationship the United States has today with Finland is reflected in the numerous high-level engagements over the past year to include reciprocal visits to Finland by Defense Secretary Mattis and a visit to Washington to meet President Trump by President Niinisto. Finland's security concerns match our own: North Korea's escalating armaments development, the deteriorating situation in the Ukraine and Crimea, and the threat of Russian and Chinese naval exercises in the Baltic and the Arctic. For a country of about 5.5 million people with an expanding economy and a GDP of \$240 billion, Finland punches far above its weight.

If confirmed by the Senate, I assure you of my commitment to enforce Secretary Tillerson's clear mandate. My paramount obligation is to ensure the safety and security of the embassy and its personnel and their families. The events of last week in Montenegro reinforce this priority. I will also lead Mission Finland in accord with three values clearly enunciated by Secretary Tillerson: accountability, honesty, and respect.

President John Fitzgerald Kennedy famously challenged all Americans to ask, "Ask not what your country can do for you. Ask what you can do for your country." My answer is this: I wish to take this step to pay back, in some small way, the country that has offered me so much.

Thank you for your time, and I look forward to your questions.  
[Mr. Pence's prepared statement follows:]

## PREPARED STATEMENT OF ROBERT FRANK PENCE

Chairman Johnson, Ranking Member Murphy, distinguished members of the committee. It is an honor to appear before you today as President Donald Trump's nominee to be the United States Ambassador to The Republic of Finland. I am also grateful to Senator Cornyn for his gracious introduction of me to this committee.

I am humbled by the President's selection of me for this position, and the support of Vice President Pence—who, I might add, is not related to me. I relish the opportunity of working with Secretary Rex Tillerson and the competent and dedicated women and men of the State Department, at Mission Finland, and in the various federal agencies whose portfolios touch and concern Finland. If confirmed, I will direct all of my energies in meeting the trust and responsibility placed upon me.

I am here today with the love of my life, Suzy; our three sons Steve, Geoff and Brian; and their children. Even though my parents, Hank and Stella, and Suzy's parents, Bud and Dolly Sarbacher, have passed on, the memory of them and the love, guidance, and support that they and the rest of our family have given me make my being here today possible.

By way of introduction, I am a life-long Washingtonian. I built a career over the past 47 years in commercial real estate. I have, either individually or with others, developed over 35 projects—all of them successful. My work has led me to develop many of the management and diplomatic skills I expect to call upon if confirmed. Each project has involved substantial interactions with local political, administrative, civic, and business interests. If confirmed, I look forward to working with President Sauli Niinisto, Prime Minister Juha Sipila, Foreign Minister Timo Soini, and the people and civic, cultural, educational, military and religious institutions of Finland.

In addition to my professional interests, I have spent much of my adult life involved in actions that enrich our society and give back to those who have sacrificed so much for our country. My philosophy has been: I follow when others lead, I lead when others cannot or will not. And I lead when no one else is around or yet involved. I am perhaps most proud of my part in establishing the Gary Sinise Foundation which supports veterans, first responders, and their families by creating unique programs that entertain, educate, inspire, strengthen, and build communities. It has been an honor to sponsor USO dinners and concerts for our troops both domestically and overseas at the Ramstein Air Force Base in Germany featuring The Beach Boys and Gary Sinise's Lt. Dan Band. I have supported our troops as well through my work with the AU law school and am especially proud of having participated in launching a program that allows any new student who served honorably in the American military to go to the AU law school tuition free.

It has been an incredible honor to have been associated with the Kennedy Center for the past decade plus. For about twelve years I served on various boards at the Kennedy Center and with my wife Suzy have represented the Kennedy Center abroad as a part of the Kennedy Center Gold Medal in the Arts program. These week-long, intensive, high level programs get to the root of our relations with other nations, their citizens, and their cultures. The nexus of my professional and private interests is most evident in my role on the new building you see rising on the Potomac. For four years I chaired the expansion committee at the Kennedy Center, and could not be prouder of the expansion of the arts in our Nation's capital.

If confirmed, I look forward to bringing a similar dedication and leadership to our country's relationship with the Government and people of Finland. In December Finland celebrated its 100th anniversary as a sovereign nation. About 700,000 Americans of Finnish descent joined in the festivities. If confirmed, I look forward to further cementing the ties between our great countries. During the past years Finland has transformed itself from a farm and forest economy to a diversified modern industrial economy. To do so it needed a highly educated and technically trained workforce. It succeeded by demonstrating the unique trait that the Finns call sisu (which I take to mean an inner sense of mental and physical strength). I hope to build on my professional and philanthropic experiences to advance our Nation's interest and build our alliance with Finland.

The United States has welcomed Finland's integration into Western economic and political structures over the past decades. Finland provided the venue for the Helsinki Accords of 1975, the terms and conditions of which Russia has not yet fully complied. Finland joined the European Union in 1995 and, while not a member of the North Atlantic Treaty Organization, it joined NATO's Partnership for Peace program and was designated a NATO Enhanced Opportunity Partner at the 2014 Wales Summit. Finland shares an 833 mile border with an increasingly militant Russia, a southern border on the Baltic Sea over which Russia is attempting to extend its hegemony, and a northern border which almost reaches the Arctic Sea

which Russia is rapidly militarizing. Finland is a member of both the Arctic Council and the Northern Group, two alliances formed to deal with the complex military, commercial, freedom of navigation, and ecological issues confronting the area.

The important strategic relationship the United States has today with Finland is reflected in the numerous high level engagements over the past year to include reciprocal visits to Finland by Defense Secretary Mattis and a visit to Washington to meet President Trump by Finland's President Niinisto. Finland's security concerns are consistent with our own: North Korea's escalating armaments development, the deteriorating situation in the Ukraine, Russia's attempted annexation of Crimea, the threat of combined Russian and Chinese naval exercises in the Baltic, and the possible adverse effects of the Nord Stream II pipeline. For a country of about 5.5 million people with an expanding economy and a GDP of about \$240 billion dollars, Finland punches far above its weight.

If I am fortunate enough to be confirmed by the Senate, I can assure you of my commitment to the women and men serving our country in Finland. As Secretary Tillerson has clearly mandated, my paramount obligation is to ensure the safety and security of the embassy and its personnel and their family members. The events of last week in Montenegro reinforce this priority. I am also committed to leading Mission Finland in accord with three values enunciated by Secretary Tillerson: accountability, honesty, and respect.

In his Inaugural Address President John Fitzgerald Kennedy famously challenged all Americans to "...ask not what your country can do for you—ask what you can do for your country." My answer is this: "I wish to take this step to pay back, in some small way, the country that has offered me so much."

Thank you for your time and I look forward to your questions.

Senator JOHNSON. Thank you, Mr. Pence.

Our next nominee is Dr. Judy Shelton. Dr. Shelton is the nominee to be the Executive Director of the European Bank for Reconstruction and Development. Dr. Shelton currently serves as chairman of the National Endowment for Democracy as a senior fellow at the Atlas Network. She was a former senior research fellow at the Hoover Institution and the author of two books on global economic developments. Dr. Shelton has testified before Congress on numerous occasions as an expert witness on international finance, banking, and monetary issues.

Dr. Shelton?

**STATEMENT OF DR. JUDY SHELTON, OF VIRGINIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT**

Dr. SHELTON. Mr. Chairman, Ranking Member Murphy, distinguished members of the committee, I am grateful for the opportunity to appear before you today. I am honored that President Trump has nominated me to serve as the U.S. Executive Director for the European Bank for Reconstruction and Development.

Please let me take this opportunity to acknowledge the support of my husband of 40 years, Gilbert Shelton. I am thankful that our son Gibb is also here today. And I would like to recognize my mother in California, Janette Potter, who is watching along with my sisters and brothers.

More than 3 decades ago, in the mid-1980s, I was doing postdoctoral research at Stanford University after having been appointed a National Fellow by the Hoover Institution. I found myself examining Soviet economic and financial statistics that purportedly reflected the robust condition of our nation's formidable nuclear adversary. I found it odd that the Soviet Government would go to such pains to present itself as economically self-sufficient even as its new leader, Mikhail Gorbachev, was aggressively seeking loans from the West.

What started out as a scholarly treatise evaluating the impact of Western capital on the Soviet economy turned into a hard-hitting policy book published in January 1989 with the rather startling title “The Coming Soviet Crash.” It had become apparent during the course of my research that the USSR was going bankrupt.

That development had significant implications for the national security of the United States and the overarching defense strategy of the West. Urgent plans for what would become the European Bank for Reconstruction and Development were converted into reality by April 1991 to meet the challenge of an extraordinary moment, the collapse of communism in Central and Eastern Europe and the dawning of a new post-Cold War era.

From the start, the charter of the EBRD has embraced the unique mandate that only countries that are committed to democratic development are eligible to receive financing assistance. The emphasis has been on empowering the private sector to move recipient countries toward market-oriented economies and to promote entrepreneurial initiative.

And while those guiding principles have proven to be key success factors for transitioning nations, they are still met with grim resistance where authoritarian tendencies are entrenched. The expansion of bank operations into Mongolia, Turkey, Egypt, Lebanon, and other countries beyond its original region poses additional opportunities as well as potential tests.

The United States has always been and remains the bank’s largest shareholder. My objective, if confirmed, would be to ensure that the EBRD focuses on high-quality infrastructure projects that promote economic growth. At the same time, I would work with our allies to maintain high standards in the cause of freedom by demanding that countries achieve genuine progress toward democratic ideals because a nation can go bankrupt in ways other than just in the financial sense.

As a member of the board of directors of the National Endowment for Democracy, I served as the designated board expert on Russia, Ukraine, and Belarus for 9 years, from 2005 to 2014. From that perspective, I witnessed the dangers of backsliding on fundamental civil liberties and human rights. I came to deeply appreciate the importance of democratic institutions to guarantee fundamental freedoms and uphold rule of law. When the bipartisan NED board elected me chairman last year, I was honored and humbled.

Recognizing that political and economic freedom should advance hand in hand would seem to be a powerful prerequisite for vigorously representing America’s viewpoint at multilateral development and financial institutions. Democracy and free enterprise share the same moral underpinning.

In short, given my background in analyzing the strategic implications of global financial developments and my strong commitment to democracy, I cannot imagine a more stimulating challenge or more meaningful responsibility than to take on the role of safeguarding our nation’s vital interests and deeply rooted values at the EBRD, should you deem me worthy of serving as U.S. Executive Director.

Chairman Johnson, Senator Murphy, and members of the committee, thank you for considering my nomination. I would be most pleased to respond to your questions.

[Dr. Shelton's prepared statement follows:]

PREPARED STATEMENT OF DR. JUDY SHELTON

Mr. Chairman, Ranking Member Murphy, distinguished members of the committee, I am grateful for the opportunity to appear before you today. I am honored that President Trump has nominated me to serve as the U.S. Executive Director for the European Bank for Reconstruction and Development.

Please let me take this opportunity to acknowledge the support of my husband of 40 years, Gilbert Shelton. I'm thankful that our son, Gibb, is also here today. And I'd like to recognize my mother in California, Janette Potter, who is watching along with my sisters and brothers.

More than three decades ago, in the mid-1980s, I was doing postdoctoral research at Stanford University after having been appointed a National Fellow by the Hoover Institution. I found myself examining Soviet economic and financial statistics that purportedly reflected the robust condition of our nation's formidable nuclear adversary. I found it odd that the Soviet Government would go to such pains to present itself as economically self-sufficient—even as its new leader, Mikhail Gorbachev, was aggressively seeking loans from the West.

What started out as a scholarly treatise evaluating the impact of Western capital on the Soviet economy turned into a hard-hitting policy book published in January 1989 with the rather startling title: "The Coming Soviet Crash." It had become apparent during the course of my research that the USSR was going bankrupt.

That development had significant implications for the national security of the United States and the overarching defense strategy of the West. Urgent plans for what would become the European Bank for Reconstruction and Development were converted into reality by April 1991 to meet the challenge of an extraordinary moment—the collapse of communism in Central and Eastern Europe and the dawning of a new post-Cold War era.

From the start, the charter of the EBRD has embraced the unique mandate that only countries that are committed to democratic development are eligible to receive financing assistance. The emphasis has been on empowering the private sector to move recipient countries toward market-oriented economies and to promote entrepreneurial initiative.

And while those guiding principles have proven to be key success factors for transitioning nations, they are still met with grim resistance where authoritarian tendencies are entrenched. The expansion of bank operations into Mongolia, Turkey, Egypt, Lebanon and other countries beyond its original region poses additional opportunities as well as potential tests.

The United States has always been, and remains, the bank's largest shareholder. My objective, if confirmed, would be to ensure that the EBRD focuses on high-quality infrastructure projects that promote economic growth. At the same time, I would work with our allies to maintain high standards in the cause of freedom by demanding that countries achieve genuine progress toward democratic ideals—because a nation can go bankrupt in ways other than just in the financial sense.

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In short, given my background in analyzing the strategic implications of global financial developments and my strong commitment to democracy, I cannot imagine a more stimulating challenge or more meaningful responsibility than to take on the role of safeguarding our nation's vital interests and deeply-rooted values at the EBRD—should you deem me worthy of serving as U.S. Executive Director.

Chairman Johnson, Senator Murphy, and members of the committee, thank you for considering my nomination. I would be most pleased to respond to your questions.

Senator JOHNSON. Thank you, Dr. Shelton.

Our final nominee is Mr. Trevor Traina. Mr. Traina is the President's nominee to be U.S. Ambassador to Austria. Mr. Traina is founder and CEO of If Only, a company that allows buyers to purchase unique life experiences and donate a portion of the proceeds to charity. He has held nonprofit advisory positions at the Fine Arts Museum of San Francisco, the Haas School of Business, and the Princeton University Art Museum. Mr. Traina is an alumnus of Princeton University and St. Catherine's College at Oxford.

Mr. Traina?

**STATEMENT OF TREVOR TRAINA, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA**

Mr. TRAINA. Mr. Chairman, Ranking Member, distinguished members of the committee, I am humbled to be here today as President Trump's nominee to be the United States Ambassador to Austria. I am excited that the President has presented me with this opportunity to work with the White House, Secretary Tillerson, and the highly capable team at the State Department and the U.S. mission in Vienna.

I am delighted to be joined by my amazing wife, best friend, and partner in all things, Alexis. With her are our two wonderful children, Johnny and Delphina. They sustain me and they have been very brave at the idea, if I am confirmed, of leaving their friends and moving halfway around the world.

A diplomatic post is both an honor and an obligation. I learned this from my grandfather, Wiley Buchanan, who was the United States Chief of Protocol and Ambassador to Luxembourg, as well as Ambassador to Austria, the very same post for which I am being considered.

My grandfather is no longer with us, but he would be absolutely delighted by my nomination. This is not a guess but the sworn testimony of my grandmother who just celebrated her 100th birthday. If I am confirmed, she would have the confusing honor of being the wife and the grandmother of the Ambassador to Austria. She too is delighted by the idea.

Thanks to my grandparents, the very first country I ever visited was Austria. I stayed at the Ambassador's residence in Vienna, and I saw firsthand what it means to serve one's country as Ambassador. Chief of Mission responsibilities are real and they are not to be taken lightly. I saw how hard my grandfather worked, and I also observed how hard our diplomats worked to make the world safer and more secure. I heard from my grandfather about Russia and the Cold War and the threat of nuclear weapons and how the entire Foreign Service labored night and day to keep us all safe, advancing our interests as we slept soundly back at home. Some day, I thought, I want that responsibility too.

I have returned to Austria many times since to visit friends and family and even to introduce my children on their first trip to Europe. But I never dreamed I might have the opportunity, if confirmed, to return again in the same job that my grandfather had.

Austria has a new Chancellor and governing coalition, and if confirmed, I look forward to working with its government in pursuit of our shared goals of peace, security, and prosperity in Europe and beyond. Although neutral, Austria is an active and vital participant in many peacekeeping operations, firmly planted in the trans-atlantic community, and an important partner in the fight against crime and terrorism.

While it is hard to be fully prepared to be a chief of mission, I have been fortunate to have educational and cultural experiences that have helped me. I have lived in Europe, and motivated by my grandfather and my early interest in foreign service, I studied international relations at both Princeton as an undergrad and at Oxford as a graduate student.

My business career has also prepared me for the management responsibilities of an ambassador. In my career, I have run companies, evaluated employees, hired division heads, and managed people. I have also set goals and priorities and met those goals. I would bring this experience into my new role, if confirmed. As a tech entrepreneur, I believe that America's lead in new technologies powering the digital revolution are a matter of pride and a natural touch point for outreach and for advocacy. I would look forward to the opportunity to promote U.S. business, especially technology, in Austria.

Vienna is one of the cultural capitals of Europe and the celebration of cultural excellence is at the core of Austrian identity. My service on the boards of two of America's top museums and my own passions for art and culture have already brought me to Austria. I would look forward to the opportunity to promote art and cultural exchange, further deepening this already strong connection between our societies.

And finally, I would look forward to outreach to the Austrian people. In many places, the memories of World War II and the American role in the rebuilding of Europe are fading. As we mark the 70th anniversary of the Marshall Plan and its positive impact in Europe and Austria, I would hope to refresh the bond between Austrians and Americans on the basis of our common values and shared post-war history.

It is an honor to appear before this committee today. If confirmed, I commit to give everything I have to represent all Americans and to serve our country and its interests successfully.

I thank you for your time, and I look forward to answering any questions that you might have.

[Mr. Traina's prepared statement follows:]

#### PREPARED STATEMENT OF TREVOR TRAINA

Mr. Chairman, Ranking Member, distinguished members of the committee, I am humbled to be here today as President Trump's nominee to be the United States Ambassador to Austria. I am excited that the President has presented me with this opportunity to work with the White House, Secretary of State Tillerson, and the highly capable team at the State Department and the U.S. Mission in Vienna.

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I have returned to Austria many times since to visit friends and family and even to introduce my children on their first trip to Europe. But I never dreamed I might have the opportunity, if confirmed, to return again in the same job that my grandfather had!

Austria is not just a country I know. It is a country I love. It is a country with a rich history that sits at the crossroads of Europe and enjoys strategic connections to the Balkan states. As a neutral nation, Austria plays a significant role in multi-lateral conversations and in diplomatic efforts well beyond the borders of Europe.

Austria has a new Chancellor and governing coalition and, if confirmed, I look forward to working with its government in pursuit of our shared goals of peace, security and prosperity in Europe and beyond. Although neutral, Austria is an active and vital participant in many peacekeeping operations, firmly planted in the Trans-Atlantic community, and an important partner in the fight against crime and terrorism.

While it is hard to be fully prepared to be a Chief of Mission, I have been fortunate to have educational and cultural experiences that have helped me. I have lived in Europe and, motivated by my grandfather and my early interest in the Foreign Service, studied International Relations at both Princeton as an undergraduate and at Oxford University as a graduate student.

My business career has also prepared me for the management responsibilities of an ambassador. In my career, I have run companies, evaluated employees, hired division heads, and managed people. I have also set goals and priorities and met those goals. I would bring this experience into my new role, if confirmed. I have founded or co-founded five companies in the technology field and have invested in dozens more. I sold my first company to Microsoft, staying on for two years, and have seen the best of what large companies and small companies have to offer organizationally. I might add I know a bit about bureaucracy from the experience! As the CEO of my current company I manage a team and budget not unlike that of the Mission in Austria. I believe I would be able to lead the Embassy staff with a clear vision and a commitment to the highest ethical standards.

The President has stated his desire for diplomacy that leads to economic opportunity. Austria is an increasingly important destination for American goods and services and its companies have made significant investments in our dynamic economy. As a technology entrepreneur, I believe that America's lead in new technologies powering the digital revolution are a matter of pride and a natural touchpoint for outreach and advocacy in foreign countries. I would look forward to the opportunity to promote U.S. business, especially technology, in Austria. While technology startups in Austria number only a few thousand, 500–1000 new ones are launched every year and existing exchange programs with Silicon Valley and Austin, Texas, represent a great start to what could be an even bigger connection.

I have sat on the boards of companies and of organizations like the Haas School of Business at UC Berkeley and I have honed my ability to seek consensus and to identify opportunities for improvement.

Vienna is one of the cultural capitals of Europe and the celebration of cultural excellence is at the core of Austrian identity. My service on the boards of two of America's top museums and my own passions for art have already brought me to Austria. I would look forward to the opportunity to promote art and cultural exchange between the United States and Austria, furthering deepening this already strong connection between our societies.

Finally, I would look forward to outreach to the Austrian people on behalf of the people of the United States. In many places the memories of World War II and the American role in the rebuilding of Europe are fading. As we mark the 70th anniver-

sary of the Marshall Plan and its positive impact in Europe and Austria, I would hope to refresh the bond between Austrians and Americans on the basis of our common values and shared post-war history that continues to demonstrate the full value and potential of American friendship.

It is an honor to appear before the committee today. If confirmed, I commit to give everything I have and using all my energy, experience, passion, and resolve to represent all Americans and to serve our country and its interests successfully.

I thank you for your time and look forward to answering any questions you might have.

Senator JOHNSON. Thank you, Mr. Traina.

Let me just say I think it is very pleasing to see three very well qualified nominees for these important posts.

Let me start with Dr. Shelton because I think you do bring a very unique level of expertise to this area and to this position.

On Tuesday, we commemorated the murder of Boris Nemtsov by dedicating a plaza in front of the Russian embassy in his name, Boris Nemtsov Plaza. I had an opportunity to speak at that event, and one of the points I made because we gave up a section of Wisconsin Avenue, by the way—and we were happy to do so. One of the points that I made is it is a tragedy of historic and global proportions that Russia did not continue down the path begun by Boris Yeltsin and Boris Nemtsov.

I would just like you—and this is a little bit apart from your position, but I just want to utilize your expertise. What went wrong? What happened? Can you just kind of give us some sort of historical perspective? Because Russia just continues to behave worse, become more menacing, whether it is interfering in our elections, Montenegro, basically an act of war, and now an act against our embassy by not necessarily Russia. But just describe what from your perspective has gone wrong with Russia.

Dr. SHELTON. Well, thank you very much for the question and for the comment, Senator Johnson. I might say I was very aware of your involvement in that event on Tuesday, and I think when an important U.S. Government official stands up shoulder to shoulder with the brave and bold activists that was to honor Boris Nemtsov who was fighting to maintain the democratic dream for Russia—and he was inspired by the American model and our founding values. And he, along with other Russian activists, have wanted to secure those institutions of democracy for their own country. I think that the most powerful countermeasure we have against Russian disinformation and propaganda efforts is exactly what you were doing and what I think the National Endowment for Democracy has done from its beginning, inspired by Ronald Reagan's vision in standing with these people who want to shape a better future for their fellow citizens and who would follow the democratic model.

What happened with Russia—and this is why this post is particularly interesting to me—is they did have a chance under Yeltsin. I was working with a team from the Hoover Institution from Stanford in Russia in April 1991 with Yeltsin's team. And they were ready to embrace an open market economy. They wanted accountability, transparency. They wanted rule of law. They wanted the basic civil liberties that Americans enjoy.

I think perhaps it was that fateful decision to select President Putin versus Boris Nemtsov. They were both being considered at the time. And what we have seen is in some ways a continuation

of the cynical tactics of trying to undermine what you have been unable to achieve for yourself. We have seen a continuation of the disinformation and propaganda techniques. They have been updated, but they use trolls and bots and false websites and unreal personas, whereas we are standing up and countering that with flesh and blood individuals who are working in their own countries.

So I think Russia is still preoccupied with military prowess and is willing to sacrifice far too much to subsidize energy exports to use as a tool of intimidation, and they just have the mindset, unfortunately, that still is closer to the Soviet model than what we would have aspired for them to become.

Senator JOHNSON. So as Senator Murphy—and I do not want to speak for the Senator, but as we have traveled around Europe, it is the same story: the propaganda, the disinformation, the destabilizing efforts, the invasion of Georgia, Crimea, eastern Ukraine, the attack on Montenegro's parliament.

I want to ask all three of you. How do you utilize your new position to push back on that, to resist it, try and attempt to get Russia to behave in a civilized manner that is more stabilizing, that actually promotes peace versus promoting instability? I will start with you, Mr. Traina.

Mr. TRAINA. Thank you, Senator, for that important question.

I agree with you 100 percent. I think it is a serious issue, and it is a 24-hour-a-day, 7-day-a-week issue. Really, it is an issue for diplomacy. Right? That is why you are sending people like us to these posts who, if confirmed, work every single angle. And I think it is just constant vigilance.

Senator JOHNSON. Dr. Shelton?

Dr. SHELTON. Well, I might note that with regard to Russia's military aggression toward Ukraine, with guidance from U.S. Treasury and in cooperation with our G-7 allies and the European Union, the European Bank for Reconstruction and Development stopped providing any financing for Russia as of July 2014. They have maintained that position. That is one way to make it clear that they do not accept this kind of behavior and these blunt-force tactics.

Senator JOHNSON. Mr. Pence?

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

The United States and our allies—we must stand together. One thing that Russia is trying to do is drive wedges between the United States and NATO, between NATO and the European Union, between Finland and each of those institutions. We will enhance and protect the individual security of countries by the exercise of collective strength. We must not only by words but in deeds show that we are up to the task.

Having said that, when President Niinisto was here last year, he stressed the necessity of undertaking both dialogue and deterrence. They go hand in hand, and that is the function of diplomacy.

Thank you.

Senator JOHNSON. Thank you.

Senator Murphy?

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

Again, let me thank you all for your willingness to serve as representatives of the United States abroad.

Mr. Traina, I wanted to just ask you a question about the state of politics in Austria today. The most recent election resulted in the Freedom Party, the far right party, gaining 26 percent of the vote. This is a party that has signed a cooperation agreement with Russia's ruling party, and they have been included in the current government.

So what is the role of—this is obviously a trend line that we have been watching all over Europe, these far right parties doing much better. 26 percent is a big share of the vote in a place like that, and the idea that a party representing 26 percent of the country would sign an agreement with a Russian political party is very concerning.

In your preparation for this job, what is your understanding as to the position of the United States Government with respect to the Freedom Party, their inclusion in the Government, and what will you have to say about that when you are on the ground?

Mr. TRAINA. Thank you, Senator. As you point out, this is a really important question.

Obviously, Austria is a democracy, an advanced democracy, and they have a freely elected government. By all accounts, we are already working well with that new government. But like any ally or friend, we will ultimately judge that government by their deeds and actions.

Senator MURPHY. And do you see it as appropriate to raise concerns regarding the increased political power of these relatively far right groups?

Mr. TRAINA. Thank you, Senator.

I think there are a number of issues at play, whether it is immigration, religious freedom, et cetera, not unique, frankly, to Austria but in many places that are all areas that require vigilance on our part and require, to your point, dialogue. And I also look forward to dialogue with your staff as well on these important matters.

Senator MURPHY. Another potential point of friction is over the new gas pipeline coming into Europe from Russia, Nordstream 2. The Trump administration and many people we have talked to have expressed their desire to continue the opposition to that pipeline that the Obama administration began, but Austria is in favor of it. What can you do as Ambassador to try to make Austria understand the risk of making the continent of Europe more dependent on Russian energy?

Mr. TRAINA. Thank you, Senator.

I agree 100 percent. It is a very complicated issue. Austria was the first non-Eastern Bloc country to hook up to Russian gas. It was in 1968. So it is 50 years of history there. There is a lot of interconnection between the countries on this. And half of all the gas used in Austria comes from Russia.

I think this is a time to acknowledge that we have a great team in place already. The country team is there. If confirmed, I would definitely work very closely with them to understand what has already been done on this and, as a team, certainly work very hard to advocate because I agree with you. I think it is in Austria's best interest and in all of Europe's best interest to have multiple sources of energy for a hundred different reasons.

Senator MURPHY. Let me just come back to my first question and just finish off the thought for you. I think it is very important for U.S. Ambassadors to speak up against the growth of far right parties, in particular, far right parties that are anti-immigrant in nature. The perception of the United States today abroad is deeply clouded by the President's perceived antipathy towards immigrants to the United States, and I would argue it is not perceived. It is real. So I think it is very important for the United States, a country that is built on immigration, to explain to other countries the value of being inclusive of people who come from other places. Right now, there is a perception that we are backsliding on our commitment to immigration. And so I hope that you will raise concern when elements of the ruling party act in ways that violate the best traditions of the United States.

Dr. Shelton, the bank pulled its new investment projects in Russia after 2014 or stopped new investment projects in Russia following a declaration by the European Council after the invasion of eastern Ukraine. What is your sense of whether that decision has been impactful at all on the Russian calculus, and what are the things Russia would need to do in order to restart investment? And there is a sizeable portfolio that is already there that exists of over \$3 billion that the bank is still managing. Does Russia care that the bank has turned off new investment?

Dr. SHELTON. I think they care very much. Russia was the largest recipient of EBRD financing, and prior to stopping the program in July of 2014, financing for Russia was 22 percent of their portfolio. It was roughly 8.2 billion euros, and it was whittled down very, very quickly over the next 3 years. It is down to 2.8 billion euros, so roughly \$10 billion down to \$3.4 billion. That is a reduction down to less than 8 percent of the portfolio. So I think for a country like Russia that is desperately seeking infrastructure financing, it was a very strong message. And the sentiment of the majority of the shareholders has been made very clear to EBRD management and staff that there is no point in bringing new projects involving Russia to the attention of the board of directors because they will not be inclined to consider any such thing until Russia conforms to what is required under the Minsk Agreement. And they would have to go back from their military aggression, and it would have to be demonstrated in a very convincing way.

Senator MURPHY. And so you do not perceive backsliding on that question, internal weakness regarding reinvestment in Russia unless, at the very least, Minsk is complied with. You are not there.

Dr. SHELTON. Well, not having been confirmed, but my sense is that the EBRD directors—and while we have 10 percent, it takes a majority. In combination with the G-7, we have about 57 percent of the vote. And the European Union is well represented at that bank and has been in alignment with regard to financing for Russia. So my expectation is it would have to be a clear reversal.

Senator MURPHY. I would just ask one question of Mr. Pence and then we can move on.

Either you or Senator Johnson noted that they are taking over the Arctic Council from the United States—the chairmanship. One of their priorities is the full implementation of the Paris Climate Agreement. Can you share with us your personal feelings on

whether the United States should reenter the Paris Climate Agreement and how you will deal with the deep disappointment there that the United States is pulling out? This is a friction point in general with European countries, but for the country you are going to particularly important given their belief that the Paris Climate Agreement is integral for the future preservation of the Arctic.

Mr. PENCE. Thank you, Senator.

Obviously, Finland and its neighboring countries are fully in favor of the Paris Agreement. I acknowledge that President Trump has been clear in his desire to leave the agreement behind. I also believe the President has been clear that United States policy will continue with respect to a number of many provisions of the Paris deal.

Having said that, I believe that the administration will signal, has signaled its intention to participate in further negotiations on the subject, and we will see what comes of it.

Senator MURPHY. He has got diplomatic skills already. [Laughter.]

Senator MURPHY. Well said. I actually said that as an actual compliment. So I did not mean that facetiously.

Senator JOHNSON. Senator Kaine?

Senator KAINE. Thank you, Mr. Chair.

And thanks and congratulations to the nominees.

Mr. Traina, you will forgive me. I am going to focus my attention on the Virginians. But actually I will probably have a question for you too. I want to especially congratulate Dr. Shelton and Mr. Pence from Virginia for being nominated. I actually will have a question for you, Mr. Traina, too.

But first thing to Mr. Traina and Mr. Pence, just a piece of advice because you will be the head of country missions. When I travel as a member of the Foreign Relations committee, one thing I try to do is meet in countries with the first and second tour FSOs when I go to embassies, and I have fascinating discussions with them. I usually do not want the Ambassador in the room, and I meet with the first and second tour FSOs. And I tell them you have achieved an amazing job that is really hard to get. Tell me, after a little bit of experience, what may make you stay and make this a career and what is frustrating and may make you depart.

And they never complain about their ambassador. I have never had that happen. But they do complain about red tape and challenges. Some of them say we have to get so intensely security vetted to get the job, and then once I get the job, if I want to order five pencils, I have to go through an amazing process because they think I am going to steal the five pencils or something. So those discussions are interesting.

You will be in charge of some fantastic public servants, and I would encourage you to do all you can do to make them feel like they can make an entire career out of it because I think we really need them.

Mr. Pence, I wanted to ask a question a little bit about Senator Murphy on the Arctic Council. Finland has taken a 2-year position as the chair of the council following the United States. In preparation for this, how much do you know about what the priorities are either of the United States or Finland or the entire council right

now? What are the areas you think the council will be devoting its attention to over the next couple years? We talk a lot about this on the Armed Services committee where I also serve. But I am curious as to your understanding about what the priorities of the council or the U.S. or Finland might be.

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

The Arctic Council itself has enunciated what its priorities are: the security of the Arctic, the preservation of the ecological situation, the climate of the Arctic, the free and open ability of nations to transit the area in a time of clearing seas. And they expect overall to ensure the safety of bordering nations and those who employ it. They are also acutely aware that with the change in the climate and the melting of the ice that the Arctic is going to become an increasingly direct and profitable route for international trade that is engaged. It is going to be more important and a cheaper avenue than the Suez Canal. The geopolitical consequences of that are going to be extraordinary.

They are also—Finland, as we are—we are acutely concerned about the militarization of the Arctic. I believe the Russians have 16 bases they have either opened or are reopening. They are building a number of airfields up there. They have 40-some heavy nuclear powered—excuse me. They are not all nuclear powered—40 heavy icebreakers in the area. They have a big head start of us up there, to which we, Finland, and the free world needs to respond.

Senator KAYNE. Thank you for that.

Let me ask you each, Mr. Traina and Mr. Pence, a question dealing with another aspect of our military, which is NATO. Both Finland and Austria—neither are NATO members, but both are participating with NATO in some critical ways. Why do you not talk about the current state of the relationship between, first, Austria and then Finland in NATO and whether you see any dramatic change in their relationship in the coming years?

Mr. TRAINA. Thank you, Senator. Thank you for that question.

As you note, Austria is a nonaligned nation, but they are part of the Partnership for Peace initiative associated with NATO, and they also are really very actively participating in numerous peacekeeping initiatives. So currently they are in 14 different peacekeeping initiatives in places like Bosnia-Herzegovina and Kosovo. Kosovo, obviously, is a NATO initiative, the peacekeeping there. So while they are by policy nonaligned, they are really a great partner in a lot of these areas, as well as sort of general crime fighting and trafficking and other areas like that.

Senator KAYNE. Thank you.

Mr. Pence?

Mr. PENCE. Thank you, Senator.

First, indeed, Finland is not a member of NATO. It is involved in various NATO operations, including the operation Resolute Support in Afghanistan. Finland has participated in actions in Iraq. They are in a unique position to join or not to join. At present, a majority, a slight majority but a majority nevertheless, of the Finnish people are opposed to Finland joining NATO. That may change, but until it does, they are not a member. But they work closely with NATO and permit certain actions within their country in furtherance of NATO policies.

Senator Kaine. Thank you very much.

Dr. Shelton, if I could ask you one question. On the Foreign Relations committee, we are a little bit creatures of our region. So almost all my work for 5 years has been the Middle East and the Americas, and I have done little work on the EBRD.

But I was noting something that I was curious about. One country has graduated from the EBRD and that is the Czech Republic in 2008. What are criteria used to gauge whether a country kind of is sufficiently developed to graduate out? Are there other countries close to graduating? Does the EBRD—as we expand the number of countries we operate in, is there any danger of the EBRD spreading itself too thin with the resources that it has?

Dr. SHELTON. Thank you for the question, Senator Kaine.

Graduation is a priority through the international affairs part of the Treasury Department, and we encourage that. There is a graduation process at the EBRD, and you are correct that only that single country, the Czech Republic, has graduated.

The slowness in having countries qualify to proceed I think to some extent reflects a very long economic recovery in Europe since the financial crisis of 2008 and 2009. Also, I believe that countries have been affected by Russia's aggression, and they are reluctant to give up sources of financing. They feel pressure with regard to energy security. And so they have wanted to stay engaged with the EBRD.

It would be my focus, if confirmed, to have a more transparent, rules-based process for evaluating when a country is successfully moving toward graduation. They do at the EBRD a country analysis for each new recipient and that also includes a political assessment because they not only have to embrace democratic principles as an ideal, but they have to demonstrate in a genuine way that they are applying them.

Senator Kaine. Thank you very much.

Thank you, Mr. Chair.

Senator JOHNSON. Thank you, Senator Kaine.

You have been asked some specific questions. Let me just throw it open, a little more general question. I will ask each one of you the same one. I just want your opinion, your evaluation, if you are confirmed, what is going to be the top issue—if you have issues, you can expand it, but I mean really the top issue you think you will be dealing with. And what will be the top opportunity in terms of the relationship between the U.S. and either your country or organization? I will start with you, Mr. Pence.

Mr. PENCE. Thank you, Senator.

I am a student of Cicero who lived about 2,000 years ago. If I may paraphrase part of one of his works. Civil liberties are meaningless if the state is not secure. That is the first and foremost and last sine qua non on the international stage. We need to assure ourselves and the Finnish people and each other and the rest of the free world really that there will be peace.

Thank you.

Senator JOHNSON. Dr. Shelton?

Dr. SHELTON. Thank you, Mr. Chairman.

I do think energy security for Europe is a top priority. And EBRD financing has provided resources for energy infrastructure.

We need to make sure that the projects provide alternative routes, alternative suppliers, and an array of different types of energy available to countries so they are not subject to intimidation.

I would seek to advance the national security interests of the United States, as well as the economic interests. American companies should have a chance not only to bid on projects. So we need to have a transparent procurement process. But also, the projects should be oriented to increase growth so that American products can find export markets in those recipient countries.

I see this, if confirmed, to be an opportunity for the United States to leverage its capital investment through strong leadership working with our allies very closely to advance our strategic interests and to try to shape events across Europe and the other regions of operation which now include the Middle East and northern Africa and Central Asia. We want to have the most advantageous economic and political outcomes for our own nation.

Senator JOHNSON. Thank you, Dr. Shelton.

Mr. Traina?

Mr. TRAINA. Thank you so much, Senator.

So, first, priority. Priority will always be security, the security and safety of my mission, of the 15,000 or so Americans who reside in Austria and the 700,000 or so Americans who visit Austria every year.

Issue. I think currently the energy issue is a significant one that merits a lot of thought and attention.

And opportunities. I think leveraging our strong relationship with Austria vis-a-vis their neighboring nations and shoring those nations up, as well as business. I think Austria is an advanced economy, and there is a lot of opportunity for us to do more together in that arena.

Thank you.

Senator JOHNSON. Thank you, Mr. Traina.

Senator Murphy?

Senator MURPHY. Just two final questions.

Mr. Traina, let me build upon the opportunity you acknowledged, which is to work with neighboring countries. One of the points of tension between Austria and neighboring countries is this issue of immigration that I had mentioned. The new government has advocated for an array of measures including border closures to reduce immigration not only into Austria but also through Austria into Europe. And that often runs counter particularly with the generally more liberal refugee policies of Italy and Germany.

So what is the role of the United States to try to make sure that Austria's restrictive immigration policy does not end up, A, pulling apart Europe and, B, simply transferring the burden of refugee flows which continue on to other countries?

Mr. TRAINA. Thank you, Senator, for that question.

I acknowledge it is absolutely an issue, a highly topical issue right now. I think there is an opportunity for us to work directly with them to continue to communicate our thoughts and opinions on this. There is also an opportunity via the EU. There is discontinuity right now between the EU's position and Austria's position on this same issue. And so I think we triangulate and we have continual dialogue on this.

Senator MURPHY. And, Dr. Shelton, I want to pick up on one of the things you mentioned in your last answer, which was energy security. How do we compete with a Russian energy export model that is based on outright subsidy to drive down pricing? Whereas we are using more traditional financing vehicles to try to counter that influence. I have failed to understand how we compete with the Russians on energy security without a direct subsidy of our own coming either from the United States or from the Europeans. So how does a bank try to deal with the issue of energy security when the Russians are just throwing cash into these projects? Nordstream 2, for instance, cannot work as a pure financial play. It only works with just a heavy Russian subsidy on the front and back end.

Dr. SHELTON. Thank you so much for that question, and I think you make an excellent point.

We have seen that Russia is willing to subsidize activities that are not in their economic interests, and we can only assume for purposes of political power using energy as a weapon.

What the EBRD has done, which I think is quite wise, is they have provided significant financing for the southern gas corridor. The financing projects have aimed both at the gas fields—these are deepwater wells in the Caspian Sea—and also the pipelines to guarantee alternative delivery routes. And the EBRD does work based on market principles, but they have been able to put together very attractive and sometimes creative financing for special projects. They have the confidence of Western providers of foreign direct investment. They work well with banks. So they can provide financing with highly desirable attributes and in that way be competitive.

Senator MURPHY. Again, let me thank you all. I think you will all be confirmed hopefully soon. And we really look forward to—those of us who work on transatlantic issues, are heavily involved in them look forward to working with all three of you. Thank you.

Thank you, Mr. Chairman.

Senator JOHNSON. Thank you, Senator Murphy.

Again, I want to thank the nominees for your willingness to serve. I want to thank their families for your willingness to support your family members. To the Traina children, I certainly understand the concern about leaving their friends, but it is a pretty exciting opportunity. Your dad is doing a pretty important thing. So I am sure you will enjoy your time in Austria.

With that, again, thank you for providing your testimony, your responses.

The hearing record will remain open for statements or questions until the close of business on Monday, March 5th.

This hearing is adjourned.

[Whereupon, at 11:05 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO ROBERT FRANK PENCE BY SENATOR ROBERT MENENDEZ

*Question 1.* Do you commit to report regularly to the Senate Foreign Relations Committee on efforts by the Russian Government to interfere in the democratic processes of Finland?

Answer. If confirmed, I will ensure the U.S. Mission to Finland stands firmly with Finland in countering Russia's malign influence and will report on the Russian Government's attempts to interfere with Finland's democratic processes.

*Question 2.* What specific measures will you take to cooperate with the European Center of Excellence for Countering Hybrid Threats?

Answer. At Finland's initiative, nine countries, including the United States, signed a memorandum of understanding (MOU) establishing the European Center of Excellence for Countering Hybrid Threats in April 2017. Since then, four additional countries have accepted invitations to participate in cooperation under the MOU, and another three have expressed serious interest in participating. NATO and the EU will join in the activities of the Center. The Center will serve as a hub of expertise to complement and bolster national and institutional efforts to strengthen our capabilities to counter hybrid threats. If confirmed, I will continue to work with our Finnish counterparts, the other states, NATO, and the European Union, who participate in the Center's work to develop more effective cooperation against the diverse array of hybrid threats and to expand U.S. participation by all relevant sectors. Further, if confirmed, I would employ every lawful means available under U.S. law in completing this task.

*Diversity*

Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity.

*Question 3.* What steps will you take to ensure that supervisors and managers within the embassy are fostering an environment that's diverse and inclusive?

Answer. I appreciate the importance of fostering diverse and inclusive teams. Throughout my professional career and experience in business, I have seen the value of diversity in leadership positions. In keeping with Secretary Tillerson's strong emphasis on diversity, if confirmed I will develop an inclusive work environment at Embassy Helsinki that encourages all perspectives. I will ensure that all supervisors receive regular formal training and guidance on EEO principles, diversity, and inclusion. In addition to leading by example, I will monitor the supervisors at the Embassy to ensure they are fostering an environment that is diverse and inclusive.

*Question 4.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups at the embassy?

Answer. If confirmed, first and foremost, by my actions I intend to create an environment that is diverse and inclusive. I recognize that, to a large extent, the composition of the Mission Team has already been established by others. Nevertheless, all employees will quickly come to understand that, whatever their backgrounds may be, we will form one united, cohesive team that will operate without discrimination and without any tolerance for behavior that lacks respect for others or that evinces any hint of dishonesty or other improper behavior. Similarly, through both my actions and the actions of supervisors, all members of the staff will understand what they need not tolerate and what actions of theirs will not be tolerated. I will, simultaneously, encourage all employees to report any breaches of policy with respect to conduct. I will assure my team that retribution will not be condoned and that U.S. law, including policies and regulations of the State Department, will be promptly and scrupulously followed.

*Question 5.* As a possible official of the Trump administration, will you condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. Yes.

*Question 6.* Will you uphold the rights of all persons to equality and freedom from discrimination, and call on Americans to refrain from discrimination of any sort?

Answer. Yes.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO ROBERT FRANK PENCE BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. From 1992 to the present I have been intimately involved, as a student, teacher, businessman, and as a civic and political advocate for positions that fortify the preservation of our rights and liberty. I have given countless lectures, and participated in myriad conferences, domestically and abroad, to advocate for democracy, the rule of law, and the preservation of human rights. I have been an outspoken advocate of democracy, particularly of American values, and, additionally, of causes related to Israel, schools for women in Afghanistan, and other causes that my wife Suzy and I have deemed worthy of our support, time, and money.

The arts and cultural enrichment are integral to a democracy and have been at the center of my life, associated with the Kennedy Center for the past decade plus. For about twelve years I served on various boards at the Kennedy Center and with my wife Suzy have represented the Kennedy Center abroad as a part of the Kennedy Center Gold Medal in the Arts program. These week-long, intensive, high level programs get to the root of our relations with other nations, their citizens, and their cultures.

*Question 2.* What are the most pressing human rights concerns in Finland today? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in Finland? What do you hope to accomplish through these actions?

Answer. Finland has a strong record on human rights and is a close partner for the United States in promoting human rights around the world. Finland is one of the world's most generous providers of development aid. NGOs have reported incidents of anti-Muslim and anti-immigrant speech and sentiment in Finland. Authorities generally investigate, and where appropriate, prosecute such cases. If confirmed, I will encourage Finland to continue protecting human rights at home and abroad. I will also regularly engage with representatives from government, political parties, and nongovernmental organizations to stress the importance of tolerance and diversity and to share best practices and new ideas for promoting human rights.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Finland in advancing human rights, civil society and democracy in general?

Answer. Human rights are widely respected in Finland and its legal framework for protecting human rights meets international standards, so any obstacles to addressing human rights issues must be viewed in this context. Civil society and democratic institutions are both strong and inclusive in Finland. To the extent that Finland exhibits human rights problems, they are largely societal and are adequately addressed by the country's judicial system, government institutions, and non-governmental organizations. If confirmed, I will work with those institutions and organizations to exchange experiences and best practices to further our shared values.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Finland? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I am committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Finland. If confirmed, I will ensure that Embassy Helsinki staff have access to appropriate training on Leahy Law requirements. I will also ensure Embassy Helsinki thoroughly vets individuals and units it nominates to participate in U.S.-funded security assistance activities.

*Question 5.* Will you and your embassy team actively engage with Finland to address cases of key political prisoners or persons otherwise unjustly targeted by Finland?

Answer. Finland has a strong human rights record and a generally independent and impartial judiciary. There are no reports of political prisoners or detainees, or politically motivated prosecutions, in the country. If confirmed, I will call out any future cases of this kind if they occur, and work with the Finnish Government to

encourage their resolution in accordance with Finnish and international law and commitments.

*Question 6.* Will you engage with Finland on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will make matters of human rights, civil rights, and governance part of Embassy Helsinki's regular public outreach. I believe these are excellent areas for people-to-people engagements where our citizens can exchange views, experiences and best practices. Given Finland's excellent record on these issues, I will also look for opportunities where we can jointly cooperate to provide expertise to third countries.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Finland?

Answer. My investment portfolio includes companies that have a presence in Finland. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in those companies the State Department Ethics Office deemed necessary to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. First, I will attempt to create a work environment in which individual talents and skills will flourish and be recognized. Second, it will be my policy that no employee will interfere with the efforts of any other employee to pursue my first objective and the enjoyment thereof by other employees. My experience in business, over a period of 47 years, has lead me to conclude, as did the ancient philosophers and all of the great artists and thinkers of history, that there is no one person, or school of thought, or culture, or religion, that contains all of the best attributes of mankind. In my businesses, which have employed, on average, about 150 people at one time, I have come to appreciate, enjoy, and profit by the amalgamation and enhancement of human knowledge which is not culturally dependent. At any one time (and for most of the time), my companies have employed individuals from, among others, Jordan, Afghanistan, El Salvador, Mexico, Guatemala, Brazil, Egypt, Korea, the Dominican Republic, UAE, and many countries in Africa. Similarly, at our Dulles Expo Center in Chantilly, VA, we regularly stage major business and cultural events for organizations from Japan, India, and Pakistan, to name but the largest groups of attendees. Each of our employees knows, because this is our policy, that upward movement in our organizations is our goal and that it is realizable. By the nature of our businesses, we are in service to others. To be clear, we do not discriminate on any basis and we do not allow our employees to do so either. These views will be well received, I am sure, by the Finns whose president, Sauli Niinistö, said in his 2017 New Year's Address that "we must proceed together."

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy is fostering an environment that is diverse and inclusive?

Answer. First and foremost, by my actions I intend to create an environment that is diverse and inclusive. I recognize that, to a large extent, the composition of the Mission Team has already been established by others. Nevertheless, all employees will quickly come to understand that, whatever their backgrounds may be, we will form one united, cohesive team that will operate without discrimination and without any tolerance for behavior that lacks respect for others or that evinces any hint of dishonesty or other improper behavior. I will schedule frequent meetings with supervisory personnel to insure that official policy is both understood and imple-

mented. Similarly, through both my actions and the actions of supervisors, all members of the staff will understand what they need not tolerate and what actions of theirs will not be tolerated. I will, simultaneously, encourage all employees to report any breeches of policy with respect to personal conduct. I will assure my team that retribution will not be condoned and that U.S. law, including policies of the State Department, will be promptly and scrupulously followed.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ROBERT FRANK PENCE BY SENATOR JEANNE SHAHEEN**

*Question 1.* How would you approach the question of Finland's possible membership in NATO if Finland decides to seek it? Of course, the accession of a new member of the alliance is a question for all NATO allies, but what factors would you consider in making a recommendation for or against such request from the perspective of the U.S. Ambassador to Finland, if you are confirmed?

Answer. The United States would welcome such a strong and capable partner's decision to apply for membership in the Alliance, but the decision on whether to do so is up to Finland's political leadership and the Finnish people. Opinion polls indicate a significant number of Finnish people support joining NATO, but a slight majority continues to oppose membership. While not a NATO Ally, Finland maintains a high level of cooperation and interoperability with the Alliance and has been an active member of NATO's Partnership for Peace since its launch in 1994. At the 2014 Wales NATO Summit, Finland became one of a handful of Enhanced Opportunities Partners (EOP) with increased access to NATO political consultations and training/exercises. Finland has been a member of the NATO Response Force since 2012 and the NATO Strategic Airlift Capability program since its inception in 2008. If confirmed, I will continue to work with Finland to deepen our bilateral security cooperation, acknowledging the importance of maintaining NATO's Open Door policy for Finland.

*Question 2.* Finland has been seeking to diversify its energy supply sources and enhance its energy independence, in part by deepening its integration in the wider European, Nordic, and Baltic energy markets. What would you do, if confirmed, to encourage this? How would you help position American companies to participate?

Answer. Finland has a vital role to play in Europe's energy security and diversification, in particular as a leader in energy efficiency and biofuels research and development. Its energy policies align with the EU, and its energy targets generally meet or exceed EU requirements. Finland is investing in liquefied natural gas terminals and, in October 2015, the Finnish Government decided to move forward with the Balticconnector gas pipeline to Estonia, which would provide an opportunity to diversify Finland's supply via the European gas network. The European Commission will provide 187.5 million euros of Balticconnector's estimated 250 million euro cost. U.S. companies, such as General Electric, are already major players in Finland's energy sector. The greatest opportunity is for small U.S. energy innovators to partner with Finnish firms to develop and apply new energy technologies not only in Finland but in the EU. I understand that the U.S. Embassy in Helsinki has and will continue to prioritize promoting these U.S. business opportunities through events such as Vaasa Energy Week and in sectors such as forestry that hold great promise as a new source of renewable energy. If confirmed, I will work to support continued energy diversification across Europe, encouraging Finland to support projects that will diversify Europe's energy supply and oppose those that threaten it, such as Nord Stream II.

*Question 3.* Despite its long-standing economic ties with Russia, Finland has continued to support existing EU sanctions on Russia. If confirmed, what will you do to encourage the Finnish Government to maintain its support for the sanctions regime until the Minsk agreements for Ukraine are fully implemented?

Answer. Finland has been a strong defender—along with the United States and other European partners—of Ukraine's sovereignty and territorial integrity. Finnish officials have consistently reiterated their firm opposition to Russia's occupation and attempted annexation of Crimea, and have called on Russia to fulfill its commitments under the Minsk agreements to resolve the conflict in eastern Ukraine. Finland has voted to maintain EU sanctions against Russia and has made clear sanctions should remain until Russia fulfills its Minsk commitments, including reducing the violence in eastern Ukraine, removing heavy equipment and weapons, allowing full and unfettered access to OSCE monitors, and returning control of the inter-

national border to Ukraine. If confirmed, I will work to ensure U.S. and Finnish policies toward Russia remain closely coordinated.

*Question 4.* Finland has a highly industrialized, competitive market economy. If confirmed, what would you do to expand bilateral trade between our countries, particularly in the technology sector, which is an area where the United States and Finland both excel?

Answer. The United States and Finland work together with the European Union to promote job creation and prosperity on both sides of the Atlantic. The United States' trade relationship with Finland is driven in large part by innovative information and communications technology enterprises. Finland shares a commitment to open commercial data flows that support trade and investment in these sectors. If I am confirmed as Ambassador, one of my top priorities will be promoting fair and reciprocal trade and investment, building upon the considerable work the U.S. Embassy in Helsinki has already done. I will encourage the sharing of best practices while helping American companies recognize business opportunities in Finland and will showcase for Finnish companies the many opportunities to invest in the United States. United States exports to Finland were valued at \$1.5 billion in goods in 2017 and \$2.1 billion in services in 2016. United States imports from Finland were \$5.9 billion in goods in 2017 and \$2.5 billion in services in 2016. There is potential to increase both U.S. exports to Finland and Finnish foreign direct investment in the United States. If confirmed, I will make this a priority for all agencies working in the U.S. Mission to Finland.

*Question 5.* I have been outspoken in drawing attention to Russian malign influence activities in the United States and elsewhere. I was pleased to see that in April 2017, the United States joined Finland and several other NATO and EU countries in establishing a new, Helsinki-based multinational Center of Excellence for Countering Hybrid Threats aimed at helping to counter cyber attacks, disinformation, and propaganda. If confirmed, will you support this effort? How can the United States and Finland deepen our cooperation in this area?

Answer. The Transatlantic Community faces continued security threats from Russia. Finland has leveraged its geography and historical experience to develop a nuanced and knowledgeable approach to Russia. Finland is pragmatic and practical when it comes to Russia—but also recognizes Russia's challenge to the European security order. At Finland's initiative, nine countries, including the United States, signed a memorandum of understanding establishing the European Center of Excellence for Countering Hybrid Threats in April 2017. Since then, four additional countries have joined, and another three have expressed serious interest in joining. NATO and the EU will participate in the activities of the Center. The Center will serve as a hub of expertise to complement and bolster national and institutional efforts to strengthen our capabilities and counter hybrid threats. If confirmed, I will continue to work with our Finnish counterparts and the other member states of the Center to develop more effective cooperation against the diverse array of hybrid threats, and to expand U.S. participation by all relevant sectors.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DR. JUDY SHELTON BY SENATOR ROBERT MENENDEZ**

*Russia*

*Question 1.* What is the policy of the United States regarding new EBRD projects in Russia?

Answer. The United States does not support any new EBRD projects in Russia. In response to guidance from the United States and our G-7 partners, and the European Union, EBRD management has not brought forward any new projects for Russia since July 2014, following Russia's military aggression in Crimea.

*Diversity and Combatting Hostile Work Environments*

Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity.

*Question 2.* What steps will you take to ensure that supervisors and managers within the European Bank for Reconstruction and Development (EBRD) are fostering an environment that's diverse and inclusive?

Answer. If confirmed, I will use my oversight role on the EBRD's Board of Executive Directors to try to ensure that EBRD management fosters an environment that is diverse and inclusive. I will also advocate for these issues to be considered, as

appropriate, in the development and review of human resources policies in the EBRD's Budget and Administrative Affairs committee.

*Question 3.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups at the EBRD?

Answer. If confirmed, I will promote, mentor and support my staff who come from diverse backgrounds and underrepresented groups, consistent with fair management practices and relevant EBRD policies. The EBRD has increased its emphasis on inclusion in its operations, adding inclusion as a key quality of successful transition to a sustainable market economy.

*Question 4.* As a possible official of the Trump administration, will you condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. If confirmed, I will condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity.

*Question 5.* Will you uphold the rights of all persons to equality and freedom from discrimination, and call on Americans to refrain from discrimination of any sort?

Answer. If confirmed, I will uphold the rights of all persons to equality and freedom from discrimination, and call on Americans to refrain from discrimination of any sort.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DR. JUDY SHELTON BY SENATOR JEANNE SHAHEEN**

*Question 1.* The EBRD charter states that countries must be committed to applying the principles of multiparty democracy, pluralism, and market economics in order to qualify for EBRD loans. I believe it is important for the international community to assist the countries of the Western Balkans to successfully complete their transitions to democratic, market-oriented members of the transatlantic community. What is the EBRD doing in this region? If confirmed, what will you do to intensify this effort?

Answer. It is true that countries in the Western Balkans are still transitioning to well-functioning, sustainable market economies. The state remains a major player in key industries in several countries of the region, significant progress on privatizations remains elusive, and private sector businesses operate in a challenging business environment plagued by weak rule of law, a sizable informal sector, corruption and cumbersome tax administration, and difficulties in getting reliable electricity supply.

The EBRD has been and continues to be an important partner in the region, delivering close to \$800 million in new investments in both 2016 and 2017, coupled with policy dialogue and technical assistance. The EBRD has focused in particular on enhancing private sector competitiveness, strengthening the investment climate, and improving regional connectivity and integration through both hard infrastructure, like roads and energy links, and softer elements like harmonizing regulations and tariffs. Last month the EBRD launched a new one-stop regional investment platform for interested investors.

A key priority going forward should be increased privatization advocacy. If confirmed, I would like to help encourage the EBRD to maintain an intensified focus on reforms, commercialization efforts, and corporate governance improvements in the region's state-owned enterprises in an effort to unlock pre-privatization investments and eventual privatization progress. In addition, I would call on the EBRD to enhance its work to advance government and corporate reforms to improve economic and market institutions, transparency, competition, and the overall investment climate across the Western Balkan economies. I will also encourage the EBRD to continue to provide candid political assessments for its countries of operation, since political developments affect aspects of the transition to a market economy.

*Question 2.* Environmentally sound and sustainable development is central to the EBRD's mandate. In light of the administration's decision to withdraw from the Paris Climate Agreement, I'm curious to hear your views on climate change. How would you consider this issue as it relates to the EBRD's work?

Answer. I believe that it is important for countries to have affordable and reliable access to energy. If confirmed, I will evaluate each EBRD energy project on an individual basis, weighing various factors including the project's potential benefits for

transition to a sustainable market-based economy. If confirmed, I will work closely with the Treasury Department to review energy projects against the new, broader, objectives recently set forth by Treasury. This includes supporting energy projects that go to the core of supporting a country's development. This can and should include helping countries access and use fossil fuels more cleanly and efficiently. By pursuing projects that employ a mix of energy sources, the EBRD can support the development of robust, efficient, competitive, and integrated global markets for energy.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TREVOR TRAINA BY SENATOR ROBERT MENENDEZ**

*Question 1.* Do you commit to report regularly to the Senate Foreign Relations Committee on efforts by the Russian Government to interfere in the democratic processes of Austria?

Answer. If confirmed, I will ensure the United States Mission to Austria stands firmly with Austria in countering Russia's malign influence and will report on the Russian Government's attempts to interfere with Austria's democratic processes.

*Question 2.* What will your priorities be with respect to coordinating with the Austrian Government on policies on the Western Balkans?

Answer. If confirmed, I will encourage the Austrian Government to support regional peacekeeping efforts by maintaining its substantial troop numbers in NATO's Kosovo Force (KFOR). Austria's KFOR participation is essential to mission success and the creation of a stable, secure environment that allows Kosovo and Serbia to advance their political dialogue. I will also urge the Austrians to push the Western Balkan countries to accelerate political and economic reforms that are necessary for EU accession. These reforms will build resilience against Russian attempts to create instability in the Balkans through bribery, abuse of energy and trade ties, and use propaganda to advance its agenda. Austrian Chancellor Kurz has pledged to focus on the Western Balkans during Austria's EU presidency beginning July 1.

*Question 3.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity. What steps will you take to ensure that supervisors and managers within the embassy are fostering an environment that's diverse and inclusive?

Answer. Good management starts at the top, and, if confirmed, I would model to supervisors the kinds of behaviors I would want them to extend to their teams. Good management also requires an open door, clear communication of goals, and shared objectives, and I would work with my team to ensure that our shared environment is respectful and inclusive. If confirmed, I will ensure that projects with a scope for leadership and opportunities to excel are distributed equally among sections, people of different ranks, cones, experiences, and backgrounds, giving everyone an equal opportunity to make a difference in the Mission's impact on our foreign policy goals. I would also be respectful of work-life balance for all employees, recognizing that time at home with families is good for both employees' health and the health and productivity of an organization.

*Question 4.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups at the embassy?

Answer. I currently run an extremely diverse company, with over 50 percent female employees and a wide variety of ethnicities and sexual orientations. I am proud of this and have worked hard to both mentor and nurture my team members. Good management takes time, listening skills, patience, and empathy. When people of various viewpoints and backgrounds feel empowered to work together, great results ensue. I would bring this experience to the Mission.

*Question 5.* As a possible official of the Trump administration, will you condemn and oppose policies and practices that are derogatory and discriminatory on the basis of race, religion, nationality, gender, sexual orientation, or gender identity?

Answer. Yes.

*Question 6.* Will you uphold the rights of all persons to equality and freedom from discrimination, and call on Americans to refrain from discrimination of any sort?

Answer. Yes.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TREVOR TRAINA BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I believe all humans have the right to freedom from tyranny and the opportunity to live their lives with freedom and respect. I recall being a child in California in the 70s and witnessing whole families at the airport waiting for loved ones to arrive from repressive countries to start new lives of freedom in the United States. It left a mark and taught me that not everyone enjoys the freedoms that we do. At Princeton I wrote my thesis on the treatment of the indigenous peoples of Alaska and the Alaska Native Claims Settlement Act, which was intended to correct for past wrongs. I serve as a trustee of San Francisco's Grace Cathedral which, along with Bishop William Swing, is a pioneer in religious freedom and in dialogue amongst the world's religions. My current company was designed to benefit people in need around the world with every single transaction we facilitate. We support over 200 different causes from the ACLU at home to educational groups in Nepal and everything in between. Beyond raising millions to help people globally, I feel our model of for-profit commerce harnessed to support people in need is one that has wide-reaching application and represents a promising future.

*Question 2.* What are the most pressing human rights issues in Austria? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Austria? What do you hope to accomplish through these actions?

Answer. Austria has a strong record on human rights—we are important partners in addressing universal human rights challenges around the world based on the common values we share. The State Department's annual Human Rights and International Religious Freedom Reports list challenges Austria faces, including instances of discrimination against minority groups. There was a 97 percent increase in anti-Semitic incidents between 2014 and 2016, and a 62 percent increase in anti-Muslim incidents in 2016 over those reported in 2015. Jewish and Muslim groups have raised concerns about what they considered to be anti-Semitic and anti-Islamic sentiment within the Freedom Party (FPOe). If confirmed, I will continue our work advocating for increased tolerance for all.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in [country] in advancing human rights, civil society and democracy in general?

Answer. Human rights issues around the world often seem intractable, but Austria is a friend we can work with to address them. Austria and the United States share common values, including the importance of protecting human rights, though sometimes we have different areas of emphasis or different approaches to problems such as rising intolerance toward Jews, Muslims, and other religious or ethnic groups. If confirmed, I will continue our work with Austria to ensure the coordination of our efforts on promoting tolerance through civil society empowerment and coalition building. For example, we can work together on combatting hate crime and hate speech online while preserving freedom of expression and religious freedom. Ensuring that we keep lines of communication open will maximize our joint impact on this and other challenges.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Austria? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Austria, including human rights activists and religious groups, and the organizations that represent them. If confirmed, I will ensure the Department continues to thoroughly vet all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I would take the necessary steps in accordance with the law and Department policy, including working to ensure the responsible parties do not participate in U.S.-funded training.

*Question 5.* Will you and your embassy team actively engage with Austria to address cases of key political prisoners or persons otherwise unjustly targeted by Austria?

Answer. The State Department's 2016 Human Rights Report states that there were no reports of political prisoners in Austria.

*Question 6.* Will you engage with Austria on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Austria, including human rights activists and religious groups, and the organizations that represent them. I also look forward to working closely and collaboratively with the USOSCE delegation on the ground in Vienna to address these issues.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Austria?

Answer. None of my immediate family has economic interests in Austria. My cousin owns a home in Austria.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I currently run an extremely diverse company with more than 50 percent women employees and a wide variety of ethnicities and orientations. I am proud of this and have worked hard to both mentor and nurture my team members. Good management takes time, listening skills, patience, and empathy. When people of various viewpoints and backgrounds feel empowered to work together, magical results ensue. If confirmed, I would bring this experience to the Mission.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Good management starts at the top, and if confirmed I would model to supervisors the kinds of behaviors I would want them to extend to their teams if confirmed. Good management also requires an open door, clear communication of goals and shared objectives, and I would work with my team to ensure that our shared environment is respectful and inclusive. If confirmed, I will ensure that projects with a scope for leadership and opportunities to excel are distributed equally among sections, people of different ranks, cones, experiences, and backgrounds, giving everyone an equal opportunity to make a difference in the Mission's impact on our foreign policy goals. I would also be respectful of work-life balance for all employees, recognizing that time at home with families is good for both employees' health and the health and productivity of an organization.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO TREVOR TRAINA BY SENATOR JEANNE SHAHEEN

*Question 1.* In view of Austria's long-standing business connections to Russia, how committed do you believe Austria is to maintaining current EU sanctions on Russia in response to its annexation of Crimea? If confirmed, what will you do to encourage the Government to keep the sanctions in place for as long as necessary?

Answer. Both Chancellor Kurz and Foreign Minister Kneissl have publicly said that they will support the EU consensus on EU sanctions on Russia. Maintaining

U.S.-EU unity on Russia sanctions until Russia fully implements its Minsk commitments and returns Crimea to Ukraine is a top U.S. foreign policy priority in Austria. If confirmed, I will encourage the Austrian Government to maintain its support for EU-Russia sanctions as it has pledged to do, particularly once it assumes the EU presidency this July.

*Question 2.* In December 2016, the Freedom Party, which is a member of the governing coalition, signed a cooperation agreement with Russia's Putin-backed United Russia Party. The agreement reportedly outlines plans for regular meetings and collaboration on economic, business, and political projects. What do you make of this agreement? In light of Russia's dismal record of behavior, which includes meddling in elections in the United States and elsewhere, how will you approach the broader issue of Austrian-Russian relations, if you are confirmed?

Answer. Countering Russian malign influence is a top U.S. foreign policy priority. I am aware of the Freedom Party's cooperation agreement with United Russia from 2016. I understand that our embassy has expressed concern directly with Freedom Party leadership regarding this agreement and the party's history of supporting pro-Russian, anti-American, anti-NATO policies. If confirmed, I will encourage the Austrian Government to continue its support for Western unity with respect to relations with Russia. Maintaining transatlantic unity until Russia changes its behavior is critical.

*Question 3.* Austria is a highly-advanced industrialized country. If confirmed, what would you do to expand bilateral trade between our countries?

Answer. Bilateral trade is an important part of our relationship with Austria. The United States is Austria's fourth-largest trading partner overall and its second largest export market with total two-way goods and services trade at approximately \$19.1 billion in 2017 and U.S. exports to Austria in 2017 at \$6.7 billion—up 16.0 percent from 2016. If confirmed, I would continue to promote U.S. exports to Austria and encourage Austrian investment in the United States, particularly through the Embassy-supported SelectUSA program. I would use my entrepreneurial skills to help American companies realize export opportunities in Austria and showcase for Austrian companies the many opportunities to invest in the United States.

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## NOMINATIONS

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**WEDNESDAY, MARCH 7, 2018**

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

The committee met, pursuant to notice, at 2:40 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Marco Rubio, presiding.

Present: Senators Rubio [presiding], Gardner, Young, Cardin, Udall, Murphy, and Kaine.

**OPENING STATEMENT OF HON. MARCO RUBIO,  
U.S. SENATOR FROM FLORIDA**

Senator RUBIO. The Foreign Relations committee will come to order.

Good afternoon. This is a nomination hearing for the Honorable Joseph Macmanus of New York, a career member of the Senior Foreign Service, class of minister-counselor, to be U.S. Ambassador to Colombia; Ms. Marie Royce of California to be an Assistant Secretary of State for Educational and Cultural Affairs; Ms. Robin Bernstein of Florida to be U.S. Ambassador to the Dominican Republic; and the Honorable Edward Charles Prado of Texas to be the U.S. Ambassador to Argentina.

Before the ranking member and I make our remarks, we want to recognize our colleagues that are here and have other business as well to attend to but wanted to be here today. And so I would first recognize Senator John Cornyn of Texas who is here to introduce Judge Edward Prado.

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Well, thank you, Mr. Chairman and members of the committee. It is an honor to be back before you and particularly to introduce my friend, Judge Ed Prado, who has been nominated by the President to be the U.S. Ambassador to the Argentine Republic.

Judge Prado and I go back a long way when both of us served as judges in San Antonio, Texas. He was a little bit ahead of me as a State district court judge, but he went on to serve with distinction in the federal judiciary now for almost 35 years. He has had an incredible career. The first 19 years, he served as a federal district judge and then on the Fifth Circuit Court of Appeals for 14 more. But he has been a public defender, U.S. attorney, a State dis-

trict court judge, assistant district attorney. He has done a lot of different things.

But for some in the audience who may not know the States of Louisiana, Mississippi, and Texas, for those States and the people who live there, Judge Prado and his colleagues on the Fifth Circuit have essentially been the supreme court since, as you know, only roughly 80 or so cases make their way to the United States Supreme Court.

In his role for the Fifth Circuit, the judge was confirmed by the Senate unanimously, 97 to 0. It is no surprise that he was appointed by the Chief Justice of the Supreme Court to chair the Criminal Justice Active Review committee and serve on the board of the Federal Judicial Center, as well as other committees. Judge Prado is just a popular, sharp, and actually, once you get to know him, pretty funny guy. But I hope he does not show that part of his personality here today. [Laughter.]

Senator CORNYN. He was first in his family to go to college. Judge Prado received his undergraduate law degrees from the University of Texas and grew up in a predominantly Latino neighborhood in west San Antonio, and he speaks fluent Spanish, which will come in handy, of course, in Argentina.

I was surprised to learn that his family's history extends back to a Spanish soldier married at the Alamo in the 1700s.

So one of the jokes about federal judges is that although they get lifetime tenure, sometimes it feels like a life sentence. And Ed and Maria are embarking on a new chapter in their lives, which I know must be exhilarating for them, and it is to our great benefit to have somebody of their distinction and their character representing the U.S. Government in Argentina.

Although down in Argentina, he is going to have to remember that cowboys are gauchos, but Argentineans may be strangers to Bevo but they are no stranger to beef.

So as the committee knows, Argentina has become an increasingly important country in South America. President Macri recently implemented a series of positive economic reforms that has literally turned that country around and eliminated some of the currency controls and reducing taxes on agricultural exports. And his broad election victory last fall indicates he will continue to enjoy broad support.

So just as our relationship with Argentina has improved, it is really important that we have somebody of the character and talents and experience of Judge Prado representing the United States Government in that country as we work together to combat narcotics trafficking, money laundering, terrorist financing, corruption, and other illicit financial activities. We all share the concern, which I know the chairman particularly feels poignantly, the political concern over Venezuela. And recently our two Presidents agreed to launch a bilateral working group on cybersecurity issues.

So the Argentine Republic is fortunate to have such a strong believer in democratic principles and the rule of law serve as the U.S. Ambassador.

I thank you for your courtesies and letting me make this introduction and thank the President for making such an outstanding

nomination. And I hope the committee will favorably report out his nomination.

Senator RUBIO. Thank you, Senator Cornyn.

The senior Senator from Florida, Bill Nelson, to introduce Ms. Robin Bernstein.

**STATEMENT OF HON. BILL NELSON,  
U.S. SENATOR FROM FLORIDA**

Senator NELSON. And I might say also about Mrs. Royce—we well know her husband Ed. They have been frequent visitors to our State of Florida and have always been such gracious, gracious folks to Grace and to me.

I want to particularly thank the two of you for your leadership. You are both very skilled, the chairman and the ranking member, in foreign affairs. I had the privilege of serving on this committee for a number of years.

And I thought it important that since I have known Robin for a long time, the nominee for the DR, I wanted to come and tell you about her that her interest in public service started at a very early age. She even campaigned for Scoop Jackson and Hubert Humphrey. Now, please, Mr. Chairman, do not hold that against her.

Senator RUBIO. That is not in the file. I did not see that. [Laughter.]

Senator NELSON. She even campaigned for me, Mr. Chairman. Please, do not hold that against her.

And she worked for the Joint Economic committee and the Department of Commerce. And she has always had that spirit of public service.

And let me tell you what she did in the aftermath of Puerto Rico. In a bipartisan way, she put together the Palm Beach County Cares organization that within just a few weeks of the hurricane in Puerto Rico, they delivered over 100 tons of supplies and they also helped to get clean water. And you know how desperate those folks are as they continue, many of them still without electricity this late in the day and potable water. That spirit of service and that proven ability to work in a bipartisan manner is going to make her a great ambassador.

And so I have already congratulated her on the nomination, and I would like to see her confirmation fly through the Senate. Thank you, Mr. Chairman.

Senator RUBIO. Thank you, Senator Nelson. And I think I speak for the ranking member. We thank you for your compliments. You are free to come to all of our hearings and say that as well. [Laughter.]

Senator NELSON. I just did that in a press conference with you, Mr. Chairman.

Senator RUBIO. Thank you for coming today.

A member of our committee, Senator Udall of New Mexico, will be introducing Ms. Royce.

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

Senator UDALL. Thank you very much, Mr. Chairman. And I also just want to say what a pleasure it is working with you, Chairman Rubio and Ranking Member Senator Ben Cardin.

My wife Jill and I have known Marie Royce for close to 20 years when I began my service in the House of Representatives. Marie is a California native. Growing up in the West, she is active in conservation organizations and initiatives, and I believe she understands the important connection of those programs to international security and the rule of law.

I also think her experience in educational and cultural affairs makes her a good fit for this important leadership role. Ms. Royce, a business woman and former professor, has been the CEO and principal of Marie Royce LLC in Fullerton, California since 2016. She has more than 30 years of experience in the private sector with Fortune 500 companies and as a small business owner creating and launching startups and new initiatives and serving as a key business liaison to 80 countries. As a former educator and full-time university professor, Ms. Royce led an international grant program between two universities. She is a private sector appointee on the Advisory Committee on International Communications and Information Policy at the Department of State and has served on two U.S. cultural exchange boards. Marie served as an American Council of Young Political Leaders delegate to Hungary and Poland.

Ms. Royce earned a bachelor's in science and business administration from California State Polytechnic University and a master's in business administration from Georgetown University.

Her nomination has significant support within the diplomatic community. Patricia de Stacy Harrison served as Assistant Secretary for educational and cultural Affairs under President George H.W. Bush and Secretary of State Collin Powell and currently serves as CEO and President of Public Broadcasting. Ms. Harrison says—and I quote here—Marie Royce's experience, leadership, knowledge, and commitment to service will be of high benefit to our country and the Department of State and the Bureau of Educational and Cultural Affairs. End quote.

Likewise, former Assistant Secretary for Educational and Cultural Affairs under President Clinton, Ann Stock, says—and I quote here—we are thrilled to see Marie Royce nominated for a key leadership role at State. She continues to share our vision for a more secure and prosperous world through the power of international exchange. End quote.

Ms. Royce's experience, judgment, and temperament qualifies her for this important position within our diplomatic corps, and I wholeheartedly support her nomination and urge my colleagues to do so also.

Thank you both and really great to be here with you.

Senator RUBIO. Thank you.

The three ambassadorial nominees, if confirmed, will be the face of America to the countries in which you will be serving, and your primary job, of course, is to communicate and execute the policies of the United States explaining to local populations what we are doing and why.

The western hemisphere is a region vital to our national security and to our economy and one increasingly contested by foreign powers who have little to no interest in democracy or human rights or the rule of law. If we want the United States to remain free, prosperous, and secure, it starts in the western hemisphere. This is a contest that we cannot afford to lose and you will be on the front lines.

As for the nominee to be Assistant Secretary of State for Educational and Cultural Affairs, if confirmed, you will be charged with one of America's most important foreign policy tools, the finest educational system in the world and a culture that is prevalent in nearly every corner of the planet.

All four of these positions play an important role in U.S. foreign policy and I am pleased that all four of these nominations are here with us today.

Let us begin with Colombia where we have a relationship that, in my view, is a poster child for what good U.S. foreign assistance can do. We have worked for decades now with the Colombian Government on a problem of mutual concern, the production and trafficking of drugs. The U.S.-Colombia initiative, Plan Colombia, is one of the most effective bilateral efforts that we have ever undertaken and is a model in this western hemisphere. The initiative's main goal was to reduce the supply of illegal drugs produced and exported by Colombia, but in addition, it helped the security of Colombia itself, the stability of its government and its governance. And as a result economic relations with Colombia have deepened throughout the years, and the U.S. remains Colombia's top trading partner. In short, this partnership has allowed the Colombian Government to intake billions of dollars in foreign assistance and in return has allowed them to invest it in ways which have been good for both countries.

Today Colombia is a free and democratic nation. The rule of law is legitimate. It has one of the strongest and largest economies in the region, and it is among our strongest allies in the hemisphere, no longer just a recipient of support, but providing it themselves in places like Honduras.

Still, it faces challenges, and given the internal and regional issues its government is facing, especially with narcotrafficking and the FARC, anyone under consideration for this position should demonstrate a deep understanding of the political, security, and economic climate, as well as the opportunities for the United States in partnership with Colombia and with the region at large.

The Assistant Secretary of State for Educational and Cultural Affairs oversees some of the U.S. Government's most popular and prominent programs like Fulbright Scholars named after the longest serving chairman of this committee, William Fulbright, and exchange programs that expose people from all over the globe to America. These are soft power tools that could very well help decide whether this century is also an American one.

The Dominican Republic and the United States have deep cultural ties, especially in my home State of Florida. According to Pew, Dominicans are the fifth largest Hispanic group in the United States with nearly 2 million in the year 2015. It also happens to be a popular tourist destination for Americans, hosting upwards of

2 million Americans as tourists last year. Beyond personal and economic ties, the Dominican Republic finds itself at an important flashpoint for freedom in the region. The Dominican Republic is part of Petrocaribe, a group of countries that receive subsidized oil from a dictatorship in Venezuela. And if we want Venezuela to return to the prosperous constitutional democracy that its people deserve and that it was just a few decades ago, it is important for other democracies in the region, such as the Dominican Republic, to support the democratic aspirations and the human rights of their brothers and sisters in Venezuela in forums like the OAS and the United Nations.

Argentina is the leader in South America that is recovering from years of poor economic leadership. President Macri's election has shown a commitment to stronger bilateral relations with the United States and a return to good governance, the rule of law, and free markets. The news yesterday of charges being brought against the former president Kirchner demonstrate just how precarious democracy can be and why we need to be on guard for cracks in our own democratic institutions and the democratic institutions in the region and throughout the world.

So all of these positions will hold key roles in American foreign policy. And I begin at the outset by thanking you and your families for your commitment to your country and your willingness to serve it abroad.

The ranking member.

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

Senator CARDIN. Well, Chairman Rubio, first of all, thank you for convening this hearing. I appreciate it very much, and it is a pleasure to work with you in regards to the nomination for these four individuals.

I also want to welcome you, thank you for your willingness to step forward in public service or continue in public service. It is not easy today. These are challenging times, and it is a great sacrifice to your privacy and for your families. So we thank you and we thank your families for being willing to serve our country. And we are pleased that so many of your family members could be present with us today as we go through this hearing.

Marie Royce for Assistant Secretary for Educational and Cultural Affairs. Marie, you seem to have connections in a lot of States. You got a Florida endorsement. You got a New Mexico endorsement. You are from California, but you tell me you have ties to Maryland. So obviously, you know the country. So congratulations on so many different contacts, and you have an extremely impressive background, well known for your experience in business and your global engagements. So we thank you for being willing to take on this extremely important position to promote U.S. standing in the world and our democratic principles, our cultural ambassador cultivating global relationships.

Let me just underscore the importance of this. When you look at the alumni clubs from these programs, you find many current and former heads of state. So this truly is America's gift to the international community and promoting our values, more important

now than ever before when you see, for example, what is happening in the Philippines with President Duterte's use of extrajudicial killings in order to deal with the drug problem there and some kind comments sent by our President in regards to those methods. Believe me, we have challenges today and we need your help.

I do want just to acknowledge that the administration's budget would cut your program by 75 percent. Now, we are not going to go along with that, but we need a friend to advocate with us so that you have the resources you need to carry out this very important assignment.

And, Mr. Chairman, I might point out I am pleased that we have four nominees with us today, but I have to acknowledge that there are so many vacancies in the State Department, such a drain of the top seasoned diplomats that have not been filled that I am extremely concerned about the pace of the Trump administration's bringing to us nominees. I can assure you that we will work with the chairman and expedite all the nominees that are brought forward because we desperately need your presence in these areas.

To Ambassador Macmanus, thank you for your career service. You have had an extremely impressive career, including being our representative in Vienna to the international organizations, including IAEA. That gives you a wealth of experience that you can take to Colombia.

The implementation of the peace accords—Senator Blunt and I have worked with the Atlantic Council in regards to the implementation of the peace accords. There is a lot of interest in Congress, bipartisan interest.

But one of the real challenges that we need to follow up and this committee is very interested in is accountability, to make sure there are no impunities as to the violations of human rights with the FARC and others that occurred during the longest civil war in our hemisphere. So we do want to make sure that the peace accords are entered into in the right way and that there is accountability for the human rights violations. We have to address the illicit coca cultivation. We know that. It is a major source of concern to us.

And as the chairman pointed out with both Colombia and with Argentina, the impact of Venezuela is so noticeable, the impact on Colombia particularly on people trying to find life that cannot exist in Venezuela and the inability to deliver effectively humanitarian assistance to the people of Venezuela. All that will become part of the charge of our missions in Colombia and in Argentina.

To Judge Prado, we had a chance to talk yesterday. You have had a very distinguished career and we thank you for your willingness. We do not normally get circuit court judges that are on their way to become ambassadors. But your experience is incredible and your commitment to public service is one that we all admire. So I just really wanted to thank you for being willing to take your talent to Argentina. It is our only major non-NATO ally in Latin America. This year they will host the G-20, as we had a chance to talk about.

And as I explained to you, we need to bring closure to the 1994 bombing of the Jewish community center in Argentina. The cover-

up here by the former government is one that cannot go unchallenged, and the United States needs to play a role to make sure that Argentina brings closure to that issue, holding those responsible accountable for that bombing.

And I am concerned about the increased presence of China in Argentina. And it is one which we need to understand as we go forward, and our ambassador will play a very, very important role there.

Mrs. Bernstein, you bring very impressive credentials in the business community, the philanthropic community. We thank you for your willingness to serve in a very important position.

I will just make one observation, which is not your calling. I think President Trump makes it more difficult, and I am going to explain why. Many of us are concerned about the fact that President Trump never made full disclosures of his business interests, et cetera. We know that there are Trump organization activities within the Dominican Republic. And we just urge you to understand the sensitivity of maintaining the objectivity of the mission in the Dominican Republic, and we will be depending upon you to maintain that objectivity for the American people.

Mr. Chairman, I look forward to our witnesses' testimony and to engaging them in some questions.

Senator RUBIO. Thank you.

We are going to begin our witness testimony. Your entire statement will be entered into the record. So if there is an abbreviated version, we are happy to hear anything you have to say, but in the interest of time—we have members coming in and out, and I know they want to ask questions. And so I would encourage you, if you can, to shorten the statements, if possible, so we can get right to the questions.

Ms. Bernstein?

**STATEMENT OF ROBIN S. BERNSTEIN, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC**

Ms. BERNSTEIN. Chairman Rubio, Ranking Member Cardin, distinguished members of the committee, I would first like to thank my longtime friend and esteemed Senator from Florida, Senator Bill Nelson, for his kind introduction.

It is an honor to be with you today as President Trump's nominee to be the U.S. Ambassador to the Dominican Republic. If confirmed, it will be an honor to be the second woman to serve as U.S. Ambassador to this country. I am humbled that the President has entrusted me with this opportunity, with your approval, to represent the United States. If confirmed, I look forward to working with the White House, Secretary Tillerson, and our talented and dedicated staff to lead our engagement with such an important regional ally and partner.

I would like to take this opportunity to thank my family who are with me today: my wonderful husband Richard; our children, Arthur, his wife Karla, Ariel, Alexandra, and Julia; and my mom Karolyn. I would also like to acknowledge my late father Archie whose lifelong passion was to host young exchange student ambas-

sadors in our home and whose vision enabled me to go to high school in France as an exchange student and later to the School of International Service in Washington, D.C. My family has sustained me throughout the many challenges and opportunities in my life and without their support, I would not be able to undertake this next and exciting stage of my career.

I began one of my first professional positions here on the Hill at the Joint Economic Committee in this very building. After obtaining my MBA, I moved to Florida where I met my husband and where we raised our family.

For over 3 decades, I have worked alongside my husband at our family insurance business in a number of leadership roles. During this time, I continuously worked in the nonprofit community in a wide variety of leadership positions, particularly in the areas of empowering and supporting women, health care issues, and supporting the underserved community. I am especially proud that as the cofounder of the bipartisan organization, Palm Beach County Cares, I helped facilitate the delivery of medicine and critically needed supplies to our fellow Americans in Puerto Rico and the U.S. Virgin Islands in the aftermath of devastating hurricanes.

I am confident that my education and my experience in the public sector, private sector, and nonprofit worlds have prepared me for this important diplomatic mission. If confirmed as U.S. Ambassador, I will work closely with the personnel from across the Government to lead our embassy's efforts in forging stronger bonds with the Government and the people of the Dominican Republic.

If confirmed, this appointment would be especially meaningful to me as a Jewish American. My grandfather, Morris Stein, fled Russia as a child with his family to escape religious discrimination. They came to the United States to pursue the American dream of religious freedom, human rights, democracy, and economic opportunity. That is why I am humbled to stand before you today and, if confirmed, pledge to continue the fight to preserve these American values.

In the Jewish faith, we have a saying, "When you save a life, you save the world." During World War II, the Dominican Government and its people opened their arms to thousands of Jews who were seeking refuge from the atrocities in Europe. Serving as Ambassador would be a personally significant way for me to show gratitude for how the people of the Dominican Republic cared for the Jewish people in their time of need.

The Dominican Republic and the United States share a long history. As close neighbors, we also share a mutually beneficial economic, cultural, sports, and people-to-people ties enhanced by a very sizable Dominican American diaspora. If confirmed, I will work to ensure that trade opportunities continue to grow and deliver prosperity for both our nations and to ensure that our economic engagement will continue to benefit the United States.

Over the years, the Dominican Republic has endured challenges to the health of its civil society. If confirmed, I pledge to continue to promote policies that advocate for the rule of law, strengthen democratic institutions, and tackle corruption.

Fighting illicit trafficking and transnational crime is one of President Trump's highest priorities. The Dominican Republic is

one of our strongest law enforcement partners in this hemisphere. Continued strong bilateral security cooperation will help attack the drug-related addiction and crime-related problems that affect both our countries.

Finally, if confirmed, I will work tirelessly to facilitate humanitarian, cultural, and educational exchanges that reaffirm to the people of the Dominican Republic America's enduring foreign policy values of democracy, freedom, and human rights.

Thank you very much for considering my nomination. I look forward to answering your questions.

[Ms. Bernstein's prepared statement follows:]

#### PREPARED STATEMENT OF ROBIN BERNSTEIN

Chairman Rubio, Ranking Member Cardin, distinguished members of the committee, I would first like to thank my long-time friend and esteemed Senator from Florida, Senator Bill Nelson for his kind introduction.

It is an honor to be with you today as President Trump's nominee to be the U.S. Ambassador to the Dominican Republic. If confirmed, it will be an honor to be the second woman to serve as U.S. Ambassador to this country. I am humbled that the President has entrusted me with the opportunity—with your approval—to represent the United States. If confirmed, I look forward to working with the White House, Secretary Tillerson, and our talented and dedicated staff to lead our engagement with such an important regional ally and partner.

I would like to take this opportunity to thank my family who are with me today—my wonderful husband Richard, our children Arthur, his wife Karla, Ariel, Alexandra and Julia, and my mother Karolyn. I would also like to acknowledge my late father, Archie, whose lifelong passion was to host young exchange student "ambassadors" in our home and whose vision enabled me to go to high school in France as an exchange student and later to the School of International Service in Washington, D.C. My family has sustained me throughout the many challenges and opportunities in my life and without their support I would not be able to undertake this next and exciting stage of my career.

I began one of my first professional positions here on the hill at the Joint Economic Committee, in this very building. After obtaining my MBA, I moved to Florida where I met my husband and where we raised our family.

For over three decades, I have worked alongside my husband at our family insurance business in a number of leadership roles. During this time, I continuously worked in the non-profit community in a wide variety of leadership positions, particularly in the areas of empowering and supporting women, health care issues and supporting the underserved community. I am especially proud that as the co-founder of the bipartisan organization Palm Beach County Cares, I helped facilitate the delivery of medicine and critically needed supplies to our fellow Americans in Puerto Rico and the U.S. Virgin Islands in the aftermath of devastating hurricanes.

I am confident that my education, and my experiences in the public sector, private sector, and non-profit worlds have prepared me for this important diplomatic mission. If confirmed to serve as U.S. Ambassador, I will work closely with the personnel from across the Government to lead our embassy's efforts in forging stronger bonds with the Government and the people of the Dominican Republic.

If confirmed, this appointment would be especially meaningful as a Jewish American. My grandfather, Morris Stein, fled Russia as a child with his family to escape religious discrimination. They came to the United States to pursue the American dream of religious freedom, human rights, democracy and economic opportunity. That is why I am humbled to stand before you today and, if confirmed, pledge to continue the fight to preserve these American values.

In the Jewish faith we have a saying, "When you save a life, you save the world." During World War II the Dominican Government and its people opened their arms to thousands of Jews who were seeking refuge from the atrocities in Europe.

Serving as Ambassador would be a personally significant way for me to show gratitude for how the people of the Dominican Republic cared for the Jewish people in their time of need.

The Dominican Republic and the United States share a long history. As close neighbors we also share mutually beneficial economic, cultural, sports and people-to-people ties enhanced by a very sizable Dominican-American diaspora. If confirmed, I will work to ensure that trade opportunities continue to grow and deliver

prosperity for both our nations and to ensure that our economic engagement will continue to benefit the United States.

Over the years, the Dominican Republic has endured challenges to the health of its civil society. If confirmed, I pledge to continue to promote policies that advocate for the rule of law, strengthen democratic institutions, and tackle corruption.

Fighting illicit trafficking and transnational crime is one of President Trump's highest priorities. The Dominican Republic is one of our strongest law enforcement partners in the hemisphere. Continued strong bilateral security cooperation will help attack the drug-related addiction and crime related problems that affect both of our countries.

Finally, if confirmed, I will work tirelessly to facilitate humanitarian, cultural, and educational exchanges that reaffirm to the people of the Dominican Republic, America's enduring foreign policy values of democracy, freedom, and human rights.

Thank you very much for considering my nomination. I look forward to answering your questions.

Senator RUBIO. Thank you.  
Ms. Royce?

**STATEMENT OF MARIE ROYCE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS**

Ms. ROYCE. Mr. Chairman, Ranking Member Cardin, distinguished members of the committee, thank you for inviting me here today.

I would like to thank Senator Udall for his kind introduction.

I want to thank President Trump and Secretary of State Rex Tillerson for their confidence in me, and if confirmed, it will be a privilege to represent you and the American people globally.

I would like to thank Ed, my husband of 33 years, for his love and inspiration. And I would like to recognize my mother, Mary Barbara; my father-in-law, Ed Sr.; and my late father, Ronald Porter; and Aunt Peg. To my family and friends in California and my friends that are here today, I could not ask for better support.

I am a passionate champion of people-to-people exchanges.

Time and trust in ECA programs like Fulbright and the International Visitor Leadership Program have built important relationships. One in three current world leaders are alumni of U.S. Government exchange programs, so are over 500 former heads of state and 84 Nobel laureates.

As a professor at California State Polytechnic University, Pomona, I participated in international exchange efforts through educating teachers and students from abroad. I saw the impact of our ideals, values, and policies on their world view and on their perception of U.S. foreign policy. Because of the prevalence of disinformation in many parts of the world, these ECA exchanges bring real world experiences in the United States that foster credibility and trust. These people-to-people ties are an important way to show that U.S. disagreement with a given regime overseas are with the Government of the country and not with the people. Thus, academic, cultural, and athletic exchanges cultivate mutual understanding as well as friendly and peaceful relations between the people of the United States and the people of other countries.

In my time as a business executive in the telecommunications industry working in emerging markets in Africa, Europe, South America, and Asia, I obtained a deep appreciation of the role played by our educational programs. So often those I met in key decision-making roles had been the beneficiaries of ECA's bilateral

agreements with foreign partners, governments, businesses, and NGOs. They had experienced the richness of America's political, economic, and cultural life. And as a result, they were very receptive to what America had to offer.

As a delegate to Hungary and Poland in the American Council of Young Political Leaders, ACYPL, program, I experienced the effectiveness of these bipartisan programs. ACYPL promotes mutual understanding and cultivates long-lasting relationships among next generation leaders. It was an honor for me to later serve as secretary of the board.

I served as a trustee of Meridian International, which works closely with the State Department and other U.S. Government agencies to provide exchange and policy programs that strengthen U.S. engagement with the world and prepares leaders to address complex global problems.

My professional career began with the Procter & Gamble Company in sales management and research and development worldwide. At P&G, I helped create and launch a mentoring program for women and minorities to help close gender and racial gaps in the workplace and attract diverse talent.

I raise this point because American diversity and the advances in opportunity for women and minorities in our society serve as an example for those struggling for full rights abroad. Prospects for empowerment, democracy, and the rule of law worldwide are advanced when young people can participate in our public diplomacy programs. Involvement of American and international participants from traditionally underrepresented groups create opportunities that are open to all. This inclusion is an American value and advances American interests. From creating programs at Cal Poly Pomona, P&G, and Marriott International to creating a program for Muslim women in Afghanistan and later Iraq, I have volunteered my time to those who have faced discrimination and lacked opportunities.

As a private sector appointee on the Advisory Committee on International Communications and Information Policy at the Department of State, I developed long-distance mentoring programs.

As noted by Senator Udall, I have more than 30 years of experience in the private sector and small business and as a full-time university professor.

If confirmed, I would aim to strengthen our people-to-people ties even further. I am very honored to be appointed to this important position, and I will focus all my efforts on improving the vital missions of these programs.

Thank you very much.

[Ms. Royce's prepared statement follows:]

#### PREPARED STATEMENT OF MARIE ROYCE

Mr. Chairman, Ranking Member Cardin, distinguished members of the committee, thank you for inviting me here today.

I want to thank President Trump and Secretary of State Rex Tillerson for their confidence in me, and if confirmed—it will be a privilege to represent you and the American people globally.

I would like to thank Ed, my husband of 33 years, for his love and inspiration. And I would like to recognize my mother Mary Barbara, my father-in-law Ed Sr.,

and my late father Ronald Porter and Aunt Peg. To my family and friends in California, I could not ask for better support.

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In my time as a business executive in telecommunications working in emerging markets in Africa, Europe, South America and Asia, I obtained a deep appreciation of the role played by our educational programs. So often, those I met in key decision-making roles had been the beneficiaries of ECA's bilateral agreements with foreign partners, governments, businesses and NGOs. They had experienced the richness of America's political, economic, and cultural life. As a result, they were receptive to what America had to offer.

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I raise this point because American diversity, and the advances in opportunity for women and minorities in our society serve as an example for those struggling for full rights abroad. Prospects for empowerment, democracy and the rule of law worldwide are advanced when young people can participate in our public diplomacy programs. Involvement of American and international participants from traditionally underrepresented groups create opportunities that are open to all.

This inclusion is an American value, and advances American interests. From creating mentoring programs at Cal Poly Pomona, P&G, and Marriott International, to creating a program for Muslim women in Afghanistan and later Iraq, I have volunteered my time to those who have faced discrimination and lacked opportunities.

As a private sector appointee on the Advisory Committee on International Communications and Information Policy (ACICIP) at the Department of State, I developed long-distance mentoring programs through video-conferencing and SKYPE for women in the developing world to match them up with women professionals.

I have more than 30 years of experience in the private sector with Fortune 500 Companies, and as a small business owner, creating and launching start-ups and new initiatives and serving as a key business liaison to 80 countries. As a former full-time university professor I led an international grant program between two universities.

If confirmed, I would aim to strengthen our people-to-people ties even further. I am honored to be appointed to this important position, and I will focus all my efforts on improving the vital mission of these programs. Thank you very much, and I look forward to answering your questions.

**Senator RUBIO. Thank you.  
Ambassador Macmanus?**

**STATEMENT OF HON. JOSEPH E. MACMANUS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA**

Ambassador MACMANUS.. Thank you, Senator. Mr. Chairman and Mr. Ranking Member, members of the committee, it is an honor to appear here today as the President's nominee for U.S. Ambassador to the Republic of Colombia. If confirmed, I am committed to representing the President, the American people, and their national interests in a country so key to our security and prosperity in the western hemisphere.

I would like to thank first my wife Carol and our son Chris for their support during my 32-year career in the Foreign Service. Without that support, I would not be here today.

Mr. Chairman, Colombia has transformed itself.

Mr. Chairman, I find myself particularly challenged by the fact that your introduction and the ranking member's introduction on Colombia were a perfect articulation of our policy. It is a representation of the bipartisan nature of that support over the past 20 years. And I would be happy to read my abbreviated statement, but I would prefer, in fact, to, in the Senate tradition, associate myself with those remarks and leave myself available for a full set of questions. It is a well known account. It is one that we all understand, and I look forward to talking to you about it.

If confirmed, I plan on representing our country fully and in a fashion that would continue the progress that we have made under Plan Colombia.

[Ambassador Macmanus's prepared statement follows:]

**PREPARED STATEMENT OF JOSEPH E. MACMANUS**

Mr. Chairman and distinguished members of the committee, I come before you today, both honored and humbled, to be considered to represent the United States as the President's nominee for U.S. Ambassador to the Republic of Colombia. I feel honored by the prospect of serving our country in this role and, if confirmed, I am committed to representing the President, the American people, and their national interests in a country so key to our security and prosperity in the Western Hemisphere.

I would like to thank my wife and son, for supporting my 32-year career in the Foreign Service. Without your continued support I would not be here today.

Mr. Chairman, as the Members of this body know, our relationship with Colombia represents for both of our countries the full scope of opportunities and challenges that face our hemisphere and the world.

In spite of a well-known history of violence and instability, Colombia has transformed itself over the last two decades into a sturdy democracy of growing and maturing institutions with a dynamic market economy and a society brimming with optimism and hope for the future. Violent capital crime has decreased dramatically and the peace accord offers a way forward after one of the world's longest running civil wars. Colombia has chosen a new path.

In these respects, the United States has no more capable and disposed partner in the region than Colombia, and Colombia has no more reliable and steady partner than the United States. This partnership has flourished under Plan Colombia, which has provided a platform for our support and cooperation to evolve as Colombia has matured. The support of the U.S. Congress remains vital to the health and momentum of this relationship.

At the heart of this cooperation is an urgent bilateral challenge, but this should not detract from the many positive aspects and values of our relationship. Colombia remains the single largest cultivator of coca in the world, the single largest producer of cocaine in the world, and the single largest trafficker of cocaine into the United

States. By U.S. estimates, over 90 percent of cocaine brought to the United States originates in Colombia.

In my brief remarks this afternoon, I want to address the strategic purpose of U.S. continued support for Colombia, the means by which we can advocate our interests, and address the question of how to cap the growth of coca cultivation and return to the progress of previous years when there was diminishing production and trafficking of cocaine.

The United States, including both the administration and the Congress, has stated plainly its deep concern about the surge in coca cultivation and cocaine production. It is a topic of continuing discussion with and within the Colombian Government.

Our commitment over the past two decades to work side-by-side with Colombia to address the issue has produced encouraging results. Over this period, with a combination of training, tools, and technical skills provided through U.S. assistance, the Colombian security forces have made serious and increasingly effective efforts to address narcotics trafficking and transnational organized criminals and their networks.

In the past 12 months in bilateral meetings here in Washington and in high-level visits to Colombia, President Trump, Vice President Pence, Secretary of State Tillerson, and numerous other government officials have impressed on the Colombian Government the urgency with which they must do more to combat the tremendous growth in coca cultivation. The Colombians in turn have developed a wide range of new policies and programs to address the issue, and they continue to take losses in their security forces on a weekly basis fighting drug traffickers and their networks. Colombia is fully engaged in this fight.

Coca cultivation presents challenges to Colombia across every aspect of its governance and society. It damages families and communities through dangerous arrangements with traffickers, transnational criminal organizations, and guerrillas, resulting in killings, displacements, and corruption of individuals and government officials. It threatens public health and the environment, especially in the production phases of cocaine. It subverts licit economic development through the illusion of illicit cultivation as a realistic plan for subsistence or profit. It creates illegal money flows throughout the region, further leading to corruption and stunting the ability of the criminal justice system to function untainted with devastating effects throughout the illicit supply chain to the United States.

Such a pervasive set of threats requires an integrated, whole-of-government approach to counternarcotics and rural development in the strategic areas of concern. This approach characterizes the implementation of the peace accord related to illicit drugs, rural reform, and justice for victims.

The United States is supporting the Colombian Government's efforts across Colombia, in Tumaco, in Antioquia, and elsewhere. Working with national, state and municipal governments, the private sector, civil society, and public forces, the Colombian Government is beginning to bring security and economic opportunities to areas of the country previously under-served and unsafe. Ending the scourge of narcotics trafficking that has destroyed so many Colombian and American families is an imperative for our relationship, for Colombia's future, and for the success of the peace accord's implementation. In the recently concluded U.S.-Colombia High Level Dialogue, Colombia committed to reducing Colombia's cocaine production and cultivation to 50 percent of current levels by 2023.

If confirmed, I will be a strong and active supporter of this goal. Over the past five years, U.S. efforts in four of the top coca producing regions of the country have supported more than 35,000 families while leveraging more than \$265 million in public and private resources. In FY 16, USAID programs directly supported over 1,800 small businesses and 14,000 small-scale farmers of coffee, cacao, milk, and honey through 45 producer associations and groups creating licit economies and jobs in the rural sector.

U.S. efforts to boost licit economic opportunities, develop and improve key infrastructure, and confront criminal activities, including narcotics production and related criminal activities, marks the next chapter in this fight. The United States and Colombia, working side by side, can assist communities affected by decades of conflict and narcotics trafficking through the implementation of the peace accord.

But our relationship with Colombia is not just about drugs. Colombia is also an important trade partner for the United States, underscored by the U.S.-Colombia Trade Promotion Agreement (CTPA) that has supported economic growth and employment opportunities in both countries. Colombia is America's 25th largest trading partner, with two-way trade in 2017 amounting to \$26.82 billion. It is notably one of the most balanced trading relationships in the world, with only a \$282 million trade deficit for the United States, something I will work on if confirmed.

We support Colombia's accession to the Organization for Economic Cooperation and Development (OECD) once it completes all the technical requirements for entry. In support of this we are providing Colombia with \$2 million in assistance to improve labor practices and encouraging Colombia to meet its U.S.-Colombia Trade Promotion Agreement obligation to protect intellectual property rights, which will also deter transnational criminal organizations.

The United States also wants to see full implementation of new regulations to ensure market access for U.S. companies and full compliance with the U.S.-Colombia Free Trade Agreement and Labor Action Plan.

The educational ties between our countries also continue to grow. With substantial government investment from the United States and Colombia, together with private sector collaboration, our joint innovation fund has awarded nearly 30 grants in the last three years to teams of Colombian and U.S. academic institutions to build institutional capacity and create new exchange and training programs.

We encourage collaboration to support language and teacher training that strengthen educational and economic opportunities. Access to quality education is key to promoting racial and ethnic equality. Empowering persons of African and indigenous descent, women, and other underrepresented communities through education strengthens society as a whole and promotes economic opportunities for all.

We have had excellent cooperation with the Government of Colombia through the U.S.-Colombia Action Plan on Racial and Ethnic Equality to improve access to education, entrepreneurship, and employment opportunities for Afro-Colombians and indigenous communities and explore ways to promote inclusive policies and programs for both countries.

Exchange programs between the United States and Colombia are uniquely able to reach young people and create new economic opportunities in both countries and these will continue.

Finally, Mr. Chairman, I will say a few words about myself. I am a senior member of the U.S. Foreign Service, having served over 30 years at home and abroad. My experience includes work in Latin America and Europe. I served as our ambassador to the International Atomic Energy Agency and for many years worked closely as a senior aide to four Secretaries of State. I have a detailed knowledge of the importance of the Department of State's relationship with Congress and I respect and value the views of its Members and the nature of their oversight. I am committed to and, if confirmed, will maintain strong ties with the Members of this committee, many of whom have deep experience on these issues, productive relationships with Colombians in government and civil society, visit the country often, and offer measured and wise views on the problems Colombia faces.

Mr. Chairman, we share a common purpose. Colombia continues its struggle to create the future it has worked so diligently to achieve for nearly two decades. Many of its most serious challenges, especially the twin challenges of consolidating peace and controlling drug trafficking, are deep seated and frankly the work of a generation. But Colombians are committed to picking up the pace. And if confirmed, I am committed to continuing the fine work of my predecessors and honoring the tremendous sacrifice of Colombians in this shared struggle. If confirmed, I will support and defend our policies, our interests, and represent the President and the American people as their voice and advocate.

Thank you, Mr. Chairman. I look forward to responding to your questions.

**Senator RUBIO.** Yes. Senator Cardin makes the point that anytime your statement—basically as you agree with what we have to say, it is always a good sign. But that is just our opinion. [Laughter.]

Ambassador MACMANUS.. I got lucky, Senator.

**Senator RUBIO.** All right. Judge Prado, do you agree with us too? [Laughter.]

**STATEMENT OF HON. EDWARD CHARLES PRADO, OF TEXAS,  
TO BE AMBASSADOR EXTRAORDINARY AND PLENI-  
POTENTIARY OF THE UNITED STATES OF AMERICA TO THE  
ARGENTINE REPUBLIC**

Mr. PRADO. 101 percent. I think that Mr. Macmanus should have checked with the rest of us on the panel as to whether he should

have cut his statement short because I think the rest of us would have preferred that it be longer. [Laughter.]

Mr. PRADO. Mr. Chairman Rubio, Ranking Member Cardin, and other members of the committee, including Senator Kaine who is here—and I will acknowledge him—thank you for the opportunity to appear before you this afternoon.

And I also wish to thank my good friend, Senator Cornyn. We go back a very, very long way when we were both young lawyers. We have an informal agreement that if I do not tell stories on him, he will not tell stories on me. So I will leave it at that and thank him for being here today and introducing me to the committee.

It is an honor to appear before you today as the President's nominee to be the United States Ambassador to the Argentine Republic. I must say it is a rather awkward position for me because as an appellate judge, I am used to being the one behind the bench and asking the questions and controlling the little red lights and light traffic. So it is a little different situation for me today, but be that as it may, I hope to assure you that my career as a judge, my work ethic, my resolve make me well qualified to be America's voice in Argentina.

I thank President Trump for his confidence in me and for this opportunity. And I thank Secretary Rex Tillerson for supporting my nomination.

I am here today with my wife of 44 years Maria. She has been my strongest supporter throughout my life and our marriage and in this new endeavor. She understands that there is an important role for the spouse of an ambassador and she is eager to take on that responsibility. We are a team, and she is coming with me as part of my team.

Our son Edward could not join us today, but he is very enthusiastic about this opportunity for his father. And I think he would rather save his money for possible trips further south than to come up here to D.C. today.

I would also like to acknowledge some of my former law clerks that are in the audience. As a judge for many years, I have had the opportunity to hire young, bright lawyers from various law schools throughout the country, and they have been part of what they call Team Prado. And I wish to thank them for appearing here today with me.

My career has prepared me well for this new responsibility. As a federal judge, I listened, I gathered information, I analyzed it carefully, and ultimately had the responsibility to make difficult decisions. I understood that with the title of judge came power and respect. But with that power and with that respect also came a responsibility to do what the law demanded regardless of the consequences. Likewise, the title of ambassador carries with it a great deal of prestige, but with that prestige also comes great responsibility to represent the United States of America. My goal will be to earn the respect that comes with the title of ambassador and to represent our country to be best of my ability.

I also realize that while I might serve as the face of the court, there are dozens of persons behind the scenes that make the courts function properly. The same is true of an embassy. While I might be the face of the embassy, I understand that there is a team and

many dedicated employees behind the scenes making sure that America is properly represented. An embassy is only as strong as those who make it function from the Ambassador to the consular section to the people working in the cafeteria. We are a team working together with the same goals, the same mission.

I have had the opportunity to travel to Argentina on numerous occasions. I have made presentations and participated in workshops across Argentina and have made friends among the Argentine legal community. I know how important the rule of law is and how important a strong independent judicial branch can be to a country if it is to be a solid democracy. My intent is to continue working with the lawyers and the judges of Argentina in improving the judicial system and strengthening the confidence the people have in the judicial system.

As a former prosecutor, I appreciate the efforts of our law enforcement agencies to make our country and the world a safer place for all citizens. It is my intent to fully support United States law enforcement agency efforts in supporting Argentine law enforcement and their fight against crime. I am committed to help build capacity within the Argentine police to promote security in a vital regional ally.

As a son of a World War II veteran and myself a retired Army reservist, I appreciate the importance of a strong military commitment to a democratic world free from the threat of terrorism. Our support of the Argentine military must continue.

I also hope to work closely on commercial and economic issues to increase opportunities for United States business in Argentina. I will work to further enhance our bilateral trade relationship. Argentina is the eighth largest country in the world by land area and has a powerful and diverse economy. While the country has no doubt dealt with its share of economic challenges, the current Macri administration has established wide-reaching reforms seeking to strengthen Argentina's markets and its position in the global economic community. I intend to work closely with the Argentine administration to not only assist them in these efforts but to strengthen mutuality between beneficial trade and commerce of our two countries.

I look forward to enhancing our continuing friendship and partnership with a close ally. Through our efforts, we can strengthen peace and prosperity in both countries, and I look forward to representing the United States on the global stage.

I welcome your questions.

[Mr. Prado's prepared statement follows:]

#### PREPARED STATEMENT OF JUDGE EDWARD C. PRADO

Members of the Senate Foreign Relations committee, It is an honor to appear before you today as the President's nominee to be the United States Ambassador to the Argentine Republic. I must say it is a rather awkward position for me because as an appellate judge I am used to being the one behind the bench asking the questions rather answering them. Be that as it may, I hope to assure you that my career as a judge, my work ethic, and my resolve make me well qualified to be America's voice in Argentina. I thank President Trump for his confidence in me and for this opportunity. And I thank Secretary Rex Tillerson for supporting my nomination.

I am here today with my wife of 44 years, Maria. She has been my strongest supporter throughout my life and in this new endeavor. She understands that there is an important role for the spouse of an Ambassador and is eager to take on that re-

sponsibility. We are a team. Our son, Edward could not join us today but is very enthusiastic about this opportunity for his father.

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I also realize that while I might serve as the face of the court, there are dozens of persons behind the scenes that make sure that the court functions smoothly. The same is true of an Embassy. While I might be the face of the Embassy, I understand that we are a team and many dedicated employees are behind the scenes making sure that America is properly represented. An embassy is only as strong as those who make it function, from the Ambassador to the consular section, to the people working in the cafeteria; we are a team working together with the same goals, the same mission.

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As a former prosecutor, I appreciate the efforts of our law enforcement agencies to make our country and the world a safer place for all citizens. It is my intent to fully support United States law enforcement agency efforts in supporting Argentine law enforcement and their fight against crime. I am committed to helping build capacity within the Argentine police to promote security in a vital regional ally.

As a son of a World War II veteran and myself a retired Army reservist, I appreciate the importance of a strong military and our commitment to a democratic world free from the threat of terrorism. Our support of the Argentine military must continue.

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I look forward to enhancing our continuing friendship and partnership with a close ally. Through our efforts, we can strengthen peace and prosperity in both countries and I look forward to representing the United States on the global stage.

I welcome your questions.

**Senator RUBIO.** Thank you all for being here.

I am going to just question one of the nominees and then turn it over to our members. And then I will be able to remain and continue on our work.

But I wanted to start with Ambassador Macmanus, who served as executive assistant to Secretary Rice and then Secretary Clinton in particular during 2012 when we experienced the terrible terrorist attack at our diplomatic compound in Benghazi. And a number of members not just on the committee but off it have raised questions about this period of time, and so I wanted to give you an opportunity to address it in this committee.

Let me begin by just asking you, when did you know that the attacks were terrorism and not related to anti-American protests, and when did you first inform the Secretary of State of that fact?

Ambassador MACMANUS.. Senator, thank you. I am going to try and answer that in the correct order.

I first learned of the attack when it was reported from the diplomatic security command center to our operations center, and they in turn contacted me to let me know that there had been an attack or that there was an attack underway.

To identify when I had knowledge that it was a terrorist attack is a different arc. My response initially—and all of my communications were internal and intended only to inform people as required to understand what the Secretary's whereabouts were and what the Secretary was addressing at that particular moment. And this was over the course of several hours in the afternoon and into the evening. I used the term "terrorist attack" because that is what I judged it to be. It was not a legal determination. It was not based on an a mass of evidence or analysis. It was the term that I used to describe what I saw taking place.

Senator RUBIO. When did you first inform the Secretary of State?

Ambassador MACMANUS.. Well, I would say within minutes. It was approximately 3:30, 3:20, if I am not mistaken, in the afternoon when I informed the Secretary that this was underway and that we were monitoring what exactly was taking place.

Senator RUBIO. One more question and again to give you the opportunity to answer. Did you ever purposely mislead or advocate for misleading the American public about the nature of the attack?

Ambassador MACMANUS.. Never, Senator. Never.

Senator RUBIO. Thank you.

Senator Cardin?

Senator CARDIN. Judge Prado, you and I had a chance to talk about the use of your talents in the legal system to deal with the problem in Argentina from the 1994 bombing of the Jewish community center. I just really want to get on the record here our concern that that matter be of high priority to our mission, that there be justice in regards to what happened and any cover-up that was engaged by the Government.

Mr. PRADO. Yes, sir, Senator. I am encouraged that the present administration has refocused its investigation on those horrible terrorist attacks. We share, unfortunately, that with Argentina that our country too has been attacked by terrorist, and many people were killed and injured. The administration is going forward with investigations not only about the bombings that took place but also the killing, murdering, death of Alberto Nisman, who was a special prosecutor that was investigating the case, and that mysterious death. And I hope to get down there and help the process in any way I can with regard to any assistance that we might provide whether it be as prosecutors or assistance to the judicial process.

Senator CARDIN. Thank you for that. There is at least some indication that there were foreign interests involved in that attack and that there may have been governmental cover-up as to the investigation. So that, obviously, is a matter of grave concern.

Mr. PRADO. Yes. I would like to encourage the Iranian Government to cooperate in the investigation and assist in the investigation.

Senator CARDIN. Thank you.

Ms. Bernstein, I am sure you are aware of the 2013 decision of the Dominican Constitutional Court that stripped hundreds of thousands of Dominicans of Haitian descent of their nationality rendering them stateless. These are people who for a long time have lived in the DR, and the Constitutional Court has now declared that they have no citizenship, that they are literally stateless.

What would be your approach to ensuring that these individuals have their nationality restored?

Ms. BERNSTEIN. Thank you, Senator, for that very important question.

Humanitarian rights are very, very important to me, especially as someone whose family fled Russia because of the lack of respect for human rights. So this is something that is deeply engrained in my soul. And this is a question that is very, very important to me.

First of all, I agree with you that human rights should be respected. Even Pope John Paul said that everyone—if I may quote—everyone should have the opportunity to eat enough, to be cared for when ill, to find housing, to study to overcome illiteracy, to find worthwhile and properly paid work, all that provides a truly human life for men and women young and old.

And I would take a very active role in working with our embassy staff. I understand that this is something that we do, if confirmed, that we work to help them gain passports. And I would, hopefully, work with my esteemed colleague, Ambassador Michele Sison, in Haiti and try and work with her should there be any issues where we could partner together and try to make sure that the restoration of the people that are, quote, stateless—

Senator CARDIN. And I would ask that you keep this committee informed on that process. These individuals basically have been there for long periods of time. There is no other country that they belong, but because their language is slightly different, they have been discriminated against by DR. And we would just ask that you make this a priority to keep us engaged on this subject.

Ms. BERNSTEIN. Absolutely, and if confirmed, I can assure you that I look forward to working with you to assure that this will happen. And I look forward to staying engaged with you on this issue.

Senator CARDIN. Ms. Royce, I really appreciated your testimony. It was almost as good as Ambassador Macmanus' testimony. [Laughter.]

Senator CARDIN. I really appreciated the way you talked about the exchanges and American values and the impact it has had because I agree with everything you just said. And human rights is a priority of this committee. It is one of my top priorities. American values to me are our strength. And we have got to be pretty clear about it. It is being challenged today. It is not easy. There are a lot of concerns about whether America still maintains that global position as it relates to our traditional values. And I just want you to know that there is a lot of support by both Democrats and Republicans in Congress to make sure that your role is clear that America's strength are our values and that we want you to have the tools you need to continue these exchanges to promote I would say universal values, American values, as you move forward where

there are going to be challenges because of the current issues that are before America and before the global community.

So will you be open and frank with us as to how we can help?

Ms. ROYCE. Thank you, Senator. First of all, I want to say thank you for your thoughtful comment and your willingness to help.

What I would like to share that you stated was how important exchange programs are as far as that valued aspect of America's international leadership. As you know and you mentioned in your statement about resources, and I want to assure you that, if confirmed, that any level of resources—I am going to utilize my skills coming from the private sector where I managed with challenging budgets oftentimes. And I am going to leverage the assets of the ECA, and that includes the experts at the State Department, our resources, and you mentioned the alumni. That is really important.

In addition to that, I am going to marshal the resources against our highest public policy priorities for foreign policy.

So I will just say that I am going to welcome your feedback and be open to it. Anyway that we can make any improvements to enhance and improve our public policy—I would welcome that.

Senator CARDIN. Thank you.

With your indulgence, Mr. Chairman, I just want to ask Ambassador Macmanus in regards to the peace process in Colombia and the reconciliation that is critically important, that the terms of the peace agreements as it relates to those that have violated human rights, that they are held accountable are consistent with the peace agreements. There are responsibilities on both sides. And what I find, that when peace agreements are entered into, the human rights component sometimes gets left on the table as far as enforcement is concerned because it is not considered to be of equal priority to the other provisions in the peace accord. I would ask that that needs to be of highest priority, and the U.S. mission can play a major role to make sure that in fact is carried out.

Ambassador MACMANUS.. Senator, I would comment briefly on that.

First, I think that the peace accords themselves have woven into them an understanding that the repair that needs to be done to the social fabric in that country is part and parcel of both the scourge of illegal narcotics and the response to that scourge in the peace accord and following, which is the introduction of state presence, of state institutions in areas that have traditionally not seen investment and participation by the state, one, for security reasons initially but, secondly, because they are areas that are in need of growth and many of them, in fact, line up with areas of the country where indigenous populations or Afro-Colombian populations are prevalent.

So the key word, as you said, is "accountability," accountability for crimes and then an accountability to resolve part of the underlying causes for the state being in the woeful condition it was in when we first went forward with Plan Colombia. Human rights must be a part of that. And we have seen reactions from the Colombian Government in terms of providing greater protection to labor leaders and human rights defenders. It is still a problem, and it is going to be over the course of the generation that makes changes in Colombia that will build out, I think, the institutions

of Colombian governance that will provide the most important protections.

Senator RUBIO. Senator Kaine?

Senator KAINE. Thank you, Mr. Chair.

And congratulations to each of you. This is a very well qualified panel for the positions that you have been nominated for. I appreciate your willingness to serve.

If I could ask you, Mr. Macmanus, quickly. We were talking in the back room and I was saying similar things. A lot of times we wonder whether the effect of American foreign policy is positive. We try hard. We have good motivations. We invest a lot. Often, despite all of those things, we get involved in other countries and we are not happy with the outcomes, and then that makes people question whether we should make the effort at all.

But Colombia is a perfect example of a careful and adroit and sustained investment between administrations and Congresses of both parties that has really been transformative. We have seen Colombia go from kind of a near failed state to a wonderful economic and security partner for the United States, a leader in its region. I remember going to visit the multinational force of observers that patrols and provides peace in the Sinai on the border between Egypt and Israel. And Colombia is a major participant in that peacekeeping operation, as they are in others. And so there is a lot at stake at this point in making sure that progress continues.

One of the issues I know that Colombia is very interested in—and I wanted to get your take on it—is Colombia's desire to be part of the OECD. So I would like to hear your thought about whether Colombia seems to be on track to meet benchmarks for ascension to the OECD and what are the obstacles that remain and then what more could the United States do to be an ally in that effort.

Ambassador MACMANUS.. Thank you, Senator.

Colombia's desire and, in fact, ambition to become part of OECD, to join in a community of nations that believe in normative standards and are willing to prove that they are capable of it is a great sign that they are prepared to move forward.

Our trade relationship with them now has as its framework a trade cooperation agreement, which has resulted in a fairly good trade balance. It is one of the best in the world, a trade in goods of about \$23 billion a year. It varies depending upon a number of factors. But also both the trade agreement and the desire to join OECD has provided an impetus for a continuation in progress on standards, on labor standards, on resolving conflicts that exist that have to do with protection of intellectual property, the access to the market of U.S. companies.

U.S. companies have expressed—continue to—a great desire to invest in Colombia. Colombia is a country of 48 million people. It has a prominent role in the region and has ready access to other markets. It is really at a point where it should be developing in a very expansive way in terms of a larger global footprint.

There are issues that have yet to be resolved. There is every hope that they can be resolved in short order. But it is under a concentrated review by the U.S. Trade Representative, by the Labor Department, and by the Department of Commerce. I have spoken with both Commerce and Labor about these issues. This is a seri-

ous and ongoing conversation. It will continue to be so because there are elements of the Colombian economy that continue to involve directly issues such as child labor, and I do not mean child labor as in cutting the lawn on the weekend, really the misuse of children in a labor market.

So those are, again, longer-term shifts that have to take place. I think we are very positive in terms of the movement and hopeful that that can reach a good conclusion.

Senator Kaine. I would encourage you in that way. I think this has a lot of benefit for Colombia if it is done, but I also think it has benefit for the OECD. An organization like the OECD can easily kind of be viewed as a northern hemisphere thing, and I think it is really important that southern countries around the world also find their own places in organizations like this. So I would encourage you in that way.

Ambassador MACMANUS.. Thank you.

Senator Kaine. Ms. Royce, let me just put a pet issue of mine on the table for your new job, and that is in the area of education exchange. Of course, we have a crown jewel education system, Fulbright scholarships and other things. I so often worry, though, when we talk about education, we always dis career and technical education. And I think there is an excellent opportunity for exchanges in this space. If you qualify for a Pell Grant in this country, you can use it on a college campus but you cannot use it at an apprenticeship program or a career and technical program not on a college campus. If you are in the military like my son, you get a tuition assistance benefit. You can use it at a college campus. You cannot use it to take a welding certification exam if you are an ordnance officer. We have a presidential scholars program for 50 years that recognizes high school students who are super stars. Only recently Senator Portman and I convinced President Obama to start recognizing career and technical education super stars too. You can pretty much look across the spectrum of U.S. education policy, and we say college is great and we have kind of underestimated career and technical education and apprenticeships.

There are some superb apprenticeship programs around the world, Switzerland, Germany. The United States has some wonderful examples, Newport News shipbuilding apprenticeship program in Virginia.

But I would just hope as you are thinking about educational exchanges how to both share our best practices and learn from the best practices of others, that it would not just be about college or elementary and secondary, but we would make sure that we include career, technical, and apprenticeship programs as part of what we both want to learn about and spotlight that we do well.

Ms. ROYCE. Thank you, Senator Kaine, for that input.

I would also add that I would be very open to looking at those types of programs. And as you are very well aware, many programs have been conducted working back and forth with Congress. A couple of those include the Kennedy-Lugar program for high school students. Another one you probably are aware of is the Ben Gilman program, and under Ben Gilman it provided an opportunity for people that were first generation students and their families to go

to college. It helps with financial need. Of course, again, that was in direct consultation with Congress.

So I would just add that I think these types of ideas are great to think about and include. So I appreciate your input and would look forward to, if I am confirmed, working with you on this.

Senator Kaine. That is very good. Thank you so much.

And I have another question or two that I will just submit for the written record.

Senator Rubio. Thank you.

Ambassador Macmanus, I wanted to ask you about cocaine because from 2006 to 2010, according to the RAND study, there was a 50 percent drop-off in consumption of cocaine in the United States, and then it began to climb to the point where we have seen record supplies of cocaine over the last couple years, obviously, much if not most of it from Colombia. And the increase, of course, has led to a drop in prices and an increase in the rate of consumption in both the United States and in parts of Europe.

The timing of that climb, of course, coincided with the peace deal. They stopped aerial eradication, but the other thing that happened is they created this sort of program where they were paying growers to stop growing coca but to be in a position to qualify for it, for those payments, the farmers had to be growing coca. So people started growing it so they would qualify for the payments when they became available.

The point is we now have seen historic numbers of cocaine, and we know it is destined to come here. Already cocaine kills more people than heroin does among African Americans in the United States. So it is a burgeoning problem.

It is my belief that, if confirmed, you will be the Ambassador to Colombia at a time in which cocaine is going to begin to compete with heroin and opiates as a headline issue in the United States and immediately people are going to realize where it is coming from and there is going to be real tension created as a result of it.

Give us some ideas about how you plan to get ahead of that both in your interactions with the Colombian Government and the United States Government because I see that coming, and I see it potentially becoming a major irritant in the relationship between our countries. And, quite frankly, I could foresee people begin to question—not me, but others begin to question the wisdom of a plan that is supposed to be dealing with this, and yet they will be saying we are spending all this money and it is not working. So how do you plan to get out ahead of it both working with our counterparts in Colombia and, of course, the folks at the State Department and here in the U.S. Government?

Ambassador Macmanus.. Thank you, Senator.

I think that irritation is already there. It is beyond an irritation. The President in last year's declaration on a list of major drug producing and drug trafficking nations expressed a deep concern about the increase in coca cultivation and cocaine production in Colombia. The Colombians have felt the same way. Members of this committee have expressed themselves of this view. And the Colombian Government itself has also expressed the concern that they need to have on this issue.

The most recent experience on interdiction has been a positive one. In 2017, 500 metric tons of cocaine hydrochloride were interdicted—and cocaine paste. As well, the highest number of hectares of coca cultivation were eradicated, most of that with forced eradication, some of it, a much smaller number, with voluntary eradication.

The Colombian approach, which is a new strategy—and while it is tied to and is part of addressing cocaine that was built into the peace accords, both rural reform and addressing illicit drugs were elements of the peace accord. They place responsibilities well within the grasp of the Colombian Government to begin to address these in a coordinated way. So they have been using and beginning to use a whole-of-government approach.

Now, the growth is due to a number of factors. You mentioned the payments that would be made to farmers who were cultivating. We saw that growth beginning earlier, in fact before the end of aerial spraying. Some of that we take to be encouragement by the FARC. Some of it was in anticipation of negotiation, we think, for the peace accords, and some of it was clearly related to the opportunity to turn in hectares of coca cultivation for a cash payment. All of those have a predictable quality to them.

What is absolutely necessary is the commitment of the Colombian Government to reduce these numbers. Most recently we had a high-level dialogue with Colombia earlier this month, and the Colombians have committed themselves to an eradication within 5 years to a level of 50 percent current numbers. Now, we believe that there is both the focus, the appropriate tools, the professionalized military that was one of the outcomes of Plan Colombia that lead to the ability of Colombia to do that.

I recognize that there is a chain of suffering that starts in Colombia and gets to the United States, and every country that is affected along the way and certainly Americans who are affected by the introduction of illicit narcotics in the United States are part of that and feel that suffering. We know we have a responsibility at this end, and we have spoken about it in terms of demand reduction. Unfortunately, demand also appears to be rising. Some of those indicators like the number of first-time users continues to push up. These are all issues that are going to have to be dealt with in a coordinated fashion at our end, and we understand what the coordination needs to be at that end.

Senator RUBIO. And it is impossible to talk about cocaine and its distribution without mentioning—let me begin by saying that even as some elements of the FARC may have disbanded and disarmed and decommissioned, the space they once occupied in many parts of Colombia have been taken up by cartel and/or ELN elements. And you are someone that is very familiar with the region and obviously, as a career service at the highest levels of the State Department, are aware of this. It is indisputable—right—that the distribution of cocaine is assisted actively by elements in the Venezuelan Government that participate both in its distribution and, as we have seen with kingpin designations and sanctions and indictments in the United States against some of these elements, and our own counterparts in Colombia point to this that the Venezuelan Government is supportive of the ELN, has often hosted its

officials on that side of the territory. But without doubt, as you see the aerial routes that are distributing through the Caribbean, they almost all proceed from Venezuelan territory of Colombian cocaine. And therefore, as we look at the surge, it is fair to say that elements within the Venezuelan Government and/or military are active participants in the distribution of these cocaine routes.

Ambassador MACMANUS.. Senator, it would test credulity to believe that the ELN, which has traditionally operated along the Venezuelan border and has also acquired greater license in areas that had previously been controlled by the FARC, that that border somehow becomes an impossible barrier for them. The border between Colombia and Venezuela is ripe for mischief and for illegality. The ELN has an interest in creating opportunities for generating illegal funds. So I would have to say that only somebody who was waiting for the final analysis to make that conclusion would disagree with your statement. I do not.

Senator RUBIO. It is also fair to say that if you look at the challenges facing Colombia, whether it is assistance to the ELN, whether it is a massive migratory issue now with refugees fleeing Venezuela, whether it is the distribution of cocaine, including by elements within the Government, the nephews of the dictator in Venezuela—they have been convicted—Venezuela poses a very significant national security threat to our strongest ally in South America in Colombia.

Ambassador MACMANUS.. That is correct, Senator.

The Summit of the Americas this year in April has as its main theme democratic governance against corruption. You put a colon after that and then say the problem of Venezuela. Clearly, Venezuela as a regional threat, as a threat to Colombia is the principal problem of today of right now. There are solutions and steps that can be taken and that we have called for, that the United States Government has called for that are simple steps of return to democracy, return to a respect for human rights, allow free and fair and transparent elections to go forward with international observers, open a humanitarian corridor for food and medicine. Many of the Venezuelans who are crossing the border are seeking medical attention, are seeking simple vaccinations. Children are dying, babies are dying as a result of that inability to secure basic care.

Senator RUBIO. One last question in that regard, and that is, as you see more and more people coming across the border—by the way, some are citizens of both Venezuela and Colombia.

Ambassador MACMANUS.. Yes.

Senator RUBIO. But as they come across the border and more strain is placed upon our allies, do you anticipate at some point, if not already, that the United States will need to step up and potentially provide Colombia with assistance, along with the international community, to deal with the pressures being created by these large number of refugees flowing into Colombia from Venezuela?

Ambassador MACMANUS.. I do, Senator. I have had conversations with USAID and with other elements in the State Department that would be directly involved in that kind of assistance. I think Colombia understands deeply the depth of this particular problem and this crisis and are prepared to seek support when it is needed

in order to help alleviate the enormous stress that it is going to place both on the individuals, the Venezuelans themselves who have been displaced, but also on the systems in Colombia that are going to need to be able to respond to it.

Senator RUBIO. Thank you.

Ms. Bernstein, I wanted to ask you, I guess it is, one question with two parts about the Dominican Republic. One of the things that is concerning to us is while we are allies of the Dominican Republic and work with them and have strong cultural and economic ties, in settings like the United Nations, their votes are very often not aligned with our priorities. As an example, it is my view and I think the view of most of the Members of the Senate—in fact, I know it is because 100 Members of the Senate addressed the letter that I led with Senator Coons to the United Nations Secretary-General to express our deep concern about the unfair treatment of Israel at the United Nations. It is an entity and a body that frequently is home to anti-Israel resolutions that in many cases attempts to de-legitimize Israel.

For example, in 2016 at its 71st session, the U.N. General Assembly adopted 18 resolutions directed at Israel, resolutions on which the United States voted no. The Dominican Republic voted for each of these 18 resolutions.

We have also seen them at the OAS be less than cooperative on efforts to pressure the Venezuelan Government, in essence, efforts to allow the OAS to function the way it is supposed to, and that is to be an organization of democracies in the region that protect democracy and that condemn nations that are violating it. And obviously, one of the reasons potentially why this is happening is their membership in Petrocaribe, which is a group of countries that receive subsidized oil from Venezuela in exchange for Venezuelan influence in their government.

I would just ask, do you commit to this committee that this is an issue that you are going to begin a dialogue with the highest levels of the Government of the Dominican Republic, both on their anti-Israel votes at the United Nations and also at their consistently not wanting to vote in favor of supporting democracy in the region? Will you commit to this committee that that will be among the issues that you will raise, if so directed by the Department of State, at the highest levels of the Dominican Republic Government?

Ms. BERNSTEIN. Yes, absolutely, Senator. I look forward to working with you in concert on this, if confirmed.

Senator RUBIO. Thank you.

Judge Prado, this has already been asked, and I just want to reiterate. I think that Argentina has a lot of positive things happening. They are a member of the Lima Group, as an example, a group of nations that have taken it upon themselves to combine and coordinate efforts to pressure Venezuela's dictatorship and to push forward. And I would just ask, do you commit to doing all you can in your role to coordinate with your U.S. counterparts and the other member countries and to continuing support of the Argentine Government's commitment to this process?

Mr. PRADO. Yes, Senator, I do. President Macri has been a long-time critique of Venezuela's Government and the treatment of the citizens of Venezuela by the Maduro administration. He took ef-

forts to have Venezuela taken out of the MERCOSUR, which is a common market group of South American countries. So I think there are some positive moves being made by the Argentine Government in its criticism of how the Venezuelan administration is treating its citizens and the lack of democracy. And I intend to do all I can to support their efforts to remedy the situation.

Senator RUBIO. And as I have mentioned in the opening statement just yesterday, the Argentine judiciary referred for public trial former President Cristina Kirchner and other senior officials in connection with the cover-up of the 1994 bombing of a Jewish community center in Buenos Aires by the Iranian Government. They are accused of abuse of power and obstruction of justice in trying to avoid holding Iran responsible for the terror attack which, by the way, killed 85 people.

And I would just ask if you could commit to the committee, if confirmed, that you will not only do all you can to support their government in the search for justice for those who died in that attack but also that you will support and do all you can on behalf of the U.S. Government to support them in any ongoing investigations into what I believe was the murder and the assassination of a prosecutor, Alberto Nisman, who was on to the truth when his life was taken.

Mr. PRADO. Yes, Senator. I appreciate that question and I will do all I can to support the Macri administration in its investigation of this very serious, tragic situation that has occurred in their country.

Senator RUBIO. And finally, Ms. Royce, Florida, my home State, has benefited from educational and cultural exchanges in numerous ways, including a large impact on our economy. There was an article in the "Washington Post" in November of last year that basically outlined that there has been a sharp change in foreign student enrollment in the U.S. with numbers declining in both 2016 and in 2017 of international students coming to the United States.

I guess my question is, if confirmed, what ideas do you have about increasing participation of educational and cultural exchanges both here and abroad?

Ms. ROYCE. Thank you, Senator, for your question.

The information that I have received is that we have had 1 million international visitors this past year and the year before. So, of course, I would like to continue that.

I would like to also add that in that number, we even have 14,000—you are talking about international students?

Senator RUBIO. I think it is a combination of students and cultural exchange.

Ms. ROYCE. Okay. I am sorry. Maybe you can repeat the question.

Senator RUBIO. The question is what can we do to continue to ensure—part of what is happening is in some countries around the world, they now have options available that they could only have gotten in the United States in years past. That is a part of development. But there might be some other factors at play that might be discouraging the growth in study abroad in the United States and/or in participating in exchanges between students who are coming

here, whether it is rhetoric and our politics or perhaps the unavailability of some of these programs.

But one of the things that we notice in our work—and I think the ranking member would agree—is oftentimes when you meet with important foreign leaders, one of the things you will notice in their biography is that they graduated from an American university, and it actually has a real impact in our ability to engage with them because they are familiar with our system of government, they are familiar with the United States. It is a real advantage to this country.

What ideas do you have to ensure that we continue on that trend as we may face new global competitors for that and/or perhaps options domestically that may no longer make our universities or our cultural exchanges as attractive as they may have been?

Ms. ROYCE. Thank you very much for the question, Senator.

You mentioned about the interlocutors of top world leaders, and I mentioned that in my opening statement, that one in three world leaders today are actually people that have experienced the United States firsthand through the international ECA programs that we have had.

I would also add that we have been doing some exciting things by trying to promote English, and we have English centers around the world where we offer young people the opportunity to learn English and they can do that online. And so consequently, that also gives them an exposure.

Another thing that is exciting about ECA right now is we have got some digital diplomacy initiatives. Even our Facebook page—we have seven different Facebook pages, and we have got the third largest hits on one of the Facebook pages. And we have got a Twitter feed. We have got digital initiatives where people can actually go online and have a mentor.

I will just add one type of program. It is the Christopher Stevens initiative, which is actually all virtual. Excuse me. After our former Ambassador. And so consequently, we are engaging with people that normally would never have the opportunity to interface with an American. And so I think that is another example where we are able to create some hybrid programs to expose people to also increase our numbers.

But what I have understood from the information I have received is that we have had a number of people that are still continuing to come to the United States from the international visitor program, and there is a strong economic impact. I am sure you know the numbers. Those students have created 450,000 jobs here in the United States, \$39 billion worth of impact financially.

Again, I will continue to try to do everything I can, if confirmed, to try to continue to promote ways for people to be interested in coming to the United States, again because these leaders are so important.

And also I would just add on a short-term basis, having these leaders here gives us an opportunity to talk about things that are very important, countering terrorism and managing the refugee crisis, for example, or even responding to disaster relief because these people are already here. So if that is a leader or an exchange student—and if it is a student, of course, they are getting exposed to

American values. We mentioned human rights, democracy, rule of law. Free speech is another one. We are talking about countering aggressive regimes, getting the opportunity to be able to speak and gather freely, and I know, Senator, also on technology, even open and free data flows and cross-border communications. I think that is really important.

Thank you.

Senator CARDIN. If I could ask Ms. Royce on the summer work-travel programs, J-1 visas. 17 Senators sent a letter to Secretary Tillerson last summer in regards to the importance of the continuation of that program. It has been under concern.

I could just give you one example. I had talked with the Jewish camp organizers and the use of the J-1 visa for counselors at the camp for cultural opportunities for the campers there. It is an incredible program.

We are concerned in this immigration debate that this program remain as a high priority. What is your view on this program?

Ms. ROYCE. Thank you, Senator Cardin, for your question.

I wanted to share with you that I am familiar with the letter, and I also was impressed with the fact that each of you that signed on really talked about the importance of the summer work-travel program to the local community. In addition, you recognized something that is very important in that letter, which was the fact that Americans should also have the opportunity to be able to go for these jobs. And in fact, it was recognized then that these jobs should also be promoted broadly to Americans. But, of course, there is always the need for talent in high demand season.

One of the things about this area is that they are closely monitored and site visits are conducted, and they are always updating the regulations. And I want to let you know that I would continue with those practices in a transparent way and would want to work with you on those. And I understand the summer work-travel program has really strong bipartisan support. And obviously, just even speaking on the Hill here on my visits, I just know how important that is, and I would be interested in continuing this dialogue.

Senator CARDIN. Thank you.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you.

All right. Well, thank you for your service, your willingness to serve. We look forward to the chairman moving this on to the confirmation vote.

The record on this hearing is going to remain open until the close of business this Friday.

And seeing no objection, the hearing is adjourned.

[WHEREUPON, AT 4:10 P.M., THE HEARING WAS ADJOURNED.]

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## Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ROBIN BERNSTEIN BY SENATOR BENJAMIN L. CARDIN

*Trump Organization Conflicts*

The Trump Organization, which the President continues to own and benefit financially from, has a real estate venture in the Dominican Republic. After being dormant for many years, the Trump Organization appeared to revive its interest in the project last year, saying that the development could include many phases. Among other things, it will require permit approvals from the local government. According to reports, local government officials refer to it as “the Trump project,” and believe that a proposal to roll back environmental regulations for the project could “help Trump.” I know that you have stressed the importance of maintaining high ethical standards, and I hope you would agree with me that it is important to avoid any action that would create or appear to create a situation where U.S. Government resources are used to benefit the personal financial interests of U.S. Government officials, including the President.

*Question 1.* If confirmed, do you commit that under your leadership, the U.S. Embassy will not participate in any matters related to the Trump Organization’s interests in the Dominican Republic, including meeting with any members of the Trump Organization and Trump family members?

Answer. As a Chief of Mission, commercial advocacy is one of the most important parts of the job. While remaining vigilant about avoiding any appearance of impropriety, it is important for embassy teams to engage in U.S. export promotion, assist U.S. companies in understanding the Dominican investment climate, and engage in economic and commercial diplomacy to promote fair and transparent business and trade policies that ensure a level playing field for U.S. businesses in the Dominican Republic.

If confirmed to be Ambassador to the Dominican Republic, I will always act in the best interest of the United States Government and the American people. I will never place the interests of any individual or company ahead of those of the American people. I will make clear that this is my expectation for all Embassy staff.

*Question 2.* Do you commit to refrain from weighing in with any Dominican Republic Government officials or any members of the private sector regarding any Trump Organization interests in the Dominican Republic?

Answer. If confirmed as Ambassador to the Dominican Republic, I will engage with the Department’s ethics lawyers on any matters relating to the Trump Organization and engagements with Trump family members engaged in the Organization’s business activities in the Dominican Republic. I will always act in the best interest of the United States Government and the American people. I will never place the interests of any individual or company ahead of those of the American people, at the same time by law the U.S. embassy must not disadvantage the Trump Organization vis a vis other U.S. businesses. If confirmed, I will remain vigilant with regard to my ethics obligations and ensure that all of my actions as Ambassador are consistent with ethics laws. Should any questions arise, I will direct my staff to seek guidance from the Department’s ethics officials.

*Question 3.* How do you plan to avoid any meetings or discussions that could create the appearance of a conflict of interest, given that a wide range of businesses and government officials in the Dominican Republic could be involved with the Trump Organization’s ongoing project?

Answer. If confirmed, as with all meetings, I will remain vigilant with regard to those matters that come before me and ensure that my actions are consistent with ethics laws. In any matters relating to the Trump Organization, I will seek guidance from the Department’s ethics officials with the goal of avoiding even the appearance of a conflict of interest.

*Question 4.* How do you plan to ensure that Embassy staff does not inadvertently participate in any matters that could be perceived as improperly benefiting the Trump Organization or the President?

Answer. If confirmed, I will always act in the best interest of the United States Government and the American people. I will never place the interests of any individual or company ahead of those of the American people. I will make clear my expectation for all Embassy staff to act consistent with ethics laws and to consult directly with the Department’s ethics lawyers should they have any questions or concerns.

*Tax Audit*

I understand your tax history indicates that there may be some confusion about what resources can be allocated for business use, as opposed to personal use.

*Question 5. Why were your tax returns the subject of an audit by the IRS?*

Answer. The personal taxes paid were the determination by the IRS that a portion of our disallowed client related business expenses became personal expenses and as such were subject to personal tax as opposed to business tax consistent with IRS regulations. We amended our tax filings with the IRS and paid the additional tax.

*Question 6. What was the nature of the issues that the IRS raised?*

Answer. The issue raised by the IRS was the disallowance of business expense deductions.

*Question 7. Do you believe that the IRS's decision that over \$222,000 in back taxes was owed was correct? Why or why not?*

Answer. The payment to the IRS was the result of a compromise recommended by our CPAs and tax lawyer after consultation. We decided resolve the matter as it amounted to 2.7 percent of our sales over this three year period as opposed to a costly litigation process with an uncertain outcome.

Our company and its financial representatives insisted that due to the nature of our business of representing high net worth clients, entertainment such as dinners and professional sporting events were valid business expenses. This allowed our company to form, strengthen and gain the trust of our prospects and existing clients. We submitted a list of business professionals who were our guests at the events over the 3 years of the audit and the income from these clients far exceeded the expenses incurred that ultimately became disallowed by the IRS. The agent summarily dismissed this information and insisted the attendance at these events was personal. In fact, one response was "if your product was good enough, then the sales would occur without the personal relationships."

*Hillary Clinton "Treasonous" Comment*

I have said before in nomination hearings that in our public discourse, words matter. And they matter, in particular, for diplomats. On October 26, 2016, you stated, "This corruption that Hillary Clinton has committed, I think it's treasonous."

*Question 8. What precisely was your comment about treasonous corruption referring to?*

Answer. I had first thought the comment was made during a discussion of the use of an unsecured server for emails. Since then, I realized the comment was made during a discussion of hacked emails and contributions to the Clintons' charitable foundation.

*Question 9. Do you stand by that statement?*

Answer. The comment was made during the passion of the last weeks of a very intense campaign. If confirmed, I understand and acknowledge that as a representative of the United States that my comments must be guarded and non-political.

*Question 10. What is your definition of treason?*

Answer. My view is that treason includes the furnishing of our enemies with classified information as well as any act that weakens the power of our country to resist its enemies.

*Question 11. What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?*

Answer. Since 1975, I have regularly participated actively in free and democratic bipartisan election campaigns to help promote and elect candidates who believe in democracy, human rights and American prosperity. I believe the impact of my actions has served to help elect candidates who believe and actively support these ideals.

Additionally, I have routinely engaged in civic and community organizations in an effort to make a difference in my community, including serving on boards and task forces, fundraising, and leading efforts to assist underserved communities, support equal rights, business and mentoring opportunities for women, prevent human trafficking, and assist those who have been adversely impacted by natural disasters in our region.

*Question 12. What are the most pressing human rights issues in the Dominican Republic? What are the most important steps you expect to take—if confirmed—to*

promote human rights and democracy in the Dominican Republic? What do you hope to accomplish through these actions?

**Answer.** U.S. human rights promotion in the Dominican Republic over the last several decades has been instrumental in improving the country's human rights record and bolstering the stability of its democratic institutions. Forty years ago, the Dominican Republic was just emerging from a tumultuous period of instability and authoritarian rule that followed the 1961 assassination of Dictator Rafael Leonidas Trujillo, whose 30-year rule was marked by mass killings and persecution. Since the late 1970s, however, U.S. assistance has helped the Dominican Republic restore democratic rule—including the peaceful transition of power between parties—and dramatically improve government authorities' respect for human rights. While we still have ongoing concerns such as discrimination, gender-based violence and human trafficking for example, these advances demonstrate that U.S. engagement on human rights yields significant benefits over the long term.

If confirmed, I will continue the U.S. Government's longstanding efforts to strengthen protections for human rights as well as mechanisms to hold government officials accountable for human rights violations and acts of official corruption. I will also use my platform as Ambassador to work with the Dominican people and the country's leadership to foster greater protections for human rights.

**Question 13.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in the Dominican Republic in advancing human rights, civil society and democracy in general?

**Answer.** The U.S. Government has long invested in strengthening Dominican institutions. That work continues, but institutional capacity remains a persistent challenge. If confirmed, I commit to ensuring U.S. taxpayer resources devoted to assistance programs—through our efforts under the Caribbean Basin Security Initiative, development projects funded by USAID, and other initiatives—continue to strengthen democratic institutions and provide training to Dominican authorities to address the concerns I have highlighted.

**Question 14.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in the Dominican Republic? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Yes. If confirmed, the promotion of human rights will be one of my top priorities as Ambassador. Meeting with civil society groups is an essential part of that engagement, and I intend to meet regularly with groups in the Dominican Republic that work on the human rights issues I have outlined. If confirmed, I plan to meet with U.S. human rights groups before I depart for Santo Domingo and to maintain an ongoing dialogue with them.

If confirmed, the professional law enforcement, military, and diplomatic staff at the Embassy and I will deliver messaging to the Dominican Government to make clear our expectations regarding respect for human rights by security forces. We will urge that Dominican authorities respect human rights principles in their conduct of security operations and adherence to the Leahy standards.

**Question 15.** Will you and your embassy team actively engage with the Dominican Republic to address cases of key political prisoners or persons otherwise unjustly targeted by the Dominican Republic?

**Answer.** Yes. Presently, the United States does not recognize any cases of individuals detained for purely political purposes in the Dominican Republic. Should I become aware of a case of politically-motivated arrest or imprisonment, if confirmed, my Embassy staff and I will engage vigorously with the Government to see that such detainees are released without delay.

**Question 16.** Will you engage with the Dominican Republic on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Yes. As I have outlined, if confirmed, promoting human rights, civil rights and democratic governance will be among my top priorities as Ambassador to the Dominican Republic. While the Dominican Republic has made noteworthy advances with regard to human rights in recent years, there is work still to do. If confirmed, I will make use of every tool available to champion the cause of human rights. I believe that by standing by our principles we demonstrate credibility and earn the respect of the Dominican Government and people, even when the messages we deliver are not easy. In doing so, we will build on our already-positive reputation in the Dominican Republic, where we enjoy high favorability ratings in public opinion polling.

*Question 17.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 18.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 19.* Do you or do any members of your immediate family have any financial interests in the Dominican Republic?

Answer. No.

#### *Diversity*

Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Question 20.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will immediately let it be known that diversity and inclusion practices will be one of my priorities in the embassy. First and foremost, I will lead by example by treating staff and requiring staff to treat everyone with respect. Additionally, I would be interested in reviewing the existing embassy hiring practices and hiring strategies to ensure they resemble the environment we operate in.

Additionally, for positions in which I am able to have a hand in hiring, I would seek to make progress in areas where there are gaps to achieve diversity by asking employees for their input and referrals and reaching out to community organizations to find qualified candidates to fill the gaps.

Finally, if confirmed, I will work to ensure that mentoring and training programs for staff are top of mind at all working levels of the Mission. I would also strive to ensure that all supervisors both have the tools they need to promote diversity, mentoring and inclusion and pledge that it is something that will remain extremely important to me throughout my tenure.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO ROBIN BERNMSTEIN BY SENATOR TIM KAINE

*Question 1.* The Medina Government has hosted preliminary talks between Venezuelan President Nicolas Maduro and the Venezuelan opposition. Although the opposition has recently announced that it will not participate in talks at this time, do you see any circumstances under which the Dominican Republic could help broker an agreement between the two sides? To what extent, if at all, should the U.S. Government encourage such a dialogue?

Answer. The United States has rightly applauded President Medina and his government for their leadership in hosting negotiations between the Venezuelan Government and opposition. Unfortunately, over the course of the last several months, the Maduro regime did not take the opportunity to negotiate in good faith. I believe we should continue to encourage meaningful dialogue provided it leads to an outcome that guarantees free and fair elections in Venezuela.

If confirmed, I will place a high priority on engaging the Dominican Government to take steps to help bring the Venezuelan crisis closer to a peaceful resolution. Right now, the Maduro regime does not appear willing to engage in meaningful negotiations, so channels like the Organization of American States may well be the best avenues through which the Dominican Republic can help bring about the free and fair election process the Venezuelan people deserve.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARIE ROYCE BY SENATOR BOB CORKER**

*J-1 Cultural Exchange Visa Programs*

If confirmed, you will lead the bureau responsible for administering the J-1 Cultural Exchange Visa Programs, including the Summer Work Travel Program. It has been reported that the administration is planning to make changes to these programs, and I want to make sure that any changes do not have unintended consequences that undermine their success in the future. I am also concerned that these programs are not fully understood by other stakeholders within the Executive Branch.

*Question 1.* Will you commit that you and your staff will advocate for these exchange programs within the State Department and in the interagency?

Answer. If confirmed, I intend to review any suggested changes to J-Visa or Private Sector Exchange Visitor programs regulations and policy guidance. As you know, the J-Visa program is an educational and cultural exchange, not a work program. It is funded primarily by fees paid by participants. The J-Visa provides public diplomacy engagement with more than 300,000 participants from 200 countries and territories annually. The program is implemented by the private sector at virtually no charge to the Department. I understand that participants in J-Visa programs with a work component are already not permitted under current regulation to displace American workers. I would welcome meaningful input from the stakeholder community on what works and what could be improved in the Private Sector Exchange Visitor programs and will make any decisions on the changes in those programs in a fully transparent way.

*Question 2.* Will you work with me and my staff to ensure that any changes to the Summer Work Travel program or other exchanges have the effect of strengthening, rather than limiting, the programs and enhancing their future returns for our country?

Answer. The Educational and Cultural Affairs Bureau's Office of Private Sector Exchange (ECA/EC) oversees the J Visa Exchange Visitor Program (EVP), which enables more than 1,500 U.S. sponsors to bring more than 308,000 privately funded international exchange visitors to the United States each year for educational and cultural exchange experiences in 13 different program categories, including Summer Work Travel (SWT).

When international young people participate in SWT jobs, they get first-hand experience with American society and culture. SWT student participants are engaged primarily by small and family-operated U.S. businesses in tourist destinations to meet short-term, high-volume worker needs during peak tourist seasons. SWT students supplement and sustain the existing U.S. workforce in these seasonal endeavors and serve as cultural ambassadors from their home countries to American communities.

Private Sector Exchange programs come at virtually no cost to U.S. taxpayers, funded as they are through fees paid by the sponsors and participants, but they have many public diplomacy benefits that serve foreign policy goals, advance national security, bolster U.S. leadership and influence in the world, and promote mutual understanding between Americans and the people of other countries. If confirmed, I welcome the opportunity to hear from all of the stakeholders in these programs on their effectiveness and value for our country.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARIE ROYCE BY SENATOR ROBERT MENENDEZ**

*Exchanges Budget*

International exchange programs are often considered one of the most effective U.S. public diplomacy efforts, building long-term relationships and mutual understanding between U.S. and foreign participants. Funding for State Department educational and cultural exchanges has mostly remained level or increased slightly in recent years. In the President's FY 2018 budget for State Department programs, however, exchanges funding received a proposed cut of over 50 percent from FY 2017 levels, based on the argument that such funding is no longer necessary given the expansion of non-U.S. Government funded exchange opportunities in the United States and globally over the last five decades.

*Question 1.* Do you agree that exchanges funding should be cut?

**Answer.** Exchanges are a valued aspect of America's international leadership. At any level of resources, if confirmed, I would be committed to ensuring that ECA assets are marshaled to support the administration's highest foreign policy priorities.

**Question 2.** What is the importance of State Department funding for international exchanges?

**Answer.** My understanding is that State Department exchanges are designed to respond to the foreign policy challenges faced by our country—that they are created and conducted in consultation with colleagues throughout the Department, with Missions around the world, and with Congress.

Exchanges move people in order to move values, policies and ideas. They create networks of men and women around the globe who have shared interests and who are prepared to make common cause with us.

I see exchanges as American values in action and I know from my own experience that the relationships that grow out of this engagement endure through elections, crises and regime changes.

I understand that one in three world leaders today is an alumnus or alumna of ECA exchanges. I see this as a remarkable fact and one that provides our President and Secretary with interlocutors who have firsthand experience of the United States.

**Question 3.** What effect do you think a significant cut to exchanges funding would have on U.S. and foreign participation in international exchanges and the promotion of U.S. foreign policy through such exchanges?

**Answer.** If confirmed, I would be committed to focusing the Bureau's programs on our nation's highest strategic priorities. Significant reductions in programs and personnel would, of course, reduce the number and variety of exchanges the Department would have available to implement.

American missions around the world rely heavily on exchanges to reach key audiences and advance policies. If confirmed I would consult closely throughout the Department to ensure ECA programs were targeted on the most important objectives.

**Question 4.** Can ECA rely on private sector organizations and individual institutions of higher learning to maintain, expand, and effectively administer international exchange programs that ECA would no longer be able to support? Is increasing ECA's exchange partnerships with private corporations an option in filling the funding gap for exchanges? Why or why not?

**Answer.** As I have come to understand, cooperation and partnership with the private sector are the way ECA does business. All ECA grants go to American organizations and more than 90 percent of its budget is spent in America and directly invested in the skills and abilities of American citizens.

Increasing such partnerships would be a priority of mine and, if confirmed, I believe that my experience as a businesswoman has given me the background and insights necessary to forge such partnerships.

The American private sector is one of our Nation's crown jewels—a tremendous repository of knowledge and talent as well as a constant source of innovation—but it does not exist to serve the daily demands of foreign policy and there will always be a need for government exchanges that America's leadership can call upon and direct when and where needed.

**Question 5.** ECA has proposed reducing or terminating funding for a number of exchange programs in recent years, but Congress has maintained ongoing funding for these programs in many cases. What programs should receive priority funding, and which might be curtailed or ended, in your opinion? Can programs be combined or otherwise streamlined to increase budget efficiencies? How will continuing certain programs slated by ECA for cuts or termination affect your strategic planning, if at all?

**Answer.** If confirmed, I will be reviewing all ECA programs, considering those that have global reach versus programs that are regional or just for one country, looking at the programs that have the strongest support from our Missions around the world, and keeping in mind as well the programs that engage American citizens and provide them with the skills needed for our national security and economic prosperity.

The recent release of the Department of State-USAID Joint Strategic Plan and pending Functional Bureau Strategy exercise will give me and the Bureau an opportunity to strategize our priorities for exchange programs going forward.

If confirmed, I will look at any and all efficiencies possible for ECA operations and activities.

I understand that ECA programs were developed in response to requests from the Department's regional bureaus, from American embassies, from the White House and Congress and I will want to hear the input and views of all key stakeholders.

If confirmed, I would want to quickly consult with Department leadership to ensure that any changes in exchanges—whether increases or reductions—were consistent with administration foreign policy goals. And I would want to review their history of funding and their priority for key stakeholders.

*Question 6.* Proponents of continued and/or increased funding for ECA-sponsored international exchanges often assert that such exchanges provide substantial economic benefits to the United States. The U.S. Advisory Commission on Public Diplomacy reported that in FY 2017 foreign students contributed \$35.8 billion to the U.S. economy, support over 400,000 U.S. jobs, and that 97 percent of ECE funding goes to U.S. organizations, businesses, and individuals. In your estimation, will a significant reduction in ECE funding have any negative effect on any overall economic benefit that many ECA-administered exchange programs provide?

Answer. If confirmed, assessing the benefits of ECA programs for the United States and for American citizens would be a priority. I have seen the same statistics that you have cited and I would want to be sure that I understood the full range of consequences of any changes in ECA programs.

*Question 7.* In the past, a number of problems have been cited with EVP private-sector sponsor organizations placing participants in unsatisfactory conditions, including youth participants. Changes to federal regulations tightening sponsor requirements and oversight have resulted in better results for participants, but abuses still occur at times.<sup>[1]</sup> What additional steps, if any, are needed?

Answer. I know that the Department takes seriously any allegations of abuse. Our first and foremost priority is to ensure each exchange visitor participates in a successful program. A large part of defining a successful program is minimizing risks to the health, safety, and welfare of all of our exchange visitors.

ECA has developed regulatory guidelines for its private sector sponsor organizations to ensure the health, safety, and welfare of participants. It regularly conducts monitoring and evaluation of their compliance with these regulations. In addition, Bureau analysts work to provide assistance to any private-sector sponsored exchange visitors who contact the Department seeking help through a hotline.

If confirmed, I am committed to ensuring that safety is the number one priority.

*Question 8.* In general, what changes would you recommend to improve the system of private partner administration of exchanges? What additional resources does ECA need to increase its monitoring capabilities or to create a more hands-on role in administering exchanges?

Answer. If confirmed, I would be committed to ensuring that private sector programs are educational and cultural exchange programs that benefit American foreign policy. I am committed to ensuring they continue to serve as useful catalysts for positive change, creating generations of leaders who understand the significance of widespread global engagement and mutual understanding.

*Question 9.* The U.S. Advisory Commission on Public Diplomacy recently released in FY 2017 a comprehensive review of public diplomacy programs including the work of ECA. In its recommendations, the Commission found that there are “over 75 active ECA programs” with widely varied budgets, participant numbers, scope, and purposes, administered under disparate “knowledge management systems” by ECA offices and public diplomacy officers in U.S. embassies abroad. In your opinion, does ECA need to reform its administrative structure and knowledge management? Will possibly reduced budgets in the future demand such reform?

Answer. I too read this report and have found it to be enormously useful as I have prepared. If confirmed, I will be reviewing all ECA programs, understanding that their flexibility and diversity is one of their strengths in serving U.S. foreign policy goals. I would bring to this important effort the knowledge and abilities I have gained in the private sector and my commitment to rigorous evaluation to ensure maximum benefit for our country of every dollar.

#### *Exchanges Broadly*

International exchange programs are often considered one of the most effective U.S. public diplomacy efforts, building long-term relationships and mutual understanding between U.S. and foreign participants.

*Question 10.* What do you believe are the benefits that exchange programs provide to the United States? What role do exchanges play in advancing U.S. foreign policy and meeting the objectives of that policy?

**Answer.** Exchanges create networks of men and women around the globe who have shared interests and who are prepared to make common cause with us.

I see exchanges as American values in action and I know from my own experience, that the relationships that grow out of this engagement endure through elections and crises and regime changes.

I understand that one in three world leaders today are alumni of ECA exchanges. I see this as a remarkable fact and one that provides our President and Secretary with interlocutors that have firsthand experience of the United States.

**Question 11.** Many current calls for improving U.S. public diplomacy and international broadcasting advocate pushing a sharper promotion of U.S. interests, stronger persuasive tactics, countering of harmful propaganda, and increasing social media, broadcasting, and other information dissemination technologies and programs. Exchanges do not usually promote a pointed, controlled policy message, but instead allow for participant voices and experiences to be shared in an organic fashion. What is the importance of exchanges in this seemingly more fraught and urgent persuasive messaging environment?

**Answer.** It is my experience from the private sector that exchanges can and do serve multiple objectives and help us reach a variety of foreign policy goals. I am not sure that there needs to be a dichotomy between tightly-focused foreign policy goals on the one hand and programs that define the field of engagement on the other. In these complicated and dangerous times, Department programs need to do both.

I have reviewed the new National Security Strategy of the United States and was impressed with its focus on the power of values, on the importance of networks and alliances, and on not ceding the public engagement space to our competitors in the world.

**Question 12.** Do exchanges need to become more disciplined in the way participants experience their exchanges, to ensure U.S. foreign policy interests are at the forefront?

**Answer.** I believe that exchanges should always serve foreign policy and strengthen America's international leadership. ECA exchanges are part of the Department of State and are funded by the American taxpayer and, if confirmed, I would consider myself accountable to the American public to demonstrate their benefits.

**Question 13.** What new vehicles for U.S. international exchange programs are being implemented or are on the horizon, and what, in your view, are the most important innovations that need to be made to improve exchange program effectiveness?

**Answer.** In preparing for this hearing, I have been impressed to see the strides that ECA has made in pioneering virtual exchanges in a wide variety of ways. They are using the latest technology to connect high school classrooms, to professionalize the teaching of English, and to engage audiences that are difficult to reach through traditional means.

If confirmed, I would be excited to explore the possibilities of technology and to increase the virtual components of ECA's in-person exchanges.

**Question 14.** How do you plan to improve ECA's leveraging of online tools and forums to expand exchanges and enhance their effectiveness?

**Answer.** If confirmed, to give just one example, I would make it a priority to review the various ways in which ECA engages alumni around the world. There are hundreds of thousands of ECA alumni all across the planet—including those of the American Council of Young Political Leaders—who are leaders in their own professions and communities. Close and fruitful cooperation with this distinguished and far-flung network of men and women demands innovative use of online tools.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARIE ROYCE BY SENATOR BENJAMIN L. CARDIN**

**Question 1.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** Over the course of my career, I have had a number of opportunities to engage in work that promotes human rights and democracy. Three specific examples include work related to Afghanistan, Russia, and as a Board Director for the American Council of Young Political Leaders.

I have had the good fortune to be engaged with Afghanistan professionally and personally for several years. I was recognized by the Nooristan Foundation with the Afghan Women “Commitment” award for my ongoing support. I championed programs which promoted human rights and democracy. As one example, Afghan women were given advice outlining their legal rights. And given support for executing those rights.

Additionally, while serving as a Professor, at California State Polytechnic University, Pomona, in 2003, I was invited to teach at Petrozavodsk University, Russia. While the curriculum dealt largely with international business, I was able to address issues of human rights and democracy with the Russian faculty and students. I interviewed six Professors in Russia, and we subsequently mentored them at Cal Poly University. We in the Faculty helped them create several courses. During their stay they were exposed to several examples of transparency, free speech, rule of law, democratic governance and human rights. I arranged for them to cast their vote in their President election, at the Russian Consulate in Los Angeles.

Finally, as a former delegate to Hungary & Poland, I served as a Board Director for the American Council of Young Political Leaders (ACYPL). We focused on sending delegations into emerging democracies in Africa, South Asia, Eastern Europe, and South America. I personally focused on increasing the number of women and minority delegates. One of my nominees helped the country of Nepal create its first Constitution. Our delegations promoted democratic governance, conflict resolution and human rights. I was able to support an in-bound delegation of young leaders from India and Pakistan, and hosted meetings for mutual understanding.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If I am confirmed, I will promote the State Department's formal mentoring program for members of the Foreign Service. I will ensure that ECA staff is aware of this opportunity, and how to participate. I will encourage the staff to be active participants in this important program. I will also invest in diversity based mentorship initiatives.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Education and Cultural Affairs are fostering an environment that is diverse and inclusive?

Answer. Throughout my career, I have come to believe that people support what they create. As a result, if confirmed, I would strive to promote a workplace culture that is diverse and inclusive through enlisting the support and input from each of ECA's supervisors, creating a joint plan around this goal, and working together to track our progress.

I believe that successful engagement and retention of diverse talent includes things like orientation, employee engagement and retention, performance management, flexible work arrangements, interpersonal communication, learning and development, as well as mentoring and diversity training to support these efforts. If confirmed, I hope to work tirelessly with the talented team in ECA to further these efforts.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.Q02

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No, my immediately family and I do not have any financial interests in any country abroad.

*Question 7.* What are the most pressing human rights concerns in the field of Educational and Cultural Affairs today? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy? What do you hope to accomplish through these actions?

**Answer.** The Bureau of Educational and Cultural Affairs promotes mutual understanding through the work that ECA does in communities around the globe and in all 50 states to introduce American values to opinion-makers, professionals, current and future leaders, and youth. These global networks of men and women are often willing to make common cause with the United States. If confirmed, I would use these networks to advance longstanding U.S. values on issues of mutual concern, such as human rights, rule of law, civil society, and democracy.

**Question 8.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in the field of Educational and Cultural Affairs in advancing human rights, civil society and democracy in general?

**Answer.** Authoritarian, non-democratic regimes that seek to keep their citizens from enjoying universal rights and freedoms and prevent their citizens from engaging with their American counterparts through ECA programs are some of the main obstacles to ECA programming. These regimes take measures to prevent their citizens from engaging with their American counterparts through exchange programs, travel, and English-language study. If confirmed, I would closely examine how ECA's programs, resources, and networks might best continue to address human rights concerns in light of U.S. policy priorities.

**Question 9.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in the field of Educational and Cultural Affairs?

**Answer.** Yes. My background in women's leadership and outreach to disadvantaged communities, as well as my experience with the range of civil society groups and NGOs that advocate for human rights, has impressed upon me the importance of such connections. If confirmed, I will use my experience in conjunction with ECA's own extensive civil-society networks and public-private partnerships to further deepen our cooperation with this sector.

#### *Proposed State Department Budget*

For FY 2019, the White House proposed a draconian 75 percent cut to the budget for the State Department's Bureau of Educational and Cultural Affairs. Last year, there was talk that the administration would eliminate the budget entirely. As you know, ECA's work has historically received strong bipartisan support given that its programs are a strategic, long-term investment in promoting democratic values and strengthening U.S. standing in the world.

**Question 10.** If confirmed, how will you make the case to Secretary Tillerson and the White House about the need for robust ECA funding and the strategic nature of ECA programs?

**Answer.** My understanding is that ECA continuously aligns its programs with State Department policy goals and ensures that its academic, professional, cultural, and sports exchanges are clearly linked to those goals as a part of broader U.S. public diplomacy initiatives. If confirmed, I would prioritize maintaining the relevance and effectiveness of ECA's initiatives in all aspects of U.S. diplomacy, and will not be afraid to advocate for ECA's programming with State Department leadership.

**Question 11.** If confirmed, will you commit to being a forceful advocate for robust funding for Colombia?

**Answer.** I am pleased to note that the ECA Principal Deputy Assistant Secretary, Ambassador Jennifer Zimdahl Galt, was just in Bogota to participate in the U.S.-Colombia High-Level Dialogue. She chaired the Education, Sports, and Culture Working Group and was joined by colleagues who engaged on topics ranging from joint efforts to counter illegal narcotics trafficking to advancing regional security to expanding our economic partnership. If confirmed, I will continue ECA's efforts on behalf of the strong bilateral relationship between the United States and Colombia and in support of U.S. foreign policy goals in this key region.

#### *Global Public Opinion of the United States*

In the past 18 months, global public opinion of the U.S. has plummeted dramatically. This not only has implications for our foreign policy, but for institutions in our country. Media reports have shown that many U.S. universities are having trouble recruiting foreign students, which has financial implications for the schools.

**Question 12.** How can we be effective in the pursuit of our foreign policy interests and values—how you can be effective at ECA—given President Trump's race to the bottom on ethics, values and morality?

**Answer.** If confirmed, I look forward to promoting the U.S. higher education system, which is one of our nation's greatest assets and essential to our national secu-

rity and economic interests at home and abroad. ECA promotes U.S. higher education, in conjunction with our missions overseas, through its network of more than 400 EducationUSA advising centers worldwide, which act as the official source on U.S. higher education abroad and counter-balance messages from competitor nations, such as China and Russia, looking to attract international students to their own shores. Due in part to the work of EducationUSA, and the relationships fostered through ECA exchanges, more than one million international students now come to the United States to study at over 4,000 U.S. colleges and universities every year. In 2016–17, they contributed over \$39 billion to the U.S. economy, up from \$22.7 billion only five years ago, making international education the nation's seventh-largest service sector export and supporting more than 450,000 domestic American jobs in communities across the country. International students are attracted to the United States by the excellence, dynamism and diversity of U.S. higher education institutions. These students enrich their understanding of U.S. society and develop lasting ties in fields that benefit the United States and its interests in the world long after they return home.

*J-1 Visas*

In August of last year, a bi-partisan group of 17 senators sent Secretary Tillerson a letter in support on the J-1 Visa Summer Work Travel Program. Participants in the program have the opportunity to work and learn from their experience in the U.S. Additionally, many small businesses across the United States are dependent on participants in the J-1 visa program to meet their seasonal labor needs. Ending or reducing this program would have a real impact on communities around the country.

*Question 13.* What is your assessment of the J-1 visa program?

Answer. If confirmed, I look forward to facilitating the J Visa Exchange Visitor Program (EVP), which enables more than 1,500 U.S. sponsors to bring more than 308,000 privately funded international exchange visitors to the United States each year for educational and cultural exchange experiences in 13 different program categories. Private Sector Exchange programs come at virtually no cost to U.S. taxpayers, funded as they are through fees paid by the sponsors and participants, but they have many public diplomacy benefits that serve foreign policy goals, advance national security, bolster U.S. leadership and influence in the world, and promote mutual understanding between Americans and the people of other countries.

*Question 14.* If confirmed, do you commit to working with members of the Senate to ensure that the U.S. Government remains committed to the J-1 visa program?

Answer. Yes. As you know, private sector exchange programs are educational and cultural exchange programs, not work programs. They are funded primarily by fees paid by participants. These programs provide public diplomacy engagement with more than 308,000 participants from 200 countries and territories annually, many of whom would never otherwise experience American values firsthand. These programs are implemented by the private sector at virtually no cost to the Department. I understand that in some categories of exchange, employers are required to pay participants a salary commensurate with the salary they would pay U.S. workers, so employers cannot use the program to obtain low cost labor. I would welcome meaningful input from the stakeholder community on what works and what could be improved in private sector exchange visitor programs, and I will make any decisions on the changes in those programs in a fully transparent way.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARIE ROYCE BY SENATOR CHRISTOPHER A. COONS

*Question 1.* Recently, the administration proposed a regulatory agenda that identifies all five J-1 visa Exchange Visitor programs with a work component for future regulations (summer work travel, au pair, camp counselor, intern, and trainee). What role will you play in reviewing draft regulations or policy guidance that could alter J-1 programs? Will you commit to undertaking any regulatory review of these programs in a fully transparent way and in a manner that continues their significant public diplomacy benefits?

Answer. I intend to review any suggested changes to J-Visa or Private Sector Exchange Visitor programs regulations and policy guidance. As you know, the J-Visa program is an educational and cultural exchange, not a work program. It is funded primarily by fees paid by participants. The J-Visa provides public diplomacy engagement with more than 300,000 participants from 200 countries and territories annu-

ally. The program is implemented by the private sector at virtually no charge to the Department. I understand that participants in J-Visa programs with a work component are already not permitted under current regulation to displace American workers. I would welcome meaningful input from the stakeholder community on what works and what could be improved in the Private Sector Exchange Visitor programs and will make any decisions on the changes in those programs in a fully transparent way.

*Question 2.* The Summer Work Travel program alone contributed more than \$500 million to the U.S. economy in 2016. Can you comment on the value of these programs to both the exchange participants and the U.S. economy?

Answer. The Educational and Cultural Affairs Bureau's Office of Private Sector Exchange (ECA/EC) oversees the J Visa Exchange Visitor Program (EVP), which enables more than 1,500 U.S. sponsors to bring more than 308,000 privately funded international exchange visitors to the United States each year for educational and cultural exchange experiences in 13 different program categories, including Summer Work Travel (SWT).

When international young people participate in SWT jobs, they get first-hand experience with American society and culture. SWT student participants are engaged primarily by small and family-operated U.S. businesses in tourist destinations to meet short-term, high-volume worker needs during peak tourist seasons. SWT students supplement and sustain the existing U.S. workforce in these seasonal endeavors and serve as cultural ambassadors from their home countries to American communities.

Private Sector Exchange programs come at virtually no cost to U.S. taxpayers, funded as they are through fees paid by the sponsors and participants, but they have many public diplomacy benefits that serve foreign policy goals, advance national security, bolster U.S. leadership and influence in the world, and promote mutual understanding between Americans and the people of other countries.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH E. MACMANUS BY SENATOR MARCO RUBIO**

*Question 1.* I would like to clarify the timeline. When, to the best of your recollection, did you first learn of an attack on the diplomatic compound in Benghazi on September 11, 2012?

Answer. According to many published accounts, the attack began at approximately 3:42 p.m. Eastern Time in Washington on September 11, 2012. The State Department Operations Center official Log Book notes that initial contact with the office of the Secretary and other senior officials occurred at 4:06 p.m. in the form of a written alert. I would have learned of the attack when this written alert was circulated.

*Question 2.* Did other senior officials initially believe (as you did) that the attack was a terrorist act?

Answer. My first impression was not a belief but an instinctive reaction. Others may have shared a similar reaction. I cannot speak for them or from any particular knowledge about their views.

In our profession, in the aftermath of events like this, we advise restraint when one is tempted to draw uninformed conclusions, respectfulness of the obvious emotions, and care in separating opinions from facts. The difficult work is to use hard information and analysis to build an understanding of what took place takes time. We caution officers to "stay in their lane," knowing that limited access to intelligence and other compartmented information results in certain officials gaining a more structured and informed analysis than others. Forming a three-dimensional picture of what took place takes time.

*Question 3.* Did senior officials in the State Department believe by September 16, 2012, that the attack was likely terrorism, rather than being related to anti-American protests?

Answer. My own view had not altered appreciably from September 11 to September 16, 2012. The views of others were not obvious, but as I said, professional discipline would guide officers to keep their personal views largely personal since, at that point, it was early to draw final conclusions. I have never researched the record on this question and cannot speak for other senior officials.

*Question 4.* Did you or other senior State Department officials have any input into National Security Advisor Susan Rice's talking points in public remarks she made on Sunday, September 16, 2012?

Answer. I did not have input or contribute to talking points as you describe. As to others, I have no specific knowledge as to other senior officers' input into the preparation of these points or remarks. I have seen references to these talking points in public reports and the press and was generally aware of them but not involved in any input.

*Question 5.* Do you believe that any senior administration officials misled the public on the nature of the attack in the two weeks that followed the attack?

Answer. I would answer this from the perspective of a professional diplomat who has led crisis communications activities my entire career.

In crises, no matter how much you get right, you get a lot wrong. The law of inverse proportion of speed and accuracy immediately overwhelms you. The comments made in the opening moments rarely prove accurate in the end. The spokesperson slips up, and the misimpression sinks in. Analysis is lacking that might help bring clarity and answers, and complex environments always need careful after-action review to produce reliable conclusions. In addition, even after review, questions and uncertainties persist.

The frustration that publics and audiences feel in this regard, of never knowing "absolutely" what occurred, has cropped up in every crisis I have been involved in or witnessed. Communicating with the American people obviously requires authenticity and transparency to be effective, but more importantly, to remain true to the serious nature of the responsibility. Otherwise, the audience feels misled.

In more than one administration, officials have needed to acknowledge their communications failures and to state that officials in the administration 'never intended to mislead the American people.' Those statements, albeit sincere, rarely erase the uncertainty that lingers in people's minds.

*Question 6.* On February 13, 2003, four Americans who were Department of Defense contractors on a U.S. Government counter-narcotics flight mission in Colombia were shot down by the FARC. The pilot, a retired member of the U.S. Army's Delta Force, was executed on the spot and three Floridians were captured. They were held captive and severely tortured for over five and a half years, until they were rescued by the Colombian Army. While implementing the peace accord is the Colombian Government's primary focus, we still have a group of Americans, all former U.S. military, and their families, who were subjected to atrocities at the hands of the FARC and have yet to receive any closure. Would you work with me to find a solution to make these brave Americans whole again?

Answer. The four U.S. Department of Defense contractors shot down by the FARC in 2003 were victims of a heinous crime, and they and their families deserve justice. My highest priority is to protect the lives and interests of U.S. citizens. If confirmed, I will work closely with you on this issue.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH E. MACMANUS BY SENATOR ROBERT MENENDEZ

*FARC*

Although there is little doubt that the FARC has a significant amount of financial assets following decades of criminal activity, there has always been an undeniable lack of clarity surrounding the group's wealth. Guerrilla commanders consistently deny that these riches exist.

*Question 1.* What is your assessment on the Revolutionary Armed Forces of Colombia's (FARC) commitment, as established in Colombia's peace agreement, to provide information on their finances? If confirmed, do you commit to keeping the U.S. Congress informed about your work with the Government of Colombia to address the FARC's illicit finances and any efforts to combat illicit financial networks?

Answer. As part of the 2016 peace agreement, the FARC agreed to hand over all property and assets in its possession for use as reparations for victims of the conflict. In August 2017, the Colombian Government announced it received a 135-page inventory of FARC assets, valued at \$330 million. In February 2018, the Colombian attorney general seized an additional \$230 million in undisclosed assets allegedly laundered through a series of front companies. After the seizure, the office of the attorney general indicated that it is pursuing additional investigations into undeclared FARC property and assets.

The U.S. Government believes the FARC is not fully complying with its peace accord commitments to provide critical information about the cocaine trade and the illicit assets the FARC illicitly obtained during the conflict. The U.S. Government continues to reiterate to the Government of Colombia that the FARC must do more to comply with such commitments.

I commend the Government of Colombia for diligently investigating additional assets not disclosed by the FARC. If confirmed, I will ensure the U.S. Government continues to support efforts to find and seize undeclared FARC assets. I will also work closely with the U.S. Congress on this issue.

#### *Labor Rights*

In July 2016, the AFL-CIO and five Colombian workers' organizations filed a petition alleging numerous shortcomings in the implementation of the U.S.-Colombia Trade Promotion Agreement (TPA) and argued that they constituted a violation of the agreement. Those concerns included alleged failures by Colombia to: 1) effectively enforce its labor laws in a manner that affects trade and investment; 2) adopt and maintain freedom of association and the effective recognition of the right of collective bargaining, as called for in the International Labor Organization Declaration on Fundamental Principles and Rights at Work; and 3) ensure prompt and transparent proceedings in cases of alleged labor rights violations.

In response, the Department of Labor (DOL) made 19 recommendations to Colombia that, if fully implemented, would constitute progress in leveling the playing field between American workers and their Colombian counterparts. DOL's January 2018 review found that while Colombia had made progress in some areas, it must take additional steps to address the significant concerns raised in DOL's original report.

*Question 2.* What is your assessment of the Colombian Government's progress thus far in addressing these labor violations, and will you commit to pressing the Colombian Government to fully implement the 19 DOL recommendations?

Answer. Since the U.S. Department of Labor (DOL) issued its January 2017 report, the Government of Colombia has made efforts to implement the 19 recommendations. For example, Colombia installed an electronic case management system in all regional ministry of labor offices and in two special administrative offices. In addition, the Colombian Government issued a resolution making it mandatory for labor inspectors and managers to use and update the system. Colombia also published statistics about the total amount of fines collected and the number of inspections conducted.

The Colombian Government has committed to convert the remaining 804 of its 904 inspector positions to career civil service positions and recruit candidates through a public competition by the end of 2018. Furthermore, Colombia has agreed to improve and provide relevant training to all labor inspectors through a program being implemented by the International Labor Organization and funded by DOL.

If confirmed, I will work with the Colombian Government on matters of labor, human rights, and governance as part of our bilateral mission. Colombia is a close friend of the United States, and our countries have long enjoyed outstanding cooperation on these issues. My efforts will include a variety of approaches, including programming, diplomatic engagement, and high-level dialogues with the Colombian Government.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO JOSEPH E. MACMANUS BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As a Public Diplomacy officer, a career diplomat, an Ambassador, the advocacy of American values was at the center of my work in nearly every assignment.

In El Salvador in the late 1980s, the fundamental underpinnings of our assistance programs were an ongoing discussion of and training in the institutions of democratic governance that arise from the rights of citizens in a democracy. I oversaw programs for journalists including professional ethics, accuracy in reporting, and the role of a free press in a democracy. We engaged in training in-country and through exchange programs to the United States for journalists, civil society leaders, academics, and government officials on civic education and civil society. In coordination with INL and USAID, we promoted professionalization in law enforcement, the courts, and the military. I led a training program for Salvadoran military com-

manders to SouthCom, then based in Panama, to discuss civil-military relations and training in relations with the media.<sup>I</sup>

In Poland, immediately following the end of the Cold War, I led outreach efforts in southern Poland to engage with publics, civil society, and local governments on the role of each in a free and democratic society. Education in the rights of individuals in a free society and the role of a free press were part of our ongoing outreach to the media in major Polish media markets. I also ran a large exchange program to introduce Polish students and young political leaders to the United States to prepare them for leadership roles in a pluralistic and democratic Poland. I worked closely with the Jewish community in Krakow on the preservation of Jewish antiquities and to advocate for the rightful place for Jewish culture in the historical record.

The promotion of our basic values remains at the center of my work and my career. All programs, all advocacy, all policies, come from our basic understanding and respect for the Constitution and the Bill of Rights. In an international context, this becomes both the framework for our work and its goal: to advance respect for human rights and the rights of citizens in democracies.

As I noted in my testimony, rebuilding the social fabric in Colombia will be the precondition for any durable progress in the peace process. If confirmed, I will keep it at the center of my focus.

*Question 2.* What are the most pressing human rights issues in Colombia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Colombia? What do you hope to accomplish through these actions?

Answer. Colombia continues to make progress on human rights issues, including through its efforts to implement the historic 2016 peace accord with the FARC. It is hard to overstate the human rights benefits of ending the hemisphere's longest-running armed conflict, which cost the lives of more than 250,000 and displaced millions. Ending this conflict has permitted the Colombian Government to take steps to bring justice to victims and their families, fight narcotrafficking and organized crime by extending the reach of state institutions to former conflict zones, reduce violence, and protect human rights in Colombia.

If confirmed, I will engage with the Colombian Government, civil society, the private sector, and the international community to support and encourage Colombia's efforts to secure continued progress on human rights. Addressing human rights challenges is essential to build the just and lasting peace the Colombian people deserve. Colombia is recognizing past human rights violations, and is affirming the right of victims to truth, justice, and reparation. Implementation of these positive steps will be necessary for sustainable peace and reconciliation.

The United States has a clear interest in supporting a stronger, stable Colombia that protects human rights. Peace will better enable Colombia to increase its efforts in counternarcotics, countertransnational crime, and migration, and to expand our bilateral economic relationship.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Colombia in advancing human rights, civil society and democracy in general?

Answer. Colombia is a consolidated democracy undertaking laudable efforts to improve the transparency and accountability of its governance and to defend democracy abroad. The Colombian Government has prioritized human rights and made advances on some important cases, but some challenges remain. I consider human rights and social inclusion to be issues central to Colombia's ability to secure a just and lasting peace, ending decades of conflict.

If confirmed, I would stress to the Colombian Government the need to fill power vacuums in areas formerly controlled by the FARC. The Colombian Government's challenge is to establish a comprehensive state presence to provide not only security services but also education, infrastructure, local governance, and victims' assistance to deny criminal groups a foothold and to reverse recent encroachments by illegal armed groups. The implementation of a comprehensive plan to provide government services in remote areas will be important to sustain peace, ensure citizen security, and prevent violence against defenders of human rights and social activists. These activists play a vital role in ensuring victims and marginalized groups have voice and presence in helping shape Colombia's peace accord implementation. I would also continue to support the Colombian Government's efforts to dismantle the illegal armed groups that are responsible for crimes against human rights defenders and civil society activists, and to urge thorough investigations and prosecutions into these crimes.

Colombia's marginalized populations, including Afro-Colombians, indigenous people, internally displaced persons, women, and children, continue to suffer disproportionately from forced displacement, landmines, sexual violence, forced recruitment, and social exclusion. The U.S. and Colombian Governments seek to ensure inclusive prosperity and equality of opportunities to advance the livelihoods of African descendant and indigenous communities in both countries. The inclusion of historically marginalized groups in peace accord implementation is essential. We are strong proponents of the accord's Ethnic Chapter and encourage the Colombian Government to implement all aspects of the accords, including measures to guarantee the rights of those most affected by conflict.

Colombia has indicated its commitment to hold accountable those responsible for atrocity crimes and crimes involving human rights violations and abuses on all sides of the conflict. The U.S. Government recognizes and supports the Colombian Government's ongoing efforts at investigations and prosecutions. If confirmed, I would encourage the Government of Colombia to implement the Special Jurisdiction for Peace, intended to hold accountable those responsible for conflict-related crimes, promote truth-telling, ensure non-repetition, and provide reparations for victims.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Colombia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes. The protection of human rights has long been a core component of U.S.-Colombian relations and a central value of our foreign policy. The NGO community plays a vital role in shining a light on human rights issues and challenges, and has valuable contributions and perspectives to share. There is a vibrant community of NGOs and civil society organizations focused on human rights issues in Colombia. If confirmed, I will continue the United States' longstanding tradition of engaging regularly with U.S.-based and Colombian NGOs and civil society organizations on these issues to understand their concerns and seek their input and proposals.

The Leahy laws not only advance our human rights agenda, but they also promote the professionalization of the security forces with which we partner, making them better security partners in the long run. If confirmed, I will work closely with the Country Team, the U.S. interagency, Colombian Government, and civil society to ensure we direct all U.S. assistance to rights-respecting security forces in an efficient and effective manner in accordance with U.S. law. In accordance with the Leahy law, I will ensure no assistance or equipment is provided to Colombia security forces that commit gross violations of human rights. Leahy vetting plays an important role in furthering U.S. Government programs and objectives on human rights and encourages security force professionalization. I will continue to support Embassy Bogota's leadership in continuously supporting human rights initiatives and sharing best practices.

*Question 5.* Will you and your embassy team actively engage with Colombia to address cases of key political prisoners or persons otherwise unjustly targeted by Colombia?

Answer. It is my understanding that the United States is not aware of any political prisoners in Colombia, or unjust targeting of individuals. If confirmed, I would certainly engage the Government in the event this becomes an issue.

*Question 6.* Will you engage with Colombia on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will engage with Colombia on matters of human rights, civil rights, and governance as part of our bilateral mission. Colombia is a close friend of the United States, and our countries have long enjoyed outstanding cooperation on a range of issues. As a close partner, I will work with the Colombian Government to continue to encourage improvements on matters of human rights, civil rights, and governance through a variety of approaches, including programming, regular diplomatic engagement, and high-level dialogues with the Colombian Government. I look forward to continuing and expanding upon our close collaboration on these issues in multiple fora.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Colombia?

Answer. No. We have no financial interests in Colombia.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service? What steps will you take to ensure each of the supervisors at Post are fostering an environment that is diverse and inclusive?

Answer. Mentoring and preparing the succeeding generations for leadership in the Department must be one of the primary responsibilities of the Chief of Mission. No one has greater influence in helping shape the purposes, values, and attitudes of the Department and the Foreign Service than the leadership in our missions. Mentoring should be an interactive engagement with rising employees, understanding them as individuals. I have taken this responsibility as a primary purpose of my senior years in the Foreign Service, seeking out officers to mentor, advise, and for whom I advocate in their careers. Senior officers must dedicate a stated percentage of their work year in such activities, publicize this to their missions, and actively engage staff. Moreover, the work requirements of senior officers and supervisors at Post similarly have to include specific reference to performance requirements in mentoring and advocacy for employees representing diverse and underrepresented groups in the Service.

It is important to impart to senior officers and supervisors the values that underlie the role of mentor and adviser for employees, especially those representing the diversity of our country. Furthermore, establishing an example of such leadership is key to encouraging this trait in senior staff. Finally, the Chief of Mission has to establish standards of conduct and performance, both in formal requirements and by example, which lead the mission to undertake diversity mentoring and to foster an environment of openness, equality, and diversity.

#### *Support for Peace in Columbia*

Unwavering bipartisan support, across successive administrations, has been the cornerstone of U.S. policy to Colombia, first for Plan Colombia and today, for the Peace Colombia Initiative. While Plan Colombia helped Colombia achieve its peace accord, building a lasting peace requires enduring commitments. For this reason, I am deeply concerned about the 30 percent cut of \$120 million proposed by the Trump administration for FY 2019.

*Question 11.* If confirmed, will you continue to publicly express unwavering U.S. support for peace in Colombia, and will you commit to being a forceful advocate for robust funding for Colombia?

Answer. U.S. assistance is vital to U.S. and Colombian bilateral efforts to combat narcotics trafficking and establish lasting peace in Colombia. U.S. assistance constitutes only a fraction of Colombia's own investment in its peace. Between FY 2000 and FY 2017, U.S. assistance totaled roughly \$10 billion to support Plan Colombia and its follow-on programs. At the same time, Colombia invested billions more, achieving notable progress in combating drug trafficking and terrorist activities and reestablishing government control over much of its territory.

Today, Colombia remains one of our strongest partners in the region, and we continue to support sustainable peace in Colombia. The FY 2019 request provides important and necessary funds to advance U.S. interests in Colombia, particularly on peace accord implementation and counternarcotics. If confirmed, I will maximize the embassy's use of available resources, advocate for continued funding, and express unwavering U.S. support for peace in Colombia.

#### *Human Rights Abuses and War Crimes*

In all of my meetings with President Santos, I have repeatedly raised the need for Colombian Government to ensure accountability for human rights abuses and war crimes committed by the FARC and by state actors. The Colombian Government has made important steps in setting up its transitional justice mechanism, but 15 months after the accord was ratified, no one has been held accountable. Additionally, I am concerned that the Colombian Government is not using the internationally recognized definition of "command responsibility" to hold accountable FARC commanders and Colombian generals.

*Question 12.* What is your assessment of this issue, and if confirmed, will you commit to raise U.S. concerns about human rights accountability with the Colombian Government?

Answer. Ensuring justice and accountability for those responsible for conflict-related human rights violations and abuses, including both state and non-state actors, is essential to secure a just and lasting peace in Colombia. Colombia has made important advances to stand up its transitional justice system, including: passing legislation to create and implement the Special Jurisdiction for Peace (SJP), designed to recognize truth and responsibility and administer justice for conflict-related crimes constituting serious violations of human rights or international humanitarian law; appointing more than 80 magistrates and other officials to oversee the SJP and other transitional justice bodies; and passing decrees to establish and appoint directors for the truth commission and special unit to search for the disappeared.

While Colombia works to implement its ambitious transitional justice framework, the Attorney General's Office has continued to investigate and prosecute those responsible for human rights violations and abuses committed during the armed conflict. The U.S. Government continues to reiterate the importance of prompt and full implementation of the SJP and is actively monitoring its implementation, including with respect to command responsibility. The Colombian Government has publicly stated the SJP will abide by "international standards." I commit, if confirmed, to raise U.S. concerns about human rights and accountability with the Colombian Government, and reiterate the importance of bringing to justice perpetrators of human rights violations on all sides.

#### *The Illegal Drug Trade*

The illegal drug trade is a shared problem. While the U.S. always needs to do more to address demand for illicit drugs in our country, I am very concerned about the sharp increase in illicit coca cultivation in recent years. I know the Colombian Government is taking unprecedented steps to address this issue and has made important progress, but this issue remains a concern. It is even more concerning that in the face of these challenges, the Trump administration is proposing a 30 percent cut of \$120 million for U.S. foreign assistance to Colombia, which includes counter-narcotics funding.

*Question 13.* What steps will you take to prioritize this issue in the bilateral relationship, and what additional steps can the U.S. and Colombia take to more effectively address the illegal drug trade, including related challenges of illicit finance?

Answer. The Trump administration remains deeply concerned about the explosion in Colombian coca cultivation and cocaine production. At the U.S.-Colombia High-Level Dialogue (HLD) on March 1, the United States and Colombia agreed to expand counternarcotics cooperation over the next five years, with the shared goal of reducing Colombia's estimated cocaine production and coca cultivation to 50 percent of current levels by 2023. If confirmed, I will prioritize work with our Colombian counterparts to ensure continued progress in reducing coca cultivation and the production of cocaine as agreed to at the HLD.

Colombia's implementation of the peace accord and current counternarcotics strategy can have a lasting impact in addressing the illegal drug trade. This is possible if the Government of Colombia provides adequate resources for counternarcotics operations and alternative development, implements enhanced eradication efforts in areas of high coca growth, and increases the effectiveness of interdiction operations, including expanding riverine and regional maritime operations as well as operations to investigate and dismantle narcotrafficking organizations. If confirmed, I would also encourage the Colombian Government to continue to use extradition as an essential tool against narcotraffickers. It is imperative the Colombian Government also hold the FARC accountable for its commitments to provide critical information about the cocaine trade and the illicit assets the FARC obtained during its years of terrorist activities as agreed to under point four of the peace accord.

#### RESPONSE TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED TO JOSEPH MACMANUS BY SENATOR JEANNE SHAHEEN

*Question 1.* The state of New Hampshire is experiencing an epidemic of opioid-related deaths. The State Department's 2017 International Narcotics Control Strategy report assessed that Colombia remains the second-largest supplier of heroin to the United States. What is your assessment of U.S.—Colombia counterdrug cooperation, and how can it be improved?

**Answer.** While United States Government estimates indicate Colombia is the number two supplier of heroin to the United States, over 90 percent of heroin consumed in the United States originates in Mexico. Addressing the opioid crisis is the Department of State's highest drug-control priority. Irrespective of the amount, illicit heroin trafficking from Colombia in the United States damages lives and supports criminal activities and organizations throughout the region. The Department will continue to rely on our interagency partners to monitor Colombian heroin production and work to reduce its role in the ongoing opioid crisis in the United States.

On cooperation, U.S. counternarcotics foreign assistance to Colombia is dedicated to reversing the dramatic increase in coca cultivation and cocaine production in Colombia since 2013.

The Governments of Colombia and the United States have collaborated effectively to confront narcotics trafficking and other transnational crimes for nearly two decades. As a result, violent crime indices such as homicides and kidnappings have dropped markedly in recent years. Our shared success in security and counter-narcotics helped bring the FARC, which is extensively involved in the drug trade, to the negotiating table and helped make the conclusion of a final peace accord possible.

On March 1, 2018, senior officials from the United States and Colombian Governments met for a High Level Strategic Dialogue to discuss our extensive bilateral interests, including counternarcotics cooperation. During that meeting, the United States and Colombia came to agreement to reduce Colombia's cocaine production and coca cultivation to 50 percent of current levels by 2023. If confirmed, I would continue to coordinate closely with Colombian authorities to support their efforts to reach these goals and address the manufacture of all illicit drugs.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH MACMANUS BY SENATOR TIM KAINÉ**

*Question 1.* As discussed at your nominations hearing, I am extremely supportive of Colombia's bid to join the Organization for Economic Co-operation and Development (OECD). Could you please provide specifics on what Colombia needs to do to meet its accession benchmarks and how the State Department, Embassy in Bogota, and Congress could help to support their membership?

**Answer.** Colombia's bid to join the market-based democracies of the Organization for Economic Co-operation and Development (OECD) is indicative of how far the country has come. Colombia has progressed through the accession process, having passed 20 of 23 committees. The remaining committees to pass are the Employment, Labour and Social Affairs (ELSAC) committee, the Trade committee, and the Economic and Development Review committee (EDRC). The EDRC is a "capstone" review committee that will consider Colombia once it has passed all other committees.

I understand that the entire U.S. interagency continues to guide Colombia as it completes and implements the technical requirements to qualify for membership in the OECD. Embassy Bogota has been working closely with Colombian officials to best utilize the \$2 million in Department of Labor funds pledged for additional technical assistance to meet requirements for accession (these funds were contingent on Colombia providing equivalent matching funds).

The four major areas identified for improvement in the ELSAC review include labor informality and subcontracting, labor law enforcement, collective bargaining, and violence against unionists. Regarding the Trade committee, the State Department continues to work with USTR and Colombian officials to ensure there is clarity and coordination among the parties regarding the outstanding issues Colombia is working to address, including truck scrappage, pharmaceutical, and copyright laws and policies. If confirmed, I would continue to work closely with Colombia to meet its accession benchmarks.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JUDGE EDWARD PRADO BY SENATOR MARCO RUBIO**

*Question 1.* The United States Government has been concerned about illicit activities taking place in the Tri-Border Area (TBA), where borders of Argentina, Brazil, and Paraguay meet. If confirmed, how would you tackle the criminality challenges presented in this area, including money laundering, arms trafficking, and trade in counterfeit and contraband goods?

Answer. If confirmed, I would make cooperation on the fights against terrorism and drug trafficking, and the security of our people, including cybersecurity, my priorities. The United States and Argentina have a mutual interest in combatting the trafficking of illegal drugs and weapons and safeguarding the security of our citizens. It is my understanding that the U.S. Government provides training and technical assistance for interagency personnel at Argentine-established Intelligence Fusion Centers nationwide and for a recently launched Northwest Border Task Force focused on Transnational Organized Crime and Counternarcotics. The U.S. and Argentina share concerns regarding cybersecurity, including critical infrastructure protection, international security in cyberspace, and cybercrime. U.S. Government cyber experts established the Argentina-U.S. Cyber Policy Working Group to address these concerns. The U.S. Embassy has a Resident Legal Advisor to assist Argentine law enforcement with investigations, case building and advocacy, and prosecutions of complex crimes such as drug trafficking, money laundering, and other forms of illicit finance.

*Question 2.* The National Endowment for Democracy recently released a report titled, “Sharp Power: Rising Authoritarian Influence,” which detailed Chinese and Russian influence in four young democracies in Latin America and Central Europe, one of which was Argentina. The report examines Chinese influence over local media and academia. Is this an issue you are focused on? What specifically, if confirmed, would you do to counter Chinese Government influence in Argentina and throughout the region?

Answer. As the Secretary noted during his recent trip to the region, China is now the largest trading partner of Chile, Brazil, and Peru. While this trade has brought benefits, some unfair trading practices have also harmed these countries’ manufacturing sectors, generating unemployment and lowering wages for workers. If confirmed, I will work tirelessly to demonstrate that the U.S. model for investment and trade—based on mutually beneficial goals that help both sides grow, develop, and become more prosperous—is the preferred trading and investment model.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JUDGE EDWARD PRADO BY SENATOR ROBERT MENENDEZ

**AMIA**

For almost 25 years, the suspects in the AMIA massacre in Buenos Aires have lived openly in Iran, where some of held senior government positions.

*Question 1.* How will you support Argentina’s efforts to pressure Tehran to turn over the bombing suspects, and to enforce the Interpol Red Notices seeking their arrests?

Answer. If confirmed, I would make clear that the United States will always stand with the victims of the Asociaci<sup>on</sup>n Mutual Israelita Argentina (AMIA) bombing, with their families, and with the Argentine people and their government as they work with the international community to see justice done in the case of the July 18, 1994 attack. The AMIA bombing was a brutal attack on Argentina’s Jewish community, in Buenos Aires, and on all Argentines, killing 85 people and injuring hundreds more. We must always remember that it came 28 months after the March 17, 1992 bombing of the Israeli embassy in Buenos Aires, which killed 29 people and injured hundreds more. If confirmed, I would also make clear that the Iranian Government continues to bear a solemn responsibility to cooperate fully with Argentine authorities as they work to bring the perpetrators to justice. Iran’s involvement in the Western Hemisphere remains a matter of concern, and the administration continues to counter its malign activities in the region.

*Question 2.* The unsolved murder of prosecutor Nisman poses a challenge to public confidence in the rule of law in Argentina. President Mauricio Macri’s election raised expectations for a resolution to the case. Why is this murder so hard to solve, and is there any role for the United States, either in applying diplomatic pressure to demonstrate our interest in the case, or offering investigative, including forensic, support?

Answer. The 2015 death of Special Prosecutor Alberto Nisman, who dedicated the last decade of his life to the pursuit of those responsible for an appalling act of terrorism in our hemisphere, was deeply troubling. If confirmed, I would continue the U.S. call for a complete, transparent, and impartial investigation into Mr. Nisman’s death and offer U.S. assistance on the investigation to Argentine authorities. Under President Mauricio Macri, Argentina’s Government and its courts have renewed

focus on the investigations into the bombing and the death of Mr. Nisman and they have since made progress in the investigation. A Gendarmerie report issued September 20, 2017 concluded Mr. Nisman was murdered, and a federal judge in December 2017 reached the same conclusion. If confirmed, I would continue to offer U.S. support to Argentina and stress our interest in assisting its efforts to find justice.

*Question 3.* Under the Macri administration, U.S. human rights groups, including Human Rights Watch, have criticized Argentina on several occasions on issues such as the pre-trial detention of indigenous rights activist Milagro Sala; the pre-trial detention of former senior government officials; and alleged heavy-handed policing. What will you do to evaluate Argentina's human rights climate, and persuade the Government to respect the rights of criminal defendants, protestors and individuals pursued by law enforcement personnel?

Answer. The United States and Argentina share a commitment to democratic governance, transparency, and human rights that make us natural allies in addressing regional and global challenges. We collaborate closely in multilateral organizations and initiatives, including the United Nations Human Rights Council, the Inter-American Human Rights System, the Open Government Partnership, the Global Anti-Corruption Coalition, and the Global Equality Fund. As the Chair of the Prado committee in 1993 and just recently as Chair Emeritus of a new committee appointed by the Chief Justice, I had the responsibility of overseeing recommendations on how to improve the quality of representation guaranteed by our Constitution. I have always been concerned with the rights of individuals in a free society. If confirmed, I will continue my support of these human rights and seek to strengthen our bilateral cooperation and encourage continued Argentine leadership on democracy and human rights in the region, particularly in Venezuela and Cuba.

Argentine President Mauricio Macri has made human rights a priority, and in December 2017 he unveiled a new national human rights strategy focused on five thematic areas that include non-discrimination; universal access to human rights; public security; dictatorship-era memory, truth, and justice initiatives; and cultural commitment to human rights. If confirmed, I will work with the Argentine Government to encourage robust implementation of the national human rights strategy to ensure Argentine authorities address the country's principal human rights issues.

*Question 4.* In Latin America, the United States has continued to defend human rights and democratic norms, including in Cuba and Venezuela, and called upon our Latin American partners to do the same. Outside the region, however, the U.S. commitment to these principles is less clear. How will you press Argentina to hold Venezuelan President Nicolas Maduro accountable for abusing civil liberties and democratic institutions when the United States is largely silent regarding similar misconduct by leaders such as Recep Tayyip Erdogan, Rodrigo Duterte, Abdel Fattah el-Sisi and Vladimir Putin?

Answer. The Argentine Government has spoken out forcefully about the need for the Venezuelan regime to permit the citizens of Venezuela to recover their liberties through free and fair elections. Argentine authorities have worked within the Organization of American States; the Common Market of the South (MERCOSUR) trading bloc; and through the Lima Group, a group of like-minded South American countries, to support the efforts of the Venezuelan people to restore democracy in their country. President Mauricio Macri has long been a sharp critic of the Venezuelan Government and has taken concrete steps to increase diplomatic and financial pressure on the Venezuelan regime. If confirmed, I will work closely with the Argentine Government as Argentina, the United States, and the vast majority of governments in the hemisphere work together to help the Venezuelans restore the democratic rights currently being denied them by their government.

*Question 5.* In February, Secretary Tillerson said the Monroe Doctrine had "clearly been a success" that is "as relevant today as it was the day it was written." What is your view of the Monroe Doctrine?

Answer. As the Secretary said, the Monroe Doctrine allowed for the development of the shared values of democracy and human rights for the people of the hemisphere. We work together as partners with our neighbors in this hemisphere to advance shared priorities including security, economic and energy prosperity, and democratic governance.

*Question 6.* How should the United States address its previous interventions in Latin America, including support for dictatorships in South America, including in Argentina during the "Dirty War"?

Answer. As a matter of policy, the United States supports accountability for gross human rights violations, and to this end Argentina's continuing efforts with mem-

ory, truth, and justice commissions. Since 2016, the United States has embarked on a comprehensive effort to identify additional records related to human rights abuses committed under Argentina's dictatorship. The declassification project represents an historic effort by U.S. Government agencies and departments to search, identify, review for public access, and provide records that shed light on human rights abuses in Argentina between 1975 and 1984. Moreover, the United States provided help to many of those who defended and sought to advance greater respect for human rights in Argentina during those years. The United States continues to defend and advance democracy and human rights throughout the world. As a federal judge, I have always been sensitive that the rights of individuals guaranteed by a democratic government are recognized and enforced. If confirmed, I will commit to speak out whenever universal human rights are denied or threatened.

*Question 7.* You would arrive in Argentina arguably at the zenith of its regional and global influence, as it presides over the G-20. How would you assure that Argentina is a productive steward of the global agenda on critical issues such as climate change and free trade promotion?

Answer. Argentina's G-20 presidency is an extraordinary opportunity for the country to show global leadership and promote the Government's ongoing economic reforms globally. If confirmed, I will continue our Embassy's efforts to work closely with Argentina to coordinate on our shared objectives in the G-20.

*Question 8.* What advice should the United States offer to help Argentina strengthen its investment climate, attract U.S. firms and replicate the U.S. shale revolution?

Answer. Argentina is estimated to have the world's second largest shale gas resources and fourth largest shale oil resources. Most of this unconventional resource potential is located in the Vaca Muerta formation in Patagonia (mostly in Neuquén Province), which many have compared to the prolific Eagle Ford and Bakken plays in the United States. U.S. companies, including ExxonMobil and Chevron, have begun to explore small, pilot contracts in Vaca Muerta. The Department of State's Bureau of Energy Resources continues to provide technical and regulatory expertise to Argentine counterparts at both the provincial and federal level. If confirmed, I would continue to foster this collaborative partnership, which can generate opportunities for U.S. oil and gas firms and help improve hemispheric energy security.

*Question 9.* Is there any contradiction between Argentina's ambitious Paris agreement commitments and its investments in the Vaca Muerta shale play?

Answer. Argentina's long-term development plans involve balancing development of its Vaca Muerta shale oil and gas resources with new Paris Agreement-compatible infrastructure projects, such as renewable energy generation. Climate change mitigation and adaptation remain priorities for the Argentine Government, which has taken a whole of government approach to the issue via President Macri's 13-ministry "Climate Change Cabinet."

*Question 10.* Since the beginning of 2017, support for the United States in Argentina has diminished markedly. Polls by Gallup show only a 13 percent approval rating for the U.S. Government. So far, shifting public opinion has not appeared to erode the diplomatic relationship, but it is not clear that is sustainable. How would you address rising public disapproval of the United States?

Answer. Educational exchange programs represent one area of robust cooperation, with more than 2,000 Argentine students studying in the United States and more than 4,500 U.S. students in Argentina during the 2013–2014 academic year. This is one of the most fundamental areas for U.S. direct engagement with Argentines: common understanding based on personal contacts; people-to-people connections based on common academic, professional, and cultural interests. If confirmed, I will ensure the Embassy works with the Argentine Government and private sector to strengthen these education exchange programs and align them with Argentina's work force development needs. I will continue to expand and strengthen these partnerships, which ultimately improve not only understanding between the United States and Argentina, but also help strengthen the economies of both nations. Additionally, I have personally worked closely with the judicial branch of Argentina and have participated in numerous workshops and seminars throughout the years. If confirmed, it is my intent to continue working closely with the lawyers and judges of Argentina to help improve the judicial system.

*Question 11.* President Macri came into office promising to rebalance Argentina's international relationships, by distancing Argentina from China and Russia and strengthening ties with its traditional allies, including the United States. Instead, Argentina's relationship with China has remained tightknit. Given President Macri's preference for doing business with the United States, what can we do to

compete with Chinese influence in Argentina? Is the U.S. Government providing competitive financing to meet Argentina's infrastructure needs and generate opportunities for U.S. companies?

**Answer.** The United States remains, by a large margin, the number one source of foreign direct investment in Argentina and significant investment opportunities exist for U.S. companies in Argentina's infrastructure, energy, health, agriculture, information technology, and mining sectors. Historically, challenges to greater investment for U.S. companies in Argentina have included regulatory coherence, high financing costs, and weak intellectual property rights protections. President Macri has declared Argentina to be open for business and has welcomed foreign trade and investment. The United States continues to work closely with the Argentine Government to improve the business climate, and, if confirmed, I would continue to advocate for reforms that will maintain a level playing field for U.S. companies doing business in Argentina.

**Question 12.** Are we providing adequate support for Argentina's law enforcement institutions and armed forces as the country increasingly grapples with drug transshipment?

**Answer.** The Bureau of International Narcotics and Law Enforcement Affairs (INL) conducts a \$2.2 million Argentina program inclusive of all activities through Fiscal Year 2019. INL funds capacity building to the Argentine Government's Fusion Centers and funds the Drug Enforcement Administration to train and mentor Argentine law enforcement and justice officials to support the counter-narcotics focused Northwest Border Task Force, which has already demonstrated successes combatting transnational organized crime and interdicting narcotics. Treasury's Office of Technical Assistance is helping Argentina's Financial Information Unit improve its capacity to supervise financial institutions and detect money laundering. If confirmed, I would continue to encourage this relationship of strong partnership and collaboration to achieve our mutual security and law enforcement goals. As a former United States Attorney with drug-trafficking prosecution experience, I intend to work closely with the Regional Resident Legal Advisor to assist in helping Argentine law enforcement and prosecutors investigate and pursue their cases.

**Question 13.** As in many parts of the world, the U.S. Embassy in Buenos Aires is sometimes perceived as part of Argentine elite culture, disengaged from the urban poor and rural populations, and disinterested in the lives of the one-in-three Argentines who live in poverty. This stereotype is unfair, but not entirely so. How would you ensure that the United States is engaging diverse communities in Argentina, and that the embassy's political and economic analysis reflects many viewpoints, including those critical of the Macri Government and of the United States?

**Answer.** As a Latino from a disadvantaged community, I overcame many challenges in becoming the first in my family to attend college. I believe my diverse life experiences will help me relate to and engage with the urban poor and rural populations of Argentina. For many years, the United States Embassy in Buenos Aires has made outreach to Argentina's 23 provinces a priority. Officers from across the Mission, including from the economic, political, public diplomacy, and consular sections, engage with counterparts throughout the country to listen to Argentina voices, and to promote U.S. policies and tell America's story. If confirmed, I would plan to participate personally in these efforts. They are among the best ways we have to engage diverse populations and to hear from Argentines with many different points of view. In addition, a network of 13 U.S.-Argentina Bi-national Centers (BNCs) located in 13 of Argentina's 23 provinces provide English language training and cultural programs to approximately 15,000 students. Ten BNCs administer an English scholarship program to provide English teaching and learning to underserved student populations, creating a pipeline of students for future exchange programs and enhanced workforce readiness. If confirmed, I will ensure the United States continues these and other efforts to build closer people-to-people ties and deepen our partnerships with the diverse people of the Western Hemisphere, including Argentina, to address common challenges.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JUDGE EDWARD PRADO BY SENATOR BENJAMIN L. CARDIN**

**Question 1.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** As a former public defender and prosecutor, I appreciated first-hand the importance of people's rights and the importance of the rule of law in a democratic

society. In these roles, I both enforced our nation's laws and protected human rights with the inherent dignity and respect of every person in mind.

That appreciation has continued in my position as a United States Judge where I have dealt with issues involving human rights. From police brutality, to discrimination cases, to voter I.D. laws, I have always made it a policy to abide by the rule of law and see to it that all citizens' rights are protected. These rulings over the past 35 years have had a positive effect on thousands of people's lives.

*Question 2.* What are the most pressing human rights issues in Argentina? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in Argentina? What do you hope to accomplish through these actions?

Answer. The United States and Argentina share a commitment to democratic governance, transparency, and human rights that make us natural allies in addressing regional and global challenges. We collaborate closely in multilateral organizations and initiatives, including the United Nations Human Rights Council, the Inter-American Human Rights System, the Open Government Partnership, the Global Anti-Corruption Coalition, and the Global Equality Fund. If confirmed, I will seek to strengthen our bilateral cooperation and encourage continued Argentine leadership on democracy and human rights in the region, particularly in Venezuela and Cuba.

The most significant human rights problems in Argentina as outlined in the most recent State Department Human Rights Report include reports of official corruption and of torture by federal and provincial police; harsh and life-threatening prison conditions; interference in judicial independence; child labor and forced labor, despite concerted Argentine Government efforts to combat it; and gender-based violence. Argentine President Mauricio Macri has made human rights a priority for his administration, and in December 2017, he unveiled a new national human rights strategy focused on five thematic areas that include non-discrimination; universal access to human rights; public security; dictatorship-era memory, truth, and justice initiatives; and cultural commitment to human rights. If confirmed, I will work with the Argentine Government to encourage robust implementation of the national human rights strategy to ensure Argentine authorities address the country's principal human rights issues.

Recognizing its own challenges, Argentina has been a leader in working to address child labor, and hosted the successful IV Global Conference on the Sustained Eradication of Child Labor in November 2017, where Department of Labor Under Secretary for International Affairs Martha Newton advanced U.S. multilateral and bilateral labor objectives. She underscored the U.S. commitment to combating child labor, forced labor, and human trafficking, announcing a conference pledge of \$253 million, including FY 2017 funding from the Department of Labor and Department of State for global programs. If confirmed, I intend to maintain cooperation with Argentina during its G20 presidency in 2018 and support President Macri's initiatives aimed at workplace-based training for Argentine youth.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Argentina in advancing human rights, civil society and democracy in general?

Answer. The administration of President Mauricio Macri has made confronting corruption a top priority, and Argentine law provides for criminal penalties for corruption by public officials. Nonetheless, multiple reports allege that executive, legislative, and judicial officials have engaged in corrupt practices with impunity, suggesting a failure to implement the law effectively. Weak institutions and an ineffective and politicized judicial system have undermined systematic attempts to curb corruption. If confirmed, I would work to encourage transparency and strong and stable government institutions in Argentina.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Argentina?

Answer. Yes. If confirmed, I commit to sustained engagement with a broad spectrum of society in Argentina, including human rights activists, civil society, religious groups, and the organizations that represent them.

*Question 5.* Will you and your embassy team actively engage with Argentina to address cases of key political prisoners or persons otherwise unjustly targeted by Argentina?

*Answer.* There are no reports of political prisoners or detainees in Argentina. If I am confirmed, my Embassy team and I would actively engage with the Government of Argentina should such issues arise.

*Question 6.* Will you engage with Argentina on matters of human rights, civil rights and governance as part of your bilateral mission?

*Answer.* If confirmed, I will engage with the Argentine Government on matters of human rights, civil rights, and governance as part of our bilateral mission.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Argentina?

*Answer.* Neither I nor any member of my family have financial interests in Argentina or any other foreign country.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Answer.* As a minority myself, I am very sensitive to the fact that minorities are underrepresented in the State Department and will do all I can to increase representation and involvement from people of all backgrounds. Coming from a poor Latino neighborhood where most students did not go on to college and being the first in my family to attend college, I have worked with student groups that aim to help encourage minority students to attend and stay in college. I believe I serve as a role model for many Latino students and as an example of what can be accomplished if you work hard.

Furthermore, I have actively demonstrated my commitment to promoting diversity in the hiring and mentorship of my almost 80 law clerks during my 35 years on the bench. My clerks come from all different backgrounds and experiences. I have mentored them in my chambers and throughout their legal careers. I hope to continue my mentorship role in supporting the development of my staff, particularly those from underrepresented groups.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

*Answer.* I intend to work closely with staff to insure that we are helping new and young State Department employees gain the experience necessary to have a successful career within the State Department. I intend to play a direct role in mentoring these individuals and helping them in any way I can to go on to become leaders in the Foreign Service. I also plan on being visible and accessible to all my staff in the embassy. I believe that by playing this active role and by leading by example, the supervisors under my direction will do the same in our pursuit of a common mission.

*Question 12.* China in Argentina/Latin America: In the past 18 months, U.S. public standing in Argentina has plummeted and in a recent poll, only 13 percent of Argentines had a favorable view of the United States. This dramatic development comes at a time when China is increasing its role in Latin America. China's trade with Argentina surpasses that of the U.S.; China provided \$20 billion in infrastructure financing in 2014; China is providing security funding to facilitate the purchase of Chinese equipment; and China's Confucius Institute are seeking to manipulate curricula and public opinion in Argentine universities. What is your assessment of China's role in Argentina?

*Answer.* China has a longstanding trade relationship with Argentina and historically has alternated with the United States as being Argentina's second largest goods trading partner after Brazil. The United States, however, engages in a larger

services trade with Argentina, and is by far the number one source of foreign direct investment in Argentina. Trade between Argentina and China has historically centered on exports of agricultural and mineral commodity products to China in exchange for Argentine imports of higher value chain products. President Macri has declared Argentina open for business and has welcomed foreign trade and investment from the United States, Europe, China, and others.

*Question 13.* If confirmed, will you make this issue a priority?

Answer. If confirmed, I would work to demonstrate that the U.S. model for investment and trade is the preferred trading and investment model, as it is based on mutually beneficial goals that help both partners grow, develop, and become more prosperous.

*Question 14.* What steps will you take to address Chinese influence in Argentina?

Answer. If confirmed, I would continue to advocate for reforms that would maintain a level playing field for U.S. companies doing business in Argentina. I will advocate for investments and trade that meet high standards in terms of transparency, adherence to anti-corruption standards, debt sustainability, labor rights, environmental best practices, and the needs and concerns of local communities.

*Question 15.* Security Assistance Budget Cuts/U.S. Influence: The U.S. provides very little foreign assistance to Argentina, but the little we do goes a long way and offers us significant influence. One key budget is our international counternarcotics and law enforcement budget, which President Trump has proposed to cut—again. These funds facilitate strategic cooperation on a range of issues, including combatting illicit finance and money laundering. In the current budget climate, what will you do to ensure continued funding for Argentina?

Answer. The United States and Argentina have a mutual interest in combatting the trafficking of illegal drugs and safeguarding the security of our citizens. If confirmed, I would place among my top priorities cooperation in the fight against terrorism and drug trafficking, and the promotion of the security of the American people, including their cybersecurity. I would also advocate for the necessary resources to ensure our cooperation with Argentina continues.

*Question 16.* At a time when the Chinese are offering security assistance to Argentina, what will you do to maintain our influence?

Answer. Fundamentally, our influence derives from our values. Argentina and the United States share democratic traditions and values, and how we apply them in providing services to our citizens extends to how we police our streets and defend our national interests. When the Argentine Navy lost a submarine, the ARA San Juan, in the South Atlantic, last November, the United States Government, and the United States Navy, arrived first on the scene to lend support. When the Argentine Ministry of Security made combatting transnational organized crime and interdicting narcotics in northwestern Argentina a priority, our embassy in Buenos Aires worked together with the Drug Enforcement Administration (DEA) and other U.S. law enforcement agencies to help the Argentines develop a 1 counter-narcotics focused Northwest Border Task Force that is becoming a model for similar centers elsewhere in Argentina.

The Bureau of International Narcotics and Law Enforcement Affairs (INL) now conducts a \$2.2 million program, inclusive of all activities through Fiscal Year 2019, that funds capacity building and DEA efforts to train and mentor Argentine law enforcement and justice officials working to improve Argentine public security, and Northwest Border Task Force has already demonstrated successes combatting transnational organized crime and interdicting narcotics.

The benefits Argentina derives from a close security and public safety relationship with the United States far exceed those available to it elsewhere; that is why the Macri administration prefers cooperation with the United States over other foreign partners, such as Russia and China, and that is why our security cooperation has flourished in the two years since Macri came into office.

Our INL Argentina program is a unique model of low cost, high impact foreign assistance in which the Argentine Government shares in the cost of all INL trainings, thus maximizing our very modest investment in? shared security priorities of combatting corruption and transnational crime including counter-narcotics. Programs such as this one show that the U.S. model for security cooperation—based on shared values and mutually beneficial goals that help both sides—makes sense for both countries. Treasury's Office of Technical Assistance is helping Argentina's Financial Information Unit improve its capacity to supervise financial institutions and detect money laundering. If confirmed, I would encourage this relationship of strong partnership and collaboration to achieve our mutual security and law enforcement goals.

*Question 17. Israeli Embassy and AMIA Terrorist Attacks:* In my last meeting with President Macri, I raised the need for Argentina and the international community to make more progress in holding accountable the perpetrators of the 1994 bombing of AMIA Jewish community center. This certainly includes the 6 Iranian officials that were previously subject to Interpol Red Notices. There has certainly been progress into the murder of Alberto Nisman, the prosecutor who was handling the AMIA case. But, there has been limited progress on the actual attacks. What support will you provide for the investigations?

Answer. If confirmed, I will make clear that the United States stands with the victims of the Asociacin Mutual Israelita Argentina (AMIA) bombing, with their families, and with the Argentine people and their government as they work with the international community to see justice done in the case of the July 18, 1994 attack. The AMIA bombing was a brutal attack on Argentina's Jewish community, on Buenos Aires, and on all Argentines, killing 85 people and injuring hundreds more. This attack came 28 months after the March 17, 1992 bombing of the Israeli embassy in Buenos Aires that killed 29 people and injured hundreds more. If confirmed, I would also make clear that the Iranian Government continues to bear a solemn responsibility to cooperate fully with Argentine authorities as they work to bring the perpetrators to justice.

*Question 18. Will you continue to ensure that it is a priority in the U.S.-Argentina relationship?*

Answer. If confirmed, I would ensure that this is a priority and would offer U.S. support to Argentina and stress our interest in assisting their efforts to find justice. Given my experience as a judge, a participant in State Department rule of law programming, and my relationship with the legal community of Argentina, I look forward to working with the Government of Argentina to bring the perpetrators to justice.

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RESPONSE TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED TO  
JUDGE EDWARD PRADO BY SENATOR JEANNE SHAHEEN

*Question 1. For several years, a New Hampshire-based company, TIG Insurance, has sought unsuccessfully to resolve an outstanding dispute with Argentina over re-insurance contracts purchased by the Government from TIG in the 1980's. Although U.S. courts have sided with TIG in several cases, the Argentinian Government has yet to meaningfully engage with TIG on this issue, and thus this is the oldest unpaid claim against the Government of Argentina owed to a U.S. company. If confirmed, would you work with my office to see that this matter settled?*

Answer. I am aware of the ongoing legal dispute between TIG and the Government of Argentina. If confirmed, I can assure you that I will work tirelessly to support U.S. companies doing business in Argentina. Also, if confirmed, I look forward to working with your office on this matter.

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## NOMINATIONS

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**WEDNESDAY, APRIL 11, 2018**

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

The committee met, pursuant to notice, at 10:05 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Jeff Flake, presiding.

Present: Senators Flake [presiding], Gardner, Young, Shaheen, Kaine, and Booker.

**OPENING STATEMENT OF HON. JEFF FLAKE,  
U.S. SENATOR FROM ARIZONA**

Senator FLAKE. This hearing of the Senate Foreign Relations committee will come to order.

After some scheduling snafus and snow days that forced Senator Booker and me out with snowball fights on the lawn and everything else, but it was not very conducive to hearings and people being here on time. So we appreciate your indulgence in having this hearing postponed until now.

But we are considering nominees to serve as the Assistant Secretary of State for the Bureau of International Narcotics and Law Enforcement Affairs and Ambassador to South Sudan, Mr. Hushek, who some time has passed since we have met, but I am grateful to you and Ms. Madison for taking the time to meet with me prior to this hearing.

The Bureau of International Narcotics and Law Enforcement, or INL, is tasked with the responsibility for a number of important issues that lie at the heart of some of Congress' and the administration's priorities. These include helping foreign countries combat transnational crime, the illicit drug trade, human trafficking, and wildlife trafficking. I look forward to hearing how Ms. Madison will work to prioritize the many issues that, if confirmed, will fall under her purview and how Congress can work with INL to achieve its mission.

We are also considering the nomination of a new Ambassador to South Sudan when the Government is, by all accounts, abdicating its responsibility to represent its people. There has never been a greater need for skilled diplomacy in the world's newest country. The committee stands eager to hear about the impact that the deteriorating manmade humanitarian crisis—what impact this has on U.S. interests in the region and what we might do to be able to turn the tide there. We are so grateful that we are going to have an Ambassador to South Sudan. It has been needed.

I thank each of you for your time and sharing your expertise with us.

With that, we will recognize Senator Booker for opening comments.

**STATEMENT OF HON. CORY A. BOOKER,  
U.S. SENATOR FROM NEW JERSEY**

Senator BOOKER. Thank you very much, Chairman Flake.

And I just want to reiterate I really appreciate your flexibility. I was just told that one of you were overseas and rearranged your schedule. It is a lot to go through, a lot of logistics. I just appreciate your patience with us and the many extraneous circumstances.

I am grateful as always to Chairman Flake for his leadership and focus and what he brings to the table.

The two before me—your years of service speak for themselves, your commitment to country, as well as to the larger cause of humanity. Should you be confirmed, you will both arrive at these positions in challenging and very difficult times.

Ms. Madison, the bureau you will lead, if confirmed, will experience savage budget cuts, about 40 percent, if the President's budget is adopted. It is something that I think is a cause for concern. The budget comes at a time when heroin and cocaine use is increasing, along with a number of heroin-related deaths in recent years. This is a real crisis being felt in communities all across our country, including in New Jersey. There are global supply chains and markets for these illicit substances that demand robust multilateral cooperation as well as enforcement that I believe will be forfeited for more punitive measures against individuals as opposed to making recovery difficult for consumers and investing in the kind of things that really make a difference. Your strategies, your wisdom, and your insight is really essential to help us to advance success at a time that frankly I am just frustrated that we are not making more progress.

Mr. Hushek, if confirmed, you are literally going into a war zone, and I am concerned about your safety, the safety of our personnel in such hardship posts. My concern is compounded actually by not only the deteriorating effects in South Sudan but I just feel that we have no articulated strategy to deal with this crisis. And more than that, I have to say I am very concerned about this administration's concern about this crisis. There is a moral outrage going on on planet earth at a scale and level of gravity that should anguish the souls of every American. But there is a lack of attention in this administration coming from the top. There are demeaning and degrading comments spewing from the White House that undermine the larger diplomatic efforts.

South Sudan is at a point where all of us, regardless of country—this is a test of the moral will of humanity. And I just feel that you are going into a challenge that I believe you can make a profound difference.

And so I just want to say as an American, as a Senator, but even more so as a human being that I pray for your success under these circumstances, and I am looking forward to hearing you maybe being able to articulate with more clarity what the administration's strategy is. Your job is one of the more singularly important ones

for alleviating suffering on this planet and ending a nightmare that is unimaginable frankly for those who have not witnessed a broad scale famine and suffering like we are seeing in South Sudan. I am angry that my country who has led with light and generosity and love is not showing that in this case.

So I want to thank you both again for being here. I am very much looking forward to having a conversation, and I will pass it back to our chairman.

Senator FLAKE. Thank you, Senator Booker.

We will now turn to our nominees, the first nominee, Kirsten Madison, Deputy Director of Foreign and Defense Policy Studies with the American Enterprise Institute. She is well known to this committee having served as Deputy Staff Director just a few years ago and as a professional staff member under the leadership of former Chairman Jesse Helms. She also has previous experience at State, the NSC, and the Coast Guard.

Our second nominee is Thomas Hushek, career diplomat, who is serving as the Acting Assistant Secretary of State in the State Department's Bureau of Conflict and Stabilization Operations. He has served in eight countries overseas, including as Deputy Chief of Mission at the U.S. embassies of Tajikistan and Micronesia. Additionally, he has completed two tours in Afghanistan.

With that, we will recognize Ms. Madison.

**STATEMENT OF KIRSTEN DAWN MADISON, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF STATE, INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS**

Ms. MADISON. Thank you, Mr. Chairman and members of the committee. Thank you, first of all, for the opportunity to testify as the nominee to be the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. I am deeply honored by the President's nomination and at the prospect of serving my country again if I am confirmed.

Since we started dating in high school, my husband Matthew, who is here today, has been my biggest supporter, my most honest critic, my most avid cheerleader. It means a lot to know that he is here.

To my family, my brothers, Jay and Erik—

Senator FLAKE. Raise your hand, Matthew. Okay, right behind you.

Ms. MADISON [continuing]. The long-suffering husband.

Two of my brothers, Jay and Erik, and my parents, Lynn and Kathryn Madison. My mother happened to have flown in from Portugal with me last night, so she is here. I know that I would not be sitting here without their support and encouragement.

The INL team, led by the Assistant Secretary, is a critical player in tackling some of the most challenging issues confronting our nation, including the ongoing opioid crisis and the efforts of criminal networks around the world to optimize their business models at the expense of democratic governance. INL programs help to secure our borders and cities by strengthening the ability of our partners to address threats before they reach our shores. INL also builds the capabilities and capacity of our international partners to defend their own citizens and systems of governance against transnational

organized crime, corruption, terrorism, and in fact the points where those things link. Importantly, INL is helping governments to build and strengthen the rule of law that is so essential to economic opportunity, the kind of thing that the U.S. works for at home and abroad.

Through the work of INL, the U.S. has proven over the decades that its influence is profound, that it is capable of driving progress in the global effort to confront crime and corruption. And through this work, the U.S. has embraced the idea that safeguarding our nation and its interests requires us to be engaged and creative and to actively cultivate the trust and confidence it takes to work effectively and secure the buy-in of our international partners. This will continue to be an essential goal of INL, if I am confirmed.

Through a career of more than 20 years, I have worked on governance, counternarcotics, and counterterrorism matters for the U.S. Senate, the House, the Departments of Homeland Security and State, at the Organization of American States, and on the National Security Council staff. Although focused heavily on the western hemisphere, I have also run programs in Asia, Europe, Africa, and the Middle East to build law enforcement and operational capacity of our partners and worked to gather partners to tackle global issues from piracy to illegal fishing to port security.

INL has a significant budget, even in these times of financial pressures. As a former senior executive at State and the Department of Homeland Security, I understand the value of engaged management, effective interagency partnering, and securing buy-in from international partners who share our interests. While my Coast Guard program was on a much smaller scale, thinking critically about strategy, setting priorities, and making tough choices about how to best advance U.S. interests are no less essential to being the Assistant Secretary of State for INL.

If confirmed, my top priorities have been set by the President: battling the opioid epidemic and redoubling efforts to counter the multi-headed hydra that is transnational organized crime. These are global efforts requiring our ongoing attention from Beijing to the Balkans to Liberia to the United Nations system and beyond. There will be important diplomacy and engagement to be done in the western hemisphere where the region-wide consensus we once had for counter-drug and crime efforts has ebbed. For our own security and prosperity, we need to help the rule of law recapture the momentum in this region and to help countries recover stolen or illicit assets and put them to good purpose. Likewise, the uptick in the production of illicit drugs in Afghanistan, Colombia, and Mexico all point to the need to redouble efforts to cement cooperation with them even as we work on the rest of the narcotic and crime continuum internationally and at home.

In recent history, the INL Bureau has benefited from the extraordinary leadership of Ambassador Brownfield and the exceptional dedication and capabilities of the Foreign and Civil Service professionals who make up its ranks. If confirmed, it will be my honor to work alongside them. For the moment, for now, I am just grateful for their wisdom as I prepared for this hearing.

In my experience, we are most successful when Congress and the executive branch share clarity of purpose and the long-term com-

mitment to building institutions, forging partnerships, and constructing frameworks for international cooperation. If confirmed, I hope to work closely with this committee as we address the great challenges of our time.

Again, thank you very much for this opportunity and I look forward to your questions.

[Ms. Madison's prepared statement follows:]

**PREPARED STATEMENT OF KIRSTEN MADISON**

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The INL team, led by the Assistant Secretary, is a critical player in tackling some of the most challenging issues confronting our nation, including the ongoing opioid crisis and the efforts of criminal networks around the world to optimize their business models at the expense of democratic governance. INL programs help to secure our borders and cities by strengthening the ability of our partners to address threats before they reach our shores. INL also builds the capabilities and capacity of international partners to defend their own citizens and systems of governance from the transnational crime (of all kinds), corruption, and terrorism that are inexorably linked. Importantly, INL is helping governments to build and strengthen the rule of law so essential to the economic opportunity the U.S. works to create at home and abroad.

Through the work of INL, the U.S. has proven over the decades that its influence is profound, capable of driving progress in the global effort to confront crime and corruption. And, through this work, the U.S. has embraced the idea that safeguarding our nation and its interests requires us to be engaged and creative, and to actively cultivate the trust and confidence it takes to work effectively with and secure the buy-in of our international partners. This will be an essential goal of the INL team if I am confirmed.

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In my experience, we are most successful when Congress and the Executive Branch share clarity of purpose and long-term commitment to building institutions, forging partnerships, and constructing frameworks for international cooperation.

If confirmed, I hope to work closely with this committee as we address the challenges of our time. Again, thank you for this opportunity and I look forward to your questions.

Senator FLAKE. Thank you, Ms. Madison.

Mr. Hushek?

**STATEMENT OF THOMAS J. HUSHEK, OF WISCONSIN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SOUTH SUDAN**

Mr. HUSHEK. Chairman Flake, Ranking Member Booker, and distinguished members of the committee, I am honored and humbled to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of South Sudan.

I would like to thank my family, friends, and colleagues whose encouragement and support have helped shape my career and made this moment possible.

If confirmed, I look forward to working with this committee and other Members of Congress to advance our nation's priorities in South Sudan, leading our mission in Juba, and engage South Sudanese people and press the Government and other actors to find a meaningful and durable solution to the ongoing conflict and Africa's largest humanitarian crisis.

Mr. Chairman, you and the members of this committee are well aware of the tragedy that is playing out in South Sudan. The independence of this nation in 2011 captured the world's attention and became a symbol for freedom, resilience, and the unbridled potential of Africa. The global community and the United States in particular offered unequivocal support to the South Sudanese people who for decades had known nothing but oppression, deprivation, and war. The American people provided vast amounts of technical advice, development assistance, and goodwill to support the new country's aspirations. But tragically, 2 years after independence, South Sudan's leaders in government and opposition plunged their country into an ever-worsening conflict and humanitarian crisis, betraying the dreams of the South Sudanese people for peace and development.

Since the outbreak of hostilities in December 2013, South Sudanese civilians have experienced unspeakable cruelty at the hands of government forces and other armed actors, including widespread sexual violence used as a weapon of war. More than 4 million South Sudanese have been displaced from their homes. 70 percent of children are out of school, with roughly 19,000 of them forced to serve in armed groups. Without sustained humanitarian assistance and improved access, more than 7 million people will face life-threatening hunger because of conflict this year. Even with this extreme level of need, parties to the conflict continue to impede delivery of humanitarian aid, and South Sudan is considered the most dangerous country in the world for humanitarians. The economy is

in shambles, and South Sudan's modest oil wealth is being siphoned away through widespread corruption, fueling the conflict rather than the young nation's development.

Despite the failure of South Sudan's leaders to act responsibly, the United States has not abandoned the South Sudanese people. As the single largest contributor of aid, we have provided more than \$3 billion in emergency humanitarian assistance since fighting began in 2013. The American people should be proud of our leading role in the international effort to stave off famine and provide critical services such as water, nutrition, sanitation, and health care.

The United States is also supporting regional efforts to negotiate a peaceful resolution of the conflict. Last December, the warring parties agreed to a cessation of hostilities as a first step in this process. Unfortunately, that agreement has been repeatedly violated by the signatories. We are working with African and international allies to press for its implementation and to apply consequences for violators. The United States will continue to take action against those who have fomented violence, obstructed the peace process, and enriched themselves through corruption while so many of South Sudan's people have been driven from their homes or are on the verge of famine.

Mr. Chairman, if confirmed, I will press the leaders of all parties to the conflict in South Sudan and especially the Government to disavow violence and make the hard compromises necessary to achieve a peaceful resolution of their political differences. I will work tirelessly to urge respect for human rights and fundamental freedoms so that the people of South Sudan might once again aspire to a peaceful and prosperous future. I will work to ensure that America's humanitarian traditions are upheld and our generosity is not squandered. And finally, Mr. Chairman, I assure you that, if confirmed, I will keep as my top priority working to ensure the safety and security of U.S. citizens in South Sudan.

Thank you again for this opportunity to appear before you today, and I look forward to answering questions you might have.

[Mr. Hushek's prepared statement follows:]

#### PREPARED STATEMENT OF THOMAS J. HUSHEK

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Mr. Chairman, if confirmed, I will press the leaders of all the parties to the conflict in South Sudan—and especially the Government—to disavow violence and make the hard compromises necessary to achieve a peaceful resolution of their political differences. I will work tirelessly to urge respect for human rights and fundamental freedoms so that the people of South Sudan might once again aspire to a peaceful and prosperous future. I will work to ensure that America's humanitarian traditions are upheld and our generosity is not squandered. Finally, Mr. Chairman, I assure you that, if confirmed, I will keep as my top priority working to ensure the safety and security of U.S. citizens in South Sudan.

Thank you again for the opportunity to appear before you today. I look forward to answering any questions that you might have.

**Senator FLAKE.** Thank you both for your testimony.

Let me start with Ms. Madison. When we were in my office a while ago, we talked about wildlife trafficking. Senator Booker and I just returned from a trip to Africa. It is an extremely important source of revenue for the countries in southern Africa and certainly a form of enjoyment for a lot of American tourists and others who go to see obviously large herds of elephants and the remaining rhinos.

What is our administration's policy with regard to wildlife trafficking, and what will your office do with regard to implementation of that policy?

**Ms. MADISON.** Senator, thank you for the question. In fact, I noticed this week there was an article about sales of endangered species parts on, I think it was, Facebook. It is a constantly evolving issue.

Wildlife trafficking is another form of transnational organized crime. It, unfortunately, is a very lucrative one for criminals. There is high demand. There is high return on investment, and there is still, unfortunately, a relatively low risk of being caught.

From an INL perspective, again this is transnational organized crime. So the bureau works in a variety of different ways. It works at the international multilateral level to make the U.N. Convention

on Transnational Organized Crime real and to help countries make use of the tools in that to go to work on transnational organized crime.

In addition, it works to build investigator capacity, law enforcement capacity, prosecutorial capacity in countries where this is an issue. And it very specifically has programs on wildlife trafficking. There are 20 different programs, for example, in Africa that are designed to help countries take this on.

It is a big source of income. INTERPOL did a report not too long ago that said environmental crimes was between \$100 billion and \$250 billion a year. So some segment of that is wildlife trafficking. Even if it is at the low end of that, that is an enormous boon to criminal organizations.

So I think INL has a focus on this particularly in Africa because it is a particular challenge, but there is also work in Latin America and in Asia. So that is kind of the basic laydown, sir.

Senator FLAKE. Thanks.

When we met, you told me there is an endless desire for U.S. engagement in training in law enforcement issues, that the toughest decisions are deciding what our limits and priorities will be.

Can you talk a little bit about that? How do we prioritize what I am sure is a lot of demand for our involvement there?

Ms. MADISON. Senator, yes, there is always an endless demand for our engagement, for our constructive engagement, for our support, for our tools—you know, law enforcement capacity, whichever piece of it you want to talk about. And I think that what you really have to do when you are confronted with global demand and also global challenges is figure out where you can most closely align with U.S. national security interests. Obviously, transnational organized crime and the opioid crisis have been prioritized by the President. But also, I think you have to look at the question of where you can have impact. In some circumstances, you cannot have impact because you do not have a willing partner or because the security circumstances on the ground do not allow you to.

So I think it is about alignment with national security objectives. It is about being realistic about where you can have an impact, and also I think in thinking about these things, you have to also look at the question because most of the issues that INL deals with are transnational in some way. You have to look for where there are opportunities to work regionally. I think wildlife trafficking is a good example of where you have sort of a sweep of crime and where regional efforts can be powerful.

Senator FLAKE. Thank you.

Mr. Hushek, we have been without an Ambassador to South Sudan for almost a year now. It was the summer of 2017. How do we put an ambassador there now without lending legitimacy to the Government and their actions of late? What is the State Department prepared to do to tell Juba that what has been going on is certainly not acceptable?

Mr. HUSHEK. Thank you.

Yes, it has been since last summer since an ambassador was there. Of course, our embassy is remaining active. But as an Ambassador, if confirmed, one of the main things I will be committed

to is delivering those tough messages to the highest level of the Government as possible.

Another very important part of what I and the embassy will be working on is communicating and relating to the people of South Sudan, and that goes beyond just government officials. Right now, in order to put pressure on the Government of South Sudan and the other parties to the conflict, the State Department and the U.S. Government are putting on a series of escalating mechanisms to force the parties to take seriously the political talks that are going on to end the conflict.

So last fall, shortly after the Ambassador left, we put in some sanctions against three high-level individuals and then another one in December, a business associate of the president.

And in February, we instituted a national arms embargo preventing arms and ammunitions going from the U.S. there to verify an effective policy that we had in place already.

And also this spring, we have worked through multilateral organizations to renew the mandates of the U.N. mission in South Sudan, as well as the U.N. Human Rights Commission for South Sudan, so those kind of multilateral mechanisms as well.

All during that period, we have also been supporting these ongoing peace talks called the High Level Revitalisation Forum, coordinating among the donor nations and, most importantly, with the neighboring countries to South Sudan to put pressure on the Government and the other parties.

Senator FLAKE. Thank you.

Senator Booker?

Senator BOOKER. I am going to defer to Senator Shaheen.

Senator SHAHEEN. Thank you very much, Chairman Booker.

Thank you both for being willing to take on these very important roles at this difficult time.

I am going to begin with you, Ms. Madison, because you talked about the role of the INL in the whole drug trafficking issue. And as you may be aware, New Hampshire is one of those States in the U.S. that is at the epicenter of the opioid and heroin epidemic that we are experiencing. We have the highest rate of fentanyl overdose deaths in the country.

So I wonder if you can talk about what more INL can do to counter the flow of fentanyl in particular but other drugs, of course, and what more you think the Congress can do to help support your efforts.

Ms. MADISON. Senator, thank you very much for the question.

I think if there is any one issue that was raised, as I did my consultative meetings on the Hill, whether at the staff level or the Senator level, it was this one because of the impact on so many communities and cities and families in this country.

I think INL is working in a very concerted way on this already in the sense that it is engaged at the multilateral level, at the international narcotics control level, in the U.N. Office on Drugs and Crime to build the frameworks, to strengthen the frameworks that we have to control drugs, and also to make use of the tools that are in those agreements and in those organizations to actually get more drugs, opioids specifically, under international control. We control many things domestically and we need other countries to do

it domestically, but that international control piece is really essential.

I think INL has done some very effective work already to get more drugs under control and also to try to accelerate the pace of control because what the drug organizations do is they change the formula and then they have another drug. And you get in this endless cycle of trying to get ahead of what they are up to.

So I think the international piece of it is important. I think it is going to remain important, and I think in addition to being a framework and way of working together, there are tools built into those international agreements that we can actually put to work to allow for real-time operational cooperation. You know, you have to kind of tackle every piece of the chain.

I think the bilateral work that has been done with China so far by INL has actually been impressive. They do not have a domestic use problem in China, but they have moved to control more than 140 synthetic opioids, including carfentanil, which of course is an enormous problem. And they have also moved to provide a lot more advanced electronic data that allows us to sort of get a sense of what is moving in the mail because it is a principal delivery system.

I think that one of the things that is left to be done is to encourage the Chinese to actually do more control of synthetic opioids as a class, again to get out ahead of what is going on with the changes in formulas. I think there is more work to be done on the mail front, not just for the Chinese, but not every country has the capability to share information. And I think as I understand it as an outsider looking in, INL is also looking at the question of what else can be done with the International Postal Union to tackle that piece of it.

There is another piece that I think requires attention that is continuing to evolve, which is the criminal use of the Internet for the sales on the dark web and their convergence with cryptocurrencies which are, unfortunately, very agile and anonymous tools to move money. And that is a piece that, if I were confirmed, I want to really understand where we are on that and what else we can do to kind of get in front of it. I know there is plenty of work going on. INL is doing a lot of work on cyber crime and financial crimes. But again, this is an evolving area of this, and I think it should be of great concern to us.

Senator SHAHEEN. Thank you.

Ms. MADISON. Sorry. I used a lot of your time, Senator.

Senator SHAHEEN. INL operates the International Law Enforcement Academies. As we look at the challenges that are facing so many countries, whether it is South Sudan or countries in Eastern Europe, we are seeing in South America corruption is one of the biggest challenges. And obviously, having a law enforcement system and a judicial system that is able to address that corruption and helping to change what has been a culture in some of those countries is really important. I had a chance to visit the Law Enforcement Academy in Budapest last year and was very impressed with what I heard from the people who were students at the academy who were law enforcement in various countries, most of them

in Eastern Europe. But can you just talk about the commitment of INL to continue the work there and how important it is?

Ms. MADISON. Thank you for the question, Senator. I will try to be very quick this time.

Yes, the ILEAs are actually really important. I have only ever visited the one in El Salvador because I worked on the western hemisphere. First of all, it is considered to be very prestigious to go, which I think is good. It has some appeal.

But I think part of what INL is doing with the ILEAs is helping to build into the police forces and into the academies the idea that you have to have professional ethics and respect for human rights. And they are also helping to build internal affairs organizations and other preventative structures into the police forces that they work with. So the ILEAs can be very powerful I think in helping to sort of build that in from the bottom up.

Senator SHAHEEN. And the networks that the students who attend there develop is also very important, as we heard.

I am out of time, but I do want to ask for your commitment to—one of the great things that INL does is to encourage the women being part of police forces and law enforcement around the world, and that has had some real success. I hope that you will remain committed to ensuring that that program not only continues but that it grows.

Ms. MADISON. Senator, thank you very much for the question.

I do think INL does a good job of trying to build this sensibility and effort in from the ground up, and I will absolutely remain committed to the effort.

Senator SHAHEEN. Thank you.

Mr. Hushek, I leave you to Senator Young. [Laughter.]

Senator FLAKE. And with that, Senator Young.

Senator YOUNG. Thank you, Chairman.

Ms. Madison, you are nominated to serve as Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. You wrote in your prepared remarks that, if confirmed, you would be a critical player in tackling some of the most challenging issues confronting our nation, including the ongoing opioid crisis.

Now, many people in my State of Indiana like so many other Americans have been afflicted by this opioid crisis. In fact, in the year 2016, which is the year for which we have most recent data, there were 785 drug overdose deaths involving opioids. If you lose a father, a mother, a sibling, a son, it can really impact the home, and that ripples throughout a community.

If confirmed, I just want to make sure, in light of the increasing severity of this crisis, do you commit to me and to this committee as well that you will make battling the opioid epidemic one of your top priorities?

Ms. MADISON. Senator, the answer to your question is absolutely yes.

Senator YOUNG. Excellent. Thank you.

As you know, fentanyl is a synthetic opioid. It is much more potent than heroin. We know that secretly produced fentanyl, as well as most of the associated illegal precursors and analogs, are primarily sourced through China, and they are smuggled into the U.S. through Mexico, Canada, and also through direct mail.

Now, it is my understanding Mexico serves as a transshipment point, and there are labs in Mexico or there may be labs in Mexico that use precursor chemicals that are then smuggled over our southwestern border to produce fentanyl.

Based on your experience and your preparation for this hearing, Ms. Madison, can you provide just a quick update on the transnational elements of the opioid crisis?

Ms. MADISON. Senator, thank you for your question.

This is really at the heart of INL's piece of this. Of course, there is a domestic piece in prevention and law enforcement and other elements of this, but INL's piece is this transnational effort to secure cooperation and work across borders.

I think that the opioid trade, the illicit opioid trade, whether it is heroin from Mexico or synthetics from China, relies on various means to get here, as you noted, the mail. But I do think we are seeing this process of fentanyl being cut into other drugs and then delivered to the U.S. So there is very definitely a piece of this process that is about securing the cooperation with Mexico in particular because that is a pathway. And I do think there is a pretty good basis—there is actually an incredible basis of cooperation with Mexico on these issues.

But, yes, the problem is even if you tackle the mail piece of it, what will happen is the traffickers will shift over and use whatever means that they can. And so that avenue through Mexico or any other country that they can get their product through will remain an important thing for us to work on. And if I am confirmed, of course that would be a priority.

Senator YOUNG. Are there specific things either now or in the near term that you think need to be done that are not being done that can help address the illicit flow of these precursors or of opioids into our country and therefore adversely impact the younger population?

Ms. MADISON. Senator, as I mentioned, I think that there is some undone work on the mail front. I think there is some undone work on the control front. I think we need to kind of have the broader framework in place. We need to use the control regimes. And then I think the ongoing effort of working with Mexico to improve their capabilities to control what moves in and out of their country, the intelligence sharing, and finding ways to expand that will continue to be important. It is a question of constant vigilance and those relationships and those working partnerships.

Senator YOUNG. Well, thank you. I am going to have my team follow up with you, with your indulgence, after this hearing just to gather your insights based on your professional experience to see if there are other countries or international organizations from whom we might learn best practices, whether it is on the law enforcement end of things or treatment or prevention, because we tend to think of the opioid crisis as a national crisis, and indeed it is that. But in preparation for this hearing, it was quite clear to me that this is also an international crisis, and there may be countries doing things more effectively than we are. So do you commit to working with my team on that?

Ms. MADISON. Senator, I would be delighted to have the conversation, if confirmed or before I am confirmed as part of this process. Absolutely.

And it is in fact a global crisis. I think you can read in a newspaper in the UK or many other places in the world about the impact of illicit opioids on families and cities. We are not alone, and we have not necessarily cornered the market on good ideas.

Senator YOUNG. Lastly with the chairman's indulgence, I would just like to communicate to you I will be submitting a question for the record pertaining to your work on the issue of illegal fishing. This is something I have been learning more about recently. It has some really serious consequences and I think highly under-reported. And so I appreciate your assistance in answering those questions.

Thank you, Mr. Chairman.

Senator FLAKE. Thank you.

Senator Booker?

Senator BOOKER. Thank you very much.

Mr. Hushek, how do you evaluate the role of the IGAD who has been trying for years to negotiate some kind of peace deals, which seem to be broken time and time again?

Mr. HUSHEK. Well, the IGAD continues to be very important in the peace process. This is composed of the countries that are immediate neighbors to South Sudan. So a peace process to be enforced would require these countries to be intimately involved.

The current ongoing high-level Revitalisation Forum—

Senator BOOKER. They just were meeting in March. Right?

Mr. HUSHEK. They met twice in December and then again in February and are going to be meeting again later this month for a third round.

They still have yet to tackle the very serious security and governance issues that are on the table, and this has to do, in part, as I mentioned before, with the incentives of the parties to negotiate in good faith. For our part, we are putting extra pressure on—using pressure mechanisms to make sure that they sit at the table and negotiate. These are the sanctions and the other measures that we have taken.

We have also continued to support some of the mechanisms that will ultimately be used for providing accountability for the serious human rights and other crimes that have taken place. And the IGAD will play a role in this as well.

If you look at it as concentric circles, outside the IGAD countries, there are also the broader African Union and the United Nations, and we are working in all these fora to press these issues. But in fact, these immediate neighboring countries play the most important role in getting this peace process moving forward.

Senator BOOKER. It seems like we have been doing a lot of the same things over and over again and not getting anywhere. Could you articulate to me a strategy born from the wisdom of not our failures but the failure to bring about peace here?

Mr. HUSHEK. Yes. One of the newer ingredients in the process is putting on a campaign of increasing pressure on the parties. So it started out long ago with some UN-sponsored sanctions for field level commanders. Last fall, we took it up to the next level and we

put on sanctions on some people that were at cabinet level positions in the Government or equivalents. And the idea is to continue to increase this pressure.

We have also moved up in the area of arms embargo. We still are pursuing that, exploring the possibility—

Senator BOOKER. Can you just hold on for a second? I am sorry to interrupt you.

So according to my notes, we have got sanctions on about 10 individuals in South Sudan, four of whom were just sanctioned last year. But how do you evaluate the impact of that tool and those sanctions?

Mr. HUSHEK. Those sanctions with the other related items like the recent addition of petroleum entities on the Department of Commerce's entities list and the arms embargo that I mentioned—those things have gotten some attention in Juba and in the region I have to say. The intermediate step, though, is to get the neighboring countries to also put on the same kind of pressure on the parties that they are in most close touch with. So the Governments in Ethiopia, Uganda, Kenya, Sudan are very important to get into the process.

Senator BOOKER. In the Bush administration, Deputy Secretary Bob Zoellick played an important role as a point person, you know, after Special Envoy John Danforth left the post vacant. And I am just wondering. We have seen from the Bush administration and Obama administration high-level diplomatic efforts. And I am just wondering do you think that higher-level diplomatic efforts or a deputy secretary or special envoy positions—do you think that that is something that we could be ramping up now in your evaluation?

Mr. HUSHEK. Yes. I think we definitely need high-level attention. I as the Ambassador, if confirmed, will of course be able to deliver messages at the highest levels in Juba, but since this is really a problem that will require regional participation, it is important to have high-level attention from the administration.

So far, in the past year, we have had Ambassador Haley, our Ambassador to the U.N., and Administrator Mark Green from USAID visit and deliver very tough messages to President Salva Kiir and others. And also there have been some members of this body that have also visited and helped us deliver strong messages. So we need to keep that high-level engagement very much active. Secretary Tillerson, when he was out there last month, also raised South Sudan in some of the regional stops that he made during his visit. But we definitely need to continue to pursue high-level attention to the problem.

Senator BOOKER. Two of my esteemed colleagues have come, so I do not want to go over my time any more, but I do want to come back to this again.

Senator FLAKE. Thank you.

Senator Gardner?

Senator GARDNER. Thank you, Mr. Chairman.

Thanks to both of you for your willingness to serve, and congratulations on the nominations.

Just last week, a couple of weeks during the congressional work period, I had an opportunity to visit places across Colorado holding a number of roundtables on drug abuse, opioid addiction, and law

enforcement roundtables where we talked about what is happening in Colorado and beyond.

One of the most alarming and shocking discussions we had was a roundtable in Alamosa, Colorado, which is in the San Luis Valley in the southern part of Colorado where 90 percent of the inmates in the local jail are addicted to drugs, where we had a discussion with the local hospital about how they are trying to get nasal injections of Narcan to kids because it is easier for the kids to administer that to their parents when they overdose. This is pretty heavy stuff.

You know, we talk about things like a *New York Times* report. Afghanistan continues to produce about 85 percent of the world's opium despite more than \$8 billion the U.S. has spent fighting the problem. The United Nations Office on Drugs and Crime reports another 17. China is playing a key role in the surge of opium production in Afghanistan by generating new strains of genetically modified seed allowing poppies to be grown year-round. The seeds began appearing in 2015 and led to a massive 43 percent surge in production in 2016.

Ms. Madison, do you agree with that report? What should we be doing to address China's influence in Afghanistan's drug trafficking? I mean, what is appearing in the San Luis Valley in Colorado obviously is not coming from something grown there, but it is coming from the outside. What should we be doing? Do you agree with it?

Ms. MADISON. Senator, thank you for the question.

Yes, the opioid crisis is a global problem, and even though the opioids that come out of Afghanistan do not tend to make it to the U.S., they make it as far as Canada. So I do not think we should be sanguine about the future path of those drugs, should the traffickers decide the market conditions are right for them to come here.

I think that what we need to be doing is continuing to work on all of the elements of this problem. It is transnational organized crime. There are international frameworks that we can encourage countries to sign up to, use the frameworks and the organizations like the U.N. Office on Drugs and Crime to hold them accountable to that, to make use of those tools, to improve operational cooperation and frameworks in these individual governments.

I think that the surge that we are seeing in production in a variety of places is of concern, of course. It is of concern in Mexico. It is a concern on the cocaine front in Colombia. But I think those international frameworks are the starting point because they allow us to advance the process of controlling these substances, which begins to help to sort of limit the range of motion that the traffickers have.

And I think INL's work also—they work at a bilateral level. They are working in individual countries to build law enforcement capabilities, to build investigative capabilities, to help countries' financial intelligence units and other financially focused organizations tackle the money piece of it because the drugs do not move without the money and that is a really critical piece of this puzzle and the anti-money laundering efforts that INL works on. So I think there

is a bilateral piece of it, and I think that all of those pieces have to be brought to bear if we want to tackle this.

One of the things that I referred to in my opening statement that I think bears emphasis is when we show up in these countries and we do not just say cooperate with us, but we say, look, we need your help. It is in your interest to work on this. It is in our interest to work on this. And we show up and we bring tools, and we say, look, this is assistance that can help you investigate. It can help you prosecute. That is when we actually can be successful. It is actually the sort of secret power of INL. It has resources to come and bring tools to the table to actually help countries be our partners and help them cooperate with us. I think there is power in that.

You know, there is no silver bullet and there is nothing quick. It is about building those enduring partnerships and building enduring capability and beginning to limit the range of motion for the narcotraffickers over time.

Senator GARDNER. Human Rights Watch estimates that the war on drugs in the Philippines led by President Duterte has cost 12,000 lives. Obviously, they have a drug problem in the Philippines. Some of it is related to China as well. How do we work both to end and help the Philippines address this war on drugs but also make sure that we are addressing the human rights issues that accompany this war on drugs?

Ms. MADISON. Senator, thank you for this question.

The Philippines is a particularly challenging place. Really I think the U.S. Government has great cooperation with the Philippines on the maritime issues and some other things, but we have an obvious and completely justified concern with their approach to their war on drugs. It is essentially extrajudicial killings masquerading as justice. It means that the system is failing.

I think INL has, as I understand it, reviewed their entire program in 2016, shifted away from working with the police, and is focused on working with the criminal justice institutions and development, domestic prevention programs because, as you noted, the source of the problem here is they have a domestic use problem. And built into those programs is a large human rights component because there needs to be. I think over time you can begin to create the infrastructure of the rule of law and criminal justice systems that are actually respectful of human rights and institutions that can appropriately do their job in a democratic context.

Senator GARDNER. Thank you both for your time and testimony.

Mr. Chairman, thanks.

Senator FLAKE. Thank you.

Senator Kaine?

Senator KAYNE. Thank you, Mr. Chair.

And congratulations to each of you for your nomination to these positions.

Mr. Hushek, I want to ask you a question about protection of aid workers. South Sudan is reportedly the deadliest country in the world for aid workers. 95 have been killed since 2013. Most of them are local staff. And aid agencies report hundreds of what they call access incidents in the country in 2016, 70 percent of them violent, and the number of incidents increased to 1,159 in 2017, which was the highest number of incidents yet.

Some suggest that these international aid workers are increasingly alleged to be agents of regime change and that is why they get targeted.

What pressure can the U.S. put on the Government of South Sudan to ensure that aid workers, especially local staff, are better protected?

Mr. HUSHEK. Thank you.

Yes, South Sudan is considered the most dangerous place in the world for humanitarian workers. Just this last several days, there were the first two deaths of humanitarian workers in 2018. So the numbers do keep going up.

If confirmed, I will ensure that one of the main priorities of the embassy will continue to be coordination and advocacy on these issues of access for humanitarian workers and security for humanitarian workers. Our programs, mostly run by USAID, do build in a lot of good monitoring to look for diversions, obstructions to the process so we can tackle them early. We participate actively in all the coordinating mechanisms with the broader aid community in South Sudan and play strong leadership roles in a lot of these as well in Juba. And that coordinating mechanism is something that I think the U.S. embassy there is very uniquely positioned to do. It is one of the largest missions there, and we have the expertise in all these areas and, of course, the strong record as humanitarian donors.

On the security front also, USAID and others imitate this process well, but we build into the programs with our implementing partners a good flow of information about security conditions and also an expectation that all the implementing partners have strong security plans as well. So these steps are important to try to address these problems, but it is one that will remain high on my agenda, if confirmed.

Senator Kaine. Excellent. Thank you.

Ms. Madison, I want to ask you about Colombia and cocaine. The U.S.-Colombian relationship has been very powerful. The Plan Colombia, now Peace Colombia—you know, we have shown that partnership across different administrations of different parties have enabled significant progress to occur. But there is a dramatic expansion of coca production in Colombia, and we are seeing in the U.S. cocaine kind of back on the uptick. I just came from a HELP hearing on opioids. We talked about opioids and fentanyl here. But we are seeing cocaine use in the United States start to increase again.

What do you see that you might be able to do, if confirmed, to work with what has been a good U.S. partner, Colombia, to try to figure out a way to do more on the supply eradication side?

Ms. MADISON. Senator, thank you for the question.

I am, I guess, unfortunately, old enough to have been here when we were doing Plan Colombia on Capitol Hill, and I remember that in those days, we were talking about the potential of a failed state in Colombia. And now I think we have a very strong partner in that country in many ways and both deep and wide cooperation.

Obviously, the surge in coca production, cocaine production in Colombia is of concern. And I think that it requires us to remain

engaged on a variety of things whether it is their eradication targeting or the other sort of elements of their program.

I think that there is a new administration coming in Colombia this summer. One of the things I actually think that we need to be doing is positioning ourselves so that we are engaged early and often with them on their larger strategy because I think what they are planning to do, in terms of eradication, and while they are having a great year in terms of interdiction and they have done a lot of manual eradication—what they are planning to do now will not keep them ahead of the curve. So I think that we need to remain engaged with the Colombians. We need to continue to encourage them to sort of increase their eradication targets. And I think when you have a new administration inbound, it is a great opportunity to renew the conversation and seek their cooperation.

The Colombians understand how important this issue is to them. I think they are balancing a lot of issues internally, of course, with the peace process and other things, but I think that it is a great partnership and we can build on it to tackle this piece of the challenge.

Senator Kaine. Thank you very much.

Thank you, Mr. Chair.

Senator Flake. Thank you, Senator Kaine.

And I thank all of you for participating. You had a good showing here and a lot of interest in the work that you are going to do.

Senator Booker. Can I ask one other?

Senator Flake. Go ahead. Yes, go ahead. Senator Booker will have a few more questions.

Senator Booker. I just have a few more questions. I apologize.

Senator Flake. No problem.

Senator Booker. Because I am really concerned about the role of the neighbors you were talking about and some of their behavior, whether it is Kenya seeming to undermine our sanctions by allowing South Sudanese to get involved or in Uganda who we are funding in significant ways and supporting militarily, in fact, perhaps one of the most significant recipients of a lot of our resources in sub-Saharan Africa. But they seem to be supplying arms that are making this conflict worse.

So I am wondering. As you say trying to pull our allies in, should we be taking a much stronger role, a much stronger stance against allies undermining our efforts?

Mr. Hushek. Yes. So far the efforts that I spoke of on sanctions and the national-level arms embargo, these are national U.S. mechanisms. But a very important key would be to the extent that we can multilateralize these to do that.

So on the arms embargo, of course we have been supporting a full arms embargo in the United Nations since 2016. We brought it to a vote but it did not pass in December 2016. And we are keeping our eye on whether the balance, the calculus has changed enough to take that back to the Security Council that would really make a stronger efforts on the arms flow.

On the sanctions, also you are right that these are, again, sanctions that we have put in place—the recent ones at least—to convince the countries in the region to take it as seriously as we do.

A lot of the leaders in South Sudan, Government and opposition, have family members living, banking in neighboring countries.

Senator BOOKER. Just real quick because according to my notes, the U.N. panel has already reported that Uganda supplied Kiir's regime with weapons. And we are giving weapons to—the DOD spent \$130 million to train and equip in Uganda. And according to my notes, we have given a pattern of a lot of heavy equipment, including helicopters and ammunition. And there is concern that they have been transferred from Uganda to South Sudan. Is this not a serious undermining of our efforts in that area?

Mr. HUSHEK. I do not know that U.S.-supplied weapons have been transferred from Uganda to South Sudan, but the flow, at least through Uganda into South Sudan, of ammunition even is something that has been reported. The idea of the arms embargo or stopping the ammunition and arms flows into the country is in order to reduce the suffering of the victims of the civil war. So wherever we can find places to put pressure on, we should be doing that.

That is why one of the ideas of multilateralizing an arms embargo would be good, but right now, we do not have the votes in the Security Council to do that. We have gotten positive statements in the recent months on the margins of these peace talks where the neighboring countries and the AU are starting to recognize that there need to be consequences put in place for people that are undermining the peace process. But so far strong actions have not been taken based on those statements.

Senator BOOKER. Just really quick, Ms. Madison.

Thank you very much, Mr. Hushek.

Just really quick. So obviously, we have three branches of government. We have the administration and Congress. We are in charge of the power of the purse. The President proposes a budget. Can your work withstand a 40 percent cut in resources, the critical work that you are doing if you are advising the people that actually have the power of the purse?

Ms. MADISON. Senator, thank you for your question.

I think INL still has a substantial budget. I think any big cut requires you to just sort the priorities more aggressively. And since I am not on the inside, I suspect that what went on inside of INL was that they looked at programs, looked at anything that was less effective or less impactful, looked at how things aligned to the top priorities, and set about the business—

Senator BOOKER. No. I appreciate that. Clearly there is a crisis in this country that is growing worse. Clearly those programs that are effective might demand more resources not less. I was a mayor of a city. I cut my government 25 percent. So I am a cutter and was able to raise efficiency. So I know how government can often do things backwards, to put it politely. But when you find things that are making a difference at a time that thousands and thousands of Americans are dying, should we not be doubling down our efforts and not constraining them?

Ms. MADISON. Senator, if confirmed, I would, of course, support the President's budget. But what I will say is that your job, when you are an Assistant Secretary, when you are in a senior leadership position—your job is to understand your programs and be the

best possible advocate for them in the internal budget process. I have been inside of government agencies when the budgets were down, and that really is what it is about. It is about making the best case for the things that you can put on the table to serve the national security interests of the country. So by the time a budget is put out, that has all happened.

So what I can say is if I am in this job, one of the first things that I will do is get to know these programs in the best possible way, get to understand their impact and effectiveness, and position myself to be the best advocate I can be for the work of this bureau and for the contribution it makes to the security of our country.

Senator BOOKER. That was a nimble, dexterous, and good answer. Your husband behind you is beaming with pride as he saw how you successfully navigated my onslaught. [Laughter.]

Senator BOOKER [continuing]. You will be a very good diplomat. [Laughter.]

Senator FLAKE. Agreed.

Thanks to both the witnesses today.

The hearing record will remain open till the close of business, including for members to submit questions for the record. We ask the witnesses to respond promptly. So any responses will be made a part of the record.

I appreciate your willingness to serve and the sacrifices made by your families and friends to have you serve. Thank you for being here.

And we conclude this hearing.

[Whereupon, at 11:05 a.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### **RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO KIRSTEN DAWN MADISON BY SENATOR ROBERT MENENDEZ**

*Question 1.* The United States is suffering an opioid epidemic that has taken the lives of tens of thousands of American citizens and is increasingly fueled heroin and fentanyl that is trafficked into our country. If confirmed, how will you prioritize combatting illicit heroin and fentanyl trafficking?

Answer. If confirmed, combating illicit heroin and fentanyl trafficking will be one of my top priorities as INL Assistant Secretary. I will prioritize State Department efforts to employ a coordinated approach to disrupt the sources and trafficking of heroin and illicit fentanyl coming to the United States. This would include regional and bilateral efforts to engage key partners like Mexico and China. With Mexico, I would seek to deepen the U.S. partnership with their government and improve their capacity to attack transnational criminal organizations. With China, I would support greater cooperation with them on efforts to prevent the illicit production and shipments of synthetic drugs like fentanyl. I would also deepen cooperation with key multilateral organizations to control the production and sale of deadly synthetic opioids, expand efforts to interdict these drugs in the international mail and express consignment courier systems, and take down illicit drug sales sites on the internet and Dark Web.

*Question 2.* What is your assessment of the importance of U.S.-Mexico cooperation to address illicit heroin and fentanyl trafficking and transnational organized crime?

Answer. Mexico is an essential partner on counternarcotics and disrupting transnational organized crime. If confirmed, I will ensure the Department of State continues to work closely with Mexico to reduce the availability and trafficking of heroin, fentanyl, and other illicit drugs to the United States. With presidential elections in Mexico on the horizon, INL will have an important role to play in setting

the tone for future cooperation on these issues as the new Mexican administration assumes office.

To protect American lives, we must curb U.S. demand that fuels the illicit drug trade; disrupt networks that smuggle drugs, cash, and weapons across our shared border with Mexico; partner with Mexico to achieve meaningful criminal justice outcomes that deny transnational criminal organizations the ability to act with impunity and profit from their crimes; and fight the corruption that undermines our efforts.

*Question 3. What is your assessment of the importance of U.S.-China cooperation to address illicit fentanyl trafficking?*

Answer. China is a major source of illicit fentanyl and its precursor chemicals and therefore a critical partner in the global effort to address these threats. The rise in fentanyl-related deaths in the United States has created greater urgency for close cooperation. China domestically controlled 143 synthetic substances, including carfentanil and nine other fentanyl analogues, at our request. Five of those substances have been controlled since the President's November 2017 meeting with President Xi.

I understand it will likely take at least a calendar year for China to take the necessary steps to control fentanyl analogues as a class. One of my priorities, if confirmed, will be to work with Ambassador Branstad to press the Chinese to do more on this issue, including through chairing the U.S.-China Joint Liaison Group on Law Enforcement and Cybersecurity Cooperation.

*Question 4. At a time when the political relationship between the U.S. and Mexico is under increasing duress, how will you work to sustain and build the cooperation necessary to combat illicit trafficking and transnational organized crime?*

Answer. If confirmed, I will ensure the Department of State continues to work with Mexico to sustain and advance our security cooperation. We will work to disrupt networks that smuggle drugs, cash, and weapons across our shared border; partner with Mexico to achieve meaningful criminal justice outcomes that deny traffickers the ability to act with impunity and profit from their crimes; and fight the corruption that undermines our efforts. Importantly, the work done under the Merida Initiative since 2007 has built a deep and substantive cooperative relationship with Mexico founded on what I believe is a mutual recognition that these issues must be tackled for the well-being of both countries and their citizens.

*Question 5. What additional steps will you take to expand U.S. efforts to combat heroin and fentanyl trafficking?*

Answer. If confirmed, I will ensure that INL effectively works with key source countries like Mexico and China to crack down on the production and trafficking of heroin and illicit fentanyl. I will engage these countries vigorously through existing platforms such as the Joint Liaison Group on Law Enforcement and Cybersecurity Cooperation (JLG/LECC) with China, and the North American Drug Dialogue with Mexico and Canada, as well as through multilateral fora to increase international cooperation.

If confirmed, I will direct INL to support critical efforts to increase information sharing on the trafficking and use of opioids and real-time cooperation among law enforcement officials. This includes exploring the links among cryptocurrencies, the Dark Web, and traffickers, as well as interventions to address them. I will also work with my colleagues in the Bureau of International Organizations to seek enhanced collaboration with the Universal Postal Union to expand international capacities to detect and interdict fentanyl and other dangerous drugs trafficked by international mail.

*Question 6. How will your efforts be affected by the President's proposed 30 percent cut to the INL budget, including a 38 percent cut to INL funding for Mexico?*

Answer. While the overall budget has been reduced, I understand the Department's fiscal year 2019 budget request focuses resources for INL on core U.S. national security priorities, including efforts to combat the opioid epidemic. The request includes funding for programs to combat the flow of heroin and fentanyl to the United States. If confirmed, I will ensure the Department of State continues to work closely with Mexico, China, and other international partners to reduce the production and availability of heroin, fentanyl, and other illicit drugs and to dismantle transnational criminal organizations.

*Question 7. What do you see as the role of INL in countering malign Russian Government influence in Europe, including in Ukraine but also in the Western Balkans and Central Europe?*

**Answer.** INL programs play an important role in directly countering Russian interference in Ukraine, the Western Balkans, and in Central Europe. Crime and corruption create conditions, such as lack of confidence in government institutions, which Russia can exploit. INL's programs help strengthen the ability of law enforcement agencies and justice sector institutions to hold corrupt leaders accountable and to combat corruption and organized crime. INL programming also develop civil society organizations that are more capable of holding governments accountable, thus helping these countries to develop a robust culture of democratic values.

*Question 8.* What specific programs/activities will you seek to support to this end?

**Answer.** I believe the United States can and should play a role in enhancing our partners' resilience against Russia's efforts to undermine their democratic processes. If confirmed, I will support the continuation of INL programs in Europe and Eurasia, which build the capacity of partner nations' law enforcement and judicial sectors to fight against transnational organized crime, including through the development of core and advanced law enforcement competencies such as anti-money laundering and asset forfeiture. I will also support the continuation of INL's work to strengthen border security in countries such as Ukraine to protect their sovereign territorial integrity against direct Russian aggression. Globally, I will support cybercrime programs to help countries better defend themselves against Russian-sponsored cyber criminals.

*Question 9.* How will you support the objectives of these programs with diplomacy and engagement in the interagency policy process to develop effective strategies to counter Kremlin aggression?

**Answer.** Russia has shown through its actions that it rejects the post-Cold War order. Its aggression in Ukraine, and earlier in Georgia, is the most obvious demonstration that Moscow is willing to undermine norms within the existing international system. Russia's efforts have extended beyond traditional military campaigns to encompass a suite of "hybrid" tools that are used to gain influence.

Russia's campaign is aggressive, coordinated, and involves a whole-of-government approach. Among other tactics, Moscow exploits countries' weak judicial sectors, fostering instability through corruption and organized crime, and supports domestic, often extremist, political parties.

Russian efforts to undermine stability and democratic institutions are unacceptable and require a whole-of-government response. If confirmed, I will ensure INL works collaboratively with U.S. interagency partners and with our allies to deter and defend against these activities at home and abroad. I will support our combined diplomatic, foreign assistance, intelligence, and law enforcement lines of effort to roll back Russian influence.

*Question 10.* The U.S. financial system faces challenges globally from financial crimes, money laundering and transnational organized crimes. What is your assessment of the importance of INL's work to combat international financial crimes and money laundering?

**Answer.** I believe INL has a key role in combating financial crimes and money laundering globally by strengthening our foreign partners' ability to enforce laws consistent with international standards and good practices. This work involves ensuring that partner nations have institutions and personnel in place with the skills and tools to prevent, investigate, and prosecute financial crimes and money laundering. I have long believed that preventing and combating international financial crime and money laundering is vital to protecting U.S. markets and interests. If confirmed, I will support INL's continued efforts to exert diplomatic pressure and support partner nations to follow the money trail left by criminal actors, including their increasing use of cryptocurrencies for illicit means.

*Question 11.* How will you work with inter-agency stakeholders to strengthen INL's cooperation programs with our international partners in order to expand efforts to combat financial crimes and money laundering?

**Answer.** Preventing and combating international financial crime and money laundering is vital to protecting U.S. markets and security. If confirmed, I will work with my interagency counterparts on this critical whole-of-government effort. I understand that INL already partners with interagency stakeholders in the Department of Treasury, Department of Homeland Security, and Department of Justice to provide technical assistance to our international partners. In fact, while with the U.S. Coast Guard I saw firsthand how effectively INL taps into inter-agency capabilities to strengthen partnerships around the world. These bilateral programs provide regulators, financial intelligence units, law enforcement, prosecutors, and judges with the skills and tools necessary to counter financial crimes and bring the perpetrators of financial crimes, including transnational criminal organizations, to

justice. INL also supports regional anti-money laundering efforts at its International Law Enforcement Academies, which rely on interagency expertise for leadership and instruction on these topics. If confirmed, I will support this assistance and its reliance on the deep expertise of INL's interagency partners.

*Question 12.* If confirmed, how will you make anti-corruption programs a priority?

Answer. Corruption facilitates transnational crime and undermines economic growth. If confirmed, I will prioritize anti-corruption programming in three areas: improving a country's ability to impose consequences for corruption by strengthening laws and building law enforcement capacity; strengthening prevention of corruption through advice and training on measures that build cultures of integrity and mitigates risk; and supporting civil society to build external pressure for reform and to provide oversight and accountability.

*Question 13.* How will you work to strengthen INL anti-corruption programs?

Answer. I understand that INL's anti-corruption efforts fall into three main areas: capacity building programs, visa sanctions, and multilateral policy. If confirmed, I will support continued engagement in all of these areas and strengthen INL's regional efforts to build foreign law enforcement capacity to manage complex, transnational issues like asset recovery and foreign bribery and to facilitate international legal cooperation. If confirmed, I will ensure that the Department's anti-corruption visa tools are actively used to further our anti-corruption foreign assistance objectives. Finally, I will encourage INL to leverage international treaties, such as the U.N. Convention against Corruption (UNCAC), to build political will for reform, identify gaps, and help target our work within each country.

*Question 14.* INL has increasingly been willing to privately use visa denials and revocations as a tool to deter corruption; will you continue and expand these efforts?

Answer. Yes, if confirmed, I will support continuing and expanding efforts to implement corruption-related visa denial and revocation authorities, including Presidential Proclamation 7750 and Section 7031(c) of the Consolidated Appropriations Act of 2018, as well as the corruption prong of Global Magnitsky. I view these authorities as valuable measures in preventing and combating public corruption, and as complementary to the range of other State Department tools. Continued enforcement of sanctions and visa denial tools helps impose consequences on corrupt foreign officials and deters others from committing corrupt acts.

*Question 15.* Despite having a strong partnership with the Colombian Government in combatting drug trafficking, we have seen a worrisome growth of coca cultivation in Colombia since 2013. It is clear that developing a permanent counternarcotics strategy is complicated and requires a comprehensive approach that equally prioritizes eradication, destruction of cocaine laboratories, interdiction of drug trafficking shipments, the arrest of traffickers, efforts to combat financial crimes and money laundering, and robust programs to consolidate the rule of law and democratic governance, as well a sustained strategy to advance economic development and provide licit economic opportunities. Do you commit to working with our Colombian partners to advance a comprehensive strategy that combats all elements of the illicit narcotics trade?

Answer. Colombia has been one of our most important partners in the fight against transnational organized crime, narco-trafficking and terrorism in the Americas, but I share your alarm regarding the steady and significant growth in Colombian coca cultivation and cocaine production. I understand that at the U.S.-Colombia High-Level Dialogue (HLI) on March 1, the United States and Colombia agreed to expand counternarcotics cooperation over the next five years, with the shared goal of reducing Colombia's estimated cocaine production and coca cultivation to 50 percent of current levels by 2023. If confirmed, I will prioritize work with Colombia to ensure continued progress in reducing coca cultivation and the production of cocaine as agreed to at the HLI, including through enhanced eradication, interdiction, alternative development, and operations to dismantle narcotrafficking organizations. Given the near-term presidential elections in Colombia, if confirmed, my goal will be to have robust and early engagement on these issues with the new administration there.

*Question 16.* What do you plan to do to address some of the broader problems that are complicating our counternarcotic efforts in Colombia like a lack of state presence in vulnerable regions of Colombia and a dearth of viable economic opportunities?

Answer. Making significant progress on expanding the presence of security and civilian agencies to vulnerable regions is essential to Colombia's ability to reverse growth in coca cultivation and cocaine production and to continuing to improve security and governance more broadly. U.S. assistance plays a key role in supporting

this effort. The United States, through INL and others, currently works in Colombia with all levels of government, the armed forces, and the private sector to extend government presence, confront illegality, and encourage licit, sustainable development. If confirmed, I will continue to work with the Colombian Government to support the expansion of capable government services, security, and economic opportunities throughout the country.

*Question 17.* Do you commit to working in partnership with USAID to expanding and strengthening alternative development programs in Colombia?

Answer. Yes. If confirmed, I commit to working in close partnership with USAID to ensure alternative development efforts are closely linked with supply reduction efforts to sustainably reduce illicit cultivation and production in rural areas. Developing licit livelihoods is a critical part of a whole-of-government approach to combating coca cultivation and cocaine production in Colombia.

*Question 18.* Do you commit to work with the U.S. Departments of the Treasury and Justice to prioritize combating financial crimes as part of our engagement with Colombia, including increasing money laundering prosecutions and asset forfeiture cases?

Answer. If confirmed, I will work with the U.S. Departments of the Treasury and Justice to prioritize efforts to combat financial crimes. I commit to sustaining and advancing the State Department's ongoing efforts to train and mentor Colombian judicial officials and money laundering investigators to expand their institutional capacity to combat money laundering, increase asset forfeiture proceedings, build networks with international counterparts, and successfully prosecute illicit finance cases.

*Question 19.* How do you plan to work with our partners in Colombia to more aggressively target financial crimes?

Answer. Colombia is an essential partner in the fight against financial crimes, which fuel narcotrafficking and other forms of illicit activity in the Americas. If confirmed, I will continue the Department's efforts to build Colombia's capacity to combat money laundering and other financial crimes, pursue forfeiture, and effectively manage seized assets in order to target criminal networks and crucial business facilitators, with the goal of disrupting and dismantling their organizations. I will also encourage continued collaboration between the Department of the Treasury, the Department of Justice, and the U.S. interagency to target the financial crimes of Colombia-based criminal organizations.

*Question 20.* The Department of State's 2017 International Narcotics Control Strategy Report on Money Laundering and Financial Crimes identifies 19 Caribbean countries on the "Major Money Laundering" list. As highlighted by the report, these countries act as transit hubs for illicit drugs, arms, and money. It is clear that these countries lack the institutional capacity to combat drug trafficking and associated crimes like money laundering. How will you help build law enforcement capacity throughout the Caribbean to reduce drug trafficking and money laundering?

Answer. I understand that reducing drug trafficking and money laundering throughout the Caribbean are key goals of INL programs under the Caribbean Basin Security Initiative (CBSI), which builds law enforcement and counternarcotics capacity and promotes criminal justice sector reform throughout the Caribbean. If confirmed, I look forward to continuing the work of CBSI counternarcotics programs to build partner countries' ability to detect and disrupt transnational organized crime, including money laundering and arms and narcotics trafficking. If confirmed, I will also continue to support INL's CBSI financial crimes and money laundering programs, which build partner countries' capacity to prevent and disrupt financial crimes through training and advising on the implementation of regulations to address money laundering, and through the provision of equipment and training for financial crimes investigators.

*Question 21.* Haiti is one of the largest single-country INL programs in the Western Hemisphere, and it also struggles with extremely high-level of corruption. How do you ensure our foreign assistance is appropriately spent to advance U.S. interests?

Answer. I support all efforts to ensure U.S. foreign assistance is appropriately spent in any country in which INL works, and if confirmed, I look forward to learning more about INL's assistance in Haiti to build the capacity of the Haitian National Police (HNP).

I understand that INL's programming in Haiti is implemented and overseen directly by INL personnel at Embassy Port-au-Prince and that no INL funds are provided directly to the Government of Haiti. INL ensures proper monitoring and over-

sight of these programs through field-based contracting personnel, regular reporting from its implementers, and ongoing monitoring by INL. If confirmed, I will ensure INL continues to maintain strong oversight of this and all its other programs.

*Question 22.* Haiti is one of the largest single-country INL programs in the Western Hemisphere, and it also struggles with extremely high-level of corruption. How do our programs address the systemic corruption problem in Haiti?

Answer. If confirmed, I look forward to being fully briefed on INL's efforts to address corruption and accountability in Haiti, which is a core focus of INL's work with the Haitian National Police (HNP). INL helped stand up the HNP Office of the Inspector General (IG), which vetted hundreds of officer files, recommended the dismissal of hundreds of personnel for misconduct, established a public complaint hotline, and instituted a one-year probationary period for new HNP officers. INL-funded subject matter experts work in the office of the HNP Director General and IG office to support accountability and transparency within the HNP administration. INL also supports the U.N.'s Mission for Justice Support in Haiti (MINUJUSTH) with six U.S. advisors working in the U.N. Police mission (UNPOLs), focusing on rule of law, human rights, and capacity building for the HNP.

*Question 23.* The Obama administration designated more than 10 senior Venezuelan officials under Kingpin sanctions and the Trump administration designated the current Vice President of Venezuela under Kingpin sanctions. Given INL's role in international narcotics issues, will you work through the inter-agency process to ensure that the U.S. Government utilizes Kingpin sanctions thoroughly and effectively in Venezuela?

Answer. The Kingpin Act is an effective sanctions tool against foreign narcotics traffickers and their organizations operating worldwide. If confirmed, I will prioritize the State Department's participation in the interagency process, led by the Department of the Treasury, to implement the Kingpin Act, including, as appropriate, in Venezuela.

*Question 24.* Independent analysts have contended that successive administrations' funding for democracy and governance programs for Africa has not been sufficiently robust. INL plays an important role in strengthening anti-corruption, transparency, and rule of law; and yet, the administration's FY 2019 request for funds to support INL activities represent a 37 percent decrease from FY 2017. How effective can we be with such limited funding?

Answer. The administration's FY 2019 budget request supports the President's commitments to make the U.S. Government more efficient by streamlining efforts to ensure the effectiveness of U.S. taxpayer dollars. I support the administration's budget request for INL, which includes programming for anti-corruption, transparency, and rule of law work in Africa.

If confirmed, I will direct INL to continue to prioritize programming in countries where U.S. national security interests are highest, where political will is high and assistance can be absorbed, and where assistance can have a demonstrable impact.

*Question 25.* What steps will you take to prioritize this works amidst competing global priorities?

Answer. To prioritize programming in Africa amidst competing global priorities, I believe that INL must continue to ensure the country or issue aligns with U.S. national security interests and considers factors such as the willingness of partners to commit to criminal justice and security reform, the expertise that INL can bring, the logistical and security environment, and contributions from other donors. If confirmed, as I noted in my hearing, I intend to make the strongest possible case for INL programs and their contribution to the security of our country in the internal budget processes, including those INL programs in Africa. INL will make efficient use of resources in Africa by targeting assistance to where the highest impact can be made, partnerships with donors can be strengthened, and existing platforms can be used.

*Question 26.* A peaceful future for Afghanistan can only be achieved if police forces there are able to effectively and professionally ensure civilian security. This will require tackling pervasive corruption and reports of human rights abuses by police forces, including the sexual abuse and exploitation of boys. What do you see as the appropriate role for INL in this regard, and how will you work, if confirmed, to promote accountable, effective civilian security forces and the rule of law in Afghanistan to undercut the appeal of the Taliban's own version of justice delivery?

Answer. Promoting the rule of law is a core component of INL's mission in Afghanistan.

To my understanding, INL no longer manages a policing program in Afghanistan, but does provide small-scale capacity-building support to the Ministry of Interior to better investigate criminal cases, particularly in the areas of narcotics, corruption, and national security. In line with the President's South Asia strategy, INL also supports targeted governance reforms in justice sector ministries to address corruption and improve service delivery to the Afghan people.

As a component of its justice sector assistance, I understand that INL contributed to the passage of Afghan legislation to criminalize the sexual abuse and exploitation of boys. If confirmed, I will press the Afghan Government to implement the legislation fully, while ensuring that INL continues to work with the Afghan Government to advance the rule of law through effective justice sector institutions. This will be a long-term effort, but I believe the Afghan Government can make strides forward with continued U.S. assistance and engagement.

*Question 27.* What role do you see for INL in promoting transitional justice and accountability for wartime atrocities in Sri Lanka, to the extent that such crimes are to be addressed in the context of the country's own judicial system?

Answer. I understand that INL's efforts in Sri Lanka are focused on enhancing the ability of anti-corruption authorities to investigate and prosecute public corruption, supporting the implementation of the country's Assistance to and Protection of Victims of Crime and Witnesses Act, and providing assistance for victims of sexual and gender-based violence (SGBV). This work supports accountability for wartime atrocities because SGBV victims of the conflict are among the assistance recipients. It also builds institutional capacity to protect victims and witnesses of crime from coercion. INL is one of several entities working to improve capacities in the Sri Lanka justice sector, including addressing wartime atrocities. If confirmed, I will consult with them on what more INL specifically can do to address gaps in this important area.

*Question 28.* What role do you see for INL in supporting civilian security, rule of law, and respect for human rights in Pakistan, particularly areas such as the FATA, Khyber Pakhtunkhwa, southern Punjab, and Karachi where societal tensions, criminality, and violent extremism are particularly acute?

Answer. It is my understanding that INL assistance supports Pakistan's efforts to combat violent extremism, criminality, and sectarian violence in all of its provinces. If confirmed, I will continue INL's work to develop and professionalize its police, prosecutors, and judges as Pakistan expands civilian policing and criminal justice into previously ungoverned areas. I understand that INL has already worked with Khyber Pakhtunkhwa province to establish a police academy that has graduated over 4,000 police to support civilian control and stabilization of a region that has historically harbored violent extremists. In Sindh and Punjab provinces, INL has worked with officials to incorporate a human rights curriculum into its law enforcement training, support women police and gender justice programs, and upgrade investigative capabilities and forensics that have been credited with reducing Karachi's crime rate.

*Question 29.* What scope do you see to work with provincial level authorities and with Pakistani civil society groups to these ends?

Answer. I believe INL is uniquely positioned to have an impact in Pakistan because of its long-standing, excellent, and direct working relationships with provincial-level partners in Pakistan's four provinces. For example, I understand that INL's project to build model police stations across Khyber Pakhtunkhwa Province also builds ties between the provincial police and civil society groups that provide legal aid services to women and children. If confirmed, I will continue INL's close consultations with provincial authorities and civil society groups to ensure our assistance is effective and welcome in Pakistan.

*Question 30.* What do you see as the appropriate relationship between INL and other bureaus/offices at State with equities in the rule of law and accountability space, such as DRL and GCJ?

Answer. I know from my previous service in the Bureau for Western Hemisphere Affairs that, if you want to maximize your effectiveness and impact, it is important to draw upon all available expertise and best practices to contribute to the Department of State's goal of delivering effective assistance focused on the rule of law and accountability. If confirmed, I will coordinate closely with DRL and GCJ, particularly when considering how State should approach human rights, transitional justice, and accountability in the context of criminal justice assistance.

*Question 31.* What will you do to foster constructive relationships with these bureaus/offices, if confirmed?

Answer. If confirmed, I will continue to foster constructive relationships by meeting regularly with my respective counterparts in other bureaus and offices and maintaining an atmosphere of mutual trust and respect, including drawing from DRL and GCJ's perspectives and expertise to inform INL's programmatic efforts. I will also ensure that working level officers adhere to the same approach with their peers. I understand INL undertakes such outreach already in support of myriad programs to ensure coordination of program initiatives and policy considerations.

*Question 32. How will you incorporate their input into your programmatic efforts?*

Answer. Based on my experience focusing on the Western Hemisphere, I believe that effective coordination is essential to maximizing the impact of INL's foreign assistance. To this end, if confirmed, I will encourage participation of DRL, GJC, and others across the interagency involved in policy or programs focusing on criminal justice assistance and the rule of law to engage in discussions that mutually enhance our foreign policy and assistance goals.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIRSTEN DAWN MADISON BY SENATOR BENJAMIN L. CARDIN**

*Question 1. What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?*

Answer. Throughout my career, human rights and democracy issues have been part of my work. I believe that both are essential components of American international leadership. If I had to choose some specific moments in my career, I would highlight: 1) A letter to the Guatemalan Government insisting that they take action in the investigation of the murder of a clergyman that Senator Leahy's staff and I drafted for Senators Helms and Leahy. The Guatemalans understood the bipartisan message: the U.S. Senate expected their attention to the investigation. To my knowledge, these two Senators never did a human rights initiative together before or after that one. 2) The work I did at the NSC, along with a host of talented people from across the inter-agency, to keep Haiti from teetering over the precipice in 2004. Together, we ensured that the United States was able to effectively exercise its leadership in the U.N. and with other international partners to forestall a civil war in Haiti, to secure international support for an initial stabilization force and a follow-on Peacekeeping Mission, to help establish an interim government, and to support a process in which the Haitians were able to pivot back to Constitutional order and begin to rebuild. 3) Not once, but twice, the challenging diplomacy my then State Department colleague Caleb McCarry (then the Cuba Transition Coordinator) and I did to help persuade the EU to maintain its common human rights policy on Cuba. With all of the rancor among our European counterparts about the tools of American foreign policy, we were still able to make the case that there was no distance between us on the question of the Cuban people and their democratic aspirations. It came at a critical moment, when the Cuban people truly needed international solidarity.

*Question 2. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?*

Answer. At the USCG, I had an opportunity to contribute to a larger institutional effort to improve diversity and saw, first hand, that it took engaged leadership at all levels to make progress. I understand that the State Department has a strategic plan for diversity and inclusion that contains tools and resources for managers including a formal mentoring program on both the foreign and civil service sides, career counseling, and specific efforts to help create career paths in both the foreign and civil service segments of the Department's workforce. In addition to tapping into these formal programs, if confirmed, I will look for appropriate opportunities to support recruitment efforts, as this is where the general trends for the agency's personnel pool are established. There is fierce competition for talented officers and civil servants during bidding season or when there is a civil service position available, so I believe that for the bureau to be successful, it is critical for INL to be seen as a welcoming and career enhancing place to work for any and all talented officers and civil servants. Diversity and inclusion can play an important role in achieving this objective. In addition, if confirmed, it will be essential that I set an expectation that my senior leaders think about how to enhance the work of the bureau by bringing in team members who bring different backgrounds, talents, and experiences to the table and then drawing them into the policy and program development that is

the daily work of INL. The requirement that supervisors and managers have annual EEO/Diversity Awareness Training is an important part of this process.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of International Narcotics and Law Enforcement are fostering an environment that is diverse and inclusive?

Answer. As noted above, if confirmed, it will be my goal to set clear expectations that managers and leaders take responsibility for ensuring that the bureau is welcoming to foreign service officers and civil servants of all backgrounds who wish to serve and that all team members are treated appropriately. As part of this, I think it is essential to underscore the value of thinking about how the diversity of the team, their backgrounds and experiences, can bring different strengths to bureau's work and that the onus is on every supervisor to ensure that the organization benefits from these strengths. Again, the tools available under the Department's strategic plan, including the annual training requirement for supervisors and managers, are important opportunities to educate the management team and improve their leadership capabilities.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. Other than investments in the international mutual funds and exchange traded funds disclosed on the SF-278, my husband and I have no financial interests to include business, real estate, or financial instruments in any country abroad. To the best of my knowledge, no immediate family member does either.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIRSTEN DAWBN MADISON BY SENATOR TODD YOUNG**

*Question 1.* In your prepared remarks, you note that in previous positions you have worked to address the issue of illegal fishing. The Center for Strategic and International Studies published a report last November entitled, "Illegal, Unreported, and Unregulated Fishing as a National Security Threat." Have you reviewed this report? If you have, can you speak to the issue of illegal fishing, and what the U.S. can and should do about it? If you haven't, will you review it? If confirmed, will you work with me on this issue?

Answer. I look forward to working with you on illegal and unregulated fishing issues. I have read the report and some of the other good work that CSIS has done on maritime issues. The United States is a leader on global maritime issues, recognizing that international cooperation on issues like fisheries enforcement, non-proliferation initiatives, and counter-piracy operations is essential to protecting our nation, the sea itself, and those who operate in the maritime domain. As the Director of International Affairs and the Foreign Policy Advisor to the Commandant (U.S. Coast Guard), I came to appreciate how illegal fishing and other maritime crimes connect to our national security. Not only can illegal fishing undermine the prospects for long-term prosperity in many countries, it also represents a threat to maritime rule of law and is part of the stream of transnational criminal use of the maritime domain for nefarious purposes.

As with most transnational issues, the United States is engaged multilaterally to build frameworks for cooperation. One of the key U.S. objectives to combat IUU fishing is to support the adoption and implementation of the Port State Measures Agreement to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA). INL supports this effort with technical assistance to five PSMA signatory countries in the Caribbean and Central America. More broadly, INL pro-

grams strengthen legislative frameworks, build investigative and enforcement functions, enhance prosecutorial and judicial capacity, and develop regional cooperation to increase their effectiveness. INL offers a course on effectively monitoring, enforcing, and prosecuting fisheries violations through its International Law Enforcement Academies (ILEA) and has also funded a global network analysis and mapping of IUU fishing.

At the USCG, my team worked with the State Department to strengthen the network of maritime enforcement cooperation agreements on illegal fishing and other threats. For example, under ship-rider agreements, the USCG is able to cross deck enforcement officials from other countries, extending their law enforcement authority to cover U.S. operations. The U.S. currently has such agreements with 16 countries (including China) in the Pacific and off the coast of Western Africa. INL is supporting the effort to bring this program to other nations through an interagency agreement with the USCG.

If confirmed, I look forward to being part of a larger conversation with you on this issue that draws in the Bureau of Oceans and International Environmental and Scientific Affairs (OES) and other critical players including the USCG, the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Fish and Wildlife Service (USFWS).

*Question 2.* In October 2017, the Justice Department announced indictments of two Chinese nationals for separate alleged conspiracies to manufacture and distribute large quantities of fentanyl and other opiates in the United States. During President Trump's November 2017 visit, China further committed to regulate two fentanyl precursor chemicals and to discuss regulating fentanyl and all its analogues as a broad class of drugs. Is China fully honoring that commitment?

Answer. It is my understanding that since 2015, we have had good counter-narcotics cooperation with China, but there is more work to be done. If confirmed, I look forward to working with you on to this element of the opioids epidemic. China has domestically controlled 143 synthetic substances, including carfentanil and nine other fentanyl analogues at our request. Five of those substances have been controlled since the President's November 2017 meeting with President Xi. I am told that it will likely take at least a calendar year for China to take the necessary steps on domestic legislation to control fentanyl analogues as a class. One of my priorities, if confirmed, will be to work with Ambassador Branstad to press the Chinese to do more on this issue, including through chairing the the U.S.-China Joint Liaison Group on Law Enforcement and Cybersecurity Cooperation.

*Question 3.* Hizballah possesses a formidable arsenal of missiles and represents a grave threat to our ally Israel. Hizballah also is helping to prop up Assad in Syria. I understand that the State Department, through the bureau you are nominated to lead (INL), trains Lebanese law enforcement on issues related to counter-terrorism, anti-extremism, and anti-narcotics trafficking. Are you aware of this program? What is your assessment of the program? What results has this program yielded with respect to Lebanese law enforcement agencies going after Hizballah?

Answer. Yes, I am aware of the INL program, which provides basic and specialized training for more than two-thirds of Lebanon's Internal Security Force (ISF). If confirmed, I look forward to being fully briefed on the program and its results. Generally, I understand that INL's programming since 2006 targets an increase in the capabilities and professionalism of the ISF, Lebanon's national police force, and expanding the ISF's abilities to deter criminal and terrorist activity, as well as respond to citizens' concerns. Last year, the ISF raided several terrorist cells and arrested suspected operatives or facilitators, including in August 2017 when they assisted in foiling a large ISIS operation aiming to blow up a civilian airliner in Australia.

With regard to your question about Hizballah, I understand that part of the administration's strategy to push back on Hizballah inside Lebanon is to build up legitimate state institutions such as the ISF. A strong, capable and credible state will be better able to undercut Hizballah's influence and false narrative for maintaining its arms. INL's support for improving the professionalism of the ISF is vital to strengthening the credibility and legitimacy of Lebanese state institutions, combating internal threats and terrorists, undermining Hizballah's influence in internal security, and bolstering Lebanon's stability.

*Question 4.* What international best practices related to the opioid crisis do you believe could improve U.S. policy if adopted?

Answer. Drug trafficking networks are agile and if governments are to be successful in combatting them, we need to work together to develop innovative, nimble approaches and share our lessons learned and best practices. I understand this work

is already underway. For example, after the Canadians shared that they had developed canines capable of detecting fentanyl, the United States was able to utilize this new tool and ultimately export it to Mexico as well.

If confirmed, I am committed to identifying international best practices and working with interagency partners to identify opportunities for implementation. The use of the Darknet and cryptocurrencies in opioid trafficking are areas that would seem ripe for further cooperative learning. I also understand that the European Union recently published legislation to accelerate assessment and control of new psychoactive substances (NPS), including synthetic opioids, which enables a more nimble response—this might be an approach we could draw upon domestically.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIRSTEN DAWN MADISON BY SENATOR EDWARD J. MARKEY**

*Question 1.* Ms. Madison, as I mentioned during our meeting, I remain very concerned about the administration's steep proposed budget cuts to FY 2019 programs that the Bureau of International Narcotics and Law Enforcement Affairs administers to combat the production and trafficking of fentanyl and other drugs. Fentanyl was present in more than 80 percent of the almost 2,000 opioid overdose deaths in my state of Massachusetts last year. This deadly synthetic opioid is being trafficked into the United States principally from China and Mexico through the mail and consignment carriers. Given its potency, small amounts go a long way, so we're talking about easily concealable shipments, not bulk quantities, making it difficult to identify and interdict. How will the administration's budget cuts to the State Department and INL, in particular, affect INL's ability to combat the production of fentanyl abroad and its trafficking into the United States? What is your strategy for stopping the flow of fentanyl into the United States and how do you intend to implement it? Will you commit to raising the fentanyl issue with China and Mexico, press them to crack down, and pledge our cooperation?

Answer. If confirmed, one of my top priorities for the bureau will be reducing the flow of heroin, fentanyl, and other synthetic opioids from abroad. I understand INL formulated its fiscal year (FY ) 2019 budget request to focus resources on priorities articulated by the administration, prioritizing combating the opioid epidemic. Despite a reduced topline in the FY 2019 request for International Narcotics Control and Law Enforcement (INCLE) funding, INL has increased funding for countering opioids by focusing on programming that can directly help reduce the flow of heroin and fentanyl to the United States. If confirmed, I promise to prioritize funding for this critical need and work within the Department budget process to advocate for the resources needed to combat the flow of synthetic opioids.

INL programs aim to reduce the supply of illicit opioids and strengthen global controls on synthetic drugs and their precursor chemicals. If confirmed, I will ensure that INL continues to work with key source countries like Mexico and China to crack down on the production and trafficking of heroin and illicit fentanyl. I will also engage these countries vigorously through existing platforms such as the Joint Liaison Group with China and the North American Drug Dialogue as well as pursue opportunities to work through multilateral fora to increase international cooperation.

If confirmed, I will ensure that INL also continues to support critical efforts to increase information sharing on the trafficking and use of opioids, as well as real-time cooperation among law enforcement officials. This includes exploring the links among cryptocurrencies, the Dark Web, and traffickers, as well as interventions to address them. I will also seek enhanced collaboration with the Universal Postal Union to expand international capacities to detect and interdict fentanyl and other dangerous drugs trafficked by international mail.

*Question 2.* Ms. Madison, the President has refused to criticize the Duterte Government's use of extrajudicial killings that have resulted in the deaths of at least 8,000 Filipino drug users and low-level drug dealers. Will you commit to ensuring that U.S. Government assistance, programmed through INL, will not be used by murderous regimes as a tool of repression?

Answer. Yes. I understand that INL re-evaluated its programs in the Philippines in 2016 due to concerns over reports of extrajudicial killings (EJKs) associated with the drug war and, as a result, refocused assistance efforts to drug demand reduction, rule of law, maritime law enforcement, and limited police training with an emphasis on human rights. If confirmed, I will continue a cautious approach and closely monitor developments related to the drug war and EJKs of suspected drug offend-

ers. I will also ensure that INL continues to abide by Leahy vetting rules, which prevent security force personnel and units credibly alleged to have been involved in a gross human rights violation, including an EJK, from receiving U.S. assistance.

*Question 3.* In the 2017 International Narcotics Control Strategy Report, the State Department wrote “The United States recognizes the [Philippine Government’s] commitment to fighting drugs, but is concerned that the Philippine Government’s approach raises significant concerns relating to human rights and due process.” But INL’s 2018 report, in contrast to the 2017 report, glosses over these concerns and the brutality of Duterte’s War on Drugs by merely mentioning that “There has been controversy over the conduct of the campaign, with accusations of vigilante killings and ‘extra-judicial killings’ allegedly conducted by law enforcement, coupled with denials from the Philippine Government officials.” Do you believe that this description of “controversy over the conduct” of Duterte’s brutal campaign accurately reflects U.S. values?

Answer. I share your serious concerns regarding the large number of extrajudicial killings associated with the drug war in the Philippines. If confirmed, I will continue ongoing efforts to urge our Philippines partners to conduct thorough and transparent investigations into reports of extrajudicial killings, hold perpetrators accountable, and ensure that all investigative and enforcement efforts uphold the rule of law. I will also support INL programs that improve drug prevention, treatment, and rehabilitation services; strengthen respect for human rights; and build capacity of the justice sector to handle criminal cases transparently, effectively, and efficiently. If confirmed, I also promise to take a close look at the language in next year’s International Narcotics Control Strategy Report in consideration of your question.

*Question 4.* Ms. Madison, the Bureau of International Narcotics and Law Enforcement Affairs has worked to encourage its partners abroad to combat bias-motivated violence on the basis of sexual orientation and gender identity in its work with police agencies and law enforcement officials. These have been particularly important in countries where the police perpetrates violence absent accountability or law enforcement fails to document or prosecute human rights violations. In El Salvador, for example, the concept of hate crimes was introduced into the penal code in 2015, but the law enforcement system—including police and the judiciary—have yet to document these crimes. Furthermore, in many countries, carrying HIV prevention commodities or anti-retroviral is used as a pretext to arrest people who are LGBTI on citations of prostitution. How do you intend on working within the Bureau to add a human rights lens to policing and law enforcement in your role?

Answer. A focus on human rights is an integral part of modern community policing and the rule of law. If confirmed, I will continue INL’s global work in this area. I understand INL has agreements with U.S. municipal police agencies to work directly with our partner countries to develop outreach measures, such as specially trained liaison offices within police departments to build trust with diverse communities and promote information sharing to help police protect human and civil rights of citizens. In addition, I understand INL’s International Law Enforcement Academy (ILEA) instructors incorporate human rights into their curricula globally, including at the ILEA in San Salvador.

*Question 5.* The Bureau of International Narcotics and Law Enforcement Affairs, through its guide to gender in the Criminal Justice System, has produced a blue-print for law enforcement officer training that promotes gender integration in the criminal justice system, and integrating gender into INL project design and implementation. Will you commit to continuing to integrate gender into INL’s law enforcement training and project design? Will you commit to ensuring that the recipients of INL’s programming, both police and prosecutors, have additional and sensitivity training so that they can successfully investigate and prosecute sexual and gender-based violence?

Answer. Yes. Women play a key role in fighting crime and they contribute to a more effective criminal justice system. If confirmed, increasing the participation of women in policing and other criminal justice professions and implementing programming that supports accountability for sexual and gender-based violence will remain a priority. For example, I commit to continue incorporating women’s perspectives into INL’s assessments of partner nation criminal justice systems to inform project design, the inclusion of promoting women in criminal justice professions as part of pre-deployment training for INL advisors deploying overseas, and activities aimed at increasing the participation of women police in peacekeeping.

I also commit to continuing training through INL’s International Law Enforcement Academies (ILEAs), which already offer nearly 30 specialized courses around

the world each year in women's leadership, combating sexual and gender-based violence, and trafficking in persons. INL's interagency and partner law enforcement agencies train participants in modern approaches to investigating and prosecuting sexual and gender-based crimes, such as good practices in interviewing victims and collecting forensic evidence.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
THOMAS J. HUSHEK BY SENATOR ROBERT MENENDEZ**

*Question 1.* What tangible progress has the High Level Revitalization Forum made in ending the conflict in South Sudan? What do we expect to be achieved during the next round of meetings scheduled for later this month? Hostilities are ongoing. If there is no significant progress towards achieving a cessation of hostilities, and no firm agreement on implementation of the peace agreement as a result of the next meeting, will the administration continue to support the Forum?

Answer. If confirmed, I look forward to supporting U.S. diplomatic efforts to seek a peaceful South Sudan governed by an inclusive and legitimate government that takes care of its people. The United States is working with its Troika partners (Norway and the United Kingdom), the Intergovernmental Authority on Development (IGAD), the African Union (AU), the EU, and the United Nations to press the Government of South Sudan and other parties to the conflict to reach a negotiated political settlement through the IGAD-led High-Level Revitalization Forum (HLRF). The HLRF convened in December 2017 and February 2018. In December, the parties to the conflict in South Sudan signed the Agreement on Cessation of Hostilities, Protection of Civilians, and Humanitarian Access. Although there have already been violations of that agreement, the United States continues to press the parties to fully implement their commitment to stop fighting and work in good faith for peace. The United States is making clear to the warring parties that the U.S. Government—both unilaterally and in coordination with international partners—will hold accountable those who threaten the peace, security, or stability of South Sudan. The United States is urging IGAD and AU action to impose consequences on those working against peace. While useful dialogue has taken place, there is much more for the parties to do if the HLRF is to make meaningful and sustainable progress towards peace. The United States is encouraging the Government of South Sudan and the opposition at the next meeting of the Forum to update governance and security arrangements, in order to remedy the failures of the 2015 peace agreement (The Agreement on the Resolution of the Conflict in the Republic of South Sudan, or ARCSS). If the Forum fails to achieve its objectives, the United States and others will have to re-assess the most promising mechanisms to pursue a negotiated peace for South Sudan.

*Question 2.* What next steps will the administration take to try to foster a diplomatic solution to the conflict, and what is your role in such efforts? How will the absence of a confirmed Assistant Secretary of State for African Affairs impact U.S. efforts to achieve a sustainable peace?

Answer. The United States is fully engaged on South Sudan. The U.S. Government remains dedicated to working with regional and international partners to press South Sudan's leaders to end the current conflict that is driving the humanitarian crisis and build the foundation for a peaceful future. The United States is working with its Troika partners (Norway and the United Kingdom), the Intergovernmental Authority on Development (IGAD), the African Union (AU), the EU, and the United Nations to press the parties to the conflict, including the Government of South Sudan, to reach a negotiated political settlement through the IGAD-led High-Level Revitalization Forum (HLRF). The State Department, other agencies in Washington, the U.S. embassy in Juba, and other U.S. embassies in east Africa carefully coordinate on a daily basis our engagement with regional and international partners to advance the peace process in South Sudan.

The leadership of the State Department's Bureau of African Affairs is fully engaged in working to find a diplomatic solution to the crisis in South Sudan. The United States has the largest diplomatic mission in South Sudan. The U.S. embassy plays an important role in sharing information and coordinating responses to developments. If confirmed, I will engage the Government of South Sudan to end the conflict, advocate for unhindered humanitarian access and aid-worker safety, and promote human rights, democratic governance, and accountability. I will also focus on directly engaging with the people of South Sudan to reinforce that the United States is a friend and partner to the South Sudanese people, and will be in the future. This

local engagement in South Sudan will also foster key civil society actors and organizations who might play an active peace-building role in the current talks or in future discussions.

*Question 3.* The Government of South Sudan has indicated that it plans to hold elections by the end of the year with or without a peace agreement. What is the U.S. position on the advisability of holding elections? Would any elections be seen as legitimate?

Answer. The United States has made clear that only a negotiated agreement will be acceptable as a means to extend the term of the Government of South Sudan. We are encouraging our regional and international partners to condemn any unilateral effort by the Government of South Sudan to extend its mandate through a premature election, legislative action, or other means.

Widespread violence, displacement, and severe food insecurity in South Sudan renders any discussion of elections in the foreseeable future an unnecessary diversion from the primary goals of achieving peace and reconciliation. If confirmed, I will press South Sudan's leaders to first focus on achieving peace in order to create the conditions needed to hold credible elections.

A key goal for the High-Level Revitalization Forum (HLRF) should be monitored, effective security arrangements durable enough to stop the conflict, improve the human rights and humanitarian situation, and support a political process that produces an agreed path to credible elections.

*Question 4.* What progress has been made towards establishing the Hybrid Court for South Sudan as called for in the 2015 Agreement on the Resolution of the Conflict in The Republic of South Sudan? What is the United States doing to support accountability until the Court is established? How is the United States supporting reconciliation efforts?

Answer. I understand that the African Union (AU) continues to work with the Government of South Sudan to establish the Hybrid Court for South Sudan (HCSS), but progress has been limited. In August 2017, the AU and technical representatives of the South Sudanese Government drafted legal instruments to facilitate creation of the Court, including a draft South Sudan-AU memorandum of understanding (MOU) and draft statute to domesticate the Court under South Sudanese law. Unfortunately, despite an announcement in February 2018 by First Vice President Taban Deng Gai that the Government of South Sudan was ready to sign the MOU, the Government has not signed it.

The United States calls on the Government of South Sudan to sign the MOU to establish the Hybrid Court immediately. If confirmed, I will support U.S. efforts to press the South Sudanese Government to sign the MOU with the AU, live up to the commitment it made in the 2015 peace agreement, and make the Hybrid Court a reality. The United States also supports efforts to collect and preserve internationally credible evidence and documentation in support of the Court and other transitional justice mechanisms. Atrocity victims in South Sudan have waited too long for justice.

To promote reconciliation, the U.S. Government through USAID is supporting a variety of local- and national-level, people-to-people dialogue and peacebuilding initiatives. These include capacity-building and programmatic support to the South Sudan Council of Churches to implement its Action Plan for Peace, an effort to facilitate dialogues aimed at building trust and resolving disagreements and advocating for peace via radio, the most important medium in South Sudan, and other fora. USAID also supports a wide array of grassroots peace and trauma awareness initiatives at the local level aimed at reducing tensions between and within communities, and building resilience to mitigate further division and foster conditions for future reconciliation.

*Question 5.* The administration has proposed to eliminate P.L. 480 funds in the Fiscal Year 2019 budget request, and to cut the International Disaster Assistance Account by 14 percent. If enacted, what impact would such cuts have on our humanitarian assistance efforts in South Sudan?

Answer. The United States has traditionally been the largest donor to humanitarian relief efforts in South Sudan and remains committed to the people of South Sudan. If confirmed, I would support continued United States' leadership in these efforts. All emergency food assistance is requested in FY 2019 through the International Disaster Assistance (IDA) account in favor of a more streamlined and efficient approach that allows the United States to respond to food crises appropriately depending upon the situation on the ground. However, it is imperative that the international community share this burden, and do more to ensure humanitarian crises are appropriately supported.

*Question 6.* What steps will you take to bring an end to onerous registration fees and other obstacles the Government is putting in place to obstruct the work of those delivering assistance to vulnerable South Sudanese?

Answer. Despite commitments from the Government of South Sudan to improve access, humanitarian continue to face challenges reaching people in need throughout South Sudan. The United States leads the diplomatic community in engaging the Government of South Sudan to remove bureaucratic impediments and obstacles to delivery of humanitarian assistance, pressing for an end to exorbitant taxes and fees, intimidation and attacks on aid workers, and humanitarian access denials. The USAID Disaster Assistance Response Team (DART) regularly tracks the long list of bureaucratic impediments imposed by the Government of South Sudan and their impact on U.S. humanitarian partners.

If confirmed, I will ensure that we closely monitor these fees, taxes, and other obstacles that impede the efficient and effective delivery of humanitarian assistance to the people of South Sudan. I will closely collaborate with other donor governments to exert bilateral and multilateral pressure on the Government and other actors who obstruct humanitarian assistance. The United States will not tolerate efforts by officials from the Government of South Sudan to profit from the presence of humanitarian agencies and their programs in support of conflict-affected populations throughout the country.

*Question 7.* Have conditions around the Protection of Civilian (POC) site in Juba improved? Are there still instances of sexual and gender-based violence in the environs of the POC site? What metrics are being used to ascertain whether UNMISS has improved its performance in the area of protection of civilians?

Answer. I understand that conditions around the Protection of Civilians (POC) site in Juba have improved since 2016, and look forward to assessing this further if confirmed. UNMISS engages in patrols, including foot patrols, to implement its mandate to protect civilians. UNMISS has also cleared a weapons-free zone around the Juba POC site, which has helped maintain security both inside and outside the site. While there are reports of sexual and gender-based violence in the vicinity of the POC sites, the number of reports has decreased. Sexual-based violence is being perpetrated by all parties to the conflict-but especially by the Government-as a weapon of war, according to the U.N. Human Rights Council on South Sudan. The U.N.'s overall data collection effort on sexual and gender-based violence is impeded by under-reporting by the victims themselves, who are often afraid to come forward due to fear of retaliation or stigma. In addition, since arrival of the Special Representative of the Secretary-General in 2017, UNMISS has expanded its presence to areas south of Juba in order to fulfill its protection of civilians mandate. In general, the U.S. seeks implementation of additional U.N.-wide metrics to measure and assess, to agreed-upon standards, the performance of peacekeepers tasked with protection of civilians.

*Question 8.* In your view, how can the United States better support and enable UNMISS's ability to carry out its mandate to protect civilians?

Answer. As penholder of the U.N. Security Council resolution governing UNMISS, the United States will continue to shape and support a mandate that includes a strong emphasis on protection of civilians, both inside the five Protection of Civilian (PoC) sites and through robust mobile patrols. The most recent mandate renewal, in March 2018, specified that protection of civilians remains the highest priority of the UNMISS peacekeeping forces-as it has in the past. It also underscored the need to hold UNMISS peacekeepers to high standards of performance, and established accountability requirements in this regard. If confirmed, I would support U.S. actions to advocate for UNMISS security enhancements to PoC sites, such as: increased patrolling inside each PoC site and more foot patrols around the perimeter and surrounding area, including hot spots identified by the community and night patrols; more frequent and rigorous weapons searches at each PoC site; strategic lighting; improved perimeter barriers at each PoC site; and regularly scheduled patrols accompanying IDPs collecting firewood near each PoC site, which will provide additional protection against sexual and gender-based violence. If confirmed, I will work closely with UNMISS leadership in South Sudan to achieve its important mandate to protect civilians.

*Question 9.* The Embassy ordered the departure of non-emergency staff after violence erupted in Juba in 2016. Is the Embassy now fully staffed to pre-July 2016 levels with both the Department of State and USAID personnel? If not, what are the remaining obstacles?

Answer. In the aftermath of the July 2016 civil unrest in Juba, Post reduced its then 69-person footprint to a 34-person figure under Ordered Departure status. As

the security situation in Juba stabilized, Post gradually returned personnel and currently has a 61-person footprint. The Department regularly assesses security conditions and staffing levels.

*Question 10.* If confirmed, what steps will you take to advocate that the Government respect media freedoms?

Answer. A free press is indispensable for the healthy functioning of a democracy. Journalists shine a light on abuses and corruption; they counter disinformation and propaganda that spread false narratives. If confirmed, I will promote a free, professional, and independent press in South Sudan. I will speak out against those who would undermine a free press with threats, intimidation, and violence. I will advocate for accountability for those who attack journalists or independent media institutions.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
THOMAS J. HUSHEK BY SENATOR BENJAMIN L. CARDIN**

*U.S. Commitment to Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Promoting and protecting human rights has been a common theme throughout my Foreign Service career. After an academic focus on human rights during my graduate studies at Columbia University, I sought out a posting with the Bureau of Human Rights, Democracy and Labor (DRL) for my initial assignment at the State Department. Likewise, human rights—in particular, civilian security and atrocities prevention—was the focus during my most recent assignment heading the Bureau of Conflict and Stabilization Operations.

Perhaps the most significant impact I made came during my five consecutive years working on Afghanistan during the Taliban period, on the Afghanistan desk in Washington, and as the refugee coordinator based in Islamabad. The Taliban's oppression of women and girls in Afghanistan had become the major challenge to the international community's resolve to advance women's rights. Many advocacy and aid organizations initially took a hard stance opposing any and all assistance to Afghanistan, believing that all aid efforts would help prop up the Taliban regime. From the Afghanistan Desk, I helped make the case for a continuation of a well-coordinated and well-targeted program of humanitarian assistance in order to aid the very Afghan people whose rights were being trampled by the Taliban. We conducted an active program to bring together U.S.-based women's rights advocates together with humanitarian workers who had spent time on the ground in Afghan communities. Once we set this extended dialogue in motion, we started to see that this cross-fertilization of ideas led human rights advocates to add nuance to their initial all-or-nothing approach, and challenged the humanitarian community to find more effective ways to ensure Afghan women and children directly benefitted from the programming. Eventually a new consensus emerged, which was reflected in unanimous resolutions on the Hill in support of continued efforts to aid Afghanistan's women, both in terms of human rights advocacy as well as humanitarian programming.

Later, when I transferred to our embassy in Islamabad as the Afghan Refugee Coordinator, I continued to facilitate this active dialogue between the human rights and humanitarian communities, and played a key role as the U.S. representative in the local U.N. and NGO coordinating bodies, designing the most effective interventions possible despite the increasingly oppressive Taliban regime. My visit into parts of Taliban-ruled Afghanistan with two USAID colleagues in early 2001 helped focus U.S. Government attention on a growing food security crisis there. The increased attention to the humanitarian situation—and the knowledge that our assistance could be effectively delivered without propping up the Taliban—helped justify the arrival of USAID staff (on the Pakistani side of the border) and a commitment by the U.S. military following the tragic events of 9/11 that our military response should be planned to facilitate rather than hinder the humanitarian efforts in Afghanistan.

*Question 2.* What are the most pressing human rights issues in South Sudan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in South Sudan? What do you hope to accomplish through these actions?

**Answer.** The human rights situation in South Sudan is deeply alarming. The most recent report of the Commission on Human Rights in South Sudan detailed serious human rights violations and abuses and concluded they may amount to war crimes and crimes against humanity. It contains chilling accounts of looting and destruction of homes and villages; rape and other forms of sexual and gender-based violence; violence against children; and extrajudicial killings on the basis of ethnicity. The report also underscores that the situation continues to be characterized by impunity.

If confirmed, I will condemn in the strongest possible terms human rights violations and abuses in South Sudan. I will support efforts to help end the crisis, establish a just and enduring peace, and foster national reconciliation. I will work to ensure accountability, including by pressing the Government of South Sudan to sign the Memorandum of Understanding with the African Union to establish the Hybrid Court immediately.

**Question 3.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in South Sudan in advancing human rights, civil society and democracy in general?

**Answer.** If confirmed, I will face a number of challenges in advancing human rights, civil society, and democracy in South Sudan. The people of South Sudan have experienced decades of violence, and the continuing conflict will perpetuate the risk of further violence and atrocities. Parties to the conflict, particularly the Government, have committed, and continue to commit, human rights violations and abuses with impunity. The Government of South Sudan has harassed, arbitrarily arrested or detained, and, in some cases, tortured, journalists, human rights defenders, civil society activists, and opposition supporters. Government restriction on freedoms of expression, including for members of the press, and association constrain democratic debate, civic activism, and local voices supporting accountability and justice for violations and abuses of human rights.

**Question 4.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in South Sudan? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Yes, if confirmed, I am committed to meeting with human rights, civil society and other non-governmental organizations in the United States and with local human rights NGOs in South Sudan.

If confirmed, I will monitor post's practices to pro-actively support the implementation of the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights, in accordance with U.S. law.

**Question 5.** Will you and your embassy team actively engage with South Sudan to address cases of key political prisoners or persons otherwise unjustly targeted by South Sudan?

**Answer.** Yes. If confirmed, my embassy team and I will actively engage with the Government of South Sudan to address cases of key political prisoners or persons otherwise unjustly targeted by the Government.

**Question 6.** Will you engage with the Government of South Sudan on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Yes. If confirmed, I will actively engage with South Sudan on matters of human rights, civil rights, and governance as part of our bilateral mission.

#### *Conflicts of Interest*

**Question 7.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 8.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in the South Sudan?

Answer. My investment portfolio includes companies that have a presence in South Sudan. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations. I have consulted with the State Department Ethics Office and will continue to do so, and I will divest my interests in any companies they deem necessary to avoid a conflict of interest.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. In leadership positions, overseas and domestic, I have actively managed training and assignment opportunities for my staff and contributed to recruitment and promotion efforts with an eye toward strengthening and increasing the diversity of the State Department. If confirmed, I will take the same approach at Embassy Juba, ensuring substantive work opportunities are available for the professional growth of all embassy personnel, incorporating training opportunities, and recruiting a diverse array of personnel for embassy positions.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will use my leadership position at Embassy Juba to foster a diverse and inclusive work environment. I will work with front-line supervisors at post (and, where appropriate, at headquarters or regional offices outside South Sudan) to ensure that diversity, fairness, and respect for EEO principles are central considerations in efforts to recruit for Embassy positions and to assign work responsibilities and provide training opportunities for staff. Recognizing the difficult security conditions at post, which require officers be unaccompanied by family members and which have led to reduction in staffing without a reduction in the workload, I will pay special attention to creating a supportive working and living environment which fosters the health and well-being of all staff. The locally employed staff at the Embassy face particular hardships, including security threats to them and their families, and I will ensure their needs also receive sufficient attention and resources.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
THOMAS J. HURSEK BY SENATOR TODD YOUNG**

*Question 1.* On March 15, the United Nations Security Council adopted Resolution 2406. This resolution expressed the Security Council's intention to "consider all appropriate measures...against those who take actions that undermine the peace, stability, and security of South Sudan." More specifically, the Resolution expressed the Security Council's "intention to consider all measures, including an arms embargo, as appropriate, to deprive the parties of the means to continue fighting...." On February 2, the United States announced it is restricting the export of arms into South Sudan. Do you support the administration's decision to impose this arms embargo?

Answer. I support the U.S. decision in February 2018 to formally restrict the export of defense articles and defense services into South Sudan in response to the ongoing violence and humanitarian crisis in that country.

*Question 3.* On March 15, the United Nations Security Council adopted Resolution 2406. This resolution expressed the Security Council's intention to "consider all appropriate measures... against those who take actions that undermine the peace, stability, and security of South Sudan." More specifically, the Resolution expressed the Security Council's "intention to consider all measures, including an arms embargo, as appropriate, to deprive the parties of the means to continue fighting...." On February 2, the United States announced it is restricting the export of arms into South Sudan. What problems are we seeing with implementation?

Answer. The U.S. decision in February 2018 to formally restrict the export of defense articles and defense services into South Sudan formalized the long-standing U.S. practice of reviewing license applications on a case-by-case basis for all countries, and denying license requests for the export of defense articles and services to South Sudan. I am not aware of any problems in the implementation of this action.

*Question 3.* On March 15, the United Nations Security Council adopted Resolution 2406. This resolution expressed the Security Council's intention to "consider all appropriate measures... against those who take actions that undermine the peace, stability, and security of South Sudan." More specifically, the Resolution expressed the Security Council's "intention to consider all measures, including an arms embargo, as appropriate, to deprive the parties of the means to continue fighting...." On February 2, the United States announced it is restricting the export of arms into South Sudan. Do you believe the arms embargo would be more effective if it were multilateral?

Answer. Stopping the flow of arms and ammunition into South Sudan from all countries would slow the violence, protect innocent lives, and encourage the warring parties to compromise rather than continue to use military force to seek political advantage.

*Question 4.* On March 15, the United Nations Security Council adopted Resolution 2406. This resolution expressed the Security Council's intention to "consider all appropriate measures... against those who take actions that undermine the peace, stability, and security of South Sudan." More specifically, the Resolution expressed the Security Council's "intention to consider all measures, including an arms embargo, as appropriate, to deprive the parties of the means to continue fighting...." On February 2, the United States announced it is restricting the export of arms into South Sudan. How can we encourage our key partners to also implement and enforce an arms embargo?

Answer. The United States has stressed the need for a U.N. arms embargo in the Security Council and other fora, and pressed members of the Security Council, African Governments, and the African Union to support a U.N. Security Council Resolution to impose a multilateral embargo on arms and related materiel of all types into South Sudan.

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## NOMINATIONS

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**WEDNESDAY, MAY 9, 2018**

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

The committee met, pursuant to notice, at 10:04 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Gardner, Young, Isakson, Menendez, Cardin, Shaheen, Murphy, Kaine, and Markey.

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

The CHAIRMAN. The Foreign Relations committee will come to order.

We welcome all of you, and I imagine there will be extended families that we will have the opportunity to meet. We thank all of you for coming in support of the nominees.

We will consider the nominations of five individuals to serve our nation in very different and important roles: Ambassador to the International Atomic Energy Agency and other U.N. bodies in Vienna; Deputy Representative at the U.N.; Ambassador to several Pacific islands; Ambassador to Hungary; and Alternative Executive Director on the Inter-American Development Bank.

We welcome all of you and thank you for your willingness to serve.

First, we have the Honorable Jackie Wolcott, who has already served our country in a number of positions, including as Representative to the U.N. for Political Affairs, as well as positions in the State Department under three different Presidents. As U.S. Representative to the Conference on Disarmament and Special Envoy for President George W. Bush, she led the U.S. delegation to four IAEA Board of Governors meetings. We thank you for being here.

At this crucial time when a historic meeting with North Korea is on the horizon and the threat of Iran's nuclear program is of utmost importance, it is essential that we have someone like Ms. Wolcott with her deep background in diplomacy and nuclear issues promoting America's national security interests at the IAEA.

Next we have Jonathan Cohen. Mr. Cohen has served his country as a career Foreign Service officer in numerous posts all over the world since 1986, including serving as Deputy Chief of Mission at Embassy Baghdad. The Deputy Representative to the U.N. is the number two position at the U.N., and in this capacity, the Dep-

uty Representative represents the United States at meetings of U.N. bodies, including the U.N. Security Council when the Ambassador to the U.N. is not able to attend. Having someone with his knowledge and experience will enhance the ability of the U.S. mission to defend our interests at the U.N.. I was up there last week, and Ambassador Haley is certainly waiting to have you cover for her when she cannot attend. I know she is anxious to have you.

Next we have Joseph Cella as Ambassador to Pacific island nations. Strong U.S. engagement in the Pacific islands region is important for U.S. economic, diplomatic, and strategic interests, particularly as Chinese influence continues to grow in the Indo-Pacific. The United States maintains support for economic development and good governance in the Pacific islands to assist these three democracies. With Mr. Cella's background in strategic communications, it is my hope that he will bring those skills to bear promoting U.S. interests in the Pacific islands.

Mr. David Cornstein has been nominated to serve as America's Ambassador to Hungary at a time when Hungary has put policies in place that many find troubling. Mr. Cornstein will have the important task of reminding the Government of Hungary that its future lies not in return to the dark days of the past but in remaining an active member of the community of liberal democracies.

Finally, we have Eliot Pedrosa. Mr. Pedrosa is currently a shareholder at the international law firm of Greenberg Traurig where he chairs the firm's 40-member Miami litigation department and has represented clients around the world. With a strong background in international law and commercial litigation, he is well qualified to represent the United States at the Inter-American Development Bank.

With that, I will turn it over to our distinguished ranking member and my friend, Bob Menendez, for any comments he wishes to make.

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

Senator MENENDEZ. Thank you, Mr. Chairman.

Congratulations to all of you for your nominations. I look forward to our questions of many of you.

Ms. Wolcott, I have no doubt that your many years at the State Department will serve you well when, if confirmed, you travel to Vienna to represent the United States at the International Atomic Energy Agency. There are a number of issues confronting that body, including resource constraints, as well as the review of the Iran nuclear agreement, that I look forward to having a conversation with you about.

I am glad we will have a chance to hear from Mr. Cornstein today about his views on Hungary—I appreciate that you came by and we had a good visit—where a sustained rollback of the rule of law and increasing xenophobia pose serious threats to the democratic values that undergird our NATO alliance. And it bears noting that these threats, if left unaddressed, only play into the hands of Vladimir Putin, who seeks to fuel anti-democratic forces and undermines stability across Europe. I hope our exchange today can help illuminate some of the specific steps we talked about to en-

gage Prime Minister Orban and his government on these issues, if confirmed.

Mr. Cella, I have a series of questions to discuss with you today. I look forward to that.

Mr. Pedrosa, I recently met with the President of the Inter-American Development Bank, Luis Alberto Moreno, for a very interesting conversation of what the bank is doing in the region. It has a lot on its plate. I look forward to our conversation of what you intend to do there.

Finally, Mr. Cohen, welcome to you. I am a strong supporter of the United Nations. It does a lot of good around the world. Our national security is strengthened when we are at the table at the U.N., and the U.N. is more effective when America leads with its values. But the U.N. must do better. It must be more effective. It must be more transparent. It must be more accountable. And in particular, its anti-Israel bias must end once and for all. I look forward to how you would pursue some of those things as the number two in charge.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

With that, if you would make your opening comments in the order introduced and keep them to about 5 minutes, that would be great. Any written materials you have, without objection, will be entered into the record. Please feel free to introduce any family members or friends who may be here in support of your nomination. And with that, if you would begin, we would appreciate it.

**STATEMENT OF HON. JACKIE WOLCOTT, OF VIRGINIA, TO BE  
REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO  
THE VIENNA OFFICE OF THE UNITED NATIONS, WITH THE  
RANK OF AMBASSADOR AND TO BE REPRESENTATIVE OF  
THE UNITED STATES OF AMERICA TO THE INTERNATIONAL  
ATOMIC ENERGY AGENCY**

Ms. WOLCOTT. Thank you, Mr. Chairman, Ranking Member Menendez, members of the committee, for the opportunity to appear before you today.

And I am grateful to President Trump for giving me the opportunity to again serve our country. If confirmed, it would be my honor to lead the men and women of the U.S. mission to the U.N. in Vienna and to represent the United States in two important bodies, the International Atomic Energy Agency and the Vienna Office of the United Nations.

I would like to acknowledge my wonderful family, friends, and colleagues, many of whom are watching these proceedings online today and so are here in spirit with me. And I am especially grateful to my friend and former colleague, Assistant Secretary of State Kevin Moley, who is here today. Ambassador Moley and I have worked collaboratively over many years in the U.N. context, and his IO Bureau will be my home base, if confirmed for these positions.

My first true job as a young adult began here in the Senate, just next door in the Russell Building, working for my home State Senator Robert Taft, Jr. That position and my 32-year Federal Government career has instilled in me a deep appreciation for the role of

Congress, the value of diplomacy, and the critical leadership role that the United States must play in multilateral diplomacy. I have served in numerous positions in Washington, New York, and Geneva leading U.S. efforts in the United Nations, its specialized agencies, and our policymaking bureaus in Washington.

I directed numerous campaigns to get votes from and build coalitions with governments around the world in support of our national security interests and represented the United States in the U.N. Security Council dealing with the full range of security challenges. For more than 5 years, I served as Deputy Assistant Secretary of State for International Organization Affairs, with responsibilities covering a broad span of U.N. issues.

For much of my career, I have engaged in multilateral work at various agencies focused on nonproliferation and arms control. I have acquired directly relevant professional experience dealing with nuclear nonproliferation, peaceful uses of nuclear technology, arms control, and challenging security issues on behalf of the United States. I was Ambassador to the Conference on Disarmament in Geneva and Special Representative of the President for Nonproliferation of Nuclear Weapons with lead responsibility for the 2005 NPT Review Conference. During that time frame, I also led our team in Vienna at several IAEA Board of Governors meetings, giving me firsthand experience with the issues, dynamics, and procedural rules of that body.

My most recent executive branch experience was as Special Envoy for Nuclear Nonproliferation at the State Department. In that role, I led implementation of a presidential initiative to stop the spread of sensitive nuclear fuel cycle technologies, an issue I know is important to this committee, and promoted tangible commitments to the highest standards of safety, security, and non-proliferation by emerging nuclear energy countries.

Most recently as Executive Director and now Commissioner of the U.S. Commission on International Religious Freedom, I have had the opportunity to visit many countries of concern and to analyze and report on the horrible persecution of people by their own governments. I do not think it mere coincidence that several countries that deny citizens basic freedoms are also those that challenge international nonproliferation norms and commitments.

If I am confirmed to lead the U.S. Mission in Vienna, I look forward to working with the talented State Department and inter-agency team. UNVIE is well positioned and, indeed, tasked to advance important U.S. policy in the areas of nuclear nonproliferation, safety and security, and strengthening international cooperation against many facets of transnational organized crime, including drug trafficking, cybercrime, terrorism, human trafficking, and wildlife crime.

Iran, North Korea, and other countries which may be undermining the vital goal of nonproliferation remain some of the biggest challenges for the international community, including at the IAEA. With currently more than 150 missions represented at Vienna-based international organizations, if confirmed, I am committed to finding new partners and expanding coalitions to advance American interests and values. Today's threats demand such partnerships.

In my various roles relating to the U.N., I have always pushed for reforms, transparency, and budget accountability. The United States contributes more than \$300 million annually to Vienna-based international organizations. If confirmed, a key objective of my job will be to make sure that the U.S. tax dollars are being used wisely and effectively to meet today's threats, including urgently addressing the opioid crisis plaguing our own country, through the work of the U.N. Office of Drugs and Crime. My experience has convinced me that the U.N. and other international bodies are only as good as their member states, and I would plan to be very hands-on in their governance. American taxpayers deserve to be well served through the work of these agencies, including having more Americans appointed to positions within the agencies we support so generously.

Mr. Chairman, I am excited by the prospect of again leading our team of experts in Vienna. There clearly are profound challenges ahead and there is much critical work to be done. If confirmed, I promise to provide my best analysis and advice to our executive branch interagency team and to work with this committee and Congress to advance and implement policies that enhance the safety and security of our country and around the world.

Thank you.

[Ms. Wolcott's prepared statement follows:]

PREPARED STATEMENT OF JACKIE WOLCOTT

Thank you Mr. Chairman, Ranking Member Menendez, members of the committee for the opportunity to appear before you today. And I am grateful to President Trump for giving me the opportunity to again serve our country. If confirmed, it would be my honor to lead the men and women of U.S. Mission to the U.N. in Vienna and to represent the United States in two important bodies, the International Atomic Energy Agency and the Vienna Office of the United Nations.

I would like to take a moment to acknowledge my wonderful family, friends, and colleagues, many of whom are watching these proceedings online today. I thank them for being here with me in spirit.

My first true job as a young adult began here in the Senate, just next door in the Russell Building, working for my home-state Senator, Robert Taft, Jr. That position and my 32-year federal government career has instilled in me a deep appreciation for the role of Congress, the value of diplomacy, and the critical leadership role that the United States must play in multilateral diplomacy. I have served in numerous positions in Washington, New York and Geneva leading U.S. efforts in the United Nations, its specialized agencies, and our policy-making bureaus in Washington.

In all of these venues, I directed numerous campaigns to get votes from and build coalitions with governments around the world in support of our national security interests. My experience at the United Nations culminated in my service as Alternate Representative for Special Political Affairs, where I represented the United States in the U.N. Security Council, dealing with the full range of security challenges. For more than five years in two different administrations, I served as Deputy Assistant Secretary of State for International Organization Affairs, with responsibilities covering a broad span of U.N. issues.

For a major segment of my career I have engaged in multilateral work at various agencies focused on nonproliferation and arms control. I have acquired directly relevant professional experience dealing with nuclear nonproliferation, peaceful uses of nuclear technology, arms control, and challenging security issues on behalf of the United States. I was the Ambassador to the Conference on Disarmament in Geneva and Special Representative of the President for the Nonproliferation of Nuclear Weapons with lead responsibility for the 2005 NPT Review Conference. During that timeframe I also led our team in Vienna at several IAEA Board of Governors meetings, giving me firsthand experience with the issues, dynamics and procedural rules of that body.

My most recent executive branch experience was as Special Envoy for Nuclear Nonproliferation at the State Department. In that role I led implementation of a presidential initiative to stop the spread of sensitive nuclear fuel cycle technologies, an issue I know is important to this committee, and promoted tangible commitments to the highest standards of safety, security, and nonproliferation by emerging nuclear energy countries.

In my most recent positions as Executive Director and now Commissioner of the U.S. Commission on International Religious Freedom, I have had the opportunity to visit many countries of concern and to analyze and report on the horrible persecution of people by their own governments. I do not think it mere coincidence that several countries that deny citizens basic freedoms are also those that challenge international nonproliferation norms and commitments.

If I am confirmed to lead the U.S. Mission in Vienna, I look forward to working with the talented State Department and interagency team.

UNVIE is well-positioned and indeed tasked to advance important U.S. policy in the areas of nuclear nonproliferation, safety and security, and strengthening international cooperation against many facets of transnational organized crime, including drug trafficking, cybercrime, terrorism, human trafficking and wildlife crime. The peaceful use of nuclear technology is extremely important to countries around the world in the areas of energy, health, nuclear medicine, food safety and agriculture with the IAEA playing a key role in that regard.

Iran, North Korea and other countries which may be undermining the vital goal of nonproliferation remain some of the biggest challenges for the international community, including at the IAEA. With currently more than 150 missions represented at Vienna-based international organizations, if confirmed, I am committed to finding new partners and expanding coalitions to advance American interests and values. Today's threats demand such new partnerships.

In my various roles relating to the U.N. over many years, I have always pushed for reforms, transparency, and budget accountability. The United States contributes more than \$300 million annually to Vienna-based international organizations. If confirmed, a key objective of my job will be to make sure that U.S. tax dollars are being used wisely and effectively to meet today's threats, including urgently addressing the opioid crisis plaguing our own country, through the work of the U.N. Office of Drugs and Crime. My past experience has convinced me that the U.N. and other international bodies are only as good as their member states, and I would plan to be very hands-on in their governance.

American taxpayers deserve to be well served through the work of these agencies, including having more Americans appointed to positions within the agencies we support so generously, as advanced in part by the International Gender Champions initiative launched last year in Vienna.

Mr. Chairman, I am excited by the prospect of again leading our team of experts in Vienna—from the State Department, Energy Department, Nuclear Regulatory Commission as well as our locally engaged staff.

There clearly are profound challenges ahead and there is much critical work to be done. If confirmed, I promise to provide my best analysis and advice to our executive branch interagency team and to work with this committee and Congress, to advance and implement policies that enhance the safety and security of our country and around the world.

Thank you.

The CHAIRMAN. Thank you.

**STATEMENT OF JONATHAN R. COHEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND TO BE DEPUTY 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**

Mr. COHEN. Thank you, Chairman Corker, Ranking Member Menendez, Senator Young, Senator Gardner. I am honored to ap-

pear before you today as the President's nominee to serve as Deputy Representative of the United States of America at the United Nations. I am grateful to the President and to Ambassador Haley for this opportunity.

Serving our nation as a Foreign Service officer for the past 32 years has been a great privilege and never more so than now with this opportunity to represent the United States at the U.N.

I want to thank my wonderful wife Lidija and our remarkable daughters, Alexandra and Gabriella, for their love and support over the years and the many moves. They are watching today's hearings from overseas. Their tenacious adaptability and patience with me and my calling are in no small part responsible for me being here today.

I also want to thank my Foreign Service mentors and, in particular, the Ambassadors, Deputy Chiefs of Mission, and Assistant Secretaries with whom I have served.

Over my 3 decades in the Foreign Service, I have seen many ways the U.N. contributes to international peace and security, from the deployment of peacekeepers who courageously serve in some of the world's most dangerous places from Lebanon to South Sudan to Mali, to the operations of organizations such as the World Food Program which, with significant U.S. support, is providing life-saving food assistance to millions of people affected by famine and food insecurity. The U.N.'s value also lies in actions such as the extensive sanctions regime imposed on North Korea by the Security Council, in effect banning all known North Korean exports and shutting down its lawful capacity to earn hard currency abroad. These examples demonstrate the critical role the U.N. plays in advancing U.S. national interests. The United States has been and must continue to be a leader at the United Nations. If confirmed, I will energetically contribute to our important leadership in all these areas, as well as our work at the U.N. on Iran, Syria, Middle East peace, and other issues before the Security Council and the General Assembly.

That being said, I wholeheartedly agree with Senator Menendez. The United Nations must reform if it is to be more effective. And we need to bring that organization up to 21st century standards. Secretary-General Guterres' U.N. reform plan is an encouraging, important step in that process. If confirmed, I will work tirelessly to ensure that his efforts align with U.S. priorities.

Ambassador Haley has been a strong leader on U.N. reform and has been working closely with likeminded countries to push for greater accountability and transparency, to reduce duplicative structures and mandates, to streamline planning and budgetary processes, and to better assess peacekeeping operations. If confirmed, I look forward to joining her in these efforts to ensure America gets what it pays for at the U.N.

Additionally, the United States is a champion for accountability when peacekeepers are accused of sexual exploitation and abuse. If confirmed, I will strongly support a zero tolerance policy.

Another area of my focus, if confirmed, will be the fight to end the disproportionate and unjust attacks at the U.N. on our ally Israel. Throughout the U.N. system, there is a persistent anti-Israel bias. This is particularly egregious in the Human Rights

Council with its standing agenda item dedicated to criticizing Israel. If confirmed, I will fight this bias at every opportunity and will continue to reinforce Israel's efforts to normalize its role in the U.N. and the broader international community.

The United Nations can strengthen America's security, prosperity, and international effectiveness and has great potential to be an even more effective vehicle for international peace and security. If confirmed, I will do my utmost to help it realize that potential.

Mr. Chairman, members of the committee, thank you again for the opportunity to address you today. I appreciate and value this committee's oversight of our efforts at the United Nations and, if confirmed, I look forward to working with you and your respective staff members on the range of issues on the U.N. agenda. Your continued engagement is and will remain an important element in our ability to successfully advance America's interests at the United Nations.

I look forward to your questions.

[Mr. Cohen's prepared statement follows:]

PREPARED STATEMENT OF JONATHAN R. COHEN

Thank you, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee. I am honored to appear before you today as the President's nominee to serve as the Deputy Representative of the United States of America to the United Nations and am grateful to the President and Ambassador Haley for this opportunity.

Serving our nation as a Foreign Service Officer for the past 32 years has been a great privilege, and never more so than now with this opportunity to represent the United States of America at the United Nations. I want to thank my wonderful wife Lidija and our remarkable daughters Alexandra and Gabriella for their love and support over the years and the many moves. Their tenacious adaptability and patience with me and my calling are in no small part responsible for me being here today. I also want to thank my Foreign Service mentors, and in particular, the Ambassadors, Deputy Chiefs of Mission and Assistant Secretaries with whom I have served.

Being nominated for this position is the realization of a dream I held from an early age. Growing up in a California family that was not internationally oriented, I was launched on my path to the Foreign Service through involvement in high school Model United Nations and a university career devoted to international relations. I owe a special debt of gratitude to two inspirational high school teachers who helped equip me with the tools for this path: debate coach and English teacher extraordinaire Barbara Carson and Model U.N. advisor and history teacher Rome Friesen. The prospect of helping resolve vexing international challenges to peace and security inspired me as a teen and fueled my academic interests as a university student. Having the opportunity to do so in America's service has motivated my professional life ever since.

Throughout my career, I've worked with United Nations representatives, agencies and issues at just about every posting. From my first assignment in Thailand as a refugee protection officer visiting refugee camps and detention facilities along the Lao and Cambodian borders and interacting daily with UNHCR, to coordinating on aid programs in the West Bank during the first Intifada, to service in multiple UNSC capitals advocating U.S. priorities under discussion in the Security Council, to work with UNFICYP and the SRSG in Cyprus seeking to reunify the divided island into a bi-zonal bi-communal federation. Nowhere were the stakes higher or the challenges greater than in my most recent overseas tour as DCM in Baghdad where I regularly met with the leadership of the U.N. Mission in Iraq, where my briefings at the SRSG's monthly meetings for the diplomatic corps guaranteed that American views on the political and military situation of the country had primacy, and where I helped craft with the U.N. Humanitarian Coordinator a high-impact, low-cost stabilization program that got over a million IDPs safely home. I have seen the U.N. rise to challenges and exceed expectations, delivering impressively on its mission to provide peace, security and relief while operating with fiscal discipline. In each such case, in my experience, there was an essential common element—strong U.S. leader-

ship and involvement. If confirmed, I pledge to provide that kind of leadership in all I do at USUN.

Over my three decades in the Foreign Service, I have seen many ways the U.N. contributes to international peace and security, from the deployment of peacekeepers who courageously serve in some of the world's most dangerous places, from Lebanon to South Sudan to Mali, to the operations of organizations such as the World Food Program which, with significant U.S. support, is providing life-saving food assistance to millions of people affected by famine and food insecurity. The U.N.'s value also lies in actions such as the extensive sanctions regime imposed on North Korea by the Security Council, in effect banning all known North Korean exports, and shutting down its lawful capacity to earn hard currency abroad. These examples demonstrate the critical role the U.N. plays in advancing U.S. national interests. The United States has been and must continue to be a leader in the United Nations. If confirmed, I will energetically contribute to our important leadership in all these areas as well as our work at the U.N. on Iran, Syria and Middle East peace, and other issues before the Security Council.

That being said, the United Nations must reform if it is to be more effective. We need to bring the organization up to 21st century standards. Secretary General Guterres' U.N. reform plan is an encouraging, important step in the process. If confirmed, I will work tirelessly to ensure that his efforts align with U.S. priorities. Ambassador Haley has been a strong leader on U.N. reforms, and has been working closely with like-minded countries to push for greater accountability and transparency, to reduce duplicative structures and mandates, to streamline planning and budgetary processes and to better assess peacekeeping operations. If confirmed, I look forward to joining her in these efforts to ensure America gets what it pays for at the United Nations. Additionally, the United States has been a champion for accountability when peacekeepers are accused of sexual exploitation and abuse. If confirmed I will strongly support a zero tolerance standard.

Another area of my focus, if confirmed, will be the fight to end disproportionate and unjust attacks on our ally, Israel. Throughout the U.N. system, there is persistent anti-Israel bias. This is particularly egregious in the Human Rights Council, with its standing agenda item dedicated to criticizing Israel. If confirmed, I will fight this bias at every opportunity, and will continue to reinforce Israel's efforts to normalize its role in the U.N. and the broader international community.

The United Nations can strengthen U.S. security prosperity and international effectiveness and be an even more effective vehicle for international peace and security. If confirmed, it will be my great honor to devote myself to furthering America's efforts at the United Nations by contributing to the focused U.S. leadership there with the goal of promoting and protecting America's interests and values.

Mr. Chairman, members of the committee, thank you again for the opportunity to address you today. I appreciate and value this committee's oversight of our efforts at the United Nations and, if confirmed, I look forward to working with you and your respective staff members on the range of issues on the U.N. agenda. Your continued engagement is, and will remain, an important element in our ability to successfully advance America's interests at the United Nations.

I look forward to your questions.

The CHAIRMAN. Thank you. Thank you very much.

**STATEMENT OF JOSEPH CELLA, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE FIJI ISLANDS, THE REPUBLIC OF KIRIBATI, THE REPUBLIC OF NAURU, THE KINGDOM OF TONGA, AND TUVALU**

Mr. CELLA. Good morning, Chairman Corker, Ranking Member Menendez, Senator Gardner, Senator Shaheen. It is a privilege to appear before you today as President Trump's nominee to serve as the United States Ambassador to the Republic of the Fiji Islands, the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and the independent island nation of Tuvalu.

I want to express my gratitude to President Trump for his confidence in me and for the opportunity, with your consent, to serve and represent the United States of America in what is a crucial

point in our history with our longstanding Indo-Pacific and South Pacific partners.

I also want to express my gratitude to Vice President Pence for his support of my nomination.

If confirmed, I look forward to working with Secretary of State Pompeo and his seasoned team of State Department professionals.

I would like to acknowledge my wife Kristen and my children, Francesca, John Paul, Dominic, Rita Rose, Mariana, and Anthony. I am grateful for their beautiful, selfless love and support. I am also pleased to acknowledge my mother, Janice Cella, and my brother, Robert Cella, who are here with us today for their love and indefatigable support. I would also like to acknowledge my late grandfather, Joseph Cella, and my late father, Robert Cella, who are with us in spirit. And just as they proudly and honorably served our nation in wearing the military uniform during World War I and the Korean War, if confirmed, I look forward to serving our nation in the diplomatic corps.

The name of my small company is The Pontifex Group with "Pontifex" taken from the Latin "pons" and "fec," which means bridge builder. Serving as a bridge builder has been a calling of mine since my boyhood and is a skill that I have had to employ working in the United States Senate and House of Representatives and as a businessman and certainly, as you can imagine, sometimes as a father to a team of three girls and three boys. Should I be confirmed, I will serve as our nation's bridge builder to the five island nations, to the team at post, and all whom I encounter.

The island nations are an increasingly important component for the strength of our commitment and presence and relations in the Indo-Pacific, South Pacific for its free and open nature, sustaining democratic principles, the rule of law, and market-based economies. It is imperative we lead side by side with our allies committed to the region and partners, including Australia, Japan, and others in order that a void not be filled by others who may not share our commitment to the preservation of human freedom and respect for democratic principles.

If confirmed, there will be four key pillars that will guide my service.

First, directing and maintaining active and regular contact with top officials in each island nation and engaging closely with the Pacific Islands Forum, the region's premier intergovernmental organization based in Suva. My key goals will be to further the cultivation and showcasing of democratic free market principles rooted in each country's right to choose its own sovereign course; fostering vibrant economies through free, fair, and reciprocal trade and expansion of tourism; promoting and maintaining close partnerships for security and stability on issues ranging from free and open passage of all vessels, to climate change, and the scourge of human trafficking.

Second, building and expanding on the successes of the past by working with the interagency that advocates the interests of American businesses, scholars, tourists, and using people-to-people diplomacy through a variety of cultural and educational exchanges and reminding our allies and partners of our fidelity to time-honored principles.

Third, engaging citizens from all walks of life in each of the island nations demonstrating our common principles and appreciation for their rich history and diverse culture. As a bridge builder, I look forward to interacting with leaders from civic societies and the faith communities.

Lastly, yet of great importance, my prospective colleagues at the United States embassy in Fiji who work very hard in service to our nation and will be our family. And as with my own immediate family, I will work to ensure their safety and security at all times.

It will be a great pleasure to work with an open door and side-by-side with the mission team to carry on the tremendously effective work in the U.S. diplomatic and consular missions.

Mr. Chairman, Mr. Ranking Member, Senator Gardner, Senator Shaheen, thank you for your thoughtful consideration and the opportunity to appear before you today, and I look forward to your comments and questions.

[Mr. Cella's prepared statement follows:]

#### PREPARED STATEMENT OF JOSEPH CELLA

Good morning, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee.

It is a joy and a high honor to appear before you today as President Trump's nominee to serve as the United States Ambassador to the Republic of Fiji, the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and the independent island nation of Tuvalu.

I want to express my gratitude to President Trump for his confidence in me and for the opportunity, with your consent, to serve and represent the United States of America in what is a crucial point in history with our long-standing Indo-Pacific partners.

I also want to express my gratitude to Vice President Pence for his support of my nomination. If confirmed, I look forward to working with Secretary of State Pompeo and his seasoned team of State Department professionals, particularly those at Mission Fiji, and those at various other federal agencies whose missions engage the island nations. If confirmed, I will uphold the trust of the American people, and faithfully discharge the responsibilities that are vested in this Constitutional office.

Should I be confirmed, I anticipate working in conjunction with Prime Minister Bainimarama of Fiji; President Mamau of Kiribati; President Waqa of Nauru; His Majesty King Tupou VI and Prime Minister Pohiva of Tonga; and President Sopoaga of Tuvalu; and with the members of their respective governments.

My family is integral to who I am, and all that I do, and I would like to take a moment to thank them—especially my wife, Kristen, and my children, Francesca, John Paul, Dominic, Rita Rose, Mariana, and Anthony. Their beautiful, selfless love and support has sustained me in all that I have done. And they are ALL ready to serve as public diplomats in their own unique ways. They are learning, early on, the vital connection of service and citizenship in our great republic.

I would like to acknowledge my mother, Janice Cella, who is with us today, for her love, prayers and indefatigable support. I would also like to acknowledge my late grandfather, Joseph Z. Cella, and my late father, Robert F. Cella, who are with us in spirit. And just as they proudly and honorably served our nation in wearing the military uniform during World War I and the Korean War, if confirmed, I look forward to serving our nation in the diplomatic corps.

One of our Founding Fathers, and United States Ambassador, Benjamin Franklin, described the characteristics of a diplomat as follows: "The qualities of a diplomat are sleepless tact, unmovable calmness, and a patience that no folly, no provocation, no blunders, may shake."

My faith, family life, education, and nearly 25 years of professional experience in both the private and public sectors, world travels, and as a founder and leader of multiple organizations, in varied environments, have shaped these characteristics and skills, and are critical factors, preparing me to ably serve.

The name of my small company is The Pontifex Group, with Pontifex taken from the Latin pons and fec, which means bridge-builder. The nature of a diplomat is one of a bridge-builder. The diplomat either builds new bridges, maintains existing

bridges, or fortifies those bridges in need of greater support. Serving as a bridge-builder has been my nature since boyhood and has been a gift that I have employed as a husband, father, working in the United States Senate and House of Representatives, as a businessman, confidant, and friend. Should I be confirmed, I will serve as our nation's bridge-builder to the five island nations, to the team at post, and all with whom I encounter.

The island nations are an increasingly important component for the strength of our commitment, presence and relations in the Indo-Pacific; for its free and open nature, sustaining democratic principles, the rule of law, and market-based economies. It is imperative we lead, side by side with our allies committed to the region, including Australia, Japan, and others, in order that a void not develop and be filled by others who may not share our shared commitment to the preservation of human freedom and respect for democratic principles.

If confirmed, there will be four key pillars that will guide my service.

First, directing and maintaining active and regular contact with top officials in each island nation and engaging closely with the Pacific Islands Forum, the region's premier intergovernmental organization based in Suva, Fiji. My key goals will be the further cultivation and showcasing of democratic, free market principles rooted in each country's right to choose its own sovereign course; fostering vibrant economies through free, fair, and reciprocal trade and expansion of tourism; promoting and maintaining close partnerships for security and stability on issues ranging from free and open passage for all vessels, to climate change and the scourge of human trafficking.

Second, building and expanding on the successes of the past, by working with the interagency that advocates the interests of American businesses, scholars, tourists, and using people-to-people diplomacy through a variety of cultural and educational exchanges, and reminding our allies of our fidelity to time-honored principles.

Third, engaging citizens from all walks of life in each island nation, demonstrating our common principles and appreciation for their rich history and diverse culture. As a bridgebuilder, I look forward to interacting with leaders from civic societies and the faith communities.

Lastly, yet of great importance: my prospective colleagues at the United States Embassy in Fiji who work very hard in service to our nation will be our family. And as with my own immediate family, I will work to ensure their safety and security at all times.

It will be a great pleasure to work with an open door and side-by-side with the mission team to carry on the tremendously effective work in the U.S. diplomatic and consular missions.

Mr. Chairman, Mr. Ranking Member, and distinguished members of the committee, thank you for your thoughtful consideration and the opportunity to appear before you today, and I look forward to your comments and questions.

The CHAIRMAN. Thank you.

**STATEMENT OF DAVID B. CORNSTEIN, OF NEW YORK, TO BE  
AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF  
THE UNITED STATES OF AMERICA TO HUNGARY**

Mr. CORNSTEIN. Good morning, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee. It is a tremendous honor to appear before you today as President Trump's nominee to be the United States Ambassador to Hungary. For me, it is humbling that the President has confidence in me, hopefully with your approval, to represent the American people in engaging with an important ally in a challenging and changing part of the world.

I would like to thank my loving family who sit behind me today. They represent quality over quantity. There are only four living relatives in my entire family. The girl I married 49 years ago, my wonderful wife Sheila. And we have two children, one by birth, our son Marc, and one by marriage, our loving daughter Natasha. Last but sure not for least, the best part of my big family, my grandson Danny, who is 12 years old and whom I love beyond belief.

I would also like to remember my wonderful parents, Fanny and Irving, and Sheila's parents, Rose and Morris, and the only grandparent I had the privilege of knowing, my Hungarian grandmother Sarah. My family's love and support has been a constant in every phase of my life.

During my career, I have had experience in both government service and the private sector. In the private sector, I started with one leased fine jewelry department in a JC Penney store and 40 years later had 1,200 fine jewelry departments in practically all of the department stores in the United States. Our company also had departments which we operated in England, Germany, and France. When I retired from the company, it was doing well over a billion dollars in revenue and was listed on the NASDAQ exchange.

In public service during the Giuliani administration, I served as the Vice Chair of the Economic Development Corporation of the City of New York where we negotiated many of the deals that came into the city. During the Pataki administration, I served on the boards of Battery Park City and The Javitz Convention Center. I also chaired the New York State Olympic Commission, which was an 8-year labor of love where we tried to bring the 2012 Olympics to New York City. During the Bloomberg and Spitzer administrations, I completed my 16-year tenure as Chairman of the New York City and State Off-Track Betting Corporations. Through these experiences, I learned how to accomplish goals by working with city and State governments and to find common ground between Republicans and Democrats.

In addition, I have been an active member of several philanthropic boards, including the Marine Corps Law Enforcement Foundation, The Federal Law Enforcement Officers Foundation, New York Law School, Park East Synagogue, and many others.

If confirmed, I would focus on the following key areas.

First and foremost, I will encourage Hungarian officials at all levels of government to promote American and democratic values. The freedom of speech, the freedom of press, the freedom of religions are values that should not and cannot be comprised.

If confirmed, I hope to advance our economic interests in Hungary. Under Prime Minister Orban, the country's economy is doing well. In 2017, GDP grew by over 4 percent and unemployment was under 4 percent. Hungary lowered its corporate tax rate to 9 percent, and since then has received more than \$2.5 billion in foreign investment. Although the United States is Hungary's largest non-European Union investor, by working with the Commerce Department, there certainly is room for existing American companies doing business in Hungary to do more.

An extremely important goal I have, if confirmed, is to halt the rise of anti-Semitism in Hungary and the region. I am a very proud American Jew, and it hurts and disturbs me deeply that this cancer continues to grow. I will work diligently with Jewish organizations, other religious groups, and the Hungarian Government to make sure the Jewish community feels safe and secure. I will engage with Hungarian people from all walks of life to share this American value of religious freedom, protection, and tolerance for all people.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I thank you for the honor of appearing before you today, and I look forward to answering your questions.

[Mr. Cornstein's prepared statement follows:]

PREPARED STATEMENT OF DAVID B. CORNSTEIN

Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, it is a tremendous honor to appear before you today as President Trump's nominee to be the United States Ambassador to Hungary. For me, it is humbling that the President has confidence in me, hopefully with your approval, to represent the American people in engaging with an important ally in a challenging and changing part of the world.

I would like to thank my loving family who sit behind me today. They represent quality over quantity. There are only four living relatives in my entire family. The girl I married forty-nine years ago, my wonderful wife Sheila. We have two children, one by birth -our son Marc, and one by marriage—our daughter Natasha. They have been married for seventeen years. Last but for sure not least, the best part of this big family, my grandson Danny, who is twelve years old and whom I love beyond belief. I would also like to remember my wonderful parents, Fanny and Irving, and Sheila's parents, Rose and Morris, and the only grandparent I had the privilege of knowing, my Hungarian grandmother Sarah. My family's love and support has been a constant in every phase of my life.

During my career, I have had experience in both government service and the private sector. In the private sector, I started with one leased fine jewelry department in a JC Penney store and forty years later had twelve hundred fine jewelry departments in practically all of the department stores in the United States. Our company also had departments that we operated in England, Germany, and France. When I retired from the company, it was doing well over a billion dollars in revenue and was listed on the NASDAQ exchange. I had accomplished what I had set out to do and was ready to give back some of what I had learned in business to public service.

During the Giuliani administration, I served as Vice Chair of the Economic Development Corporation of New York City, where we negotiated many of the deals that came into the city. During the Pataki administration, I served on the boards of Battery Park City and The Javits Convention Center. I also chaired the New York State Olympic Commission, an eight year labor of love to bring the 2012 Olympics to New York City. During the Bloomberg and Spitzer administrations, I completed my sixteen-year tenure as Chairman of the New York City and New York State Off-Track Betting Corporations. I have been an active member of several philanthropic boards including The Marine Corps Law Enforcement Foundation, The Federal Law Enforcement Officers Foundation, New York Law School and Park East Synagogue, among others. Through these experiences, I learned how to accomplish goals by working with City and State governments and finding common ground between Republicans and Democrats.

I feel confident my past experience in government, business, and philanthropy has prepared me for this important opportunity to lead the U.S. mission in Hungary. If confirmed to serve as U.S. Ambassador, I will work closely with the teams from across the Government to strengthen our relationship and focus on the following key areas of our alliance.

First and foremost, I will encourage Hungarian officials at all levels of government to advance American interests and to promote American and democratic values; the freedom of speech, the freedom of press and the freedom of religion are values that cannot and should not be compromised.

I will work closely with the Hungarian Government to address collective security concerns. Working together, we can further strengthen communication between our law enforcement and counterterrorism communities and further global security.

I hope to advance our economic interests in Hungary. Under Prime Minister Orban, the country's economy is doing extremely well. In 2017, GDP grew by over four percent and unemployment was under four percent, Hungary lowered its corporate tax rate to nine percent, and since then has received more than 2.5 billion dollars in foreign investment. Although the United States is Hungary's largest non-European Union investor, there certainly is room for existing American companies doing business in Hungary to do more. We also can have new United States companies sell their services and products to Hungary. There are many Hungarian companies that should have offices in the United States to manufacture and sell their products and services, thereby creating more American jobs. I would work with our Commerce department to achieve these goals.

An extremely important goal I have, if confirmed, is to halt the rise of anti-Semitism in Hungary and Central and Eastern Europe. I am a very proud American Jew and it hurts and disturbs me deeply that this cancer continues to grow. I will work diligently with Jewish organizations, other religious communities, and the Hungarian Government to make sure the Jewish community feels safe and secure. I will reach out to the Hungarian people from all walks of life to share this American value of religious freedom, protection, and tolerance for all people.

Finally, if confirmed, I will work diligently to lead our mission team and to work closely with all agencies to deepen our strong alliance with the Hungarian Government.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I thank you for the honor of appearing before you today and I look forward to answering your questions.

The CHAIRMAN. Thank you. Thank you very much.

**STATEMENT OF ELIOT PEDROSA, OF FLORIDA, TO BE THE ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK**

Mr. PEDROSA. Good morning, Chairman Corker, Ranking Member Menendez, and distinguished members of the Senate Foreign Relations committee.

I am profoundly humbled to appear before this august body as President Trump's nominee to represent the United States as Alternate Executive Director of the Inter-American Development Bank. I want to thank the President and Secretary Mnuchin and Under Secretary Malpass for supporting my nomination, and I would like to thank each of the members of this committee for giving me the opportunity to present my qualifications for your consideration as you discharge your important constitutional role in providing advice and I hope consent to my nomination.

Before I continue, I want to thank my family for their love and support. My wife Nilda is here, seated one row back, standing by my side in this, as in all of my endeavors. She is my inspiration, my motivation, and the love of my life.

Seated next to her is my goddaughter, Addie Foslid, who is here with her dad Adam.

My parents are here as well. My mom and dad, Ines and Elier Pedrosa, had the courage to leave behind communist oppression in Cuba and risk everything to start literally over in the United States. Everything I am and everything I do is because of them.

Lastly, my in-laws could not be here today, but they are at home live-streaming this hearing. So I want to thank them as well for their support: my mother-in-law, Nilda Rosa; my father-in-law Ricardo Rodriguez; and my brother-in-law, Rick Rodriguez.

Mr. Chairman, as you were very kind enough to point out in your warm introduction, over my 18 years of legal practice, I have represented clients in matters around the world but primarily in disputes and other matters within the Americas from Mexico to the Caribbean down to the southern cone. This is a region that is blessed with incredible promise and opportunity. It is a region rich in natural resources and with warm, dynamic, diverse people.

But I have seen firsthand some of the challenges that they face. I have seen how weak institutions, unchecked corruption, political instability, and economic uncertainty can throttle private enterprise and economic development. I am aware that too many of our fellow citizens of the Americas are still deprived of their basic

rights to life, liberty, property, and a fair opportunity for prosperity by certain corrupt and oppressive governments in the region, by violent criminal gangs, and by the crushing weight of hopelessness.

As Americans, it is in our vital national interest to face these challenges and work with our neighbors to create, nourish, and sustain prosperous democracies in every corner of our shared hemisphere.

If I am fortunate enough to be confirmed, I will devote myself to working in partnership with my colleagues in the executive branch and the Congress, especially this committee, to ensure that the IDB continues to be an important part of the solution to the problems that we face together. I firmly believe that American leadership and investment, both public and private, can change outcomes in the region for the better, and I hope to have the opportunity to work with you and your staffs to help achieve that goal.

Mr. Chairman and Ranking Member Menendez, I thank you again for this opportunity to appear before you and the other distinguished members of this committee. I look forward to your questions.

And I will finish simply by wishing all of the moms both in the room and at home live-streaming an early Happy Mothers Day.

[Mr. Pedrosa's prepared statement follows:]

#### PREPARED STATEMENT OF ELIOT PEDROSA

Chairman Corker, Ranking Member Menendez, and members of the Senate Foreign Relations committee, I am profoundly humbled to appear before this august body as President Trump's nominee to represent the United States as Alternate Executive Director of the Inter-American Development Bank. I want to thank the President, Secretary Mnuchin and Under Secretary David Malpass for supporting my nomination, and I would like to thank each of the distinguished members of this committee for giving me the opportunity to present my qualifications for your consideration as you discharge your important constitutional role to advise and, hopefully, consent to this nomination.

Before I continue, I want to thank my family for their love and support. My wife, Nilda is here, by my side in this as in all endeavors. She is my inspiration, my motivation, and the love of my life. My parents are here as well. My mom and dad, Ines and Elier Pedrosa, had the courage to leave behind communist oppression in Cuba and risk everything to start over in the United States. Everything I am, I am because of them. Lastly my in-laws could not be here today, but they are live-streaming this hearing at home. I would like to thank them for their support: Nilda Rosa, Ricardo Rodriguez, and my brother-in-law, Rick Rodriguez.

Over my 18 years of legal practice I have represented clients in matters throughout the Americas from Mexico down to the Southern Cone. This is a region blessed with incredible promise and opportunity, rich natural resources, and warm, dynamic people.

But I have seen first-hand some of the challenges they face. I have seen how weak institutions, unchecked corruption, political instability, and economic uncertainty can throttle private enterprise. I am aware that too many of our fellow citizens of the Americas are still deprived of their basic rights to life, liberty, property and a fair opportunity for prosperity by corrupt and oppressive governments, violent criminal gangs, and the crushing weight of hopelessness.

As Americans, it is in our vital national interest to face these challenges and work to help our neighbors create, nourish and sustain stable, prosperous democracies in every corner of our shared hemisphere.

If I am fortunate enough to be confirmed, I will devote myself to working in partnership with my colleagues, both in the Executive Branch as well as the Congress—and especially in this committee—to ensure that the IDB continues to be an important part of the solution to the problems that we face together. I firmly believe that American leadership and sound investment, both public and private, can change outcomes in the region for the better, and I hope to have the opportunity to work with you and your staffs to achieve that goal.

Mr. Chairman and Ranking Member Menendez, I thank you again for this opportunity to appear before you and the other members of the committee, and I look forward to your questions.

The CHAIRMAN. Thank you. Thank you so much.  
Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Mr. Chairman, I have a letter from the Democratic Leader, Senator Schumer, on behalf and recommending and supporting David Cornstein's nomination to the Ambassadorship for Hungary. I would ask that it be included in the record.

The CHAIRMAN. Without objection.

[The information referred to can be found on page 55 of this transcript.]

Senator MENENDEZ. Thank you.

Mr. Cella, let me ask you. How do you view Wikileaks?

Mr. CELLA. I am sorry.

Senator MENENDEZ. How do you view Wikileaks?

Mr. CELLA. Thank you for the question.

I do view it as a hostile, non-state actor.

Senator MENENDEZ. Okay.

Now, as someone who views it as a hostile, non-state actor, on October 12th of 2016, in the middle of a controversy over Mr. Trump's comments on the Access Hollywood tape, you released a statement citing Wikileaks and claiming that Hillary Clinton, her advisors—and I can only assume her Roman Catholic running mate—are turning, “the clock back to the days of the 20th century, no Catholics need apply type of discrimination.”

So as someone who just told me that it is a hostile, non-state actor—and that actually mirrors to some degree what the former Director of the CIA, now the Secretary of State, Mike Pompeo, has labeled Wikileaks as a non-state, hostile intelligence service that, “will take down America any way they can and find any willing partner to achieve that end”—why did you find it as an acceptable source to cite?

Mr. CELLA. Thank you, Senator. In no way, shape, or form was it meant as an endorsement of Wikileaks or its practices.

Senator MENENDEZ. But it is used as an endorsement.

Mr. CELLA. It was rather just a remark on the content—the material that was in the public domain at the time.

Senator MENENDEZ. There are a lot of things in the public domain, including actions by Russia and others to try to subvert our democracy. You would not want to be quoting that. Would you?

Mr. CELLA. I understand, Senator, your concern and the reference to Wikileaks and given how they have targeted us with intentionality, it was done so in the middle of a very hard-fought, pitched campaign. But based on additional things that have emerged—I have read the minority report—I certainly have a better understanding of what is involved of Wikileaks—

Senator MENENDEZ. Let me ask you. Do you know Austin Ruse?

Mr. CELLA. I do know, Austin. Yes, sir.

Senator MENENDEZ. How do you know him?

Mr. CELLA. He has previously served on the board of the National Catholic Prayer Breakfast.

Senator MENENDEZ. And you were the founder of that organization.

Mr. CELLA. I am founder of the National Catholic Prayer Breakfast. Yes, sir.

Senator MENENDEZ. So he was the vice president for a time—Mr. Ruse. And he said some pretty vile things. He has claimed that a priest from the Holy See's U.N. delegation guaranteed him, “absolution if I just took her [meaning Hillary Clinton] out, and not on a date.” He claimed that vicious Russian anti-LGBTQ laws are part of a noble quest for, “human rights,” and that, “the hard left human-hating people that run modern universities” should “be taken out and shot.” And that is just the tip of the iceberg. I could read a lot more.

So explain to me how you justify having Mr. Ruse be part of the organization that you created, an organization that in and of itself, as was described, is certainly worthy. When you founded the National Catholic Prayer Breakfast, you described it as, “an annual beacon of hope and an encouragement to witness our faith and our love for this country.” Those are very admirable goals.

Mr. CELLA. Yes, sir.

Senator MENENDEZ. How does that justify having Mr. Ruse serve as the vice president of your organization with those type of comments?

Mr. CELLA. Thank you for the question, Senator Menendez.

The National Catholic Prayer Breakfast was founded in 2004. It has been a great success in every successive year. Those remarks by Mr. Ruse I was unaware of until recently and occurred in 2016. And it is not anything that would pour forth from my mouth.

Senator MENENDEZ. You never heard him say these things?

Mr. CELLA. No.

Senator MENENDEZ. Really?

Mr. CELLA. Yes, sir.

Senator MENENDEZ. He has not been shy about advertising his opinions. He has claimed that homosexuals, “want to win our children over for their nefarious causes that come from the very pits of hell.” He has said that LGBTQ activists are, “almost pure evil.” He has said that the federal workplace protections for LGBTQ people, “they don’t even have to know how to type as long as they have lopped off”—and I am not going to go through the rest of it—“or to at least wear dresses.” You never heard any of that.

Mr. CELLA. I never have, Senator Menendez.

Senator MENENDEZ. That is pretty remarkable for the person who is the vice president of your organization. You never heard any of that.

Mr. CELLA. He is no longer the vice president of the organization. He has been off the board for many years. And those are his words and not mine, nor do I support them.

Senator MENENDEZ. Let me ask you this to finish this line of questioning. Do we have your commitment—this committee—that those who may be LGBTQ employees in your embassy or United States citizens who request assistance from your embassy will be treated with the dignity and respect that any citizen of the United States deserves?

Mr. CELLA. 100 percent, Senator. And the first pillar of the National Security Strategy, as you well know, involves upholding the dignity of the individual. And by my nature since I can remember, I have treated every individual with great worth, dignity, and respect that they deserve, and that would continue in my post, if I am confirmed with your consent.

Senator MENENDEZ. I have plenty of other questions, Mr. Chairman, for the rest of the panel. I will wait for the second round.

The CHAIRMAN. Thank you.

Senator Young?

Senator YOUNG. Welcome all.

Ms. Wolcott, in President Trump's speech yesterday regarding the Iran nuclear agreement, he emphasized, quote, the deal's inspection provisions lack adequate mechanisms to prevent, detect, and punish cheating and do not even have the unqualified right to inspect many important locations, including military facilities. Ms. Wolcott, to ensure Iran's compliance with the nuclear agreement, has the IAEA inspected in person any military bases in Iran?

Ms. WOLCOTT. Senator Young, thank you for that question.

I am not sure. They do not really make public sometimes where they go. I think there are questions about the military sites a lot of people still have, for sure.

Senator YOUNG. Do you know whether the IAEA has formally asked to inspect military sites within Iran?

Ms. WOLCOTT. I do not know.

Senator YOUNG. Well, if they have not, then it seems to me we cannot be confident that Iran has fully complied with the agreement. Would you draw the same conclusion?

Ms. WOLCOTT. Director General Amano has said on more than one occasion that there were no sites that should be off limits. Whether or not that means they intend to go to those sites, I do not know. I would think it would be important to do so given the past history of Iran's nuclear program.

Senator YOUNG. You would agree with my observation that if military sites—if we do not know whether or not the military sites have, in fact, been inspected for nuclear activity, then that creates a distinct possibility that there is nuclear activity occurring there that has been undetected and that, in turn, creates a threat to American citizens and our allies and partners.

Ms. WOLCOTT. Senator, I agree with that observation.

Senator YOUNG. Well, I think I would agree with the President, that there is a fundamental flaw in the agreement. It is my hope that collectively on this committee and beyond we will now work prospectively to try and put the genie back into the box, as it were.

Ms. Wolcott, if you are confirmed as representative of the U.S. to the Vienna Office of the U.N., it is my understanding your office, though it has a broad portfolio, would work with the U.N. Office of Drugs and Crime. Is that correct?

Ms. WOLCOTT. That is correct, Senator.

Senator YOUNG. And the UNODC, as it is called, describes itself as the global leader in the fight against illicit drugs and international crime. Among other things, UNODC specializes in research and analytical work to increase knowledge and under-

standing of drugs and crime issues and expand the evidence base for policy and operational decisions.

Now, my home State, like your home State, of Ohio is being decimated in some communities by this opioid crisis. The Indiana State Department of Health indicates, according to our recent numbers, in 2016 there were 785 drug overdoses involving opioids and deaths associated with those overdoses.

In your prepared statement, you identify urgently addressing the opioid crisis as a top priority, and I am really encouraged by that.

Based on your preparation for this nomination and this hearing, do you know whether UNODC has identified some best practices that could potentially inform our domestic policy here in the United States so that we can better confront the opioid crisis in States like Indiana?

Ms. WOLCOTT. Thank you, Senator.

The UNODC does a lot of technical work and goes into countries and helps them with improving their laws and working with investigations and forensic officials and those sorts of things. Also an important thing that it does on this opioid crisis is to list fentanyl and other drugs on control lists, and I think that is a place where we can do more work. I am really anxious, if confirmed, to get there to see what more can be done because I know our INL Bureau at the State Department has been working with UNODC and so has IO for some time. But there are a lot of ways I think we can do better at detecting and stopping these illicit drugs coming into the country, and that is something that UNODC can work with us on and also the UPU on the drugs coming through the mail to Mexico and Canada.

Senator YOUNG. There may be some unrealized opportunities with respect to implementing identified best practices by UNODC, implementing those best practices here in the United States or perhaps working with UNODC to tease out those best practices so that all countries can benefit.

Do I have your commitment to work with my office and others on this committee on that front?

Ms. WOLCOTT. Absolutely, Senator. I am very anxious to do that.

Senator YOUNG. Thanks so much.

The CHAIRMAN. Thank you.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations to all of the nominees today and to your families for being willing to consider taking on these responsibilities.

Mr. Cohen, we are facing the largest refugee crisis in decades, and we know that pregnancy-related deaths and instances of sexual violence increase significantly during these crises, especially when people are pushed into huge refugee camps. In 2015, the U.N. estimated that 61 percent of maternal deaths took place in humanitarian crises and fragile settings where health services were not available to women.

The United Nations Population Fund is the leading provider of maternal and reproductive health services and supplies in humanitarian emergencies. They often operate in areas where no one else is able to or willing to, and they are the leading global coordinator around gender-based violence prevention and response. Unfortu-

nately, the State Department made a determination back in March to withhold funding for UNFPA, and the proposal for the fiscal year 2019 budget reflects this decision.

So if we are not going to support UNFPA as they try and help women and children in these crises, what should we be doing to address the challenges that we are facing with refugees around the world?

Mr. COHEN. Senator, thank you for the question.

We remain committed to women's empowerment and women's issues, including maternal and child health issues, and doing work on them through multiple U.N. agencies, including UNICEF, WHO, WFP, to name a few.

Senator SHAHEEN. And can you tell me how many women that those organizations might be able to support compared to UNFPA?

Mr. COHEN. I would have to look into that for you, Senator.

As I understand it—and the Kemp-Kasten determination was made, as you mentioned, earlier this year—we are legislatively required, if such a determination is made, to withhold funding from an organization. And the specific reason, as I understand it, is that UNFPA was determined to be supporting the Chinese Government agency responsible for implementing China's coercive family planning practices, including forced sterilization and, of course, of abortion.

Senator SHAHEEN. And I understand that that has been alleged, but in fact in the memorandum of justification for the determination regarding the Kemp-Kasten amendment that the State Department sent to the Foreign Relations committee, the State Department concluded that no such evidence exists.

I would hope, Mr. Cohen, that you would, in your new position, commit to working to reverse the determination that UNFPA be denied U.S. funding if you find that that decision was made wrongfully.

Mr. COHEN. Thank you, Senator. If confirmed, I will look into this matter deeply, and I will get back to you with what I am able to find out.

Senator SHAHEEN. Thank you very much.

Mr. Cella, if you are confirmed as Ambassador, you would be the Ambassador to a number of small islands in the Pacific who will be drastically affected by global climate change and rising sea levels. On September 22nd, 2017, the President of Kiribati addressed the United Nations General Assembly and called for swift global action on climate change.

In light of the President's decision to withdraw from the Paris Climate Agreement, how would you respond to the concerns of those islands that you would be Ambassador to about the need for collective action to limit global warming and to address rising sea levels? And what kind of action should we be thinking about if we are not going to be part of the international community's effort to address this crisis?

Mr. CELLA. Thank you for your question, Senator Shaheen.

I am from Michigan. We in Michigan are surrounded by five bodies of water containing 84 percent of the fresh water in the United States, 21 percent of it in the world. I have worked to protect the environment in my professional capacities there as a steward and

in my capacity as a steward and a bridge builder to the Island of Kiribati and other nations that are impacted work with them to achieve that, specifically be temporarily withdrawn and hope for perhaps some reengagement in the accord if the conditions were more favorable to the United States that this could mitigate. I think there is a deliberate and thoughtful approach presently underway. And I am hoping in the meantime to advocate for whatever relief through USAID to shore up whatever they may need in terms of water and other fallout that they have through flooding as a result of the cyclones. But you have my commitment, Senator, to do that very thing and work so aggressively.

Senator SHAHEEN. So do you believe that global warming is happening and that human activity is contributing to it?

Mr. CELLA. Yes, Senator, it is happening. I do believe that. Pope Francis, as you know in his encyclical, Laudato Si, speaks to this. It delves into it quite extensively, and I think it is both human and I think there is some natural involvement as well. But I do and in my capacity would work with you and the administration to mitigate whatever we might however we might do so.

Senator SHAHEEN. Thank you. I applaud the Pope for taking that action with this encyclical.

The CHAIRMAN. Thank you.

Senator Isakson?

Senator ISAKSON. Thank you, Mr. Chairman.

Ms. Wolcott, you made a statement about the \$300 million being invested in Vienna-based international organizations, and that is where the IAEA is based. Is that correct?

Ms. WOLCOTT. Yes, Senator, that is correct.

Senator ISAKSON. I think in your testimony you talked about making sure that money is spent wisely and invested wisely. And you specifically mentioned the opioid crisis in the United States. What do you think through your appointment to the IAEA we could do with some of that money to help stop the flow of opioids or the use of opioids or the abuse of opioids in the United States or in the world?

Ms. WOLCOTT. Senator, that is a good question.

Senator ISAKSON. I was hoping you had a magic answer. [Laughter.]

Ms. WOLCOTT. I am not sure how much the IAEA is involved. Of course, UNODC is. But that is something I promise I will be happy to look into and get back to you about.

Senator ISAKSON. I was glad you mentioned it in your statement and I appreciate you doing so because that is something all of us—it is a problem for everybody in the world, and it is going to get worse. It is not going to get better, maybe more serious. And everybody needs to accept responsibility to be a part of the solution. So anytime somebody's appointment does not directly address that subject but they include it in their remarks, it is something I want to concentrate on. I think it is setting a good tone for the future because it is a common interest for all of us.

Mr. Cornstein, do you know who Raoul Wallenberg is?

Mr. CORNSTEIN. No, Senator, I do not.

Senator ISAKSON. Well, I want to help you because it will make you very popular in Hungary.

Mr. CORNSTEIN. All right.

Senator ISAKSON. And a lot of other places.

Raoul Wallenberg was a Hungarian Jew who saved 100,000 lives—

Mr. CORNSTEIN. Yes. I am sorry. I do know.

Senator ISAKSON. That was not a trick question. Nobody ever knows. I am a Swede. Only Swedes really know what Raoul did. And unfortunately, he disappeared and it was never really proven how he died or where he died although we think it was in the Soviet Union.

But during World War II, he saved 100,000 Hungarian Jews from the gas chambers in Nazi Germany. And we have a special relationship with the Hungarian people but also the Jewish people of the world as the United States of America, and it is a great partner of ours. We are soon getting ready to open our embassy in Jerusalem, which is a huge issue for the Jewish people.

I really appreciate your statement in your opening remarks about being committed to anti-Semitism and seeing to it we do everything we can to address it. It is a growing problem in Europe. It is not the same problem it was in World War II with the Nazis, but some of the organizations that embrace anti-Semitism are not the kind of people you want to make members of the U.N. or any other organization for that matter.

So as the Ambassador there and as one committed to ending anti-Semitism, I hope you will lend America's weight and the influence that you have in that position any way you can to help the Hungarian people see to it that anti-Semitism is ruled out of Hungary and any other Eastern European country.

Mr. CORNSTEIN. Well, I appreciate your comments, Senator. And as I said in my statement, I really want to engage not just with the Government but with the Hungarian people. I have found in my lifetime, unfortunately, when I have experienced some anti-Semitism, the best way to correct that is to be amongst the people, get out as much as you can, and show that you are the type of individual that they would like to meet and to have as a friend.

Senator ISAKSON. Well, I can identify with that. I am not Jewish, but my last name is Isakson. But I love when people come to me later and apologize to me for saying something they thought might have offended me. And I wondered why they thought that and finally realized one day why they did. So I appreciate your awareness of that.

Mr. CORNSTEIN. With Cornstein, it has never been a problem, Senator. [Laughter.]

Senator ISAKSON. And it is not with Isakson either.

That is the rest of my questions. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Thank you so much.

Senator Cardin?

Senator CARDIN. Well, I want Senator Isakson to know that we consider you in our minion. So we will include you.

Mr. Cornstein, first of all, I appreciate our opportunity to visit and your commitment in regards to the human rights issues as it relates to Hungary and its current trend. And I very much appreciate your statement today very clearly pointing out your mission

to promote American values that are really being challenged today by the current government in Hungary.

So I just want you to understand that this committee wants to work with you. I usually ask every nominee how they are going to advance human rights and American values and that we will be following up with you.

I also am on the Helsinki Commission, which is very much interested in the issue that Senator Isakson mentioned and the rise of anti-Semitism, but also the human rights issues and the concern about Hungary, which is a member state of the OSCE and their failure to live up to commitments that they made under the Helsinki agreement.

So I look forward to working with you in regards to that.

Ms. Wolcott, I want to try to understand how we are going to proceed. I disagree with the President's decision as it relates to pulling out of the Iran nuclear agreement. I think it is a mistake for American national security interests. But he has done it.

Now what is the game plan moving forward? And I am trying to understand how the United States will participate in the IAEA. We are members of the IAEA, but we are not members of the Iran nuclear agreement family any longer. We, as I understand it, give a great deal of information to the IAEA as it relates to Iran's compliance with the nuclear agreement. Now that we are no longer a member of that agreement, how do we work with the IAEA to make sure that Iran is complying with an agreement that we pulled out of? Could you explain that to me?

Ms. WOLCOTT. Senator, thank you.

First, I might just start by saying being outside of the Government right now, I have not been in the discussions about the strategies developed.

Senator CARDIN. But you understand how the IAEA works.

Ms. WOLCOTT. Of course, thank you.

There are a lot of issues we will be working on with the IAEA regardless of—I mean, separate and apart from the Iran issue. I do not know what the plan is beyond the sanctions right now. I heard publicly today that discussions are going on with the Europeans. And I assume we will continue to work closely with the IAEA, as we always have. We have a long history of not only day-by-day work, but of course, we are the largest financial contributor of technical expertise giver, intelligence provider to the IAEA. I assume that will continue, but I do not have any inside information.

Senator CARDIN. So if I understand correctly, the enforcing agency for the Iran nuclear agreement is the IAEA working through the United Nations in regards to the enforcement information. And they are the entity that requests inspections. They are the entity that gives information as to whether Iran is in compliance or out of compliance with the agreement. They report, as I understand it, to the United Nations. And we are a member of the United Nations. We are a member of the IAEA, but we are not a member now of the nuclear agreement parties.

How do you envision your role in Vienna working in the IAEA? How do we go forward? The United States is perhaps the most important element, particularly in the intelligence field, as to what is happening in Iran. Now that we do not have the protection of the

agreement with our partners and we do not have the access in the IAEA to demand enforcement of the agreement, how do we proceed?

Ms. WOLCOTT. Thank you, Senator.

The IAEA does the monitoring and verifying but they do not really establish compliance. The member states do that. And as a member of the board of governors, I assume we would still have a say in what is going on with Iran. They have safeguards agreements in place. Right now, they are provisionally instituting the additional protocol. So there are a lot of things still going on outside of the JCPOA with Iran through the IAEA. Again, this has been less than 24 hours and I was not part of this decision. So I do not know a lot about any specific plans, but I assume we would go and still participate as we always have. For instance, before there was a JCPOA, we were still concerned about Iran. I was back there doing it a dozen years ago.

Senator CARDIN. But as I understand, there is particular attention—I understand that they report to the board of the governors and I also understand they report to the United Nations because it is under the United Nations. I fully get that. But this is a different protocol than any other country—Iran with the IAEA. It is different than any other country. And additional resources have been made available in order to deal with this.

Without the United States' participation in the agreement, do you have a view as to how that will impact our ability to have confidence about Iran's nuclear program?

Ms. WOLCOTT. Senator, honestly, I think it is too soon for me to be able to give a very informed answer on that. This is a brand new decision and one I was not involved in. So the only thing I would hope for, if confirmed, is that I will have the chance to get the guidance as it is going forward. I think these things are evolving and developing right now. So I do not really have much more I could say about it right now.

Senator CARDIN. Would you commit, if confirmed, to come back to this committee either in an open or closed session and be able to answer these questions for us?

Ms. WOLCOTT. I certainly will, Senator.

Senator CARDIN. Thank you.

The CHAIRMAN. Thank you.

Senator Kaine?

Senator KAINE. Thank you.

And congratulations to all the nominees.

Ms. Wolcott, I will pick up there. And I recognize you have not been immediately in government. You have made that very clear. But we have had outreach from our European allies. We have had outreach from the IAEA Director. We have had testimony in Armed Services committee hearings by Secretary Mattis, public hearings, that have indicated that Iran is in compliance with the JCPOA.

Do you personally have any knowledge to suggest that that is not true?

Ms. WOLCOTT. I have no specific knowledge that that is not true, Senator.

Senator KAINE. Thank you.

We have also had testimony both by the Director General of the IAEA as he has met with us periodically and similar testimony from Secretary Mattis before the Armed Services committee recently where they described the inspection regime of the JCPOA as very robust, as one of the most robust in the world. Do you have any knowledge to suggest that those statements are untrue?

Ms. WOLCOTT. Senator, I do not have any knowledge of it. I know there have been concerns expressed about the military sites by various people.

Senator KAINES. Is it your understanding—it is my understanding, I just want to make sure I am right about this—that the JCPOA has inspection requirements of Iran for approximately 25 years that exceed the additional protocol of the NPT and then after the 25th year under the agreement, if it were still active, Iran would make a permanent commitment to follow the NPT? Is that your understanding of the agreement?

Ms. WOLCOTT. I believe that is the case, Senator. But it is an Iranian commitment.

Senator KAINES. If the U.S. has walked away from the deal, do you think it makes it more likely that Iran might not comply with some aspects of the deal?

Ms. WOLCOTT. Well, again, I think the concern was not just the deal. The deal is one part of it, but they do not give us a lot of confidence—Iran does not—by what they are doing otherwise. And I think that was why the President wanted to look at the intent and made his decision.

Senator KAINES. And I will just state I understand that that is what the President said. And that is why this committee and the Congress gave the President significant tools to sanction Iran many months ago on these unrelated activities that the White House has as yet not used. We have been very puzzled about why we have given these additional sanctions tools that the White House has chosen not to use and instead blown up a deal that our allies and the IAEA says that they are complying with.

But you would agree with me, would you not, that if Iran decides to allow fewer inspections, the inspections over and above the NPT and the additional protocol, if they take the U.S.'s unilateral action as an encouragement to reduce transparency in their program, that is not going to be a good thing for the U.S. or anybody? Would you not agree with me on that?

Ms. WOLCOTT. Well, I think it says more about Iran than it says about anything, Senator.

Senator KAINES. How about if I make it real simple? Fewer inspections are bad. Would you agree with me on that?

Ms. WOLCOTT. I agree, Senator.

Senator KAINES. Okay.

Mr. COHEN, good to see you again. We visited in Baghdad when I was with you once before. You had had a position in the State Department dealing, as I understand, in recent years, with Greece, Turkey, and Cyprus. And in that position, you must have dealt significantly with the crisis that refugee flows impose upon those nations. Am I correct in making that assumption?

Mr. COHEN. Yes, sir.

Senator Kaine. And you would also agree with me, would you not, that the flow of refugees around the world, whether it is driven by climate, civil war, disease, terrorism, that tens of millions of people, refugees and migrants, is not only a humanitarian challenge for the refugees but also imposes significant security concerns on nations, including the United States? You would agree with me on that.

Mr. COHEN. Absolutely, Senator.

Senator Kaine. I am trying to understand why the administration in September pulled the United States out of the U.N. Global Compact on Migration. It was something that was devised as a best practice forum under the leadership of the United States in 2016. It was not an incursion on anybody's sovereignty. It was an effort to get together and grapple with this problem we are discussing and try to find best practices and share them.

Do you understand why the United States, alone among the world's nations, decided to pull out of the U.N. Global Compact on Migration in December 2016?

Mr. COHEN. I do not know the answer to that, Senator. But I can tell you throughout my career I have worked with refugees and with U.N. refugee agencies from my first tour in Thailand where I worked with UNHCR to my time in Baghdad to this current assignment as the Deputy Assistant Secretary grappling with Turkey, which hosts over 3 million refugees, Greece, which is bearing a very heavy burden in the aftermath of a financial crisis, hosting something like 75,000 refugees.

Senator Kaine. Your nomination gives me some hope that though we may have alone pulled out of this global compact, we will have somebody at the U.N. who understands the dimensions of this issue. And I am glad you are nominated for the position.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Mr. Cohen, let ask you. Members of the U.N. Human Rights Council include human rights violators such as Cuba, Venezuela, China, Saudi Arabia. These undemocratic countries outrageously focus on Israel and America while ignoring atrocities committed in states like Syria and Iran. The council has passed more resolutions condemning Israel than the rest of the countries in the world combined. Additionally, it maintains a permanent agenda item, item 7, that requires that Israel's behavior is raised at every Human Rights Council meeting.

Will you commit to working to eliminate agenda item 7? And how do we best work to rid the United Nations of its institutional anti-Israel bias?

Mr. COHEN. I absolutely commit to that, Senator. It will be one of my high priorities, if confirmed.

We have been working and making some progress in the Human Rights Council in reducing the number of anti-Israel resolutions. They used to be something like 60 percent of all the resolutions that came out of there. It is much lower now. We still have a long way to go.

Part of the challenge is agenda reform, particularly agenda item 7, but also consolidating agenda items so that we are not being wasteful in that council.

Another challenge is making sure that the membership is more representative of countries that have strong human rights records rather than ones that have atrocious ones. And if confirmed, I will work hard on that together with Ambassador Haley. We are trying hard to get especially small countries that have outstanding human rights records to stand for seats in the council, and the council will be a better body if we can achieve that.

Senator MENENDEZ. On a different subject matter, are you familiar with UNFICYP, the U.N. mission in Cyprus?

Mr. COHEN. Yes, sir, I am. I was the Deputy Chief of Mission in Cyprus from 2008 to—

Senator MENENDEZ. How do you view that mission?

Mr. COHEN. It is a critical mission. It has been separating forces that were at war since 1964. The mission is as old as I am. It is a challenging mission but it is a special mission, and it is a mission the Greek Cypriots and the Greeks find it extremely important; the Turkish Cypriots and the Turks somewhat less so. From my perspective, it has been a vital element of keeping the peace of the island.

Senator MENENDEZ. So in the past, the U.S. Permanent Representative at the U.N. has given a hard time to Cyprus during the deliberations to continue that mission, often connecting the presence of the force to the progress in the negotiations. But in my view, this penalizes Cyprus because Turkey is the military occupier, and it wants peacekeepers out. At a time that Turkey is becoming, from my perspective more belligerent in the region, going into the exclusive economic zone shared by Israel and Cyprus, and taking a series of other actions, including bombing the Kurds that are our allies in our fight in Syria, would you commit to being an advocate with Ambassador Haley to preserving that mission in the days ahead?

Mr. COHEN. Yes, Senator. I will commit to working to preserve the mission. We are also, though, looking at every mandate renewal as it comes up against five principles for peacekeeping, one of which is that it support a political solution. And I am hopeful, after seeing what has happened on the island in the last few weeks, that we may be seeing the sparks of a new opening to work toward a political solution.

Senator MENENDEZ. Yes, I am hopeful too. But our big problem here is Turkey. At the end of the day, if Turkish Cypriots and Greek Cypriots were left to their own devices, we would probably have peace. But Turkey, with its most militarized per capita in the world in northern Cyprus, with its hostilities in the exclusive economic zone seeking to interfere with the international rights of Cyprus and other countries, I just do not think we can look away from that reality.

Mr. Cornstein, Hungary is a really important assignment because I wish that Prime Minister Orban would remember his roots where he came from originally, what he viewed originally.

Of course, the European Union works by unanimity, and to the extent that we have had European Union support to pursue our

sanctions against Russia for their annexation of Crimea, their invasion and continuing occupation of eastern Ukraine, of the realities of their attempts to affect elections throughout the globe, including ours, when one country breaks away, you break away that solidarity.

So can we receive from you a commitment that you will be advocating strongly to the prime minister that he should be staying within the international order of the European Union on these sanctions until Russia reverts and returns to the international order?

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

Yes, you have my commitment entirely on that. And I would hope that working with the prime minister and also engaging the Hungarian people, that they would understand that this is an important role.

Senator MENENDEZ. I have a couple other questions, Mr. Chairman. I do not know if other members do.

The CHAIRMAN. You can keep going.

Senator MENENDEZ. Mr. Pedrosa, you come way ahead of the curve here because of your wife is such an exceptional person, as I am sure all of the wives and spouses are here. But I happen to know her. And so before you testified, you were ahead of the curve already. But that does not mean you get off scot-free.

So I want to get a sense of what you consider the challenges of the agency that you are going to be nominated to, particularly vis-a-vis what is happening in the hemisphere economically, such as Venezuela, and the challenges of China's participation. I know you are not there yet, but you have been practicing in the region. Give me a sense of the overview that you have in that regard as it relates to the work that the Inter-American Development Bank will do in the context of those realities.

Mr. PEDROSA. Thank you, Senator, for the question, and thank you, Senator, for your leadership in this area both in the region and generally. And thank you, of course, for the kind words about my wife. I could not agree with you more.

Senator MENENDEZ. You are a smart man. [Laughter.]

Mr. PEDROSA. Thank you, Senator.

Senator, I think the obvious major challenge in the region is Venezuela. And today that challenge is finding a way to restore democracy, finding a way to improve and help with the humanitarian crisis, notwithstanding the fact that Maduro regime is refusing international humanitarian aid. The short-term problems of tomorrow will breed the destabilization in its neighbors caused by the massive humanitarian crisis in Venezuela and the mid-term to long-term problem or issue will be once democracy is restored, the reconstruction and rebuilding of that country.

As you correctly point out, I am not on the ground at the IDB yet, but it is my strong hope that if I am fortunate enough to be confirmed, I can be part particularly of that solution to that final problem, the reconstruction and rebuilding of that country. I think that is critical not only for Venezuelans but for the entire hemisphere to have a stable, free Venezuela and one that can return to the economic prosperity that that country once had.

Senator MENENDEZ. I would urge you, when you get there, which signifies my support of your nomination, that in fact looking at China and its engagement in the region is incredibly important. They are eating our lunch. And so your institution would be very important in trying to counteract American interests compared to what is happening with the Chinese in the region.

Finally, Ms. Wolcott, let me ask you. Do you affirm the U.S. moratorium on nuclear testing?

Ms. WOLCOTT. The administration has said so in its National Security Strategy.

Senator MENENDEZ. And you echo that view.

Ms. WOLCOTT. I do. I think the way it was worded is that we support the moratorium. We would encourage other countries to do so, and the only reason that there would be a test on our part would be to verify the safety and effectiveness of the arsenal.

Senator MENENDEZ. Now, at the IAEA, I would assume—and correct me if I am wrong—that one of the strongest advocacy will be making sure that we have the highest standards, particularly as it relates to safeguards agreements. Is that a fair statement?

Ms. WOLCOTT. Yes, sir.

Senator MENENDEZ. So is it the United States' policy to encourage all states, particularly those with civilian nuclear programs, to sign an additional protocol to their safeguards agreements with the International Atomic Energy Agency?

Ms. WOLCOTT. Senator, in my past experience—I believe it is the same now—we have always encouraged all the countries around the world to have an additional protocol in force.

Senator MENENDEZ. And the reason for that is because that creates a greater safeguard for the world, as well as for us. Is that not true?

Ms. WOLCOTT. It gives more access to the IAEA.

Senator MENENDEZ. And therefore greater security.

Ms. WOLCOTT. That is the idea. Yes, sir.

Senator MENENDEZ. So is it your opinion that the United States should insist that Saudi Arabia implement the IAEA additional protocol before it enters into a nuclear cooperation agreement with them?

Ms. WOLCOTT. Sir, my personal view is we should always have the highest standards of safeguards and safety, and I would always support that.

Senator MENENDEZ. Which would mean the additional protocols.

Ms. WOLCOTT. Well, that is my personal opinion.

Senator MENENDEZ. Well, we will start with that.

You know, one of the things with appointments of nominees is that while obviously you will do whatever the administration wants you to do—I understand that, but you can be advocates internally for what that should be. And it is my hope, whether we are trying to pursue democracy and oppose the xenophobia and anti-Semitism in Hungary, whether that is about ending the anti-Semitism at the United Nations and finding more human rights entities that are not violating the very essence of what they are supposed to be pursuing or whether it is the highest safety standards, that you are going to be advocates for that. So I hope hearing that that is your personal opinion is also your advocacy. If you do not win, you do

not win. But at least I hope that that is what you are doing when you get the job.

Ms. WOLCOTT. Thank you, Senator. That is certainly what I have done in the past.

Senator MENENDEZ. All right. Thank you all.

The CHAIRMAN. Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Mr. Cornstein, I had the opportunity to visit Hungary last fall and to meet directly with a number of officials from the Hungarian Government with a bipartisan delegation. And one of the examples we heard of the anti-Semitism that you so accurately addressed in your opening remarks is the law that they have passed with respect to Central European University, which the concern is that because of the supporters of that university, that Hungary has introduced specific new requirements that try to put this institution out of business.

Will you commit that as Ambassador, you will urge the Hungarian officials to reassess their position on this university and any other universities that may be in violation of their law, which is, as I said, deliberately targeting this university because of its support from outside the Government and the country?

Mr. CORNSTEIN. Thank you for that important question.

I definitely shall and not just for the interests of the United States, but more so for the interest of the people in Hungary and the administration and economically as well. I mean, having all of those students there, their families, their friends coming over, it would be in my view a crime to see that. And it is not going away. It will move to Vienna most likely if it is out of Hungary. So I would encourage the Government that this is something that they should maybe take a step back, let that university prevail and all learning institutions prevail.

Senator SHAHEEN. Absolutely. Thank you, and thank you for your opening remarks that reference the importance of democratic institutions. The backsliding in Hungary is very troubling.

Mr. Cohen, I want to pick up a little bit on Senator Menendez's comments about the peacekeeping forces because there have been a number of questions raised in various sectors in the United States about our support for those peacekeeping forces and whether they are really doing the job that we want them to do. And while I certainly agree there are issues that need to be addressed, one place where I have heard firsthand and had a chance to see the impact of U.N. peacekeeping forces is in Lebanon where their work with the Lebanese army and military has really made a huge difference.

So can you speak to how important you think it is for us to continue to support that peacekeeping force in Lebanon?

Mr. COHEN. Absolutely. First, let me say something about peacekeeping forces in general.

The tool of U.N. peacekeeping is extremely valuable, extremely important. According to a recent GAO study, it is about eight times less expensive for us than deploying American forces to take care of problems like this. Great global problems call for collective action, and international peacekeeping through the U.N. gives us a tool, an effective tool, to do that. It also gives us a way to share

the burden and share the costs. And one of the things that we need to do at the U.N. is find a more equitable burden-sharing mechanism because it is not right that one country bears more than a quarter of the costs for international peacekeeping.

In terms of Lebanon in particular, I know there have been concerns about the mission not being able to fulfill its full mandate, and that is an ongoing challenge. It is a difficult operating environment. But having served in Israel and seen the value that the mission there brings to people on both sides of the border, I agree with you. It is an important mission and one that needs to be supported.

Senator SHAHEEN. Thank you.

Ms. Wolcott, I would like to discuss your work as a commissioner on the U.S. Commission on International Religious Freedom. New Hampshire is home to an Indonesian community that has come to the United States fleeing religious persecution. The 2017 International Religious Freedom Report details continued violations of freedom of religion throughout Indonesia and lists the country as tier 2 in its designations.

Can you detail some of the instances that led the commission to rank Indonesia in the way that you did as not a welcoming country for Christians and other religious minorities?

Ms. WOLCOTT. Thank you, Senator Shaheen.

Yes. The trend is not good in Indonesia, and that is really a big part of it, is they are discriminatory against minority religions and Christians. They have blasphemy laws on the books that are extremely unfair and frankly like every country that has them, they should get rid of them.

Senator SHAHEEN. And can you explain for everybody what those blasphemy laws are?

Ms. WOLCOTT. Thank you.

Blasphemy laws basically are laws in many countries that say somebody can accuse another person of blaspheming the Prophet, for instance, and they are arrested and often in jail and sometimes even on death row for that. So they are extremely egregious laws really.

Senator SHAHEEN. And for Christians or religious minorities that might have to go to Indonesia, did the commission find that there is some reason to believe that they might be in danger because of what is happening in the country there?

Ms. WOLCOTT. Senator, I am not sure that we determined that precisely. I know that we are very concerned about the situation there for minorities and Christians. I do not recall discussing specifically if Christians went back, if that was considered a specific threat. But I would have sympathy for folks that were concerned about that.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I want to thank all of you for being here. I have to say I think each of you have acquitted yourselves very, very well. I am always inspired by people who end up being nominated for these positions and the humility that you show and the desire to serve our country and the way you prepare for these hearings. So thank you, many

of you, for your past public service. I look forward to all of you being confirmed.

I know that our office has questioned and met with you extensively. And so I have no questions.

The record will remain open until the close of business on Friday. And my sense is you will desire to answer those questions promptly, and hopefully you will be to your nominated posts very, very soon.

But thank each of you for your desire to serve our country in this way.

And with that, the meeting is adjourned.

[Whereupon, at 11:25 a.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO JACKIE WOLCOTT BY SENATOR ROBERT MENENDEZ

*Question 1.* Does the IAEA have enough funds to verify the mission in North Korea?

Answer. If the IAEA is called upon to play this role in North Korea, the United States would work with other member states to ensure that the IAEA has the appropriate resources to provide the necessary monitoring and verification called for in any agreement.

*Question 2.* What do you see as the main challenges facing the IAEA in the coming years?

Answer. As IAEA membership grows and the number of nuclear facilities increases, the demands on the IAEA's safeguards resources will increase as the amount of material under safeguards continues to grow. Another challenge is to maintain political support for the Agency's diverse missions, particularly nuclear security, in the face of competing priorities and interests of its Member States.

*Question 3.* Is it in the national security interest of the U.S. to fully fund the Preparatory Commission of the Comprehensive Nuclear Test Ban Treaty (CTBTO)?

Answer. Yes. The President's FY 18 budget fully funds the U.S. contribution to the CTBTO Preparatory Commission (PrepCom), of whose budget, approximately 85 percent is devoted to developing, operating, and maintaining the International Monitoring System and the systems which support it, such as the International Data Center. I pledge that, if confirmed, I will work with Congress to ensure our support for the PrepCom is consistent with U.S. law and supports U.S. leadership on non-proliferation issues, including international efforts to ensure our ability to detect nuclear tests by North Korea and potentially others in the future.

*Question 4.* As the nominee to represent the United States at the IAEA, what impact do you expect that a U.S. withdrawal from an international non-proliferation agreement approved by the United Nations Security Council will have on our global non-proliferation efforts?

Answer. U.S. withdrawal from the JCPOA should make clear to all the United States commitment to ensuring an effective global nuclear nonproliferation regime, rather than continuing to signal that the U.S. would compromise on a flawed deal that does not meet the requirements of that regime in the long term.

*Question 5.* Do you expect it to have a devastating impact on your ability to advocate for strong non-proliferation objectives at the IAEA?

Answer. The IAEA recognizes that the United States has long been the leading supporter of a strong IAEA. If confirmed, I will work to maintain the close, supportive relationship we have long had with the IAEA.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JACKIE WOLCOTT BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As Deputy Assistant Secretary of State for International Organization Affairs, I had lead responsibility for U.S. participation in the U.N. Human Rights Commission from 1990–1993, and again in 2003. The United States worked to spotlight countries with egregious human rights records, including Iran, China, North Korea and others, and to support creation of Special Rapporteurs to investigate and report on specific countries or situations. I led the campaign in 2003 against Libya being elected to Chair the UNHRC. While Libya ultimately was elected, the U.S. called for the first ever vote on the chairmanship, which precluded Libya's election by acclamation. At the time, this effort was applauded by Members of Congress, NGOs, and press worldwide.

Most recently I was Executive Director of the U.S. Commission on International Religious Freedom (USCIRF) for six years, and am just completing a two-year term as USCIRF Commissioner. In these positions I have advocated for religious minorities and others around the world that face persecution because of their beliefs. I personally encouraged and was part of the creation of the International Panel of Parliamentarians for Freedom of Religion or Belief (IPPFORB), a network of legislators who are committed to Article 18 of the U.N. Universal Declaration of Human Rights and to advocate for religious freedom around the world. At its onset, a handful of parliamentarians met with USCIRF and together we developed and launched this effort at the Nobel Peace Center in 2014. The network has grown to more than 100 parliamentarians, representing many religions, political parties, and regions around the world.

As Commissioner, I adopted and advocated for religious prisoner of conscience Pastor Nguyen Cong Chinh of Vietnam and his wife, Tran Thi Hong, as did some members of Congress and human rights organizations. After serving six years of his 11-year sentence, Pastor Chinh was released from prison to exile in July 2017, and he and his family are now safely living in North Carolina. Pastor Chinh personally presented me with a plaque in April 2018 that reads: "Ambassador Jackie Wolcott has made great efforts to mobilize human rights and religious freedom in Vietnam. Particularly, the intervention successfully rescued Pastor Nguyen Cong Chinh from the prison. VPEF [Vietnamese People's Evangelical Fellowship], Pastor Nguyen Cong Chinh & Family are always grateful to Ms. Jackie Wolcott and the United States Government."

I have written or co-authored op eds and spoken publicly on behalf of human rights and religious freedom.

*Question 2.* What are the most pressing human rights issues at the United Nations? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy at the U.N.? What do you hope to accomplish through these actions?

Answer. The most pressing human rights concerns in the United Nations today include addressing the situations in Iran, Syria, the Democratic People's Republic of Korea (DPRK), Burma, South Sudan, and the situation in Russian-occupied areas like Crimea. Of course, the protection of human rights is deeply intertwined with international peace and security, and situations in many countries, including for example Syria, are addressed across a wide variety of U.N. entities, primarily in New York and Geneva, but less so in Vienna.

If confirmed, I will work closely with my colleagues at our various U.N. missions to vigorously advocate for human rights and to ensure that the largely technical work done in Vienna complements our human rights efforts at various U.N. venues. I will always push back on any anti-Israel bias and incremental attempts to promote Palestinian "statehood" in Vienna-based organizations.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face at the U.N. in advancing human rights, civil society and democracy in general?

Answer. There are several potential obstacles to addressing human rights concerns in the aforementioned crises. A critical step in addressing the human rights issues will be encouraging our partners and other nations to play constructive roles. As the National Security Strategy stated, "Repressive leaders often collaborate to subvert free societies and corrupt multilateral organizations." I will remain alert to and ready to address any such efforts in Vienna.

Although human rights resolutions are not run in the Vienna-based U.N. bodies, if confirmed, I will coordinate with our missions in New York and Geneva to ensure that our work in Vienna complements our human rights efforts in the appropriate U.N. venues. And as mentioned in the previous response, I will always push back against any anti-Israel bias and increased attempts to promote Palestinian “statehood” in Vienna IOs.

*Question 4.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed one of the first issues I will communicate to the Mission staff is my 100 percent commitment to promoting EEO principles, diversity and best practices at the Mission, and my expectation that each and every supervisor will do the same. I plan to foster a work environment that respects and recognizes the role and contribution of each employee, and will look consistently for development and promotion opportunities for all. I will meet individually with each employee, listen actively, ask for input and remain accessible to all.

*Question 5.* What steps will you take to ensure each of the supervisors at the U.S. Mission to the U.N. Vienna offices are fostering an environment that is diverse and inclusive?

Answer. If confirmed, working with my DCM, I will ensure that Mission employees have the training they need to carry out their responsibilities, including those relating to mentoring, diversity and equal employment opportunities for all. This includes mandatory Diversity Awareness Training for Managers and Supervisors, and I would also be sure that employees are made aware of all opportunities available through the State Department, including additional training on these issues. I personally will be an active mentor and will lead by example.

*Question 6.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 7.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Now that the President has withdrawn the United States from the Joint Comprehensive Plan of Action, is your expectation that the U.S. relationship with the International Atomic Energy Agency will change in any way?

Answer. The IAEA recognizes that the United States has long been the leading supporter of a strong IAEA. If confirmed, I will work to maintain the close, supportive relationship we have long had with the IAEA.

*Question 9.* Now that the U.S. is no longer a party to the JCPOA, will it be harder for the U.S. to be apprised of Iranian nuclear activities?

Answer. In addition to the IAEA's general responsibility to report to the IAEA Board of Governors on compliance of states with their safeguards obligations, the IAEA reports issues related to verification of Iran's nuclear-related commitments in the JCPOA to the IAEA Board of Governors and, as appropriate, the United Nations Security Council. As the United States is a member of both bodies, I expect the United States to be able to remain apprised of Iranian nuclear activities.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JACKIE WOLCOTT BY SENATOR TODD YOUNG**

*Question 1.* Ms. Wolcott, your most recent position was as Executive Director and now Commissioner of the U.S. Commission on International Religious Freedom. In its 2018 Report, the U.S. Commission on International Religious Freedom designated Iran as a “country of particular concern,” or CPC. By the Commission's definition, that means that the regime in Tehran “engages in or tolerates particularly

severe religious freedom violations, meaning those that are systematic, ongoing, and egregious.<sup>5</sup> The Commission concluded that, “religious freedom in Iran continued to deteriorate”—specifically citing the persecution of Christians and other religious groups. The Commission said, “Christian converts and house church leaders faced increasingly harsh sentencing: many were sentenced to at least 10 years in prison for their religious activities. Religious reformers and dissenters faced prolonged detention and possible execution.” What is your assessment of religious freedom in Iran?

Answer. The Iranian Government continues to create a hostile atmosphere for members of religious minority groups. Since 1999, Iran has been designated a “Country of Particular Concern” (CPC) under the International Religious Freedom Act of 1998 for engaging in or tolerating “systematic, ongoing, [and] egregious” violations of religious freedom. The Secretary of State most recently re-designated Iran as a CPC in December.

I condemn Iran’s ongoing violations of human rights, including religious freedom, and call on the Iranian Government to respect its own laws and its obligations under international human rights law; to cease persecution of members of religious minorities and those whose beliefs differ from state doctrine; and to release those jailed for political or religious beliefs.

Many religious groups, including Christians, Jews, Baha’is, Zoroastrians, Sunni and Sufi Muslims, as well as Shia Muslims holding beliefs at variance with state-approved doctrine, continue to face discrimination—including a lack of educational and economic opportunities—on the basis of their religious beliefs. They face harassment, unjust imprisonment, and varying restrictions on their exercise of religious freedom.

*Question 2.* As you know, the administration is engaged in high-level negotiations with the North Korean regime about its nuclear program. If a total, verifiable, and irreversible denuclearization agreement were reached, the IAEA would likely play a key role in verifying North Korea’s compliance with any commitments related to its nuclear program. Based on your experience and preparation for this hearing, what would be the key elements or characteristics of an IAEA mission in North Korea that would be sufficiently robust to ensure complete North Korean compliance with any nuclear commitments? Do you believe that the IAEA is capable of implementing an effective inspection regime in North Korea? What reforms or changes are needed to ensure that the IAEA would be up to the task in North Korea?

Answer. The IAEA’s strong reputation as an independent nuclear verifier would bolster international confidence in the verification of any denuclearization agreement with North Korea. Robust IAEA verification would require access to all nuclear material, information, and locations necessary to implement any IAEA mandate in the DPRK. If the IAEA is called upon to play this role in North Korea, and if confirmed, I will work with other Member States to ensure that the IAEA has the appropriate resources to provide the necessary robust monitoring and verification.

*Question 3.* The U.S. Mission to International Organizations in Vienna (UNVIENNA) works with several major organizations, including the U.N. Commission on International Trade Law. Among the Commission’s mandates is, “promoting the codification and wider acceptance of international trade terms, provisions, customs and practices.” Do you believe it is in America’s interests to implement a strategic and multilateral effort to persuade countries who engage in international predatory economic and trade practices to comply with “international trade terms, provisions, customs, and practices”? Does that include China? If confirmed, as our nation’s representative to the Vienna Office of the U.N. do you commit to pressing the U.N. Commission on International Trade Law to fully fulfill this portion of its mandate—particularly with respect to China?

Answer. The United Nations Commission on International Trade Law (UNCITRAL) was established to promote the progressive harmonization and unification of the law of international trade. Harmonization and unification of the law of international trade law provides significant benefits to U.S. commercial actors by making consistent various legal frameworks governing cross-border transactions. These frameworks promote the rule of law and economic growth. Moreover, they make it easier for U.S. actors to engage in business abroad.

Negotiations at UNCITRAL include UNCITRAL members, other countries, international organizations and nongovernmental organizations. Resulting instruments address matters including mediation, insolvency, secured transactions and electronic commerce.

As UNCITRAL members, the United States and the People’s Republic of China participate in the development of UNCITRAL instruments. Included in these instru-

ments are four treaties that are awaiting Senate approval: the Convention on Independent Guarantees and Standby Letters of Credit; the Convention on the Use of Electronic Communications in International Contracts; the Convention on the Assignment of Receivables in International Trade; and the Convention on Transparency in Treaty-Based Investor-State Arbitration. Each of these treaties are consistent with U.S. law and practice.

The United States, as well as the UNCITRAL Secretariat, encourages countries to become party to UNCITRAL conventions, enact UNCITRAL model laws and adopt principles recommended by UNCITRAL. If confirmed as the U.S. Representative to the Vienna Office of the United Nations, I will work along with my colleagues in Washington and capitals throughout the world to encourage countries, such as the People's Republic of China, to adhere to UNCITRAL instruments. As our message will be stronger where we are adhering to these instruments, we will be greatly assisted in this task should the Senate provide advice and consent to the four aforementioned treaties.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JONATHAN COHEN BY SENATOR ROBERT MENENDEZ**

*Voting Records*

*Question 1.* For President Trump and Ambassador Haley have suggested tying U.S. foreign assistance to countries' voting records in U.N. fora such as the Security Council and General Assembly. Do you agree with this approach?

*Answer.* The Security Council and the General Assembly are arguably the most important international bodies in the world, dealing with vital issues such as threats to peace and security, disarmament, development, humanitarian relief, human rights, the environment, and narcotics—all of which directly affect major U.S. interests. The American people pay 22 percent of the U.N. regular budget and the assessed budgets of major U.N. agencies—more than twice as much as the next highest donor country. It is crucial that our investment serve American interests.

Bilateral and regional economic, strategic and political issues are important to U.S. interests. So is a country's voting record at the United Nations. Therefore, I understand the voting records of states at the U.N. are one element, but not the sole factor, considered as decisions are made about foreign assistance, and for the reasons stated above, I support this approach.

*U.N. Security Council*

The Security Council has become increasingly gridlocked—with disagreements between the U.S. and western Europeans on one side, and Russia and China frequently aligned in opposition. This has crippled the Council's ability to address the nightmarish situations in Syria and Yemen, and has led to inaction in numerous other hot spots.

*Question 2.* In your view, should the U.S. advocate for Security Council reform?

*Answer.* The United States advocates for U.N. Security Council reform within the Intergovernmental Negotiations (IGN) for U.N. Security Council Reform process, the framework created at the U.N. for member states to negotiate such reforms.

The United States has participated actively in the IGN since its establishment. The IGN works on the basis of consensus and has sought to find common ground among member states with different visions of U.N. Security Council reform.

I believe the United States should continue working with like-minded partners within the IGN to find ways to make the U.N. Security Council more efficient and effective.

*Question 3.* The Security Council has become increasingly gridlocked—with disagreements between the U.S. and western Europeans on one side, and Russia and China frequently aligned in opposition. This has crippled the Council's ability to address the nightmarish situations in Syria and Yemen, and has led to inaction in numerous other hot spots. If so, what specific reforms do you think merit serious consideration?

*Answer.* The United States should continue to support a modest expansion of permanent and non-permanent membership of the U.N. Security Council. For any expansion to improve the effectiveness of the U.N. Security Council, we should consider the ability and willingness of any potential Council member to contribute to the maintenance of international peace and security.

The United States should remain opposed to any alteration or expansion of the veto.

The United States has expressed support for several member states that have expressed interest in becoming permanent members, should the U.N. Security Council expand, including Japan and India.

#### *Participation of American Women*

*Question 4.* While the U.S. gives significant funding for U.N. Peacekeeping, it contributes very few personnel to U.N. Peacekeeping operations. Currently, there are 57 U.S. personnel, of which only 7 are women, out of a total force of 91,000.

I know our diplomats work to increase the participation of women in the troop force contributions of other countries—which begs the question, why are there only 7 American women participating in U.N. peacekeeping activities?

Answer. The United States has been long been one of the strongest advocates for the Women, Peace and Security (WPS) agenda. We support U.N. Security Council Resolution 2242 (2015), which acknowledges the substantial link between women's meaningful involvement in peace operations and the achievement of long-term, sustainable peace. Resolution 2242 sets targets to double the current rate of women's participation as military and police peacekeepers (staff officers and military observers), which are currently about 4 and 7 percent respectively, by the end of 2018.

While still low, the number of women in peacekeeping has increased due in large part to U.S. efforts. In FY 2017, more than 32,100 military and police peacekeepers, including 1,475 females, participated in U.S.-funded peacekeeping training activities, including through the Global Peace Operations Initiative.

Countries receiving support through the Global Peace Operations Initiative increased their deployment of female military peacekeepers by 79 percent from 2010 to 2017, while during the same timeframe, non-GPOI partner countries' deployment of female military peacekeepers decreased by 17 percent.

The Department of Defense manages United States deployments to United Nations peacekeeping operations. If confirmed, I pledge to maintain a dialogue with DoD to ensure the best, most qualified personnel are assigned to peacekeeping operations while striving to meet the requirements of the Women, Peace and Security Act of 2017.

#### *Value of the U.N. to the U.S.*

*Question 5.* As tempting as it may be to turn the U.N. into a scapegoat for the world's problems, the U.N. system performs duties that are of immense value to the United States. What U.N. functions would you describe as being of the greatest value to the United States?

Answer. The Security Council and the General Assembly are arguably the most important international bodies in the world, dealing with such vital issues as threats to peace and security, disarmament, development, humanitarian relief, human rights, the environment, and narcotics—all of which can and do directly affect major U.S. interests. The American people pay 22 percent of the U.N. regular budget and the assessed budgets of major U.N. agencies—more than twice as much as the next highest donor country. Additionally, U.S. voluntary contributions amount to \$5.3 billion, 58.7 percent of U.S. contributions to the U.N. System. It is crucial that our investment serve American interests.

The President has said that he believes the United Nations can be a much more accountable and effective advocate for human dignity and freedom around the world, and that the United Nations must reform if it is to be a more effective partner in confronting threats to peace and security. I share this view.

#### *Arrears*

*Question 6.* The U.S. has sometimes found itself in significant arrears to the U.N. Currently, the State Department estimates that the United States was likely to accumulate \$274.6 million in peacekeeping arrears in FY 2017. Do you think failing to pay our bills in full and on time undermines our ability to work constructively with other members and with the U.N. management to pursue U.S. interests?

Answer. A critical function of the United Nations is maintaining international peace and security and assisting in conflict resolution. Supporting these efforts, as President Trump noted in his remarks at last year's UNGA, is worth every dollar if the U.N. achieves its goals.

The United States is accumulating peacekeeping arrears as the result of not exceeding 25 percent of total peacekeeping assessments. This rate reflects both U.S. and the principle that no one country should pay more than one quarter of U.S. peacekeeping assessments. The 25 percent rate for peacekeeping assessments mandated under U.S. law is not new, having been first enacted into law in 1994.

As long as the actual U.S. peacekeeping assessment rate exceeds 25 percent, as it currently does, there will be arrears. There is an effort underway to obtain Gen-

eral Assembly agreement to reduce the actual U.S. peacekeeping assessment rate to 25 percent. I believe that is the best way to avoid the potential problems that arrears can cause. If confirmed, I will work energetically to persuade other member states to reduce the U.S. assessment rate and to ensure that the arrears do not negatively affect the ability of the U.S. to advance our interests at the United Nations.

*Cyprus / UNFICYP*

*Question 7.* What role do you think the Security Council should play in addressing Turkey's belligerent actions in the Eastern Mediterranean and Aegean Sea, including Turkish naval efforts to obstruct hydrocarbons exploration in Cyprus' Exclusive Economic Zone?

Answer. If confirmed, I will continue to support longstanding U.S. policy recognizing the Republic of Cyprus's right to develop its resources in its EEZ. The island's oil and gas resources, like all of its resources, should be equitably shared between both communities on the island in the context of an overall settlement. I will discourage any actions or rhetoric that increase tensions. It is important that the countries in the region continue to create the conditions that will facilitate peaceful economic development and enable companies to operate in a stable and predictable environment. If confirmed, I will urge the Security Council to send the same message.

On UNFICYP, I will urge the Security Council to continue to review all peacekeeping missions through the prism of the U.S. peacekeeping principles.

*Question 8.* What are the administration's priorities with respect to the Eastern Mediterranean and its bilateral relationship with Cyprus, and are you willing, if confirmed, to take further steps to enhance this relationship via your role at USUN?

Answer. Stability in the Eastern Mediterranean is a top priority for the administration. If confirmed, I would be willing to take steps to enhance the relationship between the United States and the Republic of Cyprus. I will continue to support the high-level U.S. engagement with the Republic of Cyprus on the settlement process and on the wide range of other issues of common concern to both countries.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JONATHAN COHEN BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Through 32 years in the Foreign Service, I have promoted human rights and democracy in virtually every assignment, including by contributing to country human rights, trafficking in persons and religious freedom reports, and: as a refugee protection officer in Thailand; as the Desk Officer responsible for the OSCE's Human Dimension at the State Department; developing Holocaust education programming for the International Task Force for Holocaust Education, Remembrance and to counter the growth of neo-Nazism Research in Sweden and beyond; helping to establish the first post-Saddam Government in Iraq as part of the Coalition Provisional Authority; supporting the committee on Missing Persons and preserving cultural heritage in Cyprus; and hosting programs to support women's rights, speaking out in support of minorities and religious freedoms, and developing a stabilization program to get Internally Displaced People home to areas liberated from ISIS as DCM in Baghdad. In my current position I led U.S. delegations seeking the liberation from wrongful imprisonment of U.S. citizens and U.S. Government employees in Turkey, pressed the Turks to end their extended State of Emergency, argued for the restoration of press freedoms in Turkey and testified before the Helsinki Commission on the weakening of democracy in Turkey under the State of Emergency.

I believe my contributions in this field have underscored the commitment of the U.S. Government and the American people to advancing human rights and democracy, improved conditions for thousands of Vietnamese, Cambodia and Lao refugees in Thai camps, put neo-Nazism in context for school children throughout Europe, placed Iraq on a path toward democratic governance, and helped over a million Iraqi IDPs get home quickly and safely after ISIS had deprived them of their most basic human rights and caused them to flee their homes. If confirmed, I will continue to champion human rights and democracy in the context of the United Nations.

*Question 2.* What are the most pressing human rights issues at the United Nations? What are the most important steps you expect to take—if confirmed—to pro-

mote human rights and democracy at the UN? What do you hope to accomplish through these actions?

**Answer.** The most pressing human rights concerns in the United Nations today include addressing the situations in Iran, Syria, the Democratic People's Republic of Korea (DPRK), Burma, South Sudan, and the situation in Russian-occupied areas like Crimea. Of course, the protection of human rights is deeply intertwined with international peace and security, and situations in many countries, including for example Syria, are addressed across a wide variety of U.N. entities in Vienna, New York, and Geneva.

The U.N. must also remain a tool for the promotion of democracy and human rights norms. I believe the U.S. resolution, advanced at the 2017 United Nations General Assembly, on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization must remain a key priority. Other important resolutions facing the United Nations include those on the protection of journalists, protection of human rights defenders, and the resolutions on freedom of expression, freedom of peaceful assembly and association, and freedom of religion and belief. If confirmed, I will work closely with my colleagues at our various U.N. missions to vigorously advocate for resolutions that advance these priorities.

If confirmed, I will lobby like-minded states to improve the vote count on country-specific human rights resolutions and to pursue priorities that align with our own; a large number of votes in favor sends a strong message about the global community's commitment to these issues. It is essential that the international community address human rights violations and abuses in these countries.

**Question 3.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face at the U.N. in advancing human rights, civil society and democracy in general?

**Answer.** There are several potential obstacles to addressing human rights concerns in the aforementioned crises. Russia is unlikely to be cooperative with U.N. Security Council resolutions regarding Crimea and Syria, and we must continue to urge China to play a constructive role with regard to the human rights and humanitarian problems in the DPRK. A critical step in addressing these human rights issues will be encouraging other nations to play constructive roles. At the same time, we have been able to maintain cross-regional support for a number of resolutions on the human rights situations in those countries despite Russian and Chinese opposition.

I am also concerned about the efforts undertaken by a number of governments to suppress the legitimate activities of civil society and faith based organizations, including by human rights defenders, NGOs and journalists within the U.N. If confirmed, I will work to address reprisals against civil society representatives and faith based organizations for their engagement with U.N. or other international human rights mechanisms. I will also work with my colleagues to address the lack of NGO accreditation by the U.N. ECOSOC NGO committee which is mandated with accrediting civil society and faith based organizations to the United Nations system.

**Question 4.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** This past year I was selected and served actively as a mentor in a pilot program connecting underrepresented groups in the Foreign Service with senior officers to help them chart a course to the senior ranks. I have played similar mentoring roles for subordinates of diverse backgrounds throughout my career and will continue to do so in the future. I am a strong supporter of EEO and will ensure that EEO principles are applied enthusiastically without exception in any workplace I supervise.

In 2011 I was nominated for the Arnold Raphael Award given to the State Department's most outstanding mentor. The nomination cited me for "sustained and exemplary leadership and mentoring of Foreign Service employees in all phases of career development." I was also commended for mentoring by the Office of Inspector General, whose lead for the 2010 Embassy Nicosia inspection wrote, "I have not seen a more conscientious or effective mentor of First and Second Tour employees in the many embassies I have inspected over the last five years."

*Question 5.* What steps will you take to ensure each of the supervisors at the U.S. Mission to the U.N. are fostering an environment that is diverse and inclusive?

Answer. The commitment to diversity, inclusiveness and EEO will be embedded in the work requirements of each supervisor under my charge, will be raised by me often, from introductory meetings to counseling sessions to routine work reviews, and will be underscored by my own comportment and my insistence that all employees under my supervision take required courses relevant to these principles.

*Question 6.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 7.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH CELLA BY SENATOR ROBERT MENENDEZ**

*Question 1.* How do you intend to advance climate diplomacy with the Fijian Government?

Answer. The United States demonstrates leadership on climate issues, particularly through the application of innovation and market-friendly solutions to build more resilient and sustainable communities. This is critical in the context of Pacific Island countries, which rely heavily on natural resources such as coastal fisheries and limited aquifers which are under increasing pressure due to climate change. I would work with the Governments of all the countries to which I would be accredited, including Fiji, to advance our efforts across a broad range of environmental initiatives including universal access to affordable and reliable energy, and open, competitive markets that promote energy efficiency; supporting healthy reef systems and sound management of coastal fisheries; improved access to clean potable water; and the encouragement of sustainable agriculture which will enhance food security.

*Question 2.* Do you believe or accept the dire situation Fiji and other Pacific Island nations are facing from the effects of climate change?

Answer. Yes. I recognize that climate change and disaster risk resilience are priority issues for the Pacific Islands and intend to work with our partners to raise the capacity of Pacific Island communities, civil society, governments, and regional institutions to withstand frequent and crippling natural disasters and to enhance their resilience. If confirmed, I would seek to promote food and water security, health resilience, disaster risk reduction, and sustainable land practices.

*Question 3.* Do you believe it is in the interest of the U.S. Government to help our partners and allies in the Pacific region, like Fiji, become more resilient to the effects of climate change?

Answer. Yes. The National Security Strategy makes clear a free and prosperous world is in the interest of the United States, and I agree. I recognize that climate change and disaster risk resilience are priority issues for the Pacific Islands and intend to work with our partners to raise the capacity of Pacific Island communities, civil society, governments, and regional institutions to respond to the effects of climate change. If confirmed, I would seek to promote food and water security, health resilience, disaster risk reduction, and sustainable land practices.”

*Question 4.* How will you explain the U.S. decision to leave the Paris Agreement to the current Presidency of the Convention overseeing the Agreement that we are turning away from?

Answer. I commend the Government of Fiji for its leadership as the President of the United Nations Climate Change Conference. Irrespective of our views on the Paris Agreement, the United States will continue to be a leader in clean energy and innovation. The United States has a strong record of reducing our own greenhouse gas emissions while growing our economy, through investments in technology, innovation, and entrepreneurship, and we will continue to lead in these areas.

*Question 5. What is your view of China's policy and actions?*

Answer. China is playing a greater role in the international system and it clearly seeks to expand its influence. China, like the United States, has a positive role to play in the region in creating jobs, expanding educational opportunities, and promoting economic development. There is a need to improve economic connectivity through sustainable development and open access to high-quality infrastructure. But development financing should not result in unsustainable debt or compromise a country's sovereignty. If confirmed, I would encourage the Governments to which I would be accredited to closely scrutinize all offers of assistance and ensure development projects adhere to high international standards in both quality and transparency.

*Question 6. What do you think the U.S. and our partners ought to be doing in response?*

Answer. Partnerships should be based on free and open principles and a shared interest in a peaceful, prosperous and resilient Pacific region. By "free" I mean free from coercion, that Pacific Island countries can pursue in a sovereign manner the paths they choose, and that they become more free in terms of good governance, fundamental rights, transparency, and anti-corruption. By "open" I mean open sea lines of communication and open airways, but also more open infrastructure in a way that drives integration and raises the standard of living throughout the region. I also mean open for free, fair and reciprocal trade. If confirmed, I would seek a results-oriented constructive relationship with China and work closely with our partners to build greater stability, security and economic opportunity throughout the region in line with international best practices.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH CELLA BY SENATOR BENJAMIN L. CARDIN

*Question 1. What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?*

Answer. With respect to human rights internationally, during my time working in the United States House of Representatives, I worked closely with the Chaldean Community in Michigan whose community suffered mightily at the hands of violent militias and terrorists. In so doing, I helped to ensure sufficient funding was provided to those in Iraq whose human rights as a minority population were being oppressed. This provided key financial support to provide relief for that community in their time of great need. I also worked closely with the organization In Defense of Christians, helping launch their initiative to protect the suffering Christians and other religious and ethnic minorities in Iraq, who were particularly brutalized with the rise of ISIS.

With respect to promoting democracy in the United States, since I first visited Washington, D.C. in 1987 on the Close Up High School Program, and soon thereafter becoming a precinct delegate, I was inspired to serve as a mentor to engage fellow citizens of all ages, on both sides of the aisle, or those who had yet to identify with a particular party, to engage in our democratic process, and the vital connection of service and citizenship in our great republic. And to this day, I carry on with this calling, mentoring those to engage heartily in our democracy in the arena of ideas involving public policy, public service and politics. This not only enriches citizen engagement but has also inspired various career callings to public service.

*Question 2. What are the most pressing human rights issues in Fiji, Kiribati, Nauru, Tonga, and Tuvalu? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Fiji, Kiribati, Nauru, Tonga, and Tuvalu? What do you hope to accomplish through these actions?*

Answer. Fiji's parliamentary democracy has been marred by four coup d'états from 1987 to 2006. Over the past several years, Fiji has taken significant and positive steps, and the United States welcomed and supported Fiji's reestablishment of democracy with national elections in 2014, which the United States supported and which international observers found to be free and fair. The 2018 national elections offer a further opportunity to cement Fiji's position as a functional democracy. If confirmed, I plan to support elections, including a multilateral observer group, and will continue to encourage Fiji to allow its citizens, media, political parties, and organizations to fully participate in the political process.

In response to unfavorable press coverage of the Australian-run refugee detention center, Nauru instituted and still requires foreign journalists to pay a \$6,000 non-refundable visa application fee. Of the few journalists to pay the fee and apply, the Government has denied several of these applications.

Tonga is undergoing a democratic transition in which powers have shifted from the nobility to a democratically elected cabinet. Since the 2006 riots, the monarchy has made significant concessions to democratically elected officials, though pro-democracy proponents continue to push for more. The November 2017 elections were another positive step; election monitors, including those from the U.S. Government, found the election to be free, fair, and credible.

Kiribati and Tuvalu are democracies; if confirmed, I will continue to support the development of responsive governance and a vibrant civil society.

All five countries see high rates of gender-based violence and discrimination against marginalized populations. If confirmed, I pledge to work with the Governments of Fiji, Kiribati, Nauru, Tonga, and Tuvalu to reduce violence and discrimination, and move towards a more equal society in each respective country. Additionally, women and some minority groups are prevented from owning land in these countries, which severely restricts both their economic independence and opportunities for success. If confirmed, I will encourage states to reform land ownership laws, make choices that improve governance and rule of law, and work with civil society activists and government officials to promote capacity building and good governance. I will continue to work with Pacific regional organizations and like-minded partners to make development more inclusive and protect human rights.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Fiji, Kiribati, Nauru, Tonga, and Tuvalu in advancing human rights, civil society and democracy in general?

Answer. If confirmed, I will continue working with the accredited governments to bolster their respective democratic institutions; eliminate discriminatory and restrictive laws; and fully respect human rights and fundamental freedoms, including for a free and open media environment. Limited government capacity and resources remain obstacles to reform.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Fiji, Kiribati, Nauru, Tonga, and Tuvalu? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes. I am committed to meeting with human rights, civil society, and non-governmental organization in Fiji, Kiribati, Nauru, Tonga, and Tuvalu. If confirmed, I will ensure the mission continues to scrupulously adhere to the Leahy Law in vetting candidates for U.S.-sponsored training, exchanges, and other relevant activities.

*Question 5.* Will you and your embassy team actively engage with Fiji, Kiribati, Nauru, Tonga, and Tuvalu to address cases of key political prisoners or persons otherwise unjustly targeted by those nations?

Answer. I am not aware of any reports of current political prisoners or prisoners of conscience in any of the five countries of accreditation. However, I am monitoring the ongoing Fiji Times sedition trial closely. I strongly believe that freedom of expression, including for speech and the media, strengthens democracy and needs to be protected. If confirmed and any additional cases arise, or if there are persons unjustly targeted, I will work with authorities in Fiji, Kiribati, Nauru, Tonga, and Tuvalu to raise our concerns.

*Question 6.* Will you engage with Fiji, Kiribati, Nauru, Tonga, and Tuvalu on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will work with authorities in Fiji, Kiribati, Nauru, Tonga, and Tuvalu on matters of human rights, civil rights, and governance. I will also seek to exchange best practices between our governments.

*Question 7.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Should I be confirmed, in my first 100 days it is my goal to meet with each and every individual at Post, being attentive to their needs and receiving their

input. With my personal and professional experience, I will mentor and support them, and their families, as I am able; and working with their supervisors, I will engage them to do the same.

Leadership in public service is an honor and a responsibility. Leaders set the tone to help others advance. I will hold myself to the highest standards and expect the highest standards of performance from supervisors and other colleagues. I will provide the necessary resources, ensuring the safety and security of all of my colleagues, recognize them for their achievements, and ensuring they receive mentoring and support as the need may arise. And I will work to ensure that all have equal access to promotional opportunities.

And what will undergird and guide this is my adherence to the principle that there is inherent dignity and worth in every human being, the dignity of work, and that all human beings are created equal under the law, and they ought to be treated with dignity, worth, and respect.

*Question 8.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. In my first 100 days, I will be meeting with the supervisors at post individually, ascertaining what they may be presently doing to foster such an environment that also recognizes there is inherent dignity and worth in every human being, the dignity of work, and that all human beings are created equal under the law, and accordingly, being treated with dignity, worth and respect. And based on what I learn, act accordingly.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Fiji, Kiribati, Nauru, Tonga, and Tuvalu?

Answer. No.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID CORNSTEIN BY SENATOR ROBERT MENENDEZ

*Question 1.* Prime Minister Orban cemented his constitutional majority in last month's election and his rhetoric of "revenge" after the poll and the demonizing of human rights activists in pro-government media is simply unacceptable. This behavior fuels an ultra-nationalist, xenophobic climate that ultimately serves Vladimir Putin's agenda to undermine democracy in Europe.

- Do you consider Orban's Government aligned with NATO values and goals, particularly on democratic governance and the rule of law? Do you commit to personally confront the Hungarian Government's anti-democratic and xenophobic behavior? How?
- What strategy will you have to respond to anti-democratic trends in Hungary? Do you believe that the administration's current strategy is sufficient to address rollbacks in rule of law and the rise in anti-Semitism and xenophobia under Orban's leadership? How will you seek to influence policy discussions in Washington on Hungary?
- How will you engage with embassies of our partners and allies in Budapest, to promote a clear, unified stand in support of transatlantic democratic values?

Answer. Hungary is a treaty ally of the United States. We share common values, which we have pledged to uphold as part of our OSCE and NATO commitments. The United States, through its Embassy in Hungary, seeks to build relationships both with the Government and the full range of Hungarian society, including the Jewish community and civil society. If confirmed, I will sustain this engagement,

speak out against anti-Semitism, and urge like-minded partners to join me in denouncing hate speech, attacks, and discrimination and xenophobia in all forms.

As in other international relationships, the U.S. Government balances strategic engagement and principled defense of values in its relationship with Hungary. Criticism alone is not the basis for a successful approach, either to interests or values. We are working to strengthen the bilateral relationship with Hungary by engaging on shared interests across the range of foreign policy priorities while continuing to speak up when needed on areas of concern. If confirmed, I will raise concerns with the Government whenever they might arise and will consider, based on the issue at hand, the best strategy for engagement, whether unilaterally or in conjunction with other Allies and partners.

*Question 2.* The Hungarian Government has sought since 2011 to issue passports and voting rights to Hungarians living outside the country's borders. But a fraud scheme reportedly allowed dozens of foreign nationals to enter the United States through the Visa Waiver Program with Hungarian passports obtained under false identities. Press reports have indicated that 65 such individuals successfully entered the United States, and 30 remained in the country as of October.

- What is the administration's understanding of the real identities of these 30 individuals, and the extent to which these individuals present national security risks to the United States?
- Do you commit to briefing the Senate Foreign Relations committee, along with appropriate counterparts from DHS and State, on this issue as soon as possible?
- What will you do, if confirmed, to address risks emerging from Hungary's participation in the Visa Waiver Program?

Answer. The integrity of foreign passports is a condition of inclusion in the Visa Waiver Program, as a matter of national security, and I understand the U.S. Government has been discussing concerns with Hungary to bolster screening of individuals and the integrity of its procedures. If confirmed, I stand ready to continue to engage the Hungarian Government to ensure our concerns about homeland security are satisfactorily addressed.

If confirmed, I will prioritize working with the Department of State, the Department of Homeland Security, members of Congress, and the Hungarian Government to address this serious issue and to ensure that information is appropriately provided to Congress.

*Question 3.* Prime Minister Orban has maintained a close relationship with Russian President Vladimir Putin and other leaders who seek to undermine NATO.

- How do you believe that Orban's closeness to Putin undermines NATO's ability to counter Russia's growing cyberattacks, disinformation, and other forms of hybrid warfare against the U.S. and other NATO member states?
- How would you raise concerns about Hungarian Government actions that run counter to our security cooperation?

Answer. Hungary is a NATO ally and we expect it, and all allies, to maintain the security and integrity of the Alliance. It is my understanding that this administration, including the State Department, continues to examine ways to work with Central European governmental and non-governmental partners to counter disinformation, enhance energy security, and strengthen governance, including initiatives bolstering regional partnerships to counter Russian malign influence efforts. If confirmed, I will support—and bolster, where appropriate—these efforts.

Allies should be able mutually to address the full range of their concerns, particularly in the security field. If confirmed as Ambassador, I will not hesitate to express any concerns the United States has with regard to our security cooperation directly to the Hungarian Government as appropriate.

*Question 4.* Since the April election, Prime Minister Orban's Government has pledged to adopt a so-called "Stop Soros" package of legislation that will further restrict operating space for civil society in Hungary. Orban reportedly also endorsed an "enemies list" that was circulated in pro-government media (and which included some names of American citizens) and has vowed revenge against those who opposed him.

- Do you support an increase in U.S. diplomatic support and foreign assistance to Hungarian civil society activists and journalists? In particular, do you commit to supporting independent media, and to visible engagement with vulnerable activists in the country?
- What is your opinion of the "Stop Soros" legislation and campaign? How will you engage the Orban Government to cease cracking down on operating space for civil society and humanitarian groups?

- What specific steps will you take to protect the interests of those Americans who appear on this reported “enemies list?”

Answer. Although Central European and Baltic partners, including Hungary, have “graduated” from U.S. development assistance, the U.S. Government remains committed to helping these partners as appropriate through regional programming. Free expression is vital for the functioning of a pluralistic democracy; civil society actors and members of advocacy groups also have an important role to play in the democratic process. The U.S. Embassy has regular discussions with Hungarian officials about these issues. If confirmed, I will maintain—and increase, where appropriate—the Embassy’s efforts.

The Department of State has no greater responsibility than the safety and security of U.S. citizens overseas. My overarching duty if confirmed will be the safety and well-being of Americans—both private and official—within my area of responsibility.

*Question 5.* Recent reports have noted that the Hungarian Government has allowed corruption to proliferate, including a reported scheme in which offshore intermediaries essentially sold Hungarian residency permits that allowed purchasers to obtain EU residency, and another story about the former mayor of Orban’s hometown who increased his family’s wealth from \$400,000 in 2010 to \$1 billion this year.

- What is the administration’s position on the threat posed by corruption in Hungary? Are you prepared to support visa bans and asset freezes on corruption individuals in Hungary?

Answer. According to Transparency International’s Corruption Perceptions Index, Hungary ranked 27th out of 28 EU member states in 2017 for perceived corruption. U.S. businesses have expressed concern that corruption in the public sector negatively affected Hungary’s regional economic competitiveness.

If confirmed, I will continue work with Embassy Budapest to engage with the business community, supporting its efforts to increase transparency and reduce the risks of corruption. I would also engage civil society on issues of transparency and corruption by assisting those working on this issue.

*Question 6.* Academic freedoms are being undermined in Hungary, with the U.S.-accredited Central European University (CEU) at risk of having to leave the country next year due to legislation targeting certain foreign institutions. An agreement with the state of New York that would allow CEU’s continued functioning is awaiting the signature of the Hungarian Government since last fall.

- As Ambassador, will you work towards concluding a fair agreement between the two parties to permit CEU to remain in Budapest?

Answer. The United States has followed the Central European University issue closely, and continues to call for an expedient and transparent resolution that does not disadvantage U.S. institutions. If confirmed, I will continue these efforts.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID CORNSTEIN BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. While I have participated in a number of charitable and philanthropic endeavors over the course of my career, one item in particular that I am proud of includes my service as a member of the Board of the Jewish Community Relations Council. A key part of our efforts was working to assist in feeding and sheltering poorer residents of New York City. Another major effort we undertook was to help the Jewish people of France. As part of this work we advised the Jewish community in France regarding how to combat anti Semitic feelings and how to work with the French Government to further their ability to remain safe and secure as they live, work, and practice their faith in France.

*Question 2.* What are the most pressing human rights issues in Hungary? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Hungary? What do you hope to accomplish through these actions?

Answer. The State Department's 2017 Human Rights Report noted concerns about respect for certain human rights including evidence of growing anti-Semitism, allegations of mistreatment of migrants and challenges to freedom of speech.

The United States, through its Embassy in Hungary, seeks to build relationships both with the Government and across the full range of Hungarian society. Engagement with Hungarian officials, religious groups, civil society, media, and academic communities are important tools to promote democratic values. If confirmed, I will encourage my Hungarian counterparts to uphold our shared values and I will do everything in my power to combat intolerance and to promote religious freedom for all people. Additionally, as a proud American Jew, I take seriously concerns related to anti-Semitism, and, if confirmed, would make it a key priority to focus on ensuring that people of all faiths, including those of the Jewish faith, feel secure and comfortable living, working, and practicing their faiths in Hungary.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Hungary in advancing human rights, civil society, and democracy in general?

Answer. Hungary and the United States share common values, including the importance of protecting and promoting human rights. Hungary's civil society is diverse and active, with independent groups that report and advocate on the issues they care about around the country. However, some organizations report that they face pressure from a variety of sources. If confirmed, I will continue the U.S. Embassy's regular engagement with civil society groups in Hungary.

*Question 4.* Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Hungary? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Civil society is an important part of the democratic process and has a role to play in public awareness and public discourse. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society groups in Hungary. If confirmed, I will ensure the Department continues to vet thoroughly all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy Law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy, including working to ensure the responsible parties do not participate in U.S.-funded training.

*Question 5.* Will you and your embassy team actively engage with Hungary to address cases of key political prisoners or persons otherwise unjustly targeted by Hungary?

Answer. The State Department's 2017 Human Rights Report states that there were no reports of political prisoners in Hungary. In the unlikely event that the situation changes, I will, if confirmed, actively engage with Hungary.

*Question 6.* Will you engage with Hungary on matters of human rights, civil rights, and governance as part of your bilateral mission?

Answer. If confirmed, I will sustain the United States engagement with a broad spectrum of civil society in Hungary, including human rights activists and religious groups, and the organizations that represent them.

*Question 7.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my career in both the public and private sectors I have worked with a diverse team from all walks of life. If confirmed, I will continue to set a tone of inclusivity, mutual respect and team work from day one.

*Question 8.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed I will work closely with our team to create an environment that is respectful and inclusive for all. I will bring a hands on management style to the post and I will hold our team accountable through clear and open communication about our shared values and expectations.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you sus-

pect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in the Hungary?

Answer. No.

*Question 12.* Hungary's posture regarding Russia is unusual in the region to say the least. As the Senate Foreign Relations committee Report we issued in January suggested, Russian disinformation isn't just creeping in over the transom, the Hungarian Government has opened the door and put out a welcome mat. What is your plan for addressing malign Russian influence in Hungary?

Answer. Although Central European and Baltic partners, including Hungary, have "graduated" from U.S. development assistance, the U.S. Government remains committed to helping these partners in areas such as building resilience to Russian pressure. I understand the administration is looking for additional ways to work with Central European Governmental and non-governmental partners to counter disinformation, enhance energy security, and strengthen governance, including initiatives bolstering regional partnerships to counter Russian malign influence efforts.

*Question 13.* The Government of Hungary has advanced the protection of Christians as an element of its foreign policy, holding, for example, an exceptional ministerial-level side event on this subject with Russian Foreign Minister Lavrov at the most recent OSCE Ministerial. In Hungary itself, however, problems stemming from the 2011 law on religion (which stripped more than 300 registered religions of their status overnight) continue. Hungary has refused to implement decisions of the European Court on Human Rights, which concluded that Hungary is engaged in impermissible discrimination against some faiths. Within Hungary, there are emerging voices criticizing the Government's selective approach to funding, which is a combination of advancing traditional churches and political influence buys. Will you meet with Pastor Gabor Ivanyi, whose Methodist church, the Hungarian Evangelical Fellowship, was banned during the communist time, recognized after 1990, and then stripped of its status under the 2011 law?

Answer. With our own experience rooted in the long struggles for equality in America, the United States can and does play a positive role in helping foster tolerance in Hungary. If confirmed, I commit to working with government officials, civil society, and religious community stakeholders to ensure that all voices are heard, and to urge Hungary to protect religious minorities and promote religious freedom for all. Regarding Pastor Gabor Ivanyi specifically, while I am not deeply familiar with his case, if confirmed I am committed to learning more about the matter and seeing if there is anything I can do to assist.

*Question 14.* I understand that numerous Americans, possibly dozens, were among those included in an "enemies list" that Prime Minister Orbán subsequently endorsed. This comes after the Prime Minister made a campaign pledge to deliver "moral, legal and political revenge" to his enemies after the election. Do you think this is something that should concern the United States? What is your reaction to the inclusion of Americans on this list?

Answer. Civil society actors and members of advocacy groups have an important role to play in the democratic process, including promoting public awareness and public discourse. Efforts to stigmatize or intimidate these individuals for exercising their rights to freedom of expression and association are not consistent with OSCE and NATO commitments.

The Department of State has no greater responsibility than the safety and security of U.S. citizens overseas. My overarching duty if confirmed will be the safety and well-being of Americans—both private and official—within my area of responsibility.

*Question 15.* If confirmed, there will be other State Department actors available to help advance the U.S.-Hungary bilateral relationship, including USOSCE in Vienna, Special Envoys on Holocaust Issues and—when filled—on Combatting Anti-Semitism, and the Bureau of Democracy, Human Rights and Labor. How will you

take advantage of those resources and integrate them as assets into your work? If confirmed, how will you use the Department's reporting tools, including the Annual Country Reports on Human Rights?

Answer. If confirmed, I will amplify the work of the USOSCE in Vienna, the Special Envoys on Holocaust Issues and Monitoring and Combatting Anti-Semitism, and the Bureau of Democracy, Human Rights and Labor to broaden and deepen our cooperation with Hungary. I recognize the importance of the OSCE as a multilateral platform to defend and advance democratic values in OSCE participating States, and I would, if confirmed, work with the Chairman and the Members and Staff of the U.S. Helsinki Commission to this end.

If confirmed, I would also utilize the Department's reporting tools—including the Annual Country Reports on Human Rights and on Religious Freedom, as foundations for conversations with Hungarian Government officials and members of civil society on protecting and promoting human rights and religious freedom.

*Question 16.* In 2001, the Hungarian Government—which was also led by the Fidesz party at that time—gave assurances that “the Hungarian Government... set aside all aspirations for any kind of dual citizenship for persons belonging to Hungarian national minorities and living in the neighboring countries...” Nevertheless shortly after the 2010 elections, Hungary significantly extended opportunities to obtain citizenship and then voting rights, theoretically on the basis of blood identity, and officials said before the elections that one million people have applied for Hungarian passports under this system. Under Hungary’s simplified naturalization process, more than 60 people who fraudulently obtained genuine Hungarian passports have entered the United States under the Visa Waiver Program. As a result, the Department of Homeland Security has placed Hungary on a provisional status. Putting aside other Visa Waiver issues, such as reports of increasing Hungarian overstays, will you work with the Department of Homeland Security and members of Congress to address the very serious security implications of the simplified naturalization process?

Answer. The United States must rely on the integrity of foreign passports as a condition of inclusion in the Visa Waiver Program, as a matter of national security, and I understand the U.S. Government has been discussing concerns with Hungary to bolster screening of individuals and the integrity of its procedures.

If confirmed, I will prioritize working with the Department of Homeland Security, members of Congress, and the Hungarian Government to address this serious issue.

*Question 17.* Some Hungarian officials have suggested that the U.S.-Hungary security relationship is fine, there are just some bumps in the political relationship. How do you view the security and political relationships with the U.S. and the relationship between the two? To what do you ascribe differences or tensions that may exist between the United States and Hungary? What do you see as the challenges in improving the relationship?

Answer. Hungary is a NATO and EU member and a longstanding friend and ally of the United States. It makes significant contributions to common security objectives such as combating terrorism, transnational crime, and weapons proliferation. As a NATO Ally, Hungary participates in regional and global missions, including in Iraq and Afghanistan. NATO is an alliance of shared values as well as common interests, and the United States is committed to working with its Allies to ensure the Alliance is built on strong democratic principles.

I understand the U.S. Government is working to strengthen the bilateral relationship with Hungary by cooperating on shared interests across the range of foreign policy priorities while continuing to speak up on areas of concern whenever they arise. If confirmed I will be committed to that approach.

*Question 18.* Under Viktor Orban, Hungary has cultivated its relationship with China. This includes gestures like banning pro-Tibet demonstrations in 2011 during Chinese Premier's visit to Budapest and laying a wreath at the Communist Heroes monument at Tiananmen Square in 2016, to more substantive engagement like the of hosting China's “16+1” summit with Central European and Balkan leaders last November. In April, Hungary was the only EU country that declined to co-sign a report criticizing the “One Belt, One Road” initiative as “pushing the balance of power in favor of subsidized Chinese companies.” How do you see the role of China in Hungary and the region? What interests of the United States are engaged with respect to Hungary's relationship with China?

Answer. China's economic footprint in Europe is growing, and I understand the State Department is actively examining the troubling rise of Chinese influence in Central Europe. If confirmed, I will work with State Department and other U.S. Government stakeholders in devising and implementing a regional approach to

these concerns. I will urge the Hungarian Government to work more closely with other members of the Three Seas Initiative to promote Western investment in Central Europe and foster greater European integration, as well as with the European Union to develop more effective tools to screen foreign investment.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ELIOT PEDROSA BY SENATOR ROBERT MENENDEZ**

*Latin America Economic Overview*

Latin America's economic recovery is gaining momentum, as recessions in a few countries are coming to an end (Brazil, Argentina, and Ecuador). The IMF estimates regional growth at 1.3 percent in 2017, and projects activity to accelerate further to 1.9 percent in 2018 and 2.6 percent in 2019. The recovery is broad based across the region. While Mexico, Central America, and parts of the Caribbean are benefiting from stronger growth in the United States, growth in South America is mainly driven by the end of recessions in Brazil, Argentina, and Ecuador, as well as higher commodity prices.

*Question 1.* How is the region doing economically? The fundamentals appear promising: where are your concerns?

Answer. The region is consolidating its recovery this year, with a private sector consensus forecast of two percent growth in 2018, despite the ongoing collapse in Venezuela. Stronger growth in the United States and other advanced economies, along with more supportive commodity prices, will provide a tailwind for the major economies and commodity producers in the region.

Lower inflation in most countries across the region and falling real interest rates should remain supportive for domestic demand and household consumption. Business confidence has recovered from prior year lows, and investment is beginning to recover. While economic growth is strengthening, some countries' fiscal and external positions remain vulnerable to shocks. As such, it is critical that the regional governments pursue policies and structural reforms that reduce economic vulnerabilities and increase potential growth-including diversifying away from dependence on commodity exports.

Several countries in the region will hold elections in the coming months, important opportunities for these countries to renew their commitments to the shared values that have defined the hemisphere-the pursuit of greater economic opportunity and prosperity, in peace, security, and dignity. Voters will have the opportunity to choose leaders and policies that will strengthen democratic institutions, and work hard to address slow growth, corruption and crime.

*China in Latin America*

Although no Latin American country is among China's top 10 investment destinations, the over \$100 billion that China has already invested in Latin America and the Caribbean is significant and the stock is certain to continue to grow. China has made headlines in Latin America through some large investments in countries that have poor governance, notably Venezuela and Ecuador. The largest share of China's ODI has gone to Brazil, a country with relatively good governance in Latin America.

*Question 2.* How does the Bank view China's interest in Latin America?

Answer. I look forward to learning more about the IDB's engagements with China if confirmed. The IDB can play an important role by providing an example of high-standards investment that is consistent with international best practices.

*Question 3.* Does their increasing investment there raise any concerns?

Answer. The economic importance of China to the region has been growing quickly, and the region's trade and investment with China can be beneficial if the terms are fair and market-oriented, allowing market forces to allocate resources efficiently. However, some Chinese investment is non-market based and poses risks towards weakening governance standards in the region. In China, the State's role in the economy and its relationship with markets has resulted in fundamental distortions across different segments of China's economy and has fueled trade imbalances. These trade imbalances need to be reduced, and China's trading relationships need to be more fair and reciprocal.

*Question 4.* Are the relationships mutually beneficial, or mostly in China's interest?

Answer. China's demand for commodities positively contributed to Latin America's growth over the past decade, but the region must have a clear vision for what it

hopes the relationship with China will be and ensure that Chinese trade and investment do not undercut the incentives to improve business environments, governance structures, and macroeconomic policies.

*Venezuela—IADB Role and Resources*

Sixty billion dollars in foreign debt is hanging over the Venezuela economy. It will take more resources than any institution such as the IMF to match those needs. I know you and others in the regional are looking at the ways we can respond.

*Question 5.* Are the Bank's resources adequate for it to play its needed role?

Answer. I look forward to learning more about the IDB's capacity if confirmed. My understanding is that the IDB currently has the capacity to play a role in supporting Venezuela if there is a positive change in Venezuela's political and economic governance.

*Question 6.* What are your views on the dynamics of the international participation in the coming crisis? The regional response? The role of China and Russia as major creditors?

Answer. Recovery of the Venezuelan economy will require fundamental economic policy change, but also immediate humanitarian assistance and external financing to reactivate severely eroded productive capacity. I look forward to the day that this can be discussed more concretely, but I expect the costs may be quite large, and the process will not be short. International participation will be important, including from the IDB and other IFIs. I expect that coordination with the region will be a critical component to any assistance effort. I hope that China and Russia would also play a constructive role.

*Corruption*

Major political news out of Latin America has included significant corruption scandals that have brought down governments in Brazil and Peru. I don't have to tell you that corruption is not just the root of much political turmoil in the region, it is a major threat to economic growth and stability.

*Question 7.* What is your view on the extent of the problem of corruption facing the Bank's mission, and what plans and tools do you have to combat it?

Answer. As noted, corruption is a major constraint to private sector-led economic growth and poverty reduction in Latin America, which therefore impacts the IDB's ability to help the region's countries achieve its mission to promote growth and reduce poverty in the region. Promoting transparency and good governance and helping countries build capacity in areas like public financial management and basic service delivery are important areas of focus for IDB assistance. If confirmed, I look forward to advocating for the IDB to enhance its efforts to support the region in these areas even further. I understand that the IDB has robust accountability mechanisms and institutional policies in place. If confirmed, I will support the independence and strong functioning of the IDB's accountability units and advocate for continued implementation of high standards in areas like procurement and disclosure.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ELIOT PEDROSA BY SENATOR BENJAMIN L. CARDIN

*Commitment to Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Rule of law is the sine qua non for the promotion and protection of human rights and democracy. Throughout my career as an attorney, I have worked towards promoting respect for the rule of law in my private sector engagements as well as my pro bono, community, and government service.

I have been involved in projects for the promotion of democracy and human rights throughout my career. As a law student, I had the opportunity to serve as a research assistant for the Harvard Institute for International Development's Central America Project, contributing to the publication of a book on legal reform in Central America. More recently, I have spoken as a panelist at Harvard Law School on the continued failure of the Cuban Government to respect democracy and human rights. Finally, through my service as Chairman of the Dean's Advisory Council of the Green School of International and Public Affairs at Florida International University, I provide support for the education and scholarship generated under the Green

School's umbrella, such as the Václav Havel Program for Human Rights & Diplomacy.

Domestically, my most lasting impact on human rights and democracy is through my service as a member and Vice Chairman of the Florida Third District Court of Appeal Judicial Nominating Commission, which recommends judicial candidates for appointment to Florida's intermediate appellate court for the region encompassing Miami-Dade County. A strong, independent judiciary is essential to the protection of individual liberties and a functioning democracy. My role in assisting in the selection of judges to serve in that role will have a lasting impact on the continued functioning of Florida's judiciary, and through it, our local democracy.

*Question 2.* What are the most pressing human rights issues at the Inter-American Development Bank? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy at the IADB? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues for the IDB are lack of respect for human rights and democratic freedoms in several countries in the Western Hemisphere, which hinder the IDB's ability to maximize its impact on promoting economic growth and reducing poverty throughout the region. If confirmed, I will work to limit IDB assistance to countries that violate human rights and advocate for projects that bolster transparency, rule of law, and good economic and social governance. I will also advocate for robust implementation of IDB's social and environmental safeguards and a strong Independent Consultation and Investigation Mechanism that responds to complaints from communities in the region if they feel they have been harmed by a project as the result of the IDB Group's non-compliance with its policies. My hope is that these actions will lead to IDB's assistance having positive impact on people's livelihoods while maintaining appropriate redress for anyone harmed by IDB's projects.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face at the IADB in advancing human rights, civil society and democracy in general?

Answer. The largest potential obstacle is that the countries in the region will not continue the tremendous gains in democratic governance, human rights, and economic reform of the past few decades and that freedoms will continue to erode in several countries. The IDB's mandate prevents it from engaging directly on political issues, including democracy promotion, so the key challenge will be to articulate how IDB assistance can only be effective in promoting growth and reducing poverty where there is respect for human rights and rule of law. If confirmed, I look forward to tackling this challenge.

#### *Diversity*

*Question 4.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. If confirmed, I will promote, mentor, and support staff who come from diverse backgrounds and underrepresented groups, consistent with fair management practices and relevant U.S. Government and IDB policies.

*Question 5.* What steps will you take to ensure each of the supervisors under your management at the IADB are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will use my oversight role on the IDB's Board of Directors to try to ensure that IDB management fosters an environment that is diverse and inclusive. I will also advocate for these issues to be considered, as appropriate, in the development and review of IDB's human resources policies.

#### *Conflicts of Interest*

*Question 6.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to carrying out my duties consistent with applicable conflict of interest laws and policies, and to reporting any potential misconduct of which I become aware to the appropriate authorities.

*Question 7.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking

any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to carrying out my duties consistent with applicable conflict of interest laws and policies, and to reporting any potential misconduct of which I become aware to the appropriate authorities.

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**LETTER URGING THE CONFIRMATION OF DAVID CORNSTEIN  
AS UNITED STATES AMBASSADOR TO HUNGARY**

CHARLES E. SCHUMER  
NEW YORK

DEMOCRATIC LEADER

**United States Senate**

WASHINGTON, DC 20510

May 9, 2018

Senator Bob Corker  
Chairman  
Senate Committee on Foreign Relations  
423 Dirksen Senate Office Building  
Washington, DC 20510

Senator Robert Menendez  
Ranking Member  
Senate Committee on Foreign Relations Committee  
423 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Corker and Ranking Member Menendez,

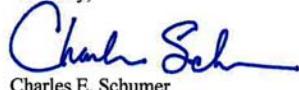
Distinguished members of the Foreign Relations Committee, it is my pleasure to support David B. Cornstein's nomination to be Ambassador Extraordinary and Plenipotentiary of the United States to Hungary.

I am confident that David Cornstein's wide range of experience has prepared him for this role. After earning his degree from Lafayette College and an MBA from New York University, Mr. Cornstein spent over a decade at the helm of a major company, building it into a successful business on the NASDAQ Stock Exchange. Alongside his business career, David Cornstein took on several civic-minded ventures that contributed to the City and State of New York. He served as the Chairman of the Commission to bring the 2012 Summer Olympic Games to New York and now serves as a board member on the New York City's Economic Development Corporation, the Battery Park City Authority, and the Jacob Javits Development Corporation, which is working to renovate and expand the Jacob Javits Convention Center on Manhattan's West Side. David has also been a committed philanthropist for charitable foundations and religious organizations, including the Juvenile Diabetes Foundation, Chemotherapy Foundation, Friars Club Foundation, and the Park East Day School.

His nomination comes at a crucial time for the nation of Hungary. The past decade has seen Hungary precipitously backslide from an emerging democracy into increasing authoritarianism. Since his party's election victory in 2010, Prime Minister Viktor Orban has steadily consolidated power and trampled democratic norms, turning the state broadcaster into a propaganda arm of the government, degrading the independence of the judiciary, and manipulating the election law. The Prime Minister's party demonizes immigrants and foreigners with impunity.

The next U.S. Ambassador to Hungary has a difficult job: to represent the American values of democracy, freedom, the rule of law, minority rights, an independent media, and judiciary, to a regime that has little respect for them. I expect Mr. David Cornstein will bring his considerable drive and experience to the task. I hope the committee will report out his nomination favorably.

Sincerely,



Charles E. Schumer  
United States Senator

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## NOMINATIONS

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TUESDAY, JUNE 5, 2018

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

The committee met, pursuant to notice, at 2:55 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Johnny Isakson, presiding.

Present: Senators Isakson [presiding], Gardner, Young, Cardin, Shaheen and Murphy.

### OPENING STATEMENT OF HON. JOHNNY ISAKSON, U.S. SENATOR FROM GEORGIA

Senator ISAKSON. I call this hearing of the Senate Foreign Relations committee to order.

I welcome all of you here, and I welcome our ranking member, Senator Shaheen. And Senator Young, glad that you are here, Senator Blunt as well.

Today we will hear the testimony from three nominees to serve the United States of America in various positions.

Georgette Mosbacher has been nominated to be the U.S. Ambassador to the great country of Poland.

I have to interject a personal note. I know Senator Blunt is going to introduce her in a minute. But she and I had the pleasure of sharing a mutual friend for many years in life, Ms. Jeanne Ferst of Atlanta, who was a great Republican leader in our State and a great lady who passed on a few years ago. But she loved Georgette Mosbacher to death.

Stephen Akard, who has been nominated to be the Director of the Office of Foreign Missions with the rank of Ambassador.

And finally, Mark Rosen to serve as U.S. Executive Director of the International Monetary Fund for a term of 2 years.

I want to thank you for your willingness to serve your nation. I want to welcome you and any family members that you have with you, and I hope, when your time comes to speak, that you will introduce any special guests or family members that you have with you.

I know you may have colleagues who would like to introduce Ms. Mosbacher and Mr. Akard, and I am going to introduce both of them at this time. First will be Roy Blunt to introduce Ms. Mosbacher, then Senator Young to introduce Mr. Akard, and I will introduce Mr. Rosen.

So with that said, Senator Roy Blunt from Missouri.

**STATEMENT OF HON. ROY BLUNT,  
U.S. SENATOR FROM MISSOURI**

Senator BLUNT. Well, thank you, Chairman Isakson and Senator Shaheen and Senator Young and others who will join this hearing perhaps later.

It is really a great privilege for me to come and officially introduce Georgette Mosbacher to the committee. She is a valued friend of our family. She and my wife have been friends for a long time, and she and I have been friends for a long time.

She has done so many things to be helpful to so many people and also had a great business career. She founded her own international business and marketing firm. From 2001 to 2015, she was the CEO of Borghese, which is a global cosmetics manufacturing company. She was appointed by President Obama to the United States Advisory Commission on Public Diplomacy. Georgette currently serves on the boards of the Atlantic Council, the Intrepid Fallen Heroes Fund, and the Business Executives for National Security.

You mentioned, Mr. Chairman, whenever you talked about the great country of Poland, clearly Poland is an important country to us. To have a friend of the President, to have someone who understands our government and our public and private diplomacy and the way that Georgette does would be a tremendous benefit for our country and one of the most dependable friends in the world. It is an important country. We are in a position here with the help of your committee and the Senate to send just the right individual I think at this time. And I am glad to be here with you but particularly glad to be here with Georgette Mosbacher.

Senator ISAKSON. Thank you very much, Senator Blunt.  
Senator Young?

**STATEMENT OF HON. TODD YOUNG,  
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Well, thank you, Mr. Chairman, Ranking Member Shaheen.

It is my honor to introduce Stephen Akard.

Steve is the nominee to serve as Director of the Office of Foreign Missions with the rank of Ambassador. The Office of Foreign Missions has many important responsibilities related to U.S. diplomatic and consular missions abroad, as well as foreign missions here in the United States.

Mr. Akard is a fellow Hoosier and a fellow graduate of the Indiana University McKinney School of Law. He has an outstanding combination of diplomatic experience as a Foreign Service officer with the Department of State and subsequent leadership experience in economic development on behalf of the State of Indiana.

Three successive Indiana governors have relied on his advice on matters of economic development and international relations. For example, he spearheaded gubernatorial missions to China, Germany, Israel, Japan, and the UK with meetings at the highest levels of business and government.

During his tenure in Indiana, the State strengthened its international relationships considerably, and the result has been significant new foreign direct investment and significant new job creation

in Indiana associated with companies such as Toyota, Honda, Rolls Royce, BP, just to name a few. Indiana's international economic development efforts are widely admired, and Steve has played an important role in that effort.

I would note Steve received two meritorious honor awards while serving in the Department of State, and he was awarded the distinguished alumni award from Indiana University, Purdue University of Indianapolis.

I am confident he will bring those same leadership and management skills and critical thinking skills to the Department of State as the Director of the Office of Foreign Missions. I am pleased our committee is considering his nomination. I look forward to supporting your nomination.

I would also like to acknowledge the presence of our other two nominees, Ms. Mosbacher and Mr. Rosen. Ms. Mosbacher, I would note parochially, you are also a proud graduate of Indiana University. So congratulations to all of you on your nominations.

Thank you, Mr. Chairman.

Senator ISAKSON. Thank you, Senator Young.

In just a minute, we will turn to our nominees to make their opening statements, and you will have up to 5 minutes. And there is a big trap that opens under your desk if you talk longer than 5 minutes, and we will never hear from you again. So be sure to hold it within that, if you can. [Laughter.]

Senator ISAKSON. But for your sanity, your whole statement will be entered in the record as soon as it is completed and will be there in perpetuity. So you will never be forgotten, I promise you, as long as you live.

Mr. Rosen, it is a pleasure for me to introduce you. We had the chance to meet and talk a little bit outside before we came in today. And I was very interested in your nomination for a lot of reasons, but one of the big things I believe in is business, capitalism, and the fact that you do not tend to bomb people you trade with, you finance with, and you enjoy mutual benefits with. And certainly the International Monetary Fund is a key to American principles and ideals being spread around the world and materializing in terms of good friendships with our foreign countries, but also good businesses for our companies.

American companies are never going to expand their market share unless they go overseas. Most of them have mature market shares in the United States. So it is important to have relationships like the IMF to be able to open those doors everywhere we can.

I was particularly interested in your leadership of the Latin American investment banking at Bank of America Merrill Lynch, which is a great company with a great reputation, and also the fact that you worked with Credit Suisse, UBS, and Barclay's. I am not going to hold it against you that you went to Oxford. I am not going to hold it against you that you went to Harvard. But we are just awful glad that you got the degree from the school of hard knocks in Wall Street. You have a great reputation and come to us highly recommended, and we are proud to have you today.

To all three of you, I hope you will submit your remarks for the record to be held and they will be held permanently. Any comments

or additional questions you want for the record, we will hold the record open for 5 days after this hearing for you to amend your answer or amend the record any way that you want to, and you will have the opportunity to do so.

Ms. Mosbacher, the country of Poland is a great friend of the United States and has been for years. I am a Swede and I remember what Raoul Wallenberg did in Hungary by saving over 100,000 Jews from the Nazi Holocaust. I know Poland suffered during that time tremendously and has been a great friend of the United States for those years as have we been a great friend for them. So you are going to a very important post for our country at a very important time.

Mr. Akard, you are in an interesting position because I do not know of any time the United States has ever had more balls in the air in international affairs than we have got right now. Whether it is North Korea, whether it is the South China Sea, wherever it might be, we are engaged heavily and will be even more so in the future. What you will do has such an important role to play with our ambassadors and our missions overseas, and the services that our ambassadors get, as well as what services we grant to foreign dignitaries to come to this country is going to be critically important. And I am sure you will do a great job with it.

As you know from my introduction of you, Mr. Rosen, I know how important financial affairs are and the financing of financial transactions are and how the development of infrastructure depends on mutual sharing of information, knowledge, equity, and investment. So I know you will be a great representative of our country on the IMF. We appreciate you accepting that nomination, and I am proud to introduce you today.

I will now turn it to our ranking member for any opening statement she would like to make.

**STATEMENT OF HON. JEANNE SHAHEEN,  
U.S. SENATOR FROM NEW HAMPSHIRE**

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

I would also like to welcome each of our nominees this afternoon. You are being nominated for every important posts. I would also like to welcome your families who are here today. I understand that you serve along with the sacrifice of your families. So thank you for that.

If confirmed, each of you will assume leadership roles dealing with foreign or economic policies. But in addition to the policy issues that you will be dealing with, you will also be responsible for leading dedicated career employees. I urge you to take full advantage of their expertise and to remain mindful of their non-political status. Our foreign affairs professionals, both Foreign Service and Civil Service, are a national asset. And I know you join me in thanking them for their service to our country.

Now, many members of this committee have expressed concern at the current administration's disregard, as reflected in its budget requests, for the value of American soft power to advance our interests. Retreat from our historical leadership role is simply not a realistic alternative in the 21st century. People around the world look

to the United States for leadership, and I believe we must remain ready to take up this challenge as we have since World War II.

Now, today we will consider Mark Rosen to be U.S. Executive Director of the International Monetary Fund, which is one of the multilateral institutions that make up this post-war world order. I have a particular connection to the IMF because it was conceived at a U.N. conference in Bretton Woods in New Hampshire in 1944, and the countries at that conference sought to build a framework for economic cooperation to avoid a repetition of the Great Depression of the 1930s, which contributed directly to the outbreak of World War II.

Mr. Akard, you are our nominee for the State Department's Office of Foreign Missions, and this office carries out vital work to ensure that the principle of reciprocity is upheld in the treatment of U.S. diplomatic and consular missions abroad. This has taken on greater meaning with the shuddering of Russia's diplomatic facilities in response to the Kremlin's aggression toward the United States.

And of course, we are also considering Georgette Mosbacher to be Ambassador to Poland. Poland has been by America's side in Iraq and Afghanistan, and we enjoy close cultural ties and shared values. Poland's free market economy is a post-Cold War success story. And while relations between Poland and the United States are positive, Poland's domestic governance in the areas of judicial independence and the rule of law are cause for concern.

So in closing, Mr. Chairman, I would like to remind all of our nominees that the foundation of our leadership around the world is based on America's core values: freedom, human rights, justice, and rule of law. These are the values that continue to make the United States a compelling example for the world. They represent something that our authoritarian adversaries fear and cannot emulate. So, if confirmed, I urge each of you to keep these values at the forefront of everything you do as you represent the United States.

Thank you, Mr. Chairman.

Senator ISAKSON. Thank you very much, Senator Shaheen.

And, Ms. Mosbacher, we will recognize you for 5 minutes.

**STATEMENT OF HON. GEORGETTE MOSBACHER, OF FLORIDA,  
TO BE AMBASSADOR EXTRAORDINARY AND PLENI-  
POTENTIARY OF THE UNITED STATES OF AMERICA TO THE  
REPUBLIC OF POLAND**

Ms. MOSBACHER. Thank you. Chairman Isakson, Ranking Member Shaheen, Senator Cardin, I would like to thank President Trump for nominating me as Ambassador to Poland. With the Senate's confirmation, serving as Ambassador to Poland will be the most solemn responsibility of my life.

Joining me is my family: my sisters, Lyn and Melody, and my brother George, the redheads behind me. [Laughter.]

Ms. MOSBACHER. I regret that our 93-year-old mother, Dorothy Paulsin, could not be here. Mother passed away 10 weeks ago.

We grew up in the Midwestern steel town of Highland, Indiana. My father was killed by a drunk driver when I was only 7 years old. As the oldest child of four, I did my best to help Mom raise

my siblings. I spent a lot of time with my maternal grandmother, Mary Bell, in East Chicago, Indiana. Grandma worked the midnight shift as a switcher for the Baltimore & Ohio Railroad. Her mother, my great grandmother, taught me to count and how to do my first budget. From all three women, I learned the value of a dollar and the meaning of grit.

In East Chicago, Indiana, I was surrounded by Polish culture. The Chicago region had the greatest concentration of Poles outside Poland. Everywhere I turned, I saw these hardworking immigrants, deeply faithful, industrious people.

I am an example of the American dream. I was the first in my family to attend college, working three jobs to pay tuition. Later, I built two branded global companies. While expanding sales worldwide, I learned about export-import law, regulations, and international supply chains and gained an appreciation for predictability, transparency, security, and the rule of law. All of my products were manufactured in New Jersey, made in the USA, and then exported all over the world.

For over a decade, I have been a member and served on the board of Business Executives for National Security. I have traveled on behalf of BENS's missions for the State and Defense Departments to Afghanistan, Azerbaijan, Guantanamo Bay, Djibouti, the Baltic Peninsula, the Balkan mountains, to name just a few and experienced firsthand the logistical complexity and strategic planning that our military is dealing with every day to keep us free and safe.

While serving on the board of the Atlantic Council, I had the good fortune to engage regularly with the foreign policy community across administrations, the private sector, and public policy organizations. This experience further shaped my appreciation for the commitment and engagement required to make the transatlantic relationship central to our national security.

In 2016, I was honored to be unanimously confirmed by this Senate to serve on the U.S. Commission for Public Diplomacy. That service has shown me that the tools of public diplomacy can be leveraged to enhance economic opportunities, trade, and security.

When President Trump traveled to Warsaw last year, he emphasized that the United States benefits from a strong Poland. This means a Poland that is sovereign and independent with strong constitutional freedoms, a Poland that is militarily secure, and a Poland that is economically robust and resilient. I would like to address these three areas.

First, we recognize the sacrifices the Poles have made for our freedom and theirs as they have fought in solidarity with us and have died in support of our shared values and our shared history.

I am aware of recent concerns about respect for democratic institutions in Poland, freedom of speech, the independence of the judiciary, and the rule of law, and I am ready to voice our concerns, if I am confirmed as Ambassador.

Second, Poland is now an important military leader in both the EU and NATO. We appreciate that it is one of the few NATO countries which has consistently met its obligation of 2.5 percent of its GDP on defense spending and is well into a \$40 billion modernization of their armed forces.

A more secure Poland means a more energy-independent Poland. Helping the Polish people diversify their energy choices provides an opportunity for innovative American energy companies. Poland and its neighbors should not be held hostage to a single supplier of energy.

Third and finally, Poland is a great economic success story. It has tripled its GDP per capita since 1990, enjoying the strongest economic growth of any nation in Central and Eastern Europe. My top priority, if confirmed, will be to encourage American businesses to expand trade between our nations. We must increase our exports to Poland's 40 million consumers to create American jobs back at home and to ensure American companies are treated fairly on a level playing field.

If confirmed, I will work to preserve and strengthen our bilateral political, economic, security collaboration, including on matters of NATO, Ukraine, Russia, the Community of Democracies, the Three Seas Initiative, and the Organization for Security and Cooperation in Europe.

A Poland that guarantees the freedom of its people, protects its military security and that of its allies, and creates economic growth and opportunity for all will be the most effective ally the United States has in the region. A strong Poland means a stronger America.

Mr. Chairman, Madam Ranking Member, members of the committee, thank you for this opportunity to appear here today.

[Ms. Mosbacher's prepared statement follows:]

PREPARED STATEMENT OF GEORGETTE MOSBACHER

Chairman Isakson, Ranking Member Shaheen, and distinguished members of the committee, I would like to thank President Trump for nominating me as Ambassador to Poland. With the Senate's confirmation, serving as Ambassador to Poland will be the most solemn responsibility of my life.

Joining me is my family: my sisters Lyn and Melody, and my brother George.

I regret that our 93-year-old mother, Dorothy Paulsin, could not be here. Mother passed away 10 weeks ago. We grew up in the Midwestern steel town of Highland, Indiana. My father was killed by a drunk driver when I was only seven years old. As the oldest child of four, I did my best to help Mom raise my siblings. I spent a lot of time with my maternal grandmother, Mary Bell, in East Chicago, Indiana. Grandma worked the midnight shift as a switcher for the Baltimore & Ohio Railroad. Her mother—my great-grandma—taught me to count, and how to do my first budget. From all three women, I learned the value of a dollar and the meaning of grit.

In East Chicago, Indiana, I was surrounded by Polish culture. The Chicago region had the greatest concentration of Poles outside Poland. Everywhere I turned, I saw these hard-working immigrants—deeply faithful, industrious people.

I am an example of the American Dream. I was the first in my family to attend college, working three jobs to pay tuition. Later, I built two branded global companies. While expanding sales worldwide, I learned about export-import law, regulations, and international supply chains—and gained an appreciation for predictability, transparency, security, and the rule of law. All of my products were manufactured in New Jersey—made in the U.S.A.—and then exported all over the world.

For over a decade I have been a member and served on the board of Business Executives for National Security. I have traveled on behalf of BENS's missions for the State and Defense Departments, to Afghanistan, Azerbaijan, Djibouti, the Baltics, and the Balkans, to name just a few, and experienced firsthand the logistical complexity and strategic planning that our military is dealing with every day to keep us free and safe.

While serving on the board of the Atlantic Council, I had the good fortune to engage regularly with the foreign policy community across administrations, the private sector, and public policy organizations. This experience further shaped my apprecia-

tion for the commitment and engagement required to make the trans-Atlantic relationship central to our nation's security.

In 2016 I was honored to be unanimously confirmed by this Senate to serve on the U.S. Commission for Public Diplomacy. That service has shown me that the tools of public diplomacy can be leveraged to enhance economic opportunity, trade, security, and of course bilateral relations through educational and cultural exchanges.

When President Trump traveled to Warsaw last year, he emphasized that the United States benefits from a strong Poland. This means a Poland that is sovereign and independent with strong constitutional freedoms; a Poland that is militarily secure; and a Poland that is economically robust and resilient. I'd like to address each of those three areas.

First, we recognize the sacrifices the Poles have made "for our freedom and yours" as they have fought in solidarity with us and have died in support of our shared values and our shared history.

I am aware of recent concerns about respect for democratic institutions in Poland—freedom of speech, the independence of the judiciary, and the rule of law—and I am ready to voice our strong support for these essential freedoms if I am confirmed as Ambassador.

Second, Poland is an important military leader in NATO. We appreciate that it is one of the few NATO countries that meets, and plans to exceed, its obligation of spending 2.0 percent of GDP on defense, and is well into a \$40 billion modernization of its armed forces.

A more secure Poland means a more energy-independent Poland. Helping the Polish people diversify their energy choices provides an opportunity for innovative American energy companies. Poland and its neighbors should not be held hostage to a single supplier of energy.

Third and finally, Poland is a great economic success story: it has tripled its GDP per capita since 1990, enjoying the strongest economic growth of any nation in Central and Eastern Europe. My top priority if confirmed will be to encourage American businesses to expand trade between our nations. We must increase our exports to Poland's 38 million consumers—to create American jobs back home, and to ensure American companies are treated fairly on a level playing field.

If confirmed, I will work to preserve and strengthen our bilateral political, economic, and security collaboration, including on matters of NATO, Ukraine, Russia, the Community of Democracies, the Three Seas Initiative and the Organization for Security and Cooperation in Europe.

A Poland that guarantees the freedom of its people, provides for its security and that of its allies, and creates economic growth and opportunity for all will be the most effective ally the United States has in the region. A strong Poland means a stronger America.

Mr. Chairman, Ranking Member Shaheen and members of the committee, thank you for the opportunity to appear before you today.

Senator ISAKSON. Thank you, Ms. Mosbacher.  
Mr. Akard?

**STATEMENT OF STEPHEN AKARD, OF INDIANA, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS, WITH THE RANK OF AMBASSADOR**

Mr. AKARD. Mr. Chairman, Ranking Member Shaheen, distinguished members of the committee, it is an honor to be with you here today as President Trump's nominee to be the Director of the Office of Foreign Missions at the Department of State. I am grateful for the confidence he has placed in me and, should I be confirmed, for the opportunity to work with Secretary Pompeo and the many talented and dedicated people at the State Department.

I would like to thank my family, my wife Kay and our three daughters, Julianne, Claire, and Hope, who are here with me today and have been a source of boundless love and support.

As a fellow Hoosier, I would also like to thank Senator Young for his generous and kind introduction and recognize the important contributions to the functioning of this committee.

I appreciate the role of the Office of Foreign Missions in advancing our foreign policy and our national security interests. If confirmed, I will be dedicated to furthering the important objectives established in Foreign Missions Act.

I entered the Foreign Service 20 years ago. I served overseas at the U.S. Consulate General in Mumbai, India, and during 9/11 at the embassy in Brussels, Belgium. Following that tour, I served in Washington, D.C. in the Executive Secretariat on the “Line” where I advanced trips around the world for then-Secretary Colin Powell.

I returned home to Indiana for a new chapter of my professional career where I was fortunate to work with the Indiana Economic Development Corporation, or IEDC. At the IEDC, I pursued international economic development projects for the State of Indiana, served as general counsel, and later as chief of staff, and had the honor of advising three successive governors and working with them to bring jobs and investment back home.

I brought the skills I honed as a Foreign Service officer to the State level. Our successes were remarkable. In the last 4 years of my tenure alone, the State of Indiana attracted more than 20,000 new job commitments through foreign direct investment and more than \$6 billion in capital investments. If confirmed, I will bring these managerial and global experiences to the position of the Director of Foreign Missions.

The Office of Foreign Missions plays a critical role in four distinct areas: first, employing reciprocity to ensure equitable treatment for U.S. diplomatic and consular missions and personnel; second, regulating the activities of foreign missions in the U.S. in a manner that will protect our foreign policy and national security interests; third, protecting the U.S. from abuses of privileges and immunities by members of foreign missions; and fourth, providing services and assistance to foreign missions in the U.S. in order to assure appropriate privileges, benefits, and services on a reciprocal basis.

The Foreign Missions Act has positively impacted the environment in which U.S. diplomatic and consular missions function overseas and created a secure basis to manage the activities of foreign missions operating here at home.

Mr. Chairman, the Department of State faces enormous challenges strengthening our security and prosperity. If confirmed, I pledge my utmost to implement the objectives of the Foreign Missions Act on behalf of our personnel overseas and to defend our national security interests with respect to foreign missions operating here in the U.S.

Thank you, Mr. Chairman. I look forward to any questions the committee may have.

[Mr. Akard's prepared statement follows:]

PREPARED STATEMENT OF STEPHEN AKARD

Mr. Chairman, Ranking Member Shaheen, distinguished members of the committee, it is an honor to be with you today as President's Trump's nominee to be the Director of the Office of Foreign Missions at the Department of State. I am grateful for the confidence he has placed in me and, should I be confirmed, for the opportunity to work with Secretary Pompeo and the many talented and dedicated people at the State Department.

I would like to thank my family—my wife Kay, and our three daughters, Julianne, Claire, and Hope, who are here with me today and have been a source

of boundless love and support. As a fellow Hoosier, I also would like to recognize the important contributions to the functioning of this committee of Senator Young.

I appreciate the role of the Office of Foreign Missions in advancing our foreign policy and our national security interests. If confirmed, I will be dedicated to furthering the important objectives established in the Foreign Missions Act.

I entered the Foreign Service twenty years ago. I served overseas at the U.S. Consulate General in Mumbai, India, and during 9/11 at the U.S. Embassy in Brussels, Belgium. Following that tour, I served in Washington DC, in the Executive Secretariat, on the "Line," where I advanced trips around the world for then-Secretary Colin Powell.

I returned home to Indiana for a new chapter of my professional career where I was fortunate to work with the Indiana Economic Development Corporation (IEDC). At the IEDC, I pursued international economic development projects for the State of Indiana, served as general counsel, and later as chief of staff, and had the honor of advising three successive Governors and working with them to bring jobs and investment back home.

I brought the skills I honed as a Foreign Service Officer to the state level. Our success was remarkable. In the last four years alone, the State of Indiana attracted more than 20,000 new job commitments through foreign direct investment and more than \$6 billion in capital investments. If confirmed, I will bring these managerial and global experiences to the position of Director of the Office of Foreign Missions.

The Office of Foreign Missions plays a critical role in four distinct areas: First, employing reciprocity to ensure equitable treatment for U.S. diplomatic and consular missions and personnel; second, regulating the activities of foreign missions in the U.S. in a manner that will protect our foreign policy and national security interests; third, protecting the U.S. from abuses of privileges and immunity by members of foreign missions; and, fourth, providing services and assistance to foreign missions in the U.S. in order to assure appropriate privileges, benefits, and services on a reciprocal basis.

The Foreign Missions Act has positively impacted the environment in which U.S. diplomatic and consular missions function overseas and created a secure basis to manage the activities of foreign missions operating here at home.

Mr. Chairman, the Department of State faces enormous challenges strengthening our security and prosperity. If confirmed, I pledge my utmost to implement the objectives of the Foreign Missions Act on behalf of our personnel overseas and to defend our national interests with respect to foreign missions operating in the U.S.

Thank you and I look forward to any questions you may have.

Senator ISAKSON. Thank you, Mr. Akard.

Mr. Rosen?

**STATEMENT OF MARK ROSEN, OF CONNECTICUT, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS**

Mr. ROSEN. Thank you, Chairman Isakson, Ranking Member Shaheen, and members of the committee, for the opportunity to appear before you today.

I am honored that President Trump has nominated me to serve as the United States Executive Director of the International Monetary Fund, and I am grateful to Secretary Mnuchin and Under Secretary Malpass for their confidence and support.

I am delighted to have my wife Ines, my daughter Katerina, and my son Ben here today. Katerina is a graduate of Vanderbilt University and works on the production of documentaries in New York. And Ben is a graduate of Williams College and works as a health care policy consultant in Boston. I am very grateful to my wife for all she has done in raising these two children of whom I am very proud and also for her encouragement and support to me in pursuing my career focused on Latin America over the last 25 years.

It would be an honor to serve as the United States Executive Director of the International Monetary Fund, and my willingness to serve in this role is because for some time, I have been interested

in public service, as I believe I owe a sincere debt of gratitude to this country for the great opportunities it has given me and my family.

I was born in the United Kingdom and came to the USA first in 1980 as an 18-year-old traveling from east to west, and I immediately realized what a great and beautiful country this is. I vowed to come back here to study when I had the resources to do so. And in 1986, I returned for an MBA at the Harvard Business School, which was a tremendous opportunity I will always treasure.

Finally, I accepted an opportunity to work in U.S. investment Banking in 1993, and my wife, who was born and raised in Peru, and I moved to Miami, Florida where later our children were born.

In 2006, we became proud U.S. citizens. I believe now, after more than 27 years of living in the United States, this is the time to give something back to our country, and if confirmed by the Senate, I will do all I can to serve in this role to the best of my ability.

I have spent most of my 33-year professional career in the financial markets of emerging market countries as an investment banker working with financial institutions and companies, raising capital to support economic development, particularly in Latin America. From 1998 to 2010, I was head of Latin America Financial Institutions at Credit Suisse in New York. In 2010, I joined Bank of America Merrill Lynch where for 5 years I was head of Latin American Investment Banking, managing an approximately 100-person team and co-managing a large loan book, helping companies and governments across the region access capital. I am now Chairman of that group.

In addition to my practical experience, I have an academic background in and lifelong interest in political and economic policy. As a result of my extensive involvement in emerging markets, I have had the opportunity to see firsthand the potential and the challenges emerging countries face, as well as the positive impact governments can have when they pursue sensible macroeconomic policies that bring stability and growth.

If confirmed, I will work vigorously to improve the functioning of the IMF and to further this administration's principal objectives for this important institution. As I understand them, these are for the IMF to promote more balanced and sustainable global growth, reduce the likelihood of financial crises, and strengthen economic governance and capacity of its member states. These objectives are all critical to advancing U.S. growth and prosperity. In addition, if confirmed, as Secretary Mnuchin has recently requested of the IMF, I will do all I can to encourage the IMF to streamline its program conditions to make them more effective, more effectively tackle corruption, and boost debt transparency and sustainability, particularly in its low-income member countries.

Thank you again, Chairman Isakson, Ranking Member Shaheen, for this opportunity to appear before you, and I would be pleased to answer any questions you or the committee may have.

[Mr. Rosen's prepared statement follows:]

#### PREPARED STATEMENT OF MARK ROSEN

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dent Trump has nominated me to serve as the U.S. Executive Director of the International Monetary Fund (IMF), and I am grateful to Secretary Mnuchin and Under Secretary Malpass for their confidence and support.

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Thank you again for this opportunity to appear before you and I would be pleased to answer any questions you may have.

**Senator ISAKSON.** Thank you very much, Mr. Rosen.

I am going to take the liberty of being the designated chairman here to act like a chairman and make the rules. Senator Murphy showed up here and I appreciated him coming. Although I would normally lead off questions as chairman, I am going to give him a little early warning so you are going to have a chance. You have got a constituent here. We have talked about your service to the people of Connecticut in your absence earlier and it was a good conversation. I know Mr. Rosen would love to talk to you again and love to receive your questions. So on to Senator Murphy for any questions he might have.

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

Not only did Mr. Rosen make a wise choice in his place of residence, but his son made a wise choice in his choice of college. So as a Nutmegger and as a Williams College Eph—I will explain to you, Mr. Chairman, what that means later. [Laughter.]

Senator MURPHY. I appreciate your willingness to serve.

Senator ISAKSON. I cannot wait. [Laughter.]

Senator MURPHY. Just one question for you, Mr. Rosen.

The IMF is traditionally a pro-free trade organization. In the past, it has clashed with the Trump administration and officials over some basic economic assumptions. In your mind, how does the U.S. imposition of aluminum and steel tariffs and any other retaliatory actions by other countries—how does that affect the IMF's loan-making process? What do you sort of foresee as the interaction between this increasing war of actions and words on trade between the United States and other countries and the IMF's ability to do their job and your ability to do the job at the IMF?

Mr. ROSEN. I think that is a very good question, Senator.

I think the IMF—its core mission is to try to minimize global trade imbalances. That was one of the statements and objectives that was in the core founding mission of the IMF when it was founded back in the mid-1940s. So the IMF plays a very, very important role in trying to encourage countries to manage their trade positions in a way that promotes global growth. And I think the IMF has done a reasonable job of doing that, but I think it could be a louder advocate for trying to restore more balance in trading relations between countries.

So clearly what you mentioned earlier is a background to that, but I think this I hope will allow the IMF to raise this back to the top of its agenda to try and make as much progress as we can to create free, fair, and reciprocal trade which is I think what we all want.

Senator MURPHY. Ms. Mosbacher, thank you very much for spending time with me. As one of the heads of the Poland Caucus here in the Senate, I am excited to work with you when you take up post.

I think we had the chance to talk about this, and I wanted to ask you on the record about how you think that the embassy and you are going to interact with Poland on the issue of immigration. Poland is one of a small handful of countries that has not accepted the number of refugees that was set out in EU policy. Obviously, we have effectively closed our doors to refugees here in the United States. Traditionally we have tried to work with European countries to be part of the solution, not part of the problem with respect to the continued flow of refugees into the continent.

What do you foresee as the message you will be bringing to Poland on the question of their immigration and refugee policy?

Ms. MOSBACHER. Thank you, Senator, for the question.

Poland has been very clear with respect to refugees. They have not been willing to take any refugees.

If confirmed, I will certainly work with the Polish Government to see how we can work that situation where they do their fair share. That may be harder than it sounds, but I do think that we have shared values and those values are to be mindful of those people who are unfortunately under very difficult circumstances.

Senator MURPHY. Unfortunately, I think you are probably right that these days, the administration there and the administration here have shared values. I do not know that those values are values related to allowing refugees to come into the country.

Just a quick other question. This is prompted by some remarks that our Ambassador to Germany made this weekend that got quite a bit of news weighing in on his expressed desire to empower political conservatives throughout Europe, which seems to many of us to be an unwarranted interference in political matters abroad, something that our diplomats try to stay out of.

Just for the record, do you think it is appropriate for Ambassadors to be weighing in on one side or the other of a political debate or a partisan debate overseas?

Ms. MOSBACHER. Senator, I do not. I think it is our policy, if I am confirmed as Ambassador, to be bipartisan not only in the country but at home as well in order to achieve the mission that I am given. I do not think it is appropriate.

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

Thank you for your straightforward answers.

Senator ISAKSON. Thank you. If you want to stay and would like a follow-up question, we will probably have some time. So let me know.

Mr. Rosen, we had a good conversation outside, and I have to tell you that I think every time I heard you speak, I think of Rex Harrison. You have got the best accent possible. You ought to be a great negotiator with that. It is melodic. You will put people to sleep while you are picking their pockets. [Laughter.]

Senator ISAKSON. A great talent to have and we are glad that you have got it.

I should know this, but I do not. What constitutes the governing board of the IMF?

Mr. ROSEN. Well, there are three levels, Senator. The first one is the body where the Treasury Secretary Mnuchin and other finance ministers sit, and that is a body that meets I think once a year. And then under that is the body of all the major central bank governors. They have a committee as well. And then the third level, which is what I would be part of, is—I believe it is a 19-member executive board. As you know, a number of the countries have their own representatives on that executive board and some countries are grouped together because, obviously, there are 189 members of the IMF, so not everybody can have a member of the executive board.

Senator ISAKSON. The reason I asked the question is the United Nations, of course, from time to time is controversial in this country because of its makeup or some of the positions that it takes. But it has a unique makeup being the body of the General Assembly of the United Nations, but the Security Council, 13 nations over it, which can veto just about anything—any member of that can veto about anything.

Is the 19-member advisory committee—or that last group—do they have a similar role with the IMF that the Security Council has with the United Nations?

Mr. ROSEN. I would say similar. I mean, certainly as you know, the United States is the largest shareholder of the IMF, and it does

have essentially veto power over important matters that occur at the IMF because they require an 85 percent vote, and the United States has, I think, about a 16.7 percent shareholding or so of the IMF. So we do have an important veto power I suppose as we do at the United Nations. And only the larger countries are individually represented at the IMF. So it is somewhat similar. I think that is a good analogy.

Senator ISAKSON. Mr. Akard, you have a really important role. I referred to earlier who would have thought we would be engaging with North Korea, with China, with Syria, with all the games that we have right now in the world. Our soft power that Senator Shaheen referred to to me is also very important in these various negotiations that we have got going on around the world. In fact, I have always hoped that our strength would always be in our soft power because we had a strong military power, if we had to call on it.

Your role is going to be seeing to it that soft power is as powerful as it can possibly be. I said this in a hearing with Secretary Pompeo and the CIA a while back. There have been some that have questioned the motivation and the excitement and the enthusiasm in the State Department right now because they have been through some rough times. In part, you will have a role in what the attitude of the members of the State Department are.

What role do you see you would have in helping with a strong enthusiasm for them to do the job and a strong pride in the job that they have?

Mr. AKARD. Senator, thank you for the opportunity to explore the relationship with the OFM and the broader State Department. If confirmed, I would hope to bring some of the enthusiasm that Secretary Pompeo has brought into the Department over the last few weeks to encourage and show that there is swagger back at the State Department and there is an important role. I hope that by leading the Office of Foreign Missions, I can show that at least to the staff there that their voices are important and they have an important role to play in our national security. So if I am confirmed, I would hope to encourage that, spread that message among Foreign Service officers and Civil Service officers who do admirable work on behalf of our country. It should be appreciated and recognized, and I will do my part to see that that is the case.

Senator ISAKSON. Well, that is the answer I was hoping I would get because I think that you are exactly right in what you have just expressed. I think your role can be essential because the State Department and the soft power of our country is still the biggest strength we have got if we have a strong military backing. And we are coming back in the funding of our military now to have both those one-two punches in place.

But diplomacy is going to be tested, and our willingness to be good diplomats and support our diplomatic programs around the world and have the very best we can have in those agencies is important. And I am sure you will fill that role.

Senator Shaheen will be back in just a second.

Ms. Mosbacher, this is personal privilege. When is the last time you were in Atlanta and saw Jeanne Ferst? Do you remember?

Ms. MOSBACHER. At this stage, my memory—

Senator ISAKSON. Mine is bad too.

Ms. MOSBACHER. I am trying to think. It was a while. It has been several years.

Senator ISAKSON. She was a great lady. She really loved your contributions.

Ms. MOSBACHER. A special person.

Senator ISAKSON. And your husband's contribution too.

Ms. MOSBACHER. Yes. Thank you.

Senator ISAKSON. Mr. Rosen, the IMF finance of developing countries around the world and infrastructure in developing countries, things like Electrify Africa, some of the programs that have been talked about in terms of infrastructure—how much infrastructure investment in developing nations of the world does the IMF sponsor or take on or in some way guarantee?

Mr. ROSEN. Senator, the IMF plays an important role mainly more in terms of if a country has financing issues, external financing and trade issues, and it works very closely with its partner on those issues, which is the World Bank. And the World Bank and the IMF obviously sit next to each other, and they work on projects together frequently. If a country has financing problems relating mainly to its balance of payments issues or external debt issues, then infrastructure projects and other financing projects become very difficult to continue with. And so the IMF has to work very closely with the World Bank on those kinds of issues.

Senator ISAKSON. If I recall correctly—and please correct me if I am wrong—but the nation of Israel ran into some trouble with its own internal budget here a few years ago on financing. And they fixed it by a recommended program by the World Bank, and I think the IMF was a part of the body that made the recommendation. That was to go to a biennial budgeting process in terms of the way they did their spending of their discretionary spending in Israel. Is that correct?

Mr. ROSEN. I am not familiar with that, so I have to get back to you and check that. But it sounds right. It sounds right.

Senator ISAKSON. Because I personally have thought one of our biggest challenges as a country—and we got lots of them, but certainly our debt and our deficit are both big problems. But when you get to \$20 trillion, you are talking about real money, as Everett Dirksen said a few years ago in Washington. And it is very important that we get our arms our appropriations and our expenditures and our discretionary expenditures. And I think a biennial budget where you appropriate in even numbered years but you do oversight and oversight only in odd numbered years helps you to get a handle on where your money is going or where you might find money rather than raising taxes or raising debt in terms of making a new investment.

And I just did not know if you were familiar with what had happened because Israel I know changed their process for a while, and it solved their economic problems for a while by using biennial budgeting.

Mr. ROSEN. That sounds very interesting, Senator, and I would like to look into that further with you and have further discussions, if I am confirmed.

Senator ISAKSON. Ms. Mosbacher, what was your last business? You had a 15-year business your last one was a part of.

Ms. MOSBACHER. Yes. I manufactured and exported toiletries, hair care, cosmetics, body care around the world.

Senator ISAKSON. You know, I was very proud of the reference you made to Poland reaching the 2.5 percent goal in terms of its share of funding for defense and NATO.

Ms. MOSBACHER. Yes. They are one of the few countries.

Senator ISAKSON. One of the few?

And we have got to do more of that as a country. We can always be critical of people for not doing enough, but we sometimes do not brag about the ones who do everything or do as much as they should. And I think one of the ways you make better partners with those who are not so good is to brag about the ones who are so good. Chambers of Commerce are always trying to get new members. I tell them you ought to go first save your old members before you bring in some new ones because you are going to lose them if you do not. And I think that is very important to do from a membership standpoint in terms of the United States of America and the various places we will be.

Are you familiar with what is going on in Eastern Europe on anti-Semitism?

Ms. MOSBACHER. Yes, I am, Senator. Unfortunately, it has been sparked by a Holocaust law that Poland passed recently. And if confirmed, I would certainly work with Poland to make sure that any legislation they passed clearly does not—we cannot tolerate any kind of bigotry. And this is fundamental to our values. And I would work with Poland to make sure that they did not include that kind of thing in their legislation.

Senator ISAKSON. I am sorry. Would you repeat that last sentence?

Ms. MOSBACHER. I said I would work with Poland to make sure that before they put out any kind of legislation, that it did not incite bigotry. That is unacceptable—intolerance in any form.

Senator ISAKSON. And it is unacceptable of any country in the world not—

Ms. MOSBACHER. Any country in the world.

Senator ISAKSON. What has happened in Eastern Europe is there has been a little bit of an uprising of anti-Semitism. I know as a Swede I am familiar with what goes on in Stockholm and in Sweden and really in that part of the world, and there have been some outcroppings of that around that part of the world as well. And it is something we want it to get legs or get strength or get a body to it because if it does, it is bad for the whole world. The Polish people have been so great and such a great partner of the United States of America. And I know you are going to be a great representative of us to them to see to it that we all work towards making the kind of decisions that are fair and equitable to everyone and not critical of just one.

I am going to ask one more question and then if Ms. Shaheen does not get here, we are going to be finished.

I ask all that I interview for these jobs what is the one reason that you could give me more than any other that you accepted the appointment and put yourself up for this confirmation. Mr. Rosen?

Mr. ROSEN. Senator, a great question. I think the main reason is because I wanted to serve this country and pay something back

to it for what it has done for me since I have lived here over many years. And I hope that the experience that I can bring to the job will be valuable to the United States in the role as U.S. Executive Director of the IMF. But I am hoping to give something back to this great country.

Senator ISAKSON. I can assure you it will be important, and that is exactly the right answer.

Mr. Akard?

Mr. AKARD. Senator, I entered the Foreign Service a little over 20 years ago because of a drive to do something for my country and be of service and utilize an interest in global affairs. In the meantime, I have had a number of experiences both overseas on behalf of the U.S. Government but also in my home State of Indiana working on business matters and working for the Government there. I believe I have developed over that time some other skills that would be of value, and it is an opportunity and great honor for me, if I am confirmed, to again have a chance to give back and serve my country. That has been the driving force for my interest.

Senator ISAKSON. Thank you very much.

Ms. Mosbacher?

Ms. MOSBACHER. Senator, in this last chapter in my life, I have the opportunity to take all the experiences that I have had in business and in working with our military and our veterans and be able to serve my country is the greatest honor and something that I always wanted to do. Had I known enough early on in my life, I probably would have signed up for the military. But instead I have worked with our military and our great veterans. And to take this experience and now be able to serve my country—there is no greater honor.

Senator ISAKSON. Well, I think this is not going to be your last chapter, but it is going to be your best chapter.

Ms. MOSBACHER. Thank you, Senator.

Senator ISAKSON. Thank you very much for your willingness to serve.

We stand adjourned.

[Whereupon, at 3:42 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO GEORGETTE MOSBACHER BY SENATOR BENJAMIN L. CARDIN

*Question 1.* How would you assess Poland's bilateral relationship with Ukraine and Poland's posture regarding Russian aggression against Ukraine? Are there aspects of Poland's relationship with Ukraine that are susceptible to Russian malign influence?

Answer. Poland consistently advocates for Ukraine's integration into transatlantic and European institutions. It has also insisted that sanctions against Russia must remain in place until Ukraine's territorial integrity is restored.

Historical conflicts between Poland and Ukraine provide opportunities for Russian exploitation, but should not obscure both countries' strong common interests. If confirmed, I would be ready to lend my good offices to strengthening relations between both countries.

*Question 2.* The European Commission concluded earlier this year that Poland's "executive and legislative branches have been systematically enabled to politically

interfere in the composition, powers, administration and functioning of the judicial branch.” Given the importance that the United States attaches to NATO members upholding our shared commitment to democracy, human rights, and the rule of law as the bedrock of our common security and prosperity, how would you engage with Poland to foster “sliding forward”?

**Answer.** A strong and healthy democracy in Poland is a vital component of U.S.-Polish relations. The United States relies on allies to maintain strong democratic institutions, open economies, and defense capabilities. If confirmed, I will pay close attention to developments in areas such as democracy, human rights, and rule of law and will be prepared to speak privately—and publicly if necessary—on the importance of maintaining shared commitments to Western values.

*Question 3.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** In my businesses, I assembled workforces that looked like America, with backgrounds tracing to most if not all regions of the world and without regard to race, gender, sexual orientation or any other inappropriate criteria. Similarly, our manufacturing partners were known for impeccable integrity and adherence to national and international standards of corporate responsibility. I believe that our practices directly improved the lives of all involved and contributed to setting standards for the American and global corporate communities.

Through my work on the board of the Atlantic Council, I supported an organization that actively advances the global dialogue on human rights and democracy. Similarly, through the boards of Business Executives for National Security and the Intrepid Fallen Heroes Fund and as a member of the United States Commission on Public Diplomacy, I have contributed to the ability of the United States to remain a major global force for human rights and democracy.

*Question 4.* What are the most pressing human rights issues in Poland? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Poland? What do you hope to accomplish through these actions?

**Answer.** The State Department’s 2017 Human Rights Report notes that issues remain around private property restitution. It also highlighted concerns about recent potential legislative amendments that could infringe judicial independence. As with all allies, the United States routinely discusses human rights and democracy in our bilateral relations. If confirmed, I would continue to do so.

The United States stands by the principles of separation of powers and judicial independence. If confirmed, I will urge the Polish Government to respect these principles. If confirmed, I also will work with the Polish Government, relevant stakeholders, and others to ensure private property restitution legislation respects the rights and interests of U.S. citizens—especially Holocaust survivors.

*Question 5.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Poland in advancing human rights, civil society and democracy in general?

**Answer.** Poland and the United States share common values, including the importance of protecting and promoting human rights. Poland’s civil society is diverse and active, with independent groups that report and advocate on the issues they care about around the country. If confirmed, I will continue the U.S. Embassy’s regular engagement with these groups on pressing issues, and I will encourage development of legislation to address World War II and Communist-era nationalization of property. Due to the scope of devastation in Poland during and after the war, this challenge will be daunting. However, I am prepared—if confirmed—to use my good offices to help solve this problem.

*Question 6.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Poland? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Civil society is an important part of the democratic process and has a role to play in public awareness and public discourse. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society groups in Poland. If confirmed, I will ensure the Department continues to vet thoroughly all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy Amendment to the Foreign Assistance Act of 1961 (FAA), as amended. If there are findings of credible information regarding gross vio-

lations of human rights, I will take the necessary steps in accordance with the law and Department policy, including working to ensure the responsible parties do not participate in U.S.-funded training.

*Question 7.* Will you and your embassy team actively engage with Poland to address cases of key political prisoners or persons otherwise unjustly targeted by Poland?

Answer. The State Department's 2017 Human Rights Report states that there were no reports of political prisoners or detainees in Poland. In the unlikely event that this situation changes, I will, if confirmed, actively engage with Poland.

*Question 8.* Will you engage with Poland on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will sustain the United States' engagement with a broad spectrum of civil society in Poland, including human rights activists and religious groups, and the organizations that represent them.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Poland?

Answer. No.

*Question 12.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As the CEO of two companies with global sales and the first woman to be appointed to serve as U.S. Ambassador to Poland, I am extremely sensitive to the issue of staff diversity. Likewise, as the first person in my family to have graduated from college, I am keenly aware of the importance both to the organization and the individual of offering opportunity to those who come from different backgrounds. From my business career, I am familiar with the management research—and, more significantly, know from personal experience—the contribution that a diverse workforce and management team can make to the success of any organization.

As you know, ambassadors have only a limited role in directly selecting the staff of the Embassy's various sections—and even less in selecting the officers of other Agencies and Departments represented on the Country Team. For those positions over which I will have direct hiring authority, diversity will certainly be among the major considerations that I will weigh in making my selections. If confirmed, I also will emphasize my interest and strong conviction in favor of a diverse workforce for the Embassy and the Country Team and do what I can to promote a diverse and inclusive workforce and Country Team for Embassy Warsaw and Consulate General Krakow.

*Question 13.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I will expressly encourage both the State Department's personnel managers and the other Agencies represented in Embassy Warsaw and our Consulate in Krakow to send personnel with a diversity of backgrounds, ethnicities and orientations to our posts in Poland—particularly with respect to the Embassy's section heads, the senior-most officers reporting to me. I will expect a diverse team of my direct reports to, in turn, work with the State Department's personnel system, through its assignments process, in order to ensure comparable diversity in the designation of more junior officers to our Polish posts. I will also reinforce, whenever possible, the diversity-in-staffing message both in Warsaw and in Washington.

My Country Team members' success in recruiting and managing a diverse work-force in their respective Embassy sections will not only be a consistent focus of my management attention; it will be a specific point of my assessment of their performance at post.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GEORGETTE MOSBACHER BY SENATOR JEANNE SHAHEEN**

*Question 1.* What are your views on the reforms of Poland's judicial system undertaken by the current government?

Answer. The United States stands by the principles of separation of powers and judicial independence. Poland is an important ally of the United States, and we respect the decisions of its democratically elected government. If confirmed, I will urge the Polish Government to respect these principles in any legislation it adopts and to address any issues that arise through dialogue and compromise, to ensure that Poland's democratic institutions and system of checks and balances are fully functioning and respected.

*Question 2.* What are your views on the current state of freedom of the press in Poland?

Answer. Poland is a democratic ally whose leaders and people share our Western values. Poland has a vibrant media environment, which includes U.S. investment. If confirmed, I will pay close attention to developments in this sector and am prepared to speak privately—and publicly if necessary—about the importance of a free and independent media as a fundamental pillar of democracy.

*Question 3.* If confirmed, what would you do to promote American values and address concerns about Poland's domestic governance, particularly in the areas of rule of law, judicial independence and freedom of the press?

Answer. The U.S.-Poland relationship is rooted in shared Western values—these values form the foundations of our Alliance and the close ties between our governments and our peoples. If confirmed, I am prepared to speak privately—and publicly if necessary—about the importance of upholding these shared values. In addition, I will employ the full range of public diplomacy tools to highlight these shared values.

*Question 4.* Will you meet with Polish civil society groups, including judges' and lawyers' associations, working on judicial independence and rule-of-law issues?

Answer. If confirmed, I will sustain the United States' engagement with a broad spectrum of civil society in Poland, including judges' and lawyers' associations.

*Question 5.* Do you agree with the U.S. intelligence community's January 6, 2017 assessment, which concluded: "Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump."

Answer. Russia undoubtedly attempted to interfere in the 2016 elections. Its objective was to erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, and undermine confidence in the institutions of the U.S. Government.

*Question 6.* Russia's continuous cyber and disinformation attacks against NATO allies require a concrete, unified approach from the Alliance. How will you work to improve Poland's resilience in the face of Russian interference in the form of disinformation and funding of far-right and disruptive groups?

Answer. Although many Central European and Baltic partners, including Poland, have "graduated" from U.S. development assistance, the U.S. Government remains committed to helping these partners in areas such as building resilience to Russian pressure. I understand the administration is looking for additional ways to work with Central European governmental and non-governmental partners to counter disinformation, enhance energy security, and strengthen governance, including initiatives bolstering regional partnerships to counter Russian malign influence efforts.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GEORGETTE MOSBACHER BY SENATOR TIM KAIN**

*Question 1.* Poland has been a focus of U.S. and NATO efforts to deter potential Russian aggression in the region. In the wake of Russia's Crimea annexation in March 2014, Polish officials revived a long-standing wish to permanently base U.S. forces on their territory. Under the EDI, the U.S. has bolstered security in the region with an increased military presence, additional exercises and training with allies and partners, improved infrastructure to allow greater responsiveness, enhanced prepositioning of U.S. equipment, and intensified efforts to build partner capacity for newer NATO members and other partners. In May of this year, Poland proposed establishing joint military installations for a U.S. armor division and outlined a commitment of up to \$2 billion in support. On June 5th, 2018 the Prime Ministers of Latvia, Lithuania and Estonia publicly supported the permanent stationing of U.S. troops in Poland. Would a permanently based U.S. unit in Poland increase or decrease our effectiveness in deterring Russia?

Answer. The rotational U.S. deployments in Poland, including an Armored Brigade Combat Team and a U.S. battalion, as part of the U.S.-led multinational battle group under NATO's enhanced Forward Presence in Poland, are very successful. They provide deterrence and significant opportunities for exercises and training to strengthen U.S., Polish and NATO interoperability and capabilities.

On the possibility of permanently stationing of U.S. troops in Poland, my understanding is that this issue is being discussed within the United States interagency at senior levels. I would defer to military analysts and foreign policy experts on Russia as to whether a permanently based U.S. unit in Poland would increase or decrease our effectiveness in deterring Russia.

*Question 2.* Do you support the permanent basing of U.S. troops in Poland?

Answer. My understanding is that this question is currently under discussion within the U.S. Government, and I would defer to further study and counsel from military and foreign policy experts.

*Question 3.* If not, please explain the strategic value in having relatively small units forward deployed to deter Russia versus a permanent U.S. division.

Answer. I am not a military analyst and would not venture to opine on the strategic value of troop postures or configurations, especially not without further study by and counsel from relevant military and policy experts.

*Question 4.* Infantry and aviation units have been deployed through EDI, but no cyber units have been a part of the U.S. enhanced forward presence. Given the cyber threat Russia poses to the stability and infrastructure of Poland do you support a cyber component to EDI?

Answer. Disinformation and cyber threats pose problems throughout the world; their origins are often hard to trace, affording a degree of deniability. Such threats make allies vulnerable and represent a new set of challenges, against which the United States and its allies must act. Steps to enable NATO allies to deter and respond better to cyber and the full range of hybrid threats are rightly among the issues being addressed at NATO in preparation for the July Summit. Without preempting the counsel of experts, I believe these issues need to be a priority in our cooperation with allies.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
STEPHEN AKARD BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As a Foreign Service Officer, I contributed to the drafts of the annual U.S. Department of State Country Report on Human Rights Practices, Report on International Religious Freedom, and Trafficking in Persons Report. In the field overseas, I met with and interviewed numerous individuals for background information relevant to these reports. I believe this work has enhanced appreciation for the U.S. commitment to human rights and democracy and encouraged the expansion of both. As an attorney, I have been committed to the cause of justice throughout my career—in the U.S. Courts, in private practice, and in state government service.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. The Foreign Service Act directs the Foreign Service to be representative of the American people. To be effective, the Foreign Service must encourage varied viewpoints and thinking from diverse frames of reference. If confirmed, I would advocate strongly for and seek out such diverse input. I would also prioritize recruitment, training, and acquisition of appropriate tools and resources for the success of all employees.

*Question 3.* What steps will you take to ensure each of the supervisors in the Office of Foreign Missions are fostering an environment that is diverse and inclusive?

Answer. I believe it is essential for the Director to model inclusive behavior as outlined above for supervisors and, if confirmed, I pledge to do so. I would emphasize the utilization of recruitment and development programs such as the Pickering Fellowship, Rangel Fellowship, and others. I would expect that supervisors account for the training and professional development of staff and I would encourage mentoring, New Inclusion Quotient workshops, and the use of career advancement and leadership development programming for promising employees.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO STEPHEN AKARD BY SENATOR JEANNE SHAHEEN

*Question 1.* What is your understanding of the level of cooperation provided by the Cuban and Chinese Governments in connection with official U.S. investigations into sonic attacks targeting U.S. diplomats in Cuba and China?

Answer. The safety and security of our personnel overseas is of paramount importance and the developments in Cuba and China are deeply concerning. If confirmed, this issue will be one of my top priorities. I understand that we are pressing both countries for full cooperation with our investigations into these incidents. If confirmed, I would monitor progress on these investigations closely and work with our regional bureaus to hold both governments to their commitments under the Vienna Convention to provide for the safety and security of our personnel.

*Question 2.* If it is determined that these governments have been anything less than fully cooperative with U.S. officials investigating these attacks, what options are available to the United States through the Office of Foreign Missions to sanction them?

Answer. I understand the Department is taking this matter very seriously and is working to determine the cause and impact of these incidents. The Foreign Missions Act provides the Department with broad authority to develop and implement actions or restrictions on the operations of foreign missions and their members in the United States. Thus, there are a wide range of responsive options available for consideration, including but not limited to mandated staff reductions, domestic travel restrictions, or other operational restrictions.

*Question 3.* Do you agree with the U.S. intelligence community's January 6, 2017 assessment, which concluded: "Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin

and the Russian Government developed a clear preference for President-elect Trump.”

Answer. Yes.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK ROSEN BY SENATOR BENJAMIN L. CARDIN**

*Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Human rights and democracy are of critical importance to me and though I have not had the opportunity to promote them actively in my career to date, I intend to make them an important factor in my actions at the IMF, if I am confirmed by the Senate. Moreover, if confirmed, I intend to utilize the IMF platform to make positive changes on both fronts.

*Diversity*

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will promote, mentor, and support staff who come from diverse backgrounds and underrepresented groups. These staff add tremendous value to any organization. I look forward to learning from their experiences, if confirmed.

*Question 3.* What steps will you take to ensure each of the supervisors you oversee at the International Monetary Fund are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will use my oversight role on the IMF’s Board of Directors to press the IMF management to foster an environment that is diverse and inclusive. I will also advocate for these issues to be considered, as appropriate, in the development and review of IMF’s human resources policies.

*Conflicts of Interest*

*Question 4.* Do you commit to bring to the committee’s attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President’s business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to carrying out my duties consistent with applicable conflict of interest laws and policies, and to report any potential misconduct of which I become aware to the appropriate authorities.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President’s business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to carrying out my duties consistent with applicable conflict of interest laws and policies, and to report any potential misconduct of which I become aware to the appropriate authorities.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. I have limited financial interests in the United Kingdom, where I was born, that I disclosed on my form 278. After that form was filed, I, together with my brother and sister, inherited our family house when my parents passed away. We are in the process of selling the house.

Answer. My wife, who is a U.S. citizen, was born in Peru and owns interests with her brother and sisters in their family companies in Peru. These interests were also disclosed in my form 278.

If confirmed, I commit to carrying out my duties consistent with applicable conflict of interest laws and policies.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK ROSEN BY SENATOR JEANNE SHAHEEN**

*Question 1.* The IMF's goals include fostering global monetary cooperation, securing financial stability, facilitating international trade, promoting high employment levels and sustainable economic growth, and reducing poverty around the world. Some other institutions, particularly those backed by China, are more narrowly focused and transactional in nature. What is your assessment of China's financial and investment activities in Latin America?

Answer. As Treasury Under Secretary David Malpass noted in February 2 remarks to the Center for Strategic and International Studies, the administration is concerned that China is resurrecting the regional growth model of the past through engagements that may not benefit China's partners in the long run.

While China has contributed to global and regional growth, its state-directed lending and investment has tended to increase the region's dependence on resource extraction and primary commodities, while its financing has all too often enabled countries to delay making needed reforms to governance and economic policy.

My understanding is that the administration is working to support sustainable, private sector-led growth in the region by advocating for sound macroeconomic policies, supporting the rule of law and anticorruption efforts, and exploring means of mobilizing additional financing to address the region's energy and infrastructure needs.

*Question 2.* What steps do you believe the United States and institutions such as the IMF should take in response to Chinese financial and investment activities in Latin America?

Answer. The IMF, in fulfilling its surveillance mandate, should monitor Chinese activities where relevant and should not hesitate to call out risks posed by China's loans when appropriate.

The IMF can also play a crucial role in fostering best practices around Chinese lending, including engaging with China on principles around transparency, lending consistent with debt sustainability, and responsible burden-sharing in debt resolution.

*Question 3.* Will you oppose IMF lending to countries that unjustly detain U.S. citizens for extended periods of time?

Answer. If confirmed, I will work to make sure IMF lending fulfills its primary purpose: addressing balance of payments of needs, preventing crises, and boosting growth. To be effective, IMF lending needs to take into account many aspects of a country's policies, including economic policies, political developments, and security and social issues. I look forward to coordinating with you on IMF lending in my capacity as Executive Director.

*Question 4.* Do you agree with the U.S. intelligence community's January 6, 2017 assessment, which concluded: "Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump."

Answer. If confirmed, I would not have any involvement in this matter, as it is outside the IMF's fundamental mission to help ensure stability in the international monetary system. I have seen press coverage of Russia's attempted interference in the 2016 U.S. election, as well as the administration's efforts to confront and counter Russia's continuing destabilizing activities.

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## NOMINATIONS

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WEDNESDAY, JUNE 13, 2018

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

The committee met, pursuant to notice, at 10:10 a.m., in Room SD-419, Dirksen Senate Office Building, Hon. Marco Rubio, presiding.

Present: Senators Rubio [presiding], Risch, Gardner, Young, Menendez, Cardin, Shaheen, Murphy, and Kaine.

**OPENING STATEMENT OF HON. MARCO RUBIO,  
U.S. SENATOR FROM FLORIDA**

Senator RUBIO. All right, the Senate Foreign Relations committee will come to order.

This is a hearing on the nominations of Ms. Kimberly Breier, of Virginia, to be the Assistant Secretary of State for Western Hemisphere Affairs; Mr. Kenneth George, of Texas, to be U.S. Ambassador to the Oriental Republic of Uruguay; and Mr. Joseph Mondello, of New York, to be the Ambassador to the Republic of Trinidad and Tobago.

We thank you for being here. We thank you for your willingness to serve our country.

Before the Ranking Member and I begin our opening remarks, we have distinguished guests with us who will be introducing one of our nominees. Senator Cornyn, of Texas, will be introducing Mr. George, along with—yeah, Congressman Sessions, as well, will be introducing him. And then we are also joined by Congressman Peter King, who is here today. Thank you, sir, for coming and for being with us here today. Obviously, I think you are interested in our nominee from New York. So, we thank you for coming.

And so, I will—I guess I will begin by recognizing Senator Cornyn. I know you have got a busy day ahead.

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Thank you, Chairman Rubio and Ranking Member Menendez.

It is my pleasure to introduce Ken George, who has been nominated by the President to serve as a U.S. Ambassador for the Oriental Republic of Uruguay. Ken has served in the Federal Government before, under President Ronald Reagan, as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service in the Department of Commerce. On top of holding these

prestigious positions, he has served on numerous city, State, and professional boards and commissions back in Texas, as well as chairman and CEO of several public and private corporations. Since 2009, for example, he has been the owner and manager of Blue Harbor Plantation and Blue Harbor Tropical Arboretum in Honduras. This role has exposed him to social, political, and business contacts and contexts within Latin America. And I am sure his experiences will serve him well in Uruguay.

Ken and his wife, Tricia, and I first met when I was serving as a district judge in San Antonio, Texas, so we go way back. But, Ken—our paths crossed again when Ken served in the Texas legislature in 1998.

Over the last 30 years, I am glad our careers have overlapped so often. I have gotten the chance to know Ken, and I can say from firsthand experience he is more than qualified and generally—a genuinely great fit for this position.

Uruguay is a country of roughly 3 and a half million people, and it stands out among its Latin American neighbors for its strong democratic institutions as well as its high per-capita income and comparatively lower levels of corruption, poverty, and inequality. Over the last decade, the U.S. and Uruguay have forged closer trade and investment ties, and have worked together to promote international peace and security. In 2005, this committee knows, the country signed a bilateral investment treaty. And in 2007, we signed an important trade and investment framework agreement.

We are Uruguay's fourth-largest trading partner. And, in 2017, our exports to Uruguay totaled \$1.6 billion, resulting in a sizable U.S. trade surplus. U.S.-Uruguay merchandise trade has increased by 90 percent since 2007, and its U.S. foreign direct investment—and U.S. foreign direct investment in Uruguay has increased dramatically, as well. These are good signs that our effective diplomacy is paying dividends.

Strategically located between South America's largest economies, Argentina and Brazil, Uruguay maintains a favorable investment climate that does not discriminate against foreign investors. As America's diplomat there, Ken will be crucial to ensuring the atmosphere is maintained and nurtured.

Of particular interest will be keeping a close eye on China's influence in Uruguay as they extend their influence throughout South America and around the world. There have been reports about the Chinese interests in harbor projects there. And, given the country's economic and military aggression—aggressiveness in other parts of the globe, we have to monitor these developments closely.

In the international sphere, Uruguay promotes democracy and human rights, and is one of the largest per-capita contributors to U.N. peacekeeping missions in places like the Congo. Again, Ken will be pivotal in ensuring this and other international partnerships flourish. I know a group of U.S. Air Force colonels recently visited the Uruguayan Ministry of Defense to discuss peacekeeping, and I am sure Ken will be key in facilitating future similar meetings.

Finally, let me say that Ken George's civil service is extensive and is rooted in his passion to serve his country. In his new role,

he will collaborate with stakeholders, including the White House, Congress, and the State Department, to advance our Nation's interests as well as strengthen our relationship with the people and Government of Uruguay, and support continued development of democratic institutions there. Uruguay is fortunate, indeed, to have such a strong proponent of democratic principles and the rule of law serve as our U.S. Ambassador.

Thank you very much, Mr. Chairman, Senator Menendez, for your consideration of this excellent nominee. I know he is eager and excited to serve his country once again in this new role.

Thank you—

Senator RUBIO. Thank you.

Senator CORNYN.—very much.

Senator RUBIO. Thank you, Senator.

And it is Texas. They always do everything big, so we have two people from Texas here today.

Congressman Sessions.

**STATEMENT OF HON. PETE SESSIONS,  
U.S. REPRESENTATIVE FROM TEXAS**

Mr. SESSIONS. Mr. Chairman, thank you very much. And, Ranking Member Menendez, it was so good to visit with you earlier about not only the success of this subcommittee and the committee, but also the kind of people who are brought forth to be before you today.

Mr. Chairman, I stand in support of the gentleman from Texas—Dallas, Texas—Ken George. Mr. George, I have known for 30 years. I have known him in business. I have known him in his professional attributes, as he has a great name across Dallas, Texas, including his academic credentialing. Ken, a few years ago, went back and got his master's degree, when he did not have to, simply to tighten himself up on the attributes of doing business in academia today.

Mr. George has an opportunity today to be with his beautiful young wife, Tricia, and two of his sons, Kenneth and Clement. He also has two other children. All three of his young boys are Eagle Scouts, and two of them serve our country—have served our country honorably in the United States Navy and the United States Marine Corps.

Mr. George, in particular today, brings what I believe is a strong understanding of not only the free enterprise system, but America. Doing business internationally, Mr. George is no stranger to not only doing business internationally from his days of service to—from the Commerce Department, but also in his wide range of activities from Dallas, Texas. He is sought after, not only from a perspective of understanding business, but also the relationships that there go to also.

I spoke with Mr. Menendez earlier about me growing up in—several years in Bethesda, Maryland. When I grew up in Bethesda, Maryland, I had an opportunity to have a Scoutmaster whose father was the Ambassador to the United States from Uruguay, Hector Luisi. Mr. Luisi served his great nation, Uruguay, for a number of years. And so, I grew up knowing about the great nation, the sovereign nation of Uruguay, its people, its history, its heritage,

the pride of authorship of their relationship with the United States. And so, it came as a particular delight for me when my dear friend, Ken George, was nominated by the President of the United States, Donald J. Trump, to become the United States Ambassador to a country that I not only had learned about as a young man, but that I know the people who were there also. And so, I had an opportunity to link up the gentleman, Mr. George, with Hector Luisi, who is the son who still stands in pride of authorship of his great nation. And I will tell you that Mr. George will be a strong attribute of not only the credentialing of America, but, perhaps more importantly, the honest, open atmosphere by which the American people approach the southern hemisphere for them to know that we value them, not only as sovereign nations, but want to be friends with them and to have them—and have them see a better life as we exist with the United States of America.

And I thank both of you not only for your attention to this detail, but the knowledge that you have allowed some of Ken's friends, Senator Cornyn and myself, to stand up as a strong attribute of Kenneth George, Ambassador to Uruguay from the United States of America.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you, Congressman. Thank you for coming over here today.

And thank you, Senator Cornyn.

And thank you, Congressman King, for being here, as well, in support of your nominee. I guess you are here to be supportive. Okay, good. You have got to ask. You never—it is like those weddings, you know, you have got to make sure. You still have to ask the question.

But, we appreciate all of you being here.

And today's hearing is opportune—and I know you need to run, but—thank you. Today's hearing is opportune as we focus on the western hemisphere. And I thank the Ranking Member and the Chairman for making it a full-committee hearing and not just a subcommittee hearing. As everyone knows, the Ranking Member has a deep interest in the western hemisphere, and many years of experience in defending democracy. And so, I am grateful to be able to chair this alongside him today.

Ms. Breier, if confirmed as the Assistant Secretary of State for the Western Hemisphere, you, of course, would be shepherding U.S. policies in the western hemisphere at a type—at a time that I think is as interesting as any in recent memory. As is part of the trend globally, there is a real challenge to democracy. We see the world increasingly being divided into a battle between autocracy and democracy. And our hemisphere is no exception to that. Obviously, Cuba has not had democracy for a very long time. Venezuela has seen its democracy blatantly stolen. And we are all well familiar with the tragedy that has—on—developed there. And lately, Nicaragua is a place that is not necessarily a model of democracy, but, in the last couple of months, the people of Nicaragua have begun to express how strongly they feel about the erosion of democracy there. All of those three continue to bear watching in the months to come, and you will be shepherding administration policy.

In addition to that, we have geopolitical competitors and adversaries of the United States continuing to try to engage in the western hemisphere. We know that China is bribing and unfairly investing—and I say “unfairly,” because their investments are one—their investments are one-way streets throughout the hemisphere, aggressively stepping into the vacuum that they argue the United States has left behind. The result has been, in the short term, that at least two countries in this hemisphere have already de-recognized Taiwan and Panama and the Dominican Republic, and open relations with China instead. The long-term implications, of course, are that, as part of these investments, quote/unquote, that they make in these countries, they demand and push these countries to vote with them in international forums like the United Nations.

Russia is in our hemisphere, and it is largely looking for opportunities to create intelligence agreements and basing agreements. And they do this for a number of reasons, to collect on U.S. interests, but also to potentially have influence over governments in the region. And I think that we should be prepared to see and to help our allies counteract any sort of influence campaigns that they might be trying to undertake to undermine democracy in the upcoming elections in numerous countries, including Mexico and Brazil and Colombia this weekend.

It is also a region that faces the threat of transnational crime. We have known about that for a long time, in the challenges that Colombia has faced. But, these record cocaine hauls and the record cocaine production in Colombia which we have seen over the last few years has put tremendous strain on our allies in Guatemala and in Honduras. People would be shocked to learn that Costa Rica is now facing a very serious threat. We do not traditionally think of Costa Rica as a place that faces any sort of threat from transnational crime and violence, but they are deeply concerned about the trends there, and need our help to get ahead of it.

The Dominican Republic and Haiti, a place—Haiti was a place where drug dealers did not go through for a while, because it was too dangerous even for them. But, now it is a place where they have somehow and some way found opportunity to traffic through there, through the Caribbean Basin. And, of course, the Dominican Republic, as well.

But, in addition to these challenges, it is also a region that presents us with opportunities. There will be an election this weekend in Colombia. It will be free, it will be democratic, and it will elect a new President. And we do not weigh in on who we prefer on—in sovereign democracies. Suffice it to say that, no matter who is elected, they will have some differences of opinion, but, by and large, Colombia this weekend will not just elect a democratically elected leader, they will also elect someone who will continue to work with the United States. And Colombia, for all of its challenges, remains a success story as to how U.S. engagement can create allies in the region and around the world who will become force multipliers. They are contributing greatly, for example, in Honduras, in helping their own forces. From what we have trained them to do, they are now capable enough for going abroad and doing it themselves.

There is opportunity, believe it or not, and it has been under-reported, in Ecuador. It is still not idea, terms of what we want to see, but its new President over the last year and a half has taken measures to restore more openness, more democracy, and careful outreach towards the United States. But, that is a—an important opening, and we are happy to see that. We hope those trends will continue.

Brazil will have elections next year. And there has obviously been a lot of tumult. But, the one thing I always point people to is that, in Brazil, the rule of law worked. To the extent that leaders are being removed, they are being removed through their courts, not through their armies. And that is a huge development. And hopefully, they will be able to conduct a very successful election early next year.

Chile continues to prosper. Argentina's economy faces some challenges, but it is also a country that has moved into a more pro-American direction, but also one which is trying to engage more openly in economic growth. And I recently had the opportunity to be in Peru, which—a nation that does not get a lot of attention, but it, too, has successes. Even though it also removed a President for corruption, it did so through the rule of law. Again, not through a military coup or an assassination, but through its system of laws. And Peru, by the way, takes great pride in the role they play in the world, and it has been a productive one in diplomacy. It is a nation—it is not a large nation, but it has a deep diplomatic heritage. And it is why the organization—the informal organization that has come together to confront the challenges of Venezuela is called the Lima Group, because they hosted that first meeting that brought that group together.

But, I will tell you—and everybody here who cares about the western hemisphere, including Ms. Breier and, of course, the Ranking Member, myself, know the one thing we hear often from our allies in the region is, they feel neglected and ignored. They feel like we do not pay enough attention to them. This is not a partisan issue. Multiple administrations have been guilty of that. And, understandably, there are incredible threats and challenges in other parts of the world—in Asia, in the Middle East. But, the western hemisphere is important. Something that would be a one in another part of the world would be a five or a ten, because it is so close to us and so deeply impacts us.

So, there is a lot to do, and I hope we will continue to pay more attention to this region, because it is incredibly important.

In the context of all that, Mr. George, Uruguay is a strong democracy. It has a growing middle class. They have challenges. While they have condemned the Maduro regime, for example, they have resisted isolating it in the international forums. And I hope, if confirmed, that you will be a voice in continuing to nudge them in the right direction. Democracy should be defending democracies. They have enjoyed strong economic growth over the last 10 years, been—dramatically decreased the widespread poverty that are seen in some of the other countries in the region. As I said already, they have a large middle class, their democracy is stable. But, they have also drawn the attention of China. While the United States is still the largest trading partner with Latin America, China is closing

that gap, and, I would say, unfairly. They bribe their way into many of these countries in the region. And this opens a door for them to continue to further exert its influence over the region.

Mr. Mondello, Trinidad and Tobago is a relatively prosperous democracy, but it also produced more ISIS fighters per capita than any country in the western hemisphere. And, as ISIS leadership looks to rebuild and reorganize as an insurgency rather than a—an organization that holds large swaths of territory, it is imperative that Trinidad and Tobago continue to focus on countering violent extremists, and that we help them. As we were talking about earlier in our meeting, there are numerous daily nonstop flights between Trinidad and Tobago and Miami and Kennedy Airport. And so, we should care a lot about what is happening there. It is very close to home.

Unfortunately, Trinidad also continues to side with the Maduro regime at the OAS. And again, that is making it difficult for concerned democracies throughout the hemisphere to pressure Venezuela to return to constitutional order. And I hope, if confirmed, that you can help us continue to nudge them in the right direction, because, once again, democracies should support democracy.

Just last month, by the way, Trinidad signed on to China's Belt and Road Initiative, which it just—it is a Chinese mega-project that seeks entangle developing countries in one-sided trade relationships that ultimately lead to Beijing to call the shots. And their participation in this initiative allows China to continue to extend its financial and political influence deep into the western hemisphere in yet another country. We have to develop ways to counter that and to point out to our allies in the region how one-sided these Belt and Road Initiatives are in other parts of the world, and how deeply indebted some countries are left after agreeing to these so-called Chinese gifts that turn out to be not so much of a gift after all.

So, in closing, I would say all these positions are going to play an important role in advancing our foreign policy. I want to thank all of you and your families for your commitment to our country and your willingness to serve.

The Ranking Member.

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

Senator MENENDEZ. Well, thank you, Mr. Chairman. And thank you for agreeing to chair this full-committee hearing on nominations for the western hemisphere. As I said to Chairman Corker, I believe these nominees and this Assistant Secretary nominee is as important as the nominees we will be considering tomorrow for other Assistant Secretary positions.

It has been more than 16 months into the administration, and it is good to finally have a nominee for Assistant Secretary to the Western Hemisphere. I am also pleased to have the Ambassadorial nominees for Uruguay and Trinidad and Tobago before us.

Congratulations to all of you on your nominations. And we look forward to hearing from you shortly.

As Senator Rubio just did, he did a pretty good hemispheric tour of some of our opportunities and challenges in the western hemi-

sphere, something that, for 26 years, I have been focused on in the House and Senate. We have both long argued that the western hemisphere does not receive enough attention, given its critical importance to the United States as—in our own hemisphere, in our own neighbors, in our own front yard. As we look across the region, there is a wide range of positive trends at play, a growing middle class, a widely shared belief in democratic values, human rights, and the rule of law, 350 million voters casting ballots across the region in 2018, and the authoritarian governments in Cuba and Venezuela increasingly outliers shunned by their neighbors.

However, much of the press attention that the western hemisphere has received of late seems to be for all the wrong reasons. I think virtually every member, I would think, on this dais was appalled by the President's comments towards Prime Minister Trudeau over the weekend, especially giving that Canada is one of our closest allies on issues spanning the globe, whose sons and daughters in the Armed Forces of Canada have served alongside our sons and daughters in Afghanistan and elsewhere, and who have died in the cause. Pretty amazing to me the comments that we reserve for one of our closest allies.

I am also outraged by the President using language that we generally reserve for the most ardent adversaries and enemies to criticize Mexico and its people, the second-largest export market for United States goods and services in the world—not in the hemisphere, in the world—the second-largest market for United States goods and services in the world, and demand that its government pay for a multibillion-dollar border wall that would be ineffective and a complete waste of taxpayers' dollars.

Additionally, I fail to see how the overtly political termination of DACA and the Temporary Protected Status for El Salvador, Honduras, and Haiti is anything more than reckless decisions that threaten to undermine our national security interests in the name of advancing the President's xenophobic anti-immigration agenda.

And I am unable to understand how U.S. leadership is strengthened by the President skipping the Summit of the Americas or when the administration's fiscal year 2019 budget request proposes a staggering 42-percent cut—42-percent cut—for Latin America. That would decimate the diplomatic and development tools we desperately need to promote stability, prosperity, and security in a region that we live in. I hope we will hear from the nominee today about how these developments affect our national interests and our national security.

Now, beyond these divisive issues, I should know that there is broad bipartisan support for addressing many of the opportunities and challenges in the region. In recent years, members on both sides of the aisle have worked together to address the weak rule of law, sky-high homicide rates, and poverty that fuel instability and migration in El Salvador, Guatemala, and Honduras. The United States cannot waiver in our engagement, must be sharply focused on monitoring our progress.

There is also growing bipartisan concern about China's transactional process and approach to diplomacy in the western hemisphere, which offers short-term economic benefits to countries, including Panama and the Dominican Republic, in order extract po-

litical gains that often are not consistent with the United States national interests. If we do not actively promote our values and interests, other forces within the region and from outside will happily fill the void.

And then there is the near-universal consensus in the Senate that Venezuela is a failed state run by a criminal government that has stolen elections and used access to food as a political weapon, collapsed its economy and plundered public finances through widespread corruption, created a humanitarian catastrophe that is fueling a refugee and migration crisis in the region, and committed a series of abuses that increasingly look like crimes against humanity and which deserve scrutiny by the International Criminal Court. For these reasons, I intend to introduce bipartisan legislation that will provide the administration with additional tools to address these challenges. And I would like to hear from our two nominees to the countries that they have been designated for how they will work to get these countries to join us at the OAS, in voting with us in common cause as it relates to Venezuela.

Against this backdrop and in closing, I certainly want to thank our nominees for their willingness to serve our country, as well as their families. This is a joint enterprise in every respect of the word, so we appreciate their willingness to sacrifice, as well. We look forward to your testimony, the opportunity to ask questions about these policy priorities in our hemisphere.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you.

Mr. Mondello, we will begin with you with your opening statement.

**STATEMENT OF JOSEPH N. MONDELLO, OF NEW YORK, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO**

Mr. MONDELLO. Senator Rubio, Senator Menendez, distinguished members of the committee, good morning. I am honored to appear before you today, and I would like to begin by expressing my gratitude to President Donald Trump for the faith and confidence he has placed in me. If confirmed, it will be an honor to represent our Nation as Ambassador to the Republic of Trinidad and Tobago.

Before beginning my statement, I would like to introduce to you my wife of 54 years, Linda Crabtree Mondello. Linda's support and love, particularly at the beginning of our marriage, when her hard work and efforts helped finance my legal education, she has been the firm foundation upon which any success that I have achieved in life, both personally and professionally, rests. I certainly could not be more appreciative of all of her extraordinary sacrifices on my behalf, and it is important to me that she shares this moment with me.

I also would like you to meet my daughters, Elizabeth, a school-teacher, and Lisa, an attorney, who have taken the time from their family and professional responsibilities in order to join their mother and me today. I am very proud of both of them, and very grateful for all of their love and support.

Finally, I want to express my thanks to all my friends that traveled from New York to be by my side at this hearing, especially Robert Zimmerman and Joseph Carro, and Congressman Peter T. King. Their encouragement and guidance throughout this process means more than words can express.

Being considered for the most—for the post of Ambassador of the United States of the Republic of Trinidad and Tobago is an extraordinary high point in my life. I could never have envisioned, while growing up in very modest circumstances in the Bedford-Stuyvesant section of Brooklyn, New York, that I would one day appear before the distinguished members of this committee seeking confirmation to this position of great distinction and responsibility. The neighborhood where I spent my childhood was a veritable United Nations of hard-working men and women from virtually every ethnic background, race, and creed. While these wonderful people differed in many ways, they were all united in their desire to achieve their own piece of the American Dream for their—for themselves and for their families. I know that if my parents were here to witness this moment, they would be proud that their fine example has enabled their son to pursue a career that, in many respects, evokes the dreams and aspirations of generations of Americans who came to these shores in search of a better way of life.

My mother was a very religious woman, whose family came to America from San German, Puerto Rico. She passed on to me a pride in her Spanish heritage that I have tried to instill in my own children and grandchildren. My father pursued a craft that has long since been extinct. He was a linotype operator for the Brooklyn Eagle, the Herald Tribune, and the New York Times. A proud union member, my father never missed an opportunity to instill in me the value of hard work. Together, they raised my sister and me in an environment where faith, family, and love of country governed our daily lives.

Being determined to live by the example that they set for me, I embarked upon a career that offered me a wide range of experiences, including service as a schoolteacher, probation officer, government agent, assistant district attorney, local elected official, political leader, and private-practicing attorney. I am also very proud that I served my Nation as a member of the United States Army, the Air National Guard, and the New York Guard.

I am truly excited by the prospect of serving our Nation again, if I am confirmed, as the Ambassador to one of our most important Caribbean partners. I am firmly committed to advancing the long-established goals of the U.S. Mission to Trinidad and Tobago. Paramount among these is assisting the efforts of the national security to stem the surge in violent crime and fight illicit human and drug trafficking. Clearly, sex trafficking and forced labor are critical national and regional issues that impact Trinidad and Tobago's standing in the international community and its government's efforts to diversify and grow the national economy through increased trade.

In addition, Trinidad and Tobago's location astride vital shipping lanes has made it a transshipment point for South American drugs destined for the United States and Europe. The U.S. mission must, in my view, play a leadership role in the host-government's efforts

to reverse Trinidad and Tobago's growing involvement as a destination, transit point, and source for adults and children ensnared into these illicit activities. The increasing involvement of international crime organizations in human and drug trafficking, coupled with systematic corruption, are significant impediments to achievement of these important goals. I will, if confirmed, work to facilitate stronger economic ties with a nation that thinks—that, thanks to its large reserves of oil and natural gas, is one of our Nation's most important trading partners, with a per-capita GDP that, in this hemisphere, is only exceeded by Canada and the United States. If confirmed, I will work diligently to support the Trinidadian Government in its efforts to diversify the local economy beyond the energy sector into agricultural exports and the expansion of Trinidad and Tobago's role as a regional finance center.

Needless to say, the opportunities for U.S. companies to participate in this economic diversification are myriad. If confirmed, I will work closely with government officials to identify key products and services that are well-suited for expansion into U.S. markets. Central to this effort will be identifying nascent synergies within our two economies and then foregoing—forging relationships between American businesses and their appropriate counterparts in Trinidad and Tobago.

Overshadowing all these concerns are the joint efforts of our two nations to reverse the influence of Islamic extremist groups among the island nation's small Muslim minority. Of particular concern are the conditions that led to the extraordinary high recruitment rate from Trinidad and Tobago that ISIS enjoyed at the peak of its power and influence. Given my background in law enforcement, public service, and the law, I believe I possess the skills and experience necessary to build relationships and forge the cooperative initiatives between our two nations in both the public and private sector. If confirmed, the members of this committee can rest assured that I will work closely with Congress as we pursue our Nation's longstanding goals in the Caribbean.

Thank you for your time and attention.

[Mr. Mondello's prepared statement follows:]

#### PREPARED STATEMENT OF JOSEPH N. MONDELLO

Mr. Chairman and distinguished members of the committee, good morning. I am honored to appear before you today.

I would like to begin by expressing my gratitude to President Donald Trump for the faith and confidence he has placed in me. If confirmed, it will be an honor to represent our nation as Ambassador to the Republic of Trinidad and Tobago.

Before beginning my statement I would like to introduce to you my wife of 54 years, Linda Crabtree Mondello. Linda's support and love, particularly at the beginning of our marriage—when her hard work as a TWA flight attendant helped finance my legal education—has been the firm foundation upon which all that I have achieved in life—both personally and professionally—rests. I simply could not be more appreciative of all of her extraordinary sacrifices on my behalf. It is important to me that she shares this moment.

Being considered for the post of Ambassador of the United States to the Republic of Trinidad and Tobago is an extraordinary high point in my public service career.

I could never have envisioned, growing up in very modest circumstances in the Bedford-Stuyvesant section of Brooklyn, New York, that I would one day appear before the distinguished members of this committee seeking confirmation to one of the most important posts that our government can convey upon one of its citizens.

The neighborhood where I spent my childhood was a veritable United Nations of hard working men and women from virtually every ethnic background, race and

creed, including from Trinidad and Tobago—there are about a quarter million Trinidadian-Americans in the United States—mostly in New York and New Jersey.

While these wonderful people differed in many ways, they were all united in their desire to achieve their own piece of the American dream for themselves and their families. I know that if they were here to witness this moment, my parents would be justifiably proud that their fine example has enabled their son to pursue a career that, in many respects, evokes the dreams and aspirations of generations of Americans who came to these shores in search of a better way of life.

My mother was a very religious woman whose family came to America from San German, Puerto Rico. She passed on to me a pride in her Spanish heritage that I have tried to instill in my own children and grandchildren. My father pursued a craft that has long since become extinct. He was a line-o-type operator for the Brooklyn Eagle, the Herald Tribune, and the New York Times. A proud union member, my father never missed an opportunity to instill in me the value of hard work. Together they raised my sister and me in an environment where faith, family, and love of country governed our daily lives.

Determined to live by the example that they set for me, I embarked upon a career that offered me a wide range of experiences, including service as a school teacher, probation officer, government agent, assistant district attorney, local elected official, political leader, and private practicing attorney. I am very proud that I served my nation as a member of the U.S. Army and the Air National Guard; and my state as a Major General in the New York Guard.

I am truly excited by the prospect of serving our Nation again if I am confirmed as Ambassador to one of our most important Caribbean partners. I am firmly committed to advancing the long established goals of the U.S. Mission to Trinidad and Tobago and building on our partnership with the Trinbagonian Government in the areas of security, prosperity, and energy.

Trinidad and Tobago is a vibrant and multi-cultural democracy that stands out in the Caribbean for its oil and gas fueled economic development. I will, if confirmed, work to facilitate stronger economic ties with a nation that, thanks to its large reserves of oil and natural gas, is already one of our nation's most important trading partners with a per capita GDP that, in this hemisphere, is only exceeded by Canada and the United States.

If confirmed, I will work diligently to promote U.S. exports, advocate for U.S. companies, and support the Trinidadian Government in its effort to diversify the local economy beyond the energy sector into agricultural exports and the expansion of Trinidad and Tobago's role as a regional finance center. Another priority of mine will be to continue our strong security partnership, including through the Caribbean Basin Security Initiative, and to support the Government of Trinidad and Tobago's efforts in the fight against crime and illicit trafficking, as well as in counterterrorism cooperation.

Given my extensive background in law enforcement, public service and the law, I believe I possess the skills and experience necessary to build relationships and foster cooperative initiatives between our two nations in both the public and private sector.

If confirmed, the members of this committee can rest assured that I will work closely with Congress as we pursue our nation's long-standing goals in the Caribbean.

Thank you for your time and attention. Now I would be happy to answer any questions.

Senator RUBIO. Thank you.

Ms. Breier.

Mr. MONDELLO. Thank you.

**STATEMENT OF KIMBERLY BREIER, OF VIRGINIA, NOMINEE  
TO BE AN ASSISTANT SECRETARY OF STATE FOR WESTERN  
HEMISPHERE AFFAIRS**

Ms. BREIER. Thank you very much, Mr. Chairman, Ranking Member Menendez, and distinguished members of the committee. It is an honor to be here with you today as President Trump's nominee to be Assistant Secretary of State for Western Hemisphere Affairs. I am humble and thankful to the President and to Secretary Pompeo, who have entrusted me with this important opportunity.

I also want to thank former Secretary Tillerson. Working with him was one of the great highlights of my career.

I want to thank my parents, who could not be with us today from Massachusetts. I am here because their sacrifices allowed me to have opportunities that they did not.

I could not be here without the love and support of my husband, Peter, and my daughter, Emma, who are an inspiration to me in their unflagging support.

I am also grateful for having the opportunity to learn from so many colleagues, mentors, and teachers too numerous to name here.

I have had the privilege of knowing six recent Assistant Secretaries of State for Western Hemisphere Affairs, and many have taken the time already to offer me wise counsel. I recently had the pleasure of meeting a seventh, who described to me how the job is akin to playing tennis with five ball machines on the other side of the court.

Indeed, the Bureau of Western Hemisphere Affairs is as described, it covers the hemisphere and is home to 29 embassies, 23 consulates, and 30 countries. It is a leading bureau on many issues at the forefront of the administration's agenda, including ensuring free and fair trade, combating transnational criminal organizations, deterring irregular migration, and working through alliances to enhance U.S. prosperity, security, and to promote democratic governance.

This region is often underappreciated in its strategic importance to the United States, as we are often consumed with other priorities. I firmly believe, and fully commit, that we must get it right in the western hemisphere if we are to have success in other parts of the world. I am, and will be, if confirmed, a tireless advocate for the importance of this region.

The National Security Strategy lays out that our economic prosperity is central to U.S. national security. Our prosperity is deeply linked to the western hemisphere, home to half of the nations with whom we have free trade agreements. Overall trade with the western hemisphere is nearly three times as much as it is with China. The administration's western hemisphere policy is, rightfully, dynamic and robust. Interaction with Mexico is intense, daily, and institutional. I am committed to ensuring that the administration's focus on Mexico will bear fruit in a positive way.

The administration has been, and remains, steadfast on Venezuela. As Vice President Pence said recently, Venezuela shows us the tragedy of tyranny. This unprecedented challenge requires robust diplomacy, creativity, and, more than anything, fierce resolve.

Last year, the administration announced its Cuba policy, which seeks to support the Cuban people, human rights, and not to allow U.S. economic interaction to aid the repressive security services.

The administration has continued support for the U.S. strategy in Central America; in fact, expanding it by aligning more closely with Mexico.

The administration supports sustainable peace in Colombia, at the same time reaching new agreements to address the alarming growth in coca cultivation and production. The Caribbean 2020

Plan, sent to Congress last year, looks to foster security and prosperity in a region important to our interests.

I have had the privilege of working on something I am passionate about for nearly two decades. This includes government service over four presidencies. I have seen the western hemisphere from three executive-branch departments, from the private sector, from think tanks, and from extensive travel and study abroad.

I began my career as an intelligence analyst, serving for more than a decade, rising to manage a team with leadership responsibilities across a large office. On the National Security Council staff at the White House, I was Director for Brazil and Southern Cone, Director for Mexico and Canada, and did an interim period as Director on the Andean region.

Working in the private sector for 5 years was a lesson in how the private sector can be a U.S. force multiplier. I also had the good fortune to work twice at the Center for Strategic and International Studies, first as an intern, and, two decades later, as an—as a senior leader in western hem.

Last June, I have—since last June, I have had the privilege to work closely with the Western Hemisphere Bureau while serving on the Secretary's policy planning staff. I have reunited with former colleagues and have been reminded how committed public servants work long hours to get the job done to advance U.S. policy interests. I can assure you that working with WHA is both humbling and deeply reassuring, because, if confirmed, we will all be in this together. I could not ask for a better team. If confirmed, my job will be to ensure that they all succeed and that the United States succeeds, as well.

I would like to close by thanking you for your continued commitment to getting it right in the western hemisphere. So many of you care deeply about this region, and I thank you for that.

I am happy to take your questions.

[Ms. Breier's prepared statement follows:]

#### PREPARED STATEMENT OF KIMBERLY BREIER

Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, it is an honor to be with you today as President Trump's nominee to be Assistant Secretary of State for Western Hemisphere Affairs. I am humbled and thankful that the President and Secretary Pompeo have entrusted me with this important opportunity. I also want to thank former Secretary Tillerson. Working with him was one of the great highlights of my career.

I want to thank my parents who could not be with us today from Massachusetts. I am here because their sacrifices allowed me to have opportunities they themselves did not. I could not be here without the love and support of my husband Peter and my daughter Emma, who are an inspiration to me in their unflagging support and willingness to allow me the privilege of serving my country.

One does not get to this point absent the mentoring of many people. I am grateful for having the opportunity to learn from talented foreign policy experts, intelligence analysts, foreign and civil service officers, and many other colleagues, mentors, and teachers too numerous to name. I have had the privilege of knowing six recent Assistant Secretaries of Western Hemisphere Affairs, and many have taken the time to offer me wise counsel. I recently had the pleasure of meeting a seventh, who described to me how the job is akin to playing tennis with five ball machines on the other side of the court.

Indeed, the Bureau of Western Hemisphere Affairs is as described—it covers a hemisphere and is home to 29 embassies and 23 consulates in 30 countries and handles the intersection of bilateral, regional, and global issues. It is a leading Bureau on many issues at the forefront of the Trump administration's agenda, including en-

suring free and fair trade, stepping up our efforts to combat transnational criminal organizations of all types, deterring irregular migration, and working through alliances to enhance U.S. prosperity, security and to promote democratic governance.

The region is often under-appreciated in its strategic importance to the United States, as we are often consumed with other global priorities. I firmly believe, and fully commit, that we must get it right in the Western Hemisphere if we are to have success in other parts of the world. I am and will be, if confirmed, a tireless advocate for the importance of this region. Diplomacy in the Western Hemisphere has a demonstrable and direct impact on the lives of Americans unlike that of any other region.

The National Security Strategy lays out that our economic prosperity is central to U.S. national security. Our prosperity is deeply intertwined with the Western Hemisphere, home to more than half of the nations with whom we have free trade agreements. Overall trade with the Western Hemisphere is nearly three times as much as we trade with China and we have an overall trade surplus with this region.

The administration's policy toward the Western Hemisphere is rightfully dynamic and robust—both in seizing opportunities and in addressing challenges. For example, interaction with Mexico is intense, daily, and institutional. I am personally committed to ensuring that the administration's focus on Mexico will bear fruit in a positive way that people can see.

The administration has been and remains steadfast on Venezuela, implementing a strategy to help return the country to a democratic path. As Vice President Pence said recently, Venezuela shows us the tragedy of tyranny. This unprecedented challenge requires robust diplomacy, creativity, and more than anything, fierce resolve.

Last year, the administration announced its Cuba policy, which seeks to support the Cuban people, their human rights, and not to allow U.S. economic interaction to aid the repressive security services. The administration has continued support for the U.S. Strategy for Central America, in fact expanding it by aligning more closely with Mexico.

The administration has continued to support sustainable peace in Colombia, at the same time reaching new agreements with Colombia to address the alarming growth of coca cultivation and production. The Caribbean 2020 plan sent to Congress last year looks to foster security and prosperity in a region important to our interests and vulnerable to transnational crime, poverty, and natural disasters.

I have had the privilege of working on something I am passionate about for nearly two decades. This includes government service over four presidencies for administrations on both sides of the aisle. I have seen the Western Hemisphere from three executive branch departments, from the private sector, from think tanks, and from extensive travel and study abroad. I began my career as an intelligence analyst and served for more than a decade, rising to manage a team with leadership responsibilities across a large office focused on the Middle East. On the National Security Council Staff at the White House, I was Director for Brazil and the Southern Cone, Director for Mexico and Canada, and did an interim period on the Andean region.

Working in the private sector for five years was a lesson in how the private sector can be a U.S. policy force multiplier. I also had the good fortune to work, twice—first as an intern and two decades later in a leadership role—at the Center for Strategic and International Studies (CSIS).

Since last June, I have had the great privilege to work closely with the Western Hemisphere Bureau while serving on the Secretary's Policy Planning Staff. I re-united with former colleagues and have been reminded how committed public servants work long hours to get the job done, to advance U.S. policy interests, and to serve their nation. I have seen how much talent and good humor there is. I can assure you that working with WHA is both humbling and deeply reassuring because, if confirmed, we will all be in this together. I could not ask for a better team. If confirmed, my job will be to ensure they all succeed and the United States succeeds as well.

I'd like to close by thanking you all for your continued commitment to getting it right in the Western Hemisphere. So many of you care deeply about this region and for that I thank you. I am happy to answer your questions.

**Senator RUBIO.** Thank you.  
**Mr. George.**

**STATEMENT OF HON. KENNETH S. GEORGE, OF TEXAS, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ORIENTAL REPUBLIC OF URUGUAY**

Mr. GEORGE. Chairman Rubio, Senator Menendez, distinguished members of the committee, and friends, thank you for the opportunity to be with you today. It is, indeed, an honor to appear as President Trump's nominee to the United States Ambassador to the Oriental Republic of Uruguay. I am humbled by the opportunity to serve our country again. If confirmed, I look forward to working with all stakeholders, here and in Uruguay, to further our interests and foster closer and mutually beneficial relations with the Government and people of Uruguay.

Although all could not be here, I am supported today by the most important people in my life, my wife of 43 years, Tricia, and our children, Kenneth, Patrick, Clement, Elizabeth, and their spouses. I will spare you—I will not list all the grandchildren, but we have them, including one on the way, and they are brilliant and beautiful, and I am blessed to enjoy their support.

Our family has a long history in the service of our country. Without detailing our ancestors' endeavors in General Washington's Army, I will say my grandparents met on the battlefields of France in World War I. She is an Army nurse from Pennsylvania, and he, an Army captain. Tricia's and my father both served in the Army Air Corps in World War II. I served as an officer in the 82nd Airborne Army Reserve. Tricia serves as—on the Texas committee of the National Museum of Women in the Arts, here in D.C., and is an active cattle rancher. Kenneth, our eldest, worked as a congressional intern in the Treasury Department in the Office of Economic Policy. Patrick is a major in the Marine Corps Reserves after serving two tours in Iraq. Clement spent 4 years in the Navy as a surface warfare officer with multiple deployments to the Persian Gulf, and supported our humanitarian relief efforts in Haiti after the 2010 earthquake. Elizabeth interned in the Office of the Attorney General of Texas, has in—been active in numerous political campaigns. She graduated from the University of Chicago Booth School, where she was president of the Graduate School of Business. Obviously, I am a proud papa.

I believe my career, both in government service and in private sector, has prepared me for this opportunity. This nominating process is not new to me. As Senator Cornyn mentioned, I served as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service during President Reagan's first term. I was responsible for our trade promotional staff and programs in 65 countries and 124 in cities. As you will also remember, during President Reagan's first term, the Caribbean Basin Initiative was passed. I was given additional implementation responsibilities under the leadership of USTR William Brock. And lastly, you will remember that there was a little fracas in Granada, and we were tasked to lead the economic rebuilding of the island. It was our responsibility to restore work opportunities and sources of self-pride in the local population, and restore economic stability.

In the private sector, I could best be described as an entrepreneur. In the '70s, it was real estate development and building

a publicly-held conglomerate with furniture manufacturing, real estate development, and oil and gas exploration. In the '80s and '90s, it was the Government and hospital management. With the help of outstanding staff, I put together, and was chairman and CEO of, the second-largest ESOP in the United States at the time. EPIC Healthcare Group had 15,000 employees in 25 States. After selling EPIC to Healthtrust-HCA, I was fortunate enough to build one of the largest private ambulance companies in the State of Texas.

I can honestly say that, with—in every case, building up a high-functioning team was the key to our success. Leadership, clarity of vision, and allowing people to do their best is the fertile soil that enables an organization to flourish and accomplish the mission. If confirmed, this is what I hope you will find I bring to the office.

Uruguay is an exciting country. It is one of, if not the most, progressive in Latin America, with the largest middle class, a strong history of democratic values, has a record of respecting religious freedoms. The Economist magazine says that Uruguay has the only complete democracy in Latin America, and it equals Canada's. And, I might add, it has the largest commitment of soldiers to the U.N. peacekeeping operations of any country in Latin America, almost 1,000 soldiers. If confirmed as Ambassador, I would work to strengthen cooperation with the Government of Uruguay and international organizations to combat all forms of human trafficking.

In closing, if confirmed, I look forward to working with all stakeholders to maintain a strong relationship with Uruguay, to advance our national interests, to support continued development of democratic institutions in the Oriental Republic of Uruguay, a relatively small country with an outsized influence in the region.

Thank you, and I look forward to your questions.  
 [Mr. George's prepared statement follows:]

#### PREPARED STATEMENT OF KENNETH S. GEORGE

Chairman Rubio and distinguished members of the committee, thank you for the opportunity to be with you today. It is indeed an honor to appear as President Trump's nominee to be the United States Ambassador to the Oriental Republic of Uruguay.

I am humbled by the opportunity to serve our country again. If confirmed, I look forward to working with all stakeholders here and in Uruguay to further our interests and foster closer and mutually beneficial relations with the Government and people of Uruguay.

Although all could not be here, I am supported today by the most important people in my life, my wife of 43 years, Tricia, and our children, Kenneth, Patrick, Clement, and Elizabeth and their spouses. I won't list the grandchildren but we have them, including one on the way, and they are brilliant and beautiful. I am blessed to enjoy their support and encouragement.

Our family has a long history of service to our country. Without detailing our ancestors' endeavors in General Washington's army, I will say my grandparents met on the battlefields of France in WWI, she as an army nurse from Pennsylvania and he an army captain. Tricia's and my father both served in the Army Air Corps in WWII. I served as an officer in the 82nd Airborne Army Reserve. Tricia serves on the Texas committee of the National Museum of Women in the Arts here in D.C. and is an active cattle rancher.

Kenneth, our eldest, worked as a Congressional intern and in the Treasury Department in the Office of Economic Policy. Patrick is a Major in the Marine Corps Reserve after serving two tours in Iraq. Clement spent four years in the Navy as a Surface Warfare Officer with multiple deployments to the Persian Gulf and supported our humanitarian relief effort in Haiti after the 2010 earthquake. Elizabeth interned in the office of the Attorney General of Texas and has been active in nu-

merous political campaigns. She graduated from the University of Chicago's Booth School, where she was president of the graduate school of business.

I believe my career, both in prior government service and in the private sector, has prepared me for this responsibility. This nominating process is not new to me. I served as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service in President Reagan's first term of office. I was responsible for our trade promotional staff and programs in 65 countries, 120 foreign cities. During President Reagan's first term, the Caribbean Basin Initiative was passed. I was given additional implementation responsibilities under the leadership of USTR William Brock. Lastly, you will remember there was a little fracas in Granada and we were tasked to lead the economic rebuilding of the Island. High unemployment in the male population was presenting an excellent recruiting opportunity for Cuba's extraterritorial political ambitions. It was our responsibility to restore work opportunities and sources of self-pride in the local population and restore economic stability.

In the private sector, I could best be described as an entrepreneur. In the 70's, it was real estate development and building a publicly held conglomerate with furniture manufacturing, real estate development, and oil and gas exploration, headquartered in Midland, Texas. In the 80's and 90's, it was the Government and hospital management. With the help of outstanding staff, I put together and was Chairman and CEO of the second largest ESOP in the country at the time, EPIC Healthcare Group, with 15,000 employee-owners in 25 states. After selling EPIC to Healthtrust-HCA, I was fortunate enough to build one of the largest private ambulance companies in Texas.

I can honestly say, in every case, building up a high functioning team was the key to our successes. Leadership, clarity of vision, and allowing people to do their best is the fertile soil that enables an organization to flourish and accomplish its mission. If confirmed, this is what I hope you will find that I bring to the job.

Uruguay is an exciting country. It is one of, if not the most, progressive in Latin America with the largest middle class, has a history of strong democratic values, and has a record of respecting religious freedoms. The Economist magazine says that Uruguay has the only "complete democracy" in Latin America and that it equals Canada's. I might add, the largest commitment of soldiers to U.N. Peacekeeping operations around the world of any country in Latin America, bigger than Mexico, Brazil, Argentina.all others. If confirmed as Ambassador, I would work to strengthen cooperation with the Government of Uruguay and international organizations to combat all forms of human trafficking.

The United States is both Uruguay's fourth largest trading partner, with a trade surplus, and an important investor—but still only fourth. China is their largest trading partner. I am committed to helping develop business opportunities in Uruguay on behalf of U.S. companies.

In closing, if confirmed, I look forward to working with all stakeholders to maintain a strong relationship with Uruguay, to advance our national interests, and support continued development of democratic institutions in the Oriental Republic of Uruguay, a relatively small country, with an outsized influence in the region.

Thank you.

**Senator RUBIO.** Thank you very much.

Let me start with Ms. Breier. The—you referenced, in your opening statement, the administration change of policy towards to Cuba. It is always a good point to remind people that our goal in Cuba, ultimately, is the restoration of a democracy. We have an economic model that we would suggest. Uruguay is a good example of what works. But, that is for the people of a free Cuba to determine. Our goal is democracy. And the threat to democracy in Cuba has been exacerbated by a government that is trying to transition its way into becoming a long-term, permanent, and accepted fixture as a legitimate government. And one of the ways they are doing that is, they have this military-owned holding company named GAESA, G-A-E-S-A, which is—basically owns every profitable venture in Cuba. And so, they are trying to create an economic dictatorship on top of the political one. And when the President made his change in policy towards Cuba, that is what he really focused on, was hitting that economic activity. So that today an American traveler to Cuba can frequent this—these so-called small busi-

nesses that are independently owned and the like. In fact, they are in a privileged position. But, theoretically, anyway, under the changes, you are not supposed to be going and spending money at these GAESA-owned entities. As part of that agreement and the executive order, it was left to the State Department to define the companies and the entities that fell under the criteria of being sanctioned. And, while I think the list is certainly better than what existed before the executive order, as you and I discussed when we met, the list is incomplete. There are a series of companies and ventures that remain untouched and, as a result, have created the ability to circumvent much of the intent of what the President did. And it is unfortunate. We see this pattern repeat, where Presidents determine a direction, and then the people who write the regs—the regulations and the law figure out ways to potentially undermine it. And that needs to be fixed.

And so, my question is, Will you commit to working with us and the administration, including the National Security Council, to amend that list? Obviously, the decision would ultimately be up to the Secretary, but to add to that list additional entities who, as of now, should be on the list, but are escaping sanction?

Ms. BREIER. Thank you, Senator. Thank you for the question. I agree with you wholeheartedly on the direction and on the direction of the President's policy under the NSPM of June of last year. And with regard to the specific, the restricted list, that is a collaborative effort between the Department and the Department of Commerce and the Department of Treasury. And I certainly will commit to reviewing it. My understanding is that it is a living document. The initial tranche that was announced last year listed some 180 entities, I believe, and some 83 hotels. And we certainly can continue to review that as new information comes to light.

Senator RUBIO. Thank you.

Obviously, the other point, in terms of defending democracy in the region, is Venezuela. And I do want to say—you know, people can say what they want about other parts of the world—I do think the administration's approach to Venezuela has, quite frankly, been textbook. Interesting that the region is leading. It is the Lima Group, that we are not even members of, we are supportive of, that are leading the efforts and use the OAS—and I give a—it is a good opportunity to give a shout-out to a friend and someone who I think did a phenomenal job at the latest OAS meeting, Ambassador Carlos Trujillo. We saw additional countries come onboard and support us.

So, my question, first, to Mr. Mondello and Mr. George, is, Would you both commit to helping, as one of your top priorities, if confirmed, to talk to our allied governments in Trinidad and in Uruguay, and urge them to join the rest of the democracies in the region in these efforts at the OAS to call out Venezuela and expel them from an organization of democracies, which is the official administration policy?

Mr. MONDELLO. Well, this is a very important point, Senator, and I agree, I think it is incumbent upon the Ambassador to Trinidad and Tobago, which is only 6.7 miles away from Venezuela, to do all in his power, or her power, to get—to be into Venezuela to discuss the various problems that exist and see if the—we can

bring some stability to what is going on over there. Because right now it is a very unstable situation, and it really needs a lot of attention. And, frankly, I think that—I think that it is something that has to be done, and should be done.

Senator RUBIO. Mr. George?

Mr. GEORGE. Senator, it is an excellent point, and clearly one of the most sensitive issues, politically, between the United States and the Oriental Republic of Uruguay. They—the Uruguayan Government has been very helpful in the OAS on a number of occasions, and—but, on the issue of Venezuela, it has been a very tough call. I know how sensitive it is within the Government of Uruguay, but I can assure you that it will be one of my principal focuses, in regards to my discussions with the Government, because it is an important objective of our country and for the peace and security of the region.

Senator RUBIO. Ms. Breier, we talked about this when we met a few weeks ago, but we are now at a point where we are heavily sanctioning the regime and the individuals responsible for the suffering, but the migratory crisis of Venezuelans leaving, in addition to the humanitarian aspect of it, which is among the worst in the world now—I mean, we are seeing things coming out of Venezuela that we are used to seeing in other parts of the world; we have never seen anything like it in the western hemisphere, absent, you know, a natural disaster or something of that nature—is not just problematic for the people of Venezuela, it poses a real and growing challenge, and even threat, to their neighbors in Colombia, Brazil, other countries in the region that are taking in these flows. And one of the things we have done is, we have provided humanitarian assistance and help to Colombia in these camps, which is important. The problem is, the flip side of it is, the more aid is announced to these camps, the more people flow to these camps.

Is it—is the administration, in your view, prepared to begin to develop plans to try to figure out how we can deliver humanitarian aid within Venezuela, distributed by nongovernmental organizations and perhaps despite the objection of the Venezuelan Government? We cannot allow people to continue to suffer and die. Because what we are about to see there, in addition to the starvation and the death from diseases, is the spread of communicable diseases that have been wiped out, and suddenly now we could have measles outbreaks in these countries, in the region, which ultimately poses a threat to us, as well. So, what is—beyond the sanctions, what is, in your view, 2.0? What more can we do to help the people of Venezuela? Because that is an important aspect in all of this.

Ms. BREIER. I agree with you, Senator, and share your concern. I think, broadly speaking, the administration's strategy is a broad and deep one. And I appreciate your calling it a textbook, because I do think the administration has gotten it right on Venezuela in what is a tragic situation.

I could not agree more, this is a manmade crisis. This is not a natural disaster. This is the result of one man and a small group of people governing in a way that has taken a once prosperous nation and destroyed it. In terms of the administration's strategy, we are looking at all aspects of it. I believe our aid to neighboring re-

gions and international institutions is now in the area of 40 million. We are looking at other ways to approach the problem. We certainly need to continue to call on the Government of Venezuela to accept humanitarian aid. To this point, the Government has refused to do so. And if they fail to do so, there are other avenues that we can pursue. And I do not want to get ahead of decision-making, but there is certainly a lot of thought being given to what we can do to try to get aid into Venezuela as well as helping our regional allies in Colombia, Brazil, Guyana, and throughout the Caribbean and other places, who are absorbing the impact of this.

Senator RUBIO. Ranking Member.

Senator MENENDEZ. Thank you, Mr. Chairman.

Over the weekend, the President took to Twitter to criticize Canadian Prime Minister Trudeau. His closest advisors refer to Prime Minister Trudeau as, quote, “a backstabber,” said, quote, “There is a special place in hell for him.” This comes months after the President openly boasted about lying to Prime Minister Trudeau. Such language is not only outrageous, but it runs completely contrary to the close partnership that has existed between the United States and Canada for decades on issues that span the globe, from Ukraine to Syria to Afghanistan.

So, Ms. Breier, do you share these views?

Ms. BREIER. Thank you, Senator. I think it is an important question.

The relationship with Mexico and Canada have been the focus of the bulk of my 20-year career in western hemisphere affairs. I am acutely aware of the importance of these relationships, and how deep and institutional they are, across the board. I think what we are witnessing right now is a disagreement over trade. And in the 20-plus years I have been doing this, I cannot think of a time where we have not had a disagreement on trade, either with Canada or with Mexico. So, I think these are the types of things that we have been able to overcome in the past, in that there is a deep institutionality in these relationships that will allow us to surmount the areas where we do not agree and continue working on the—

Senator MENENDEZ. But, we can—

Ms. BREIER.—many areas where—

Senator MENENDEZ.—disagree without being disagreeable. Am I going to have you—you want me to vote on you as the Assistant Secretary of State for the Western Hemisphere, and you cannot tell me that this language is not acceptable? Do I—would I ever expect you to use that language? Because if not, you are never going to get through this committee.

Ms. BREIER. Senator, if confirmed for this position, my job would be to be a top diplomat on this file. I understand very well the need to adhere to proper diplomatic forum, and will choose my words carefully.

Senator MENENDEZ. Do you believe such comments help advance the U.S. national interests in this hemisphere?

Ms. BREIER. I think, Senator, what the administration is pointing out is that there are some things in trade that have not been fair and reciprocal, and that the administration is focused on trying to right—

Senator MENENDEZ. Is Mexico the second-largest export market for goods and services in the world? Second-largest?

Ms. BREIER. Yes, sir.

Senator MENENDEZ. It is. Let me ask you something. Do you believe Canadian steel and aluminum constitute a threat to U.S. national security?

Ms. BREIER. I believe the finding of the 232 Panel suggests that the overcapacity globally is the threat to national security, not necessarily Canadian steel and aluminum specifically.

Senator MENENDEZ. Let me ask you this. With—you have extensive experience, which I admire, working on issues related to Mexico. And I know you fully understand how important this relationship is. But, we cannot expect to secure our border, address undocumented immigration, address challenges related to narcotics trafficking which are contributing to the heroin and fentanyl epidemic that is plaguing our country. Now, the problem is, is that the administration's comments continue to raise the political cost for any Mexican authority that wants to cooperate with us. And we need their cooperation. But, everybody has a domestic constituency. And if you make it impossible for a government official, including the highest elements of the Mexican Government, to work with the American Government—I mean, because, at the end of the day, there is a huge domestic cost—it is not going to happen.

So, as our person who would be our principal diplomat for the Americas, do you intend to formulate a strategy to make Mexico pay for a border wall between our countries?

Ms. BREIER. Senator, I could not agree with you more. This is one of the most fundamentally important relationships to the United States. And, despite the ongoing disagreements at the political level, as I mentioned, I think that the relationships are making progress behind the scenes in an institutional way. And I think that that is very important. We live next door to each other, we are in this together, and I think everyone realizes that.

Senator MENENDEZ. Do you intend to formulate a strategy, was my question.

Ms. BREIER. I intend to work very closely, if confirmed, with the Government of Mexico on securing the border and doing all of the things we can do cooperatively with Mexico to address threats before they get there.

Senator MENENDEZ. Do you believe Mexican steel and aluminum constitute a threat to the national security of the United States?

Ms. BREIER. I believe the 232 report concluded that global oversupply is the threat, Senator, not specifically Mexican—

Senator MENENDEZ. Do you believe the United States can address a border security, migration, and drug trafficking without a productive partnership with Mexican authorities?

Ms. BREIER. I do not. I think a productive relationship is necessary.

Senator MENENDEZ. Let me ask you another important, different set of questions. Over the last 7 months, the Department of Homeland Security, acting in consultation with the Department of State, has terminated temporary protective status for Haitians, Salvadorans, and Honduran nationals. This status, as you know, was designed to protect individuals who are unable to return to the dire

conditions in their homeland. To this point, I am extremely concerned that, when then-Secretary Tillerson decided to recommend the termination of TPS for Haitians, Salvadorans, and Hondurans, he deliberately disregarded the advice of our embassies on the ground, of the foreign policy officials who were tasked with ascertaining the conditions on the ground.

So, I would like to ask you. At the time the State Department made its decisions to not recommend an extension of TPS for Honduras, El Salvador, and Haiti, you were working as a senior advisor covering western hemisphere affairs for the Office of Policy Planning for the Secretary of State. What role did you play in this decisionmaking process?

Ms. BREIER. Thank you for the question, Senator.

The Office of Policy Planning is part of the Secretary's staff and it tends to be a strategy office. What we do, principally, is oversee documents that are going to the Secretary, and also try to assist on developing strategies, for example, on that country—countries and challenges like Venezuela. So, in this particular case, I was involved, in the sense that I was aware the debate was going on and that the discussions were happening, but I was not directly involved in the day-to-day.

Senator MENENDEZ. So, as the senior advisor covering the western hemisphere on policy planning in an office of 20 individuals, at most, you were unaware and had no impact on the decision?

Ms. BREIER. Senator, I did not say I was unaware. I said I was involved in overseeing and, broadly, was aware that—

Senator MENENDEZ. So, when you say you were involved in overseeing, give me a sense of what you were doing as it relates to this issue.

Ms. BREIER. I would—when documents would come forward, I would review them and sign off on them, or not, as they went to the Secretary—

Senator MENENDEZ. I am sorry, come—

Ms. BREIER.—for his—

Senator MENENDEZ.—come forward from where?

Ms. BREIER. From the bureaus. There are multiple bureaus in the Department—

Senator MENENDEZ. And those documents, we now know, basically all said that TPS should be continued, in the national interests of the United States. Is that not a fair statement?

Ms. BREIER. I did not see—I did not see it evolve the way you are describing. I think the embassy—

Senator MENENDEZ. We have—

Ms. BREIER.—suggested that—

Senator MENENDEZ. We have copies of the documents. Are you telling me those documents did not say that it is not in the national interests of the United States to extend, to—not extend, to end TPS?

Ms. BREIER. Senator, I think that—what I saw was a vigorous debate that went on in the building.

Another point I would like to make is that I think there is a tendency to separate between political and career, in the sense that the views of career folks were not heard. And I do not—I did not see it that way at all. And, if confirmed, I think—I would like to

foster an environment where all views are heard, regardless of whether you are career or political.

I witnessed a vigorous debate on this, and I do not think that it is entirely accurate to characterize it as overriding of—

Senator MENENDEZ. Well, I guess—

Ms. BREIER.—career—

Senator MENENDEZ.—you and I are going to have go over the documents, because a plain reading of the documents make it very clear that those who are on the ground in our embassies—and this concerns me certainly for these three countries, but what is going to happen, moving forward. If you put people, who you want to run our embassies abroad, and they—whether they be political appointees or career individuals, and those who work with them—and they give you the advice that this is not in the national interests of the United States, and you reject their advice because of other political considerations, I think that is a bad process. So, we are going to have to go over the documents, because the documents are pretty clear.

Thank you, Mr. Chair.

I have questions for the other nominees, but, in deference to my colleagues, I will wait.

Senator RUBIO. I just want to clarify, because that is an interest of mine, as well, the whole TPS issue. And if I hear you correctly, what you are describing is an internal process in which the State Department opined on the national security elements for purposes of the diplomatic corps: What is the impact it is going to have in Honduras, in Haiti, and the like? But, then there were other parts of this debate, outside of the State Department, that were viewing it through the migratory or DHS. And, ultimately, the policy was made because of all these interconnected silos, so to speak.

Ms. BREIER. That is correct.

Senator RUBIO. Is that how you are describing the—

Ms. BREIER. Yeah.

The Chairman:—process?

Ms. BREIER. That is correct, Senator. Ultimately, the decision-making authority on this issue rests with the Department of Homeland Security.

Senator RUBIO. Okay. And so, the State Department just informed them on that, and that is the—so, that is the process under—

Ms. BREIER. Right. The State Department informed as to whether the underlying conditions that justified the original designation continued to exist.

Senator RUBIO. Right. And that issue, by the way, probably deserves a broader—just the State Department portion of it deserves a broader flushing out, in terms of the rationale, because I, too, believe that it would have a very significant impact on Honduras and Haiti and these countries that we have invested in. So.

Senator Cardin.

Senator CARDIN. Ms. Breier, I want to follow up on this, because I am confused now. Senator Menendez has accurately portrayed the information that we have reviewed that showed that the missions in country recommended the continuation of TPS. The vig-

orous debate you are referring to, did that happen within the State Department or did that happen within Homeland Security?

Ms. BREIER. It—to my knowledge, it happened within the State Department, sir.

Senator CARDIN. So, you are saying that the State Department itself recommended the termination of TPS?

Ms. BREIER. I am saying, Senator, there was not a unified view within the Department on this, and then the Secretary made a decision.

Senator CARDIN. The Secretary of State. And the Secretary of State supported the termination of the TPS status.

Ms. BREIER. Yes, sir.

Senator CARDIN. I am not sure we were aware of that. I think that is different than—at least, I thought the decision was made by Homeland Security, and that with—and that the recommendation from State Department was different. So, you are saying—

Ms. BREIER. So, the recommendation from the State Department assesses whether the original conditions exist and that these recommendations—

Senator CARDIN. State Department overruled the views of the mission. That—the last time we saw something like this happen was on the TIP report. And this committee, rightly so, got outraged, the politics was overruling something that we feel pretty strongly about. State Department's assessment deals with the circumstances in the countries of Central America or Haiti that would allow these individuals to return. Is it—are they prepared to take them back? Are the circumstances better? Is it in our interests, et cetera? And what you are telling me now, that there was a rigorous debate in State Department that overruled those on the ground that had talked to the host countries, that strongly supported the continuation of TPS. That is different than I thought, but it is what you are telling me happened.

Ms. BREIER. Senator, what I am trying to suggest is that the inputs on the ground are an input into a broader process, where they come into the Department, into multiple bureaus, who deliberate and then make a recommendation to the Secretary of State, who then makes a recommendation to the Secretary of Homeland Security based on whether the original conditions that justified the TPS designation continue to exist.

Senator CARDIN. And the ultimate recommendation from the State Department was to terminate the TPS.

Ms. BREIER. That is my understanding, sir, yes.

Senator CARDIN. Let me go move on to other subjects. First, let me thank you all for your willingness to serve, and thank your families.

I want to ask a general question first. I hope that you can recognize that we are going to follow up on this. And that is your commitment to advance American values and human rights in the hemisphere, or the two countries in which you have been nominated to represent the United States. We expect that you will inform us as to the progress that you are making on human rights, something I asked of all of our nominees, and that it will be a top priority of yours in the countries. There is no country in our hemisphere that could not improve on human rights, and particularly

with the Assistant Secretary. To me, it is critically important that this be spotlighted in your work.

Do we have your commitment that you will be working with us and will share information and respond to requests that we have in regards to human rights issues?

Mr. GEORGE. I guess I will go first. Yes, sir. And I will say that—if I may, that Uruguay is like pushing on an open door in this regard, as you are probably well aware. They were the president of the Human Rights Council in the U.N. They cofounded the Equal Rights Coalition. They are a very progressive country in regards to LGBTI rights. So, it will be an issue that will be taken up and supported vigorously in my country, if confirmed to the Oriental Republic of Uruguay.

Mr. MONDELLO. Yes, I would agree with George. I believe that it is a—an—very, very important issue, if not the most important issue. Human rights, when it comes to Trinidad and Tobago, could possibly be some very—with—some very difficult situations going on there regarding human trafficking, regarding drugs, regarding so much of this. And I think that it is going to be the responsibility of the Ambassador that goes there, if I am confirmed, to delve into these problems, use the agencies in which I, if confirmed, would have the ability to speak with, to aid the local Trinidadian Government, in terms of handling these problems.

Senator CARDIN. And speaking to the two countries that are—that we have specific nominees for, it is important that our mission be an open door for those that want to hear an advocate for human rights. Sometimes the host country is not particularly pleased that we put a spotlight on problems in their own country. I take it you are both prepared to carry on the tradition of our missions to be there on behalf human rights advocates.

Mr. MONDELLO. Without question, Senator.

Mr. GEORGE. Yes, sir, without question.

Senator CARDIN. Ms. Breier, I—you and I have had a chance to talk about this before, so I want to—and we talked about the concern in Paraguay of a Marylander, who, in 2015, Alex Villamayor, who was brutally raped, murdered in Paraguay, that it was a long time before they acknowledged the circumstances. And there was—there still has been a delay in dealing with this. We have asked the FBI to help. We have had some cooperation, but not enough. Will you make this a personal priority of yours to resolve this particular open case against an American?

Ms. BREIER. Yes, Senator.

Senator CARDIN. Appreciate that.

And then, lastly, as it relates to OAS, we had a conversation also on OAS as to how we can strengthen that. There is interest, in this committee, to strengthen the parliamentary dimension within OAS. It is located kind of conveniently for us to participate, being located here in Washington. Will you agree to work with our committee as to how we can strengthen the OAS to be more effective in dealing with the challenges we have in our own hemisphere?

Ms. BREIER. Yes, Senator. I continue to believe the OAS is the premier institution in our hemisphere, and we should do everything possible to strengthen it.

Senator CARDIN. Thank you.

Senator RUBIO. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

And I want to thank Senator Risch also for letting me jump the line. I appreciate that.

To—yeah, you—I owe you one—to all of you, I applaud you for your nominations and for your willingness to serve.

Ms. Breier, I am going to start with you, and I may only ask you questions, just because of my passion about the billet that you are inheriting. Senator Menendez's questions to you about the statements about Canada put you in a hard position. And so, I am not really even going to ask you a question about it. You are a diplomat with a great deal of experience, and you understand this region very well. And I think you know what diplomatic protocols are and what they are not. And so, has there been trade issues with Canada in the past? Absolutely. And there always will be. But, they are one of our biggest trade partners. And when the right hand of a President says that the Prime Minister of Canada, you know, deserves a place in hell, that is just completely outside the range of reason. It is something that should be on a South Park episode. It is not something that is presidential behavior. And so, when we asked you to comment on it, I mean, the President has nominated you, so that puts you in a really hard position. But, I guess the reason we ask a question like that is—I met with you in the office. You know this area very well. I am glad to have somebody of your experience in it. But, just do not trade a lifetime reputation of service to the country and understanding of the region to—you know, I want good people to take these jobs, even under a difficult circumstance, but you are going to face a lot of opportunities, should you be confirmed, on a lot of moments where I think there is going to be a very difficult choice, and it is going to be the integrity that you have built up over decades doing this work, and moments where you can just kind of squander it.

I mean, Canada and Mexico are two of our biggest trading partners nationally, and Virginia certainly. And, as the Senator said, that—I have visited Canadian troops in Afghanistan and Iraq. I have seen Canadians at Landstuhl Hospital in Germany who have been injured side by side with U.S. And while trade disputes with Canada are nothing new, language like that is unprecedented. I am understanding the Canadian Parliament today is doing a resolution condemning the President of the United States. That is not the norm. And with as many equities as we have on the table with these nations, so many issues, from border to trade to hemispheric—other hemisphere activities, to what we do in the security space, I mean, anybody who is voting for you is voting for you based on their judgment, not about your past, but about your future. And just please make the right choice when those moments come.

I want to ask you—the last thing that Senator Cardin asked you was about the OAS. And I want you to tell me—you said pre-eminent institution there, but talk to me a little bit about what you think of the OAS right now. I think it has had some ups and downs. I think it is—there has been times that have been less effective, more effective. But, give me your sense of it right now.

Ms. BREIER. Thank you, Senator. And thank you for the comments.

I do think the OAS is, and should be, the central institution. It is a very unique hemisphere, as you well know. We are the only hemisphere bounded by democracy and by choice to commit to democratic governance through the Inter-American Democratic Charter. So, I think that we need to continue to focus on building out the capacity institutionality of the OAS, and also reinforcing its ability to enforce its existing charters and conventions. Those include the conventions on corruption, which were highlighted in Lima recently, as well as the Inter-American Democratic Charter.

So, I think we should absolutely focus on everything we can do. We have an excellent Ambassador there. And I think, moving forward, it will be a high priority to reinforce the institutionality, and including its role in Honduras on anticorruption, where I think it is playing a very important role, and we need to ensure we can strengthen it in that, as well.

Senator Kaine. I want to use the Honduras example as just kind of an example of your thinking about the OAS as an institution, or the Department or administration's thinking. So, part of wanting the OAS to be stronger is if they take a position of strength trying to support that position. When the Honduran elections were held in November, the OAS concluded, in mid-December, based on their review, that the elections were fundamentally unfair and that there should be a re-election, that there should be another election. And they rendered that opinion. And this was not a matter of casual interest to me, having lived in Honduras. And I would certainly never suggest that another nation needed to do new elections lightly, especially a country like this, where I know the President. But, when the OAS, who I do believe is doing better and I do believe we are trying to elevate their influence in the region, reach this conclusion, I do not think they reached it lightly. Talk about why the U.S.—what the thinking process was, why this administration, despite the OAS's decision, decided to say, "No, the election should not be rerun, and we should just move forward." What was the process behind that?

Ms. BREIER. Thank you, Senator.

I think the situation was, we ended up with a very close election in Honduras. The OAS report, I think, was very critical of some of the underpinnings of how the election was carried out. But, the report, itself, did not call for a new election. The report simply pointed out that there were some irregularities and issues of concern. We also had input from the European Union, which had a delegation there, as well, observing the election.

When taking all of that into consideration, it is my understanding that the policy was that there was not anything that convinced the policymakers at the time that the outcome of the election had been changed. Even though the United States made a strong statement acknowledging the irregularities in the work of both the OAS and the EU missions, that there was not sufficient information suggest that the outcome would have been changed.

So, the administration did, in fact, support Honduran institutions that had concluded, after much review and reconsideration

and recount of a number of the actas, that the election should stand.

Senator KAINES. I may want to follow up with you on this, because I am just looking at a Reuters report from December with the title "OAS Says Honduran Presidential Election Should Be Redone." I agree with you, they called out irregularities in the election, but I thought they reached some conclusion or suggested that the elections be redone.

Last thing I will just say is, I share the concerns my colleagues have raised about the TPS situation. And again, I will use Honduras as an example, but we could talk about others. I had a visit, which is an annual visit in my office, from the Association of General Contractor. Now, they usually come to me, and they talk to me about construction issues, tax, regulation. This year, they came in and they brought El Salvadoran and Honduran workers with their construction firms, and they talked about how devastating it would be to their businesses in the—in this country, if these Salvadoran and Hondurans were be—were to be pushed back to Honduras and El Salvador. I spoke with the President of Honduras about this last week, and he had the same reaction, that it would be very, very difficult. And he predicted, which I think what we know to be true, some will come back, and the reintegration will be very difficult, and some will choose not to come back. And instead of living legally, paying taxes, doing the things that we want them to do, they will move into the shadows of the U.S. economy. I just cannot fathom why the administration concluded—especially when I have business interests in my office saying, "Please maintain TPS"—I cannot fathom why the administration concluded that these programs should be terminated. But, I look forward to—and as Senator Menendez and Cardin were talking about—going through the dialogue itself, because I also was of the impression that the U.S. Embassy in Honduras, in Tegucigalpa, strongly recommended that TPS be extended. I may have followup questions about that in writing.

Thank you.

Senator RUBIO. I think, Ms. Breier, just—before I turn to Senator Risch, just to touch a point that I thought you raised earlier, when I first questioned about the—sort of, the statements about Canada and so forth, which we get are, you know, unprecedented. We have not—we are not accustomed to seeing that sort of thing, but yet you have testified—and I believe all of us are aware of—there are deep institutional ties between the U.S., Canada, and Mexico, particularly Canada. This morning, everybody showed up at work at NORAD, on the defense side, everybody—you view your role, and those like you in the State Department, as keeping those institutional ties strong, irrespective of what might be happening on a day-to-day level in the political realm. And I thought that is what you had said earlier. I just wanted to be—

Ms. BREIER. That is correct, Senator.

Senator RUBIO. Okay.

Senator Risch.

Senator RISCH. Thank you.

Thank—to all three of you, thanks for—willing to undertake these difficult jobs in the world we live in today.

Mr. Mondello, I have a specific question for you. Senator Rubio and I sit on the Intelligence committee. And high on our radar screen over a number of years has been ISIS, and ISIS fighters, and where they come from, and how they are trained, and that sort of thing. The—it is—and this President has been very successful in tamping ISIS down, which is a good thing. And they are not on—in the headlines as much as they were, but they are still there. We are all convinced that they are going to rear their ugly head again somewhere under a different banner, or what have you. But, the thing that was surprising, I think, to a lot of us is that Trinidad and Tobago produce more ISIS fighters per capita than any other country in the western hemisphere. And I would like to get your thoughts on that, and what thoughts you might have about working with the Governments of those two countries to fight extremism.

Mr. MONDELLO. Well, Senator, this is a very important problem that exists in Trinidad and Tobago. You are right, there was 135, I believe, individuals that went to join ISIS, which is the highest per-capita amount in any country—that have come from any country. It is a problem that needs to be worked on. We have to—if confirmed, I would help the Trinidadian Government as much as I could, together with the members of the agencies that are in my—would be in my embassy, to see if the—certain things could be alleviated. That is—there is poverty there. There is socioeconomic problems in spite of the fact that they have a very high GDP in the—in Trinidad and Tobago. Yet, we have to have some messaging going on there to let people understand, you know, what we believe in, what we are, and try to help these people to succeed and become employed and not let the—not let these people be so susceptible to joining ISIS and getting involved in that nefarious behavior.

Senator RISCH. Well, I appreciate that. And I hope you will carry the message to those governments that this is a matter that is on our radar screen, and we are very concerned about it, particularly coming from our own hemisphere and putting people on the ground in other parts of the world to fight American interests there. So, thank you very much. And thank you, again, for your willingness to serve.

Thank you, Mr. Chair.

Mr. MONDELLO. Thank you, Senator.

Senator RUBIO. Thank you, Senator Risch.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations, to each of you, on being nominated. And thank you for your willingness to take on these difficult positions at this time.

Ms. Breier, on May 7th, Attorney General Sessions announced that all adults who arrive at our border—southern border—will be prosecuted for illegal entry, even if they attempt to seek asylum. This has resulted in an unprecedented policy of parents being separated from their children. We heard, over the weekend, news reports that, in the month of May alone, 415 children were taken away at the McAllen, Texas, border crossing, alone. Can you tell me what the view is, in the Latin American countries, of this pol-

icy, and whether it is having any impact on either those people trying to come to this country to seek asylum or on our border security?

Ms. BREIER. Thank you, Senator. Thank you for the question.

I think, as you point out, the State Department's piece of this question is the foreign policy one, and it relates to our ongoing program started under the past administration, the Strategy for Central America, which has benefited from the bipartisan support of many members of this committee. And, if confirmed, it would be my responsibility to ensure that we are continuing to carry out that policy, which is to continue to try change the underlying circumstances in the countries, themselves, so that families would never make the decision that we are seeing them make now to traverse Mexico and to arrive at the U.S. border. I have not yet had the opportunity to speak directly with the Governments about their reaction to the Attorney General's announcement. I would have to get back to you on that from my colleagues in the Department.

Senator SHAHEEN. I would ask you to get back to this committee with a response on that. [The information referred to follows:]

[Ms. Breier's response can be found at the end of this transcript in the Responses to Additional Questions section.]

Senator SHAHEEN. I have to say that I think the policy is wrong, it is wrongheaded, and the idea that we are going to separate children from their families is just un-American, to be frank, and something that we should not allow. And I would hope that we, as a committee, would speak up against that and let the administration know very clearly where we stand. So, Mr. Chairman and Senator Menendez, I hope that you will take that under advisement.

If you are confirmed as Assistant Secretary, Ms. Breier, how will you work with SOUTHCOTM to combat the drug trade that is coming through the region, and support drug interdiction efforts? This is a huge issue for us in New Hampshire, and certainly for many States across the country.

Ms. BREIER. Thank you, Senator. It is an important question.

I think—one of the things I have witnessed in my career, particularly in my experience at the White House in 2005–2006, is the importance of the coordination among the interagency and making sure that we are all synced up on our priorities, in terms of addressing the challenges that we have. I am proud to say that this administration, I think, has taken very seriously the opioid issue, both on the demand side and on the supply side. And clearly, SOUTHCOTM is the leading tip of the spear on the supply side, working with regional governments and trying to develop strategies on maritime interdiction, eradication, and all of the various aspects of combating the supply side of this problem. So, I think it is a very important priority, and I certainly will commit to doing that, if confirmed.

Senator SHAHEEN. Thank you very much.

Can you describe what the administration's policy is on addressing the empowerment of women and the challenges that women, particularly in Latin America, face?

Ms. BREIER. Sure. Thank you, Senator.

I think one of the things that, unfortunately, I did not think got very much coverage during the Lima Summit was that we announced a major initiative through OPIC on women's empowerment in the western hemisphere. And I certainly think it is a priority for this administration. The President's National Security Strategy references empowering women as part of its—as part of the key strategic goals of the administration. So, I certainly think that that will be a priority and will commit also to working on that.

The OPIC announcement was about empowering micro-enterprise and providing seed capital for women entrepreneurs, and I think it is a really interesting initiative, and one that we can do a lot with in the western hemisphere.

Senator SHAHEEN. Well, I am pleased to hear that, because the fact is, the administration tried to abolish the Office of Global Women's Issues. It is not yet filled. And we have eliminated our funding for UNFPA, which is so important for women in Latin America and around the world, in terms of access to family planning. So, I would hope that we would recognize the importance of women, both in their contributions to their families and their communities and their countries, because what we have seen is that, when women have a more equal voice, or an equal voice, that that makes a huge difference in how their countries and their communities do.

Mr. Mondello and Mr. George, would you both commit that, if confirmed, that you will work to ensure that women in Trinidad and Tobago and in Uruguay are a focus of what your work is as Ambassador?

Mr. Mondello?

Mr. MONDELLO. Absolutely, Senator. That is something that really would be a top priority.

Senator SHAHEEN. Mr. George?

Mr. GEORGE. Yes, Ms.—yes, ma'am. I can assure you of that. And we will have a strong outreach in all our activities regarding LBGTI and women's issues, et cetera, in the community.

Senator SHAHEEN. Thank you very much.

And let me just say, I want to associate my remarks with those that have already been presented by members of this committee with respect to Canada. Canada is New Hampshire's—in particular, but also Mexico—they are both New Hampshire's—among our largest trading partners, Canada is our largest trading partner. About a third of people in the Granite State are direct descendants from Canadians who came down from Quebec, and they still—many of them still have relatives in Canada. And the fact that we would have this kind of discussion about the head of—the Prime Minister of Canada, where such disparaging remarks are used, I think is not in America's interests. And I think it is important, as Senator Kaine said, that we call out those kinds of comments. You know, one of the things that is wrong with our politics today is the fact that people treat that as being normal. We need to restore civil discourse and respect for different opinions. And we do not do it by calling out names. As somebody who has been part of the State Department and the diplomatic service for many years, Ms. Breier, you understand that. And I certainly hope that both of you, as candidates to be Ambassadors, understand that, as well. It is not ac-

ceptable behavior, and it is incumbent on all of us, Democrat and Republican, to call it out when we see it.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you.

We are here for the finish line. I wanted to raise a couple of topics.

Ms. Breier, going back to you for a moment. And let us talk about Nicaragua for a moment. You followed closely events as they have unfolded there. It is my view, and I think the view of many, that that government has lost legitimacy and, frankly, its ability to continue to govern under the conditions. And there has been talks with the Catholic Church now. I hear they might—government might want to invite in the U.N. to figure out a way to moderate a way forward. They obviously are not big fans of the OAS. But—so, that is why they would want to do that. It is my view that they have lost legitimacy, and they are going to struggle to ever be able to govern again, and that probably the only path forward for them is some sort of earlier election than is currently called for. Obviously, internationally supervised and the like.

What they do not have, in my view, is the benefit of time to run the clock on this. They—number one, I do think that, at some point, the administration—in fact, I know—is going to look very closely at using the Global Magnitsky Act and other options to go after individuals who have been violating human rights and are guilty of corruption. Here in Congress, there is a law called the NICA Act, which, unfortunately, has run into some procedural hurdles, but which, I believe, when voted on, would pass overwhelmingly. And then there is an additional factor, which I have strong reason to believe that, within the next 60 days or so, Nicaragua is going to face a real currency challenge. Their currency reserves are dwindling rapidly, so they are going to have a banking and/or currency crisis, here, probably in the next month and a half to two.

So, all these things are a confluence of events. Could you—and I think it—we also—it is important for us to explain to the American people why we should care. Obviously, we have already talked about defending democracy in the hemisphere, and our—that is why it is in our national interest to do so. Nicaragua also happens to be, perhaps after Cuba, the nation where Russia has the most influence, in terms of talking about potential visit rights or even basing rights in the hemisphere and the like. But, the third, which is not often talked about, is the role that Nicaragua plays in terms of the routes that bring drugs, this increased production of cocaine, through Central America. And, for a lot of different reasons, primarily because they kill drug dealers, they have avoided Nicaragua. If there is instability there of any sort, if it compromises, because of an economic crisis, the ability to continue to enforce those mechanisms, that is an additional transit point that would now open up, thereby making it even easier to bring drugs into the United States.

How do you view, first of all, where we are today in our policies? And could you describe, sort of, what you think the appropriate role for the U.S. is in regards to Nicaragua in the months to come?

Ms. BREIER. Thank you, Senator.

This is a really important issue that, you know, is evolving and breaking, you know, as we sit here. I want to go back to something that both you and the Ranking Member mentioned in your opening statements, which is, by and large, you know, we have a tremendous opportunity in the western hemisphere, and we have seen an incredible amount of positive change over recent years. There are glaring exceptions to that, and the glaring exceptions are the countries that follow this old model, the Cuba, Venezuela, and Nicaragua, principally, where I think the populations in those countries have said, "Enough," that this model does not work, and it is time for a change. And certainly we have seen that recently with Nicaraguans of all stripes in the streets. We have seen students, we have seen business organizations, we have seen the church. And I think people have been struck by the diversity of the number of people protesting, and their backgrounds, who have told the Ortega Government that, "Enough," and, "It is time to make a change."

In terms of the U.S. role, clearly we are following it very closely. It is a priority. We announced, very recently, that we are withdrawing visas from some top regime officials for their participation in the suppression of the protests. Globe-Mag, as you mentioned, is something that has already been used in Nicaragua, and we could use again. And we will be looking at, I think, all of the possible tools for addressing this crisis at the same time as pressing the Government of Nicaragua to come to the table and resume dialogue, under the auspices of the Church and the other players, to move this toward quick resolution. I agree with your characterization that there is not a tremendous amount time and that we are looking at a situation where the Government needs to probably move very quickly to schedule elections and move the process forward.

Senator RUBIO. And again, what I am about to say is my opinion. I am not representing that to the opinion of anybody else or the official opinion of the administration. And I am not asking you to opine on it. You are still not confirmed. But, I still think that, contrary to Venezuela, there is still time for Ortega and for his wife, the Vice President, to figure out a way to sort of call a new—real election and kind of transition to some form of retirement. I had opportunity, the last week, to meet with a—numerous students from Nicaragua. None of them are yet calling for them to be put in jail or them to be even forcibly exiled. I do think there comes a point where you cross a line and then that sort of opportunity is no longer available. And so, I hope it is an opportunity they will take, because I think the reverse, if something like that does not happen, is—there is the real potential for significant bloodshed. We have seen both former Sandinistas and Contras who—Sandinistas, who oppose Ortega, and Contras, who always did—who have been threatening to take up arms to rebel against the Government. And so, I do believe that there is the potential, sadly, for a much more violent open confrontation that—reminiscent of what we may have seen, some portions of the '80s. And there is a chance to still avoid it, and I hope they are hearing that and that there is a chance to do that.

I wanted to ask one more question, and I actually wanted to ask you, Mr. George, for your input, although it takes you outside of

Uruguay. It takes you into, sort of, some of your business experience. There is reports yesterday—let me just say that there are no U.S. oil sanctions on Venezuela. It has been widely speculated. The only people sanctioning the Venezuelan oil industry is the Maduro regime, because their production has declined—I mean, just collapsed. And a consequence of that—and they use the oil, by the way, to buy their influence. When people ask themselves, Why are some of these countries out there still voting with them at the OAS?—not really Uruguay, for these purposes, but others—it is because of oil, through the agreements that they had made in Petrocaribe and the like. But, they announced—in the last couple of days, it has been brought to light that about half the Caribbean countries are being cut off because—they are being cut off of access to oil because Venezuela can no longer produce it. And one of them is not Cuba, by the way. They continue to find ways to deliver—Venezuela can—still finds ways to deliver humanitarian aid to Cuba after recent events there, but cannot deliver humanitarian aid to its own people and cannot produce oil for its other customers, but sure makes—goes a—really reaches to make sure they can continue to provide oil to Cuba. So, that is an interesting dynamic.

Suffice it to say, Antigua and Barbados, Belize, Dominica, El Salvador, Haiti, Nicaragua—so, add to the currency crisis, they are going to lose access to oil—Saint Vincent, Saint Kitts, all are going to lose access to Petrocaribe oil, here, very soon, because Venezuela cannot produce it.

My question to you, Ms. Breier, is, Is there an opportunity there for the United States now to engage with our private sector, not just to make up, sort of, the loss of energy, which these countries need, but ensure that no other potential geopolitical competitor could step in the void and try to fill it at our expense? Because we—there is—it seems that there would be an opportunity for us to leverage our U.S. capacity to meet that need, and also has geopolitical benefits.

And to you, Mr. George, where—what is the—just going off your background in investment in oil and gas and the like, what are the opportunities there for American Gulf refineries to play a role in stepping up and potentially helping to fill that void? It is an unfair question. It is outside the realm of Uruguay, but you are here, I read your bio, and so it sounds like something you might be able to give us some opinions on.

But, certainly to you, Ms. Breier, it is a—I think it is a key opportunity.

**Ms. BREIER.** Thank you, Senator. I agree with your characterization that the Venezuelan oil sector is collapsing all on its own, absent sanctions from the United States.

I think, to get to the—where we can go in the future, in terms of helping Caribbean nations that may be coming off Venezuelan subsidized oil, this is something that the administration has been looking at, in cooperation with Canada and Mexico and our partners in the Caribbean, to see exactly what you suggest, what opportunities there may be to backfill on supplies. We also have vigorous programs in the Caribbean focused on energy security, looking at alternative forms of energy and ways that the United States, through our development, finance, and other tools, can assist the

Caribbean in getting off of oil entirely and looking at other forms of energy supply. As you well know, the electricity costs in the Caribbean remain very high, so I think we have a challenge there, even absent the Petrocaribe situation.

Mr. GEORGE. Senator, it is—obviously, you are right, it is not in my wheelhouse for the—today's discussion, but the oil industry is obviously something I have been involved in all my life. My dad was a geologist back—starting in 1945, in West Texas.

Senator RUBIO. It was a good time to get into that business. [Laughter.]

Mr. GEORGE. It—he was one of those, you know, returnees from World War II, and the—had a scholarship, due to the—you know, the soldiers and everything. So, it is—we wound up in Midland.

The issue right now is, yes, we have revolutionized exploration in the world, starting in Texas, in the Barnett Shale, with the hydraulic fracking. I am not wanting—I do not—you do not want me to get into a detailed discussion about what is going on, but I can say the opportunity clearly exists.

Now, the Gulf Coast, as you all are obviously very familiar with, those refineries positioned themselves to take heavy crude from the Orinoco Basin in Venezuela. A number of them. Not all of them, by any stretch of the imagination, but a significant number. As the crude falls off, as the implosion of the Venezuelan capacity to export, to produce, et cetera, we are having to—because you just cannot flip a switch and make a refinery change its feedstock.

Now, the other problem in regards to responding to your question, because it seems very obvious that you are exactly right, the—but there are some logistics problems. And not to get into the real details, but we have a significant pipeline constraint. There is going to be no basin in the United States any bigger than the Permian Basin, out in West Texas. The Delaware, all those basins that are—make part of what we call, generically, the Permian Basin of West Texas. It is multi-stacked, it is going to be prolific, it is going to be one of the largest fields in the entire world. The problem is, you have got to get it to the market, you have got to get it to the refinery. We have, now, a major constraint. The pipelines are full. So, when you have the current market for the product sales, and you have the supply, and the pipelines that connect the two, and you cannot just put it on a truck—I mean, you can physically put oil on a truck, you cannot do that with natural gas—and you cannot put it, necessarily, on a rail. You can put it on there, but there is a capacity issue. So, the ability to supply that need quickly is an issue that is different from, Is it strategically important to the United States that we do it eventually? And, as you well remember, we had a major impediment to exporting U.S. energy for a long time in this country. So, the ability to sell into the Caribbean has been constrained by other measures.

So, your point is well taken. I know the oil industry looks forward to being able to create export markets for their product. Nothing is easier than doing it close to home, in the Caribbean. I think it is a tremendous opportunity. I have been talking about that concept in other arenas—natural gas into Europe, et cetera—for a long time as a strategic advantage that the United States

needs to take advantage of. And we are currently not positioned well to do it.

Senator RUBIO. Thank you.

Ranking Member?

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me start this second round on a positive note. I am thrilled to announce to the committee that the united bid from the United States, Canada, and Mexico to host the 2026 World Cup has achieved success. So, we are doing something together, hemispherically. Maybe that will be the beginning of something new.

And, Mr. Chairman, we will invite you. The final will be at MetLife Stadium in New Jersey. So, you know, it will be a great moment. [Laughter.]

Senator RUBIO. I heard it was in Montreal, but that is—  
[Laughter.]

Senator MENENDEZ. It is MetLife Stadium in New Jersey. So.

Anyhow, Mr. Mondello, having Congressman King here is an asset. It would even be a bigger asset if you were being nominated to Ireland, but—[Laughter.]

Senator MENENDEZ.—but it is still—

Mr. MONDELLO [continuing]. Senator.

Senator MENENDEZ [continuing]. It is still an asset. Congressman King and I have a long history together from our days in the House. And bringing Mr. Zimmerman with you is a bipartisan effort, so I really—that means you can bring people together in common cause. That is a good thing.

So, have you ever visited Trinidad and Tobago?

Mr. MONDELLO. Never, Senator. I have never—

Senator MENENDEZ. That is not disqualifying, but my colleagues, when Democrats were in the majority, would ask that question of every nominee. So, I do not find that disqualifying, but it is always interesting to know.

Let me ask you—let me just say this. I want to echo, to save time, the comments of questions that have been raised by others as it is—as it relates to getting Trinidad and Tobago to help us at the OAS on Venezuela. Really important. And I hope you will focus a significant part of your time there trying to get them on the right page in that regard.

Mr. MONDELLO. Yes, Senator.

Senator MENENDEZ. They are having hundreds of people come from Venezuela that are now—actually, 40,000 Venezuelans are now living in Trinidad and Tobago, so it is an issue.

Secondly, I want to echo what Senator Risch raised. There has been 100 Trinidadian citizens who have left their country to join the Islamic State over the last few years. And the possibility that trained citizens could come back to Trinidad and Tobago, within the western hemisphere, is a real concern. So, I look forward to you actively being engaged in that issue, as well, with the Government of Trinidad and Tobago.

Mr. MONDELLO. Absolutely, Senator.

Senator MENENDEZ. And then, lastly, there is a report that the SCL Group, which is a parent company of Cambridge Analytica, the data company that worked on the President's campaign, plan

to illegally acquire the Internet browsing histories of the citizens of Trinidad and Tobago and use it to create psychological profiles to target voters on behalf of a political party there. This is something this entity has been doing across the world, which we are concerned about, because they do it in such a way that is pervasive and undermines democracies. Supposedly, the Government of Trinidad and Tobago is now reportedly investigating the activities there. If you are called upon—if our Embassy is called upon, I would hope that you would commit to assisting them in any information that they would need.

Mr. MONDELLO. I absolutely would be, Senator.

Senator MENENDEZ. All right. Thank you very much.

Now, Mr. George, have you ever visited Uruguay?

Mr. GEORGE. Yes, sir, numerous times, starting as long ago as '82—

Senator MENENDEZ. Okay.

Mr. GEORGE.—1982.

Senator MENENDEZ. And what is the most recent time that you visited?

Mr. GEORGE. About 3 years ago.

Senator MENENDEZ. Okay. So, I want to echo, again, OAS participation of Uruguay as it relates to Venezuela, very important to us, and I hope you will focus a good amount of your time on that, in getting them to be there. And in the past decade, as part of its Belt and Road Initiative, China has significantly increased its presence in Latin America. But, even in smaller countries, like Uruguay, China is now Uruguay's largest trading partner, and it has indicated its willingness to sign a free trade agreement. Do you see China's growing economic engagement in Uruguay as a threat to the United States? How would you plan to curb China's influence in that country?

Mr. GEORGE. I do find that the—thank you, sir—I think that is a very important question. It is something that I have spoken about recently to your staff and others about my concern of what is going on in the country, vis-a-vis China. I think it is important to note that the President of Uruguay visited Beijing in 2016. Their Foreign Minister came—Chinese Foreign Minister came to Montevideo in 2017. There has been reports that the Government has invited President Xi to visit Uruguay during the G20 Summit, which, as you know, is going to be in Buenos Aires in November. And I would make it—I would—be a betting man, I would suggest that the President does not—of China—does not visit Uruguay without some kind of a trade deal or something going to happen, not just to be a tourist.

So, I am very concerned about it. It is, as you pointed out, a—much to the surprise of many, that they are the largest trading partner with Uruguay, by a substantial margin, and even bigger than Brazil and Argentina, who—which you would think would be their natural, like ours is with Mexico and Canada. We are a distant fourth. I have made an observation that the country has wanted to be involved—expand on infrastructure projects. That is a—very important, but it is also important in many Latin American countries. They have announced the desire to build a railroad from the northern border of—with Brazil all the way to the port of Uru-

guay, in Montevideo. Unfortunately, I find, to my knowledge, from my reports that I have been given, there is no American company bidding on the project. There is several Chinese companies, one from Spain and one in a consortium from Uruguay itself. We are not even involved. And yet, they are getting ready to build—open up the entire central part of the country to the easy transport of their bountiful agricultural products, which they will then want to increase their sales across the world and redo their port.

Now, if—that is a billion-dollar project, 800 million to a billion dollars. I imagine the person who gets the contract is also going to have to have tied financing to it. When you go look around the various competitors, you would think that China was being in a very aggressive position to take that responsibility.

I understand that the focus in the western hemisphere today is dominated by Venezuela north. And that is reality. But, if you look out 25 to 35 years from now, the strategic issues involved in the Southern Cone will come to haunt us if we leave them behind today. And these are issues that, once you make substantial investment, and once you get the contract to manage the port, a port that is 125 miles further out in the Atlantic than Buenos Aires, strategically it can be important in the future. I understand, you know, even when South Command—it is not on their radar screen. It is on mine. And I am concerned about it. And I promise you that, as—if confirmed as your Ambassador, I am going to be in your ear about it whenever I can.

Senator MENENDEZ. Well, I am glad to hear that. And I am glad to hear your views on the Southern Cone. I share them.

Let me ask you one other question. Do you speak Spanish?

Mr. GEORGE. Is. [Replied in Spanish.]

Senator MENENDEZ. [Replied in Spanish.] [Laughter.]

Senator MENENDEZ. Let me—

Senator RUBIO. Very impressive Portugese. [Laughter.]

Senator MENENDEZ. Let me just suggest to both of our nominees for Ambassadors, when you go the country you are in, have your staffs help you phonetically pronounce people's names. My name is Menendez, not Mendez. And so, when you go there, I think it is incredibly important, in terms of people's respect, that you are able to phonetically pronounce their names. So.

Let me close with Ms. Breier. Ms. Breier, let me go back to the—I am going to only ask two—I have a whole bunch of others, but I will submit them for the record—let me go back to the question of the TPS. This committee, in its oversight role, reviewed documents regarding the State Department's recommendations to the then-Secretary, which noted, one, these countries lack the capacity to repatriate tens of thousands of individuals, and could not guarantee their safe return; two, in some cases, ending TPS designations could undermine efforts to address transnational crime and criminal gangs, such as MS-13; three, repatriating TPS beneficiaries and their accompanying U.S. citizen children vulnerable to—become vulnerable to recruitment by violent gangs.

So, given the severe challenges that Honduras and El Salvador, for example, face, do you believe that individuals whose statuses were terminated would be able to return to safe conditions?

Ms. BREIER. Thank you for the question, Senator.

The—if I am confirmed, the piece of this that I would work on is the programs that we have in Central America, which, as I mentioned earlier, I believe have the bipartisan support of this committee. This year, I believe we are spending roughly \$700 million in two of the countries in question to help address some of these underlying conditions. We have begun to see the homicide rates come down, and I think we are beginning to see some improvements in these countries. The countries, themselves, in the northern triangle in particular, have committed funds and level of effort and political commitment much more than we have to this, and I think, if confirmed, my job will be to work with them to ensure that the conditions are present during these drawdown periods.

Senator MENENDEZ. But, surely you could not believe, as the nominee for the Assistant Secretary of State for the Western Hemisphere at this time, that, for example, the more than 215,000 United States-born children would—who would be forced to accompany their TPS-beneficiary parents would be able to live in safe conditions right now, as we speak.

Ms. BREIER. I think, Senator, that we are prepared—the Department and, if I am confirmed in the role, will be prepared to work with these countries to ensure that we do everything possible, working with USAID and the countries in question, to ensure the conditions are safe, that the children, if they do return, are documented with their U.S.-

Senator MENENDEZ. Let us say—

Ms. BREIER.—documents—

Senator MENENDEZ. Let us say that we were extending TPS and this was not an issue. Would you tell me, under testimony before the committee, that those countries are safe today?

Ms. BREIER. Senator, what I would say is that, in this particular context, the discussion is about whether the conditions that justify the Temporary Protected Status continue to exist. And—

Senator MENENDEZ. Let me change my question. Listen to me closely. Under testimony here before this committee, do you believe that Honduras, El Salvador, are countries in which we would say that the security situation there, the safety situations there, are safe?

Ms. BREIER. I think, Senator, that the Department and the administration will do everything they can to try and improve the circumstances. I believe there are fundamentally—fundamental conditions in these countries, and they are, indeed, fundamentally unsafe, but that we have programs in place to try and remedy that over the next 18 months.

Senator MENENDEZ. This is where nominees get in trouble. The reality is, is that this—these countries have some of the highest murder rates, not in the hemisphere, but in the world. That is just the reality. There is nothing wrong with stating that reality. It is not a trick question.

Let me ask you one other question. On Cuba, under the Obama administration, the State Department raised Cuba from Tier 3 to Tier 2 Watch List on its annual Trafficking in Persons Report, something I think was totally wrong. However, there is widespread consensus that many Cuban doctors are forced to travel and work abroad in conditions that resemble indentured servitude. Now, I

appreciate that the President has spoken strongly about human rights abuses in Cuba, but the country remains on the Tier 2 Watch List, and the most recent report makes little mention of this issue. Are you aware of the forced-labor conditions that many Cuban doctors face when they are conscripted to work abroad? And, if confirmed, would you commit to ensure robust attention to this issue in the TIP Report?

Ms. BREIER. Yes, on both counts, Senator.

Senator MENENDEZ. Okay, thank you.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you.

I want to thank all of you for your—being here today. And we look forward to continued dialogue on your nominations and confirmations.

And so, the record of this hearing will remain open till the close of business on Friday.

And, with that, and without objection, the hearing is adjourned. [Whereupon, at 12:05 p.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### **RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO JOSEPH N. MONDELLO BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As a local elected official and political leader I have consistently worked to expand opportunities for all individuals—regardless of race, religion, gender or sexual orientation—to fully participate in the political process.

While by no means an exhaustive list, I am proud that I facilitated the election of the first women to serve as Hempstead Town (America's largest township) supervisor, councilwoman, town clerk and receiver of taxes. Additionally, my efforts led to the election of the first African-American member of this town board as well as the first African-American woman to serve as my party's commissioner of the county board of elections.

Furthermore, in an effort to eradicate an obstacle that traditionally barred, or limited, women from assuming leadership roles in local government, I successfully established one of the first governmentally supported day care centers specifically for municipal employees.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Trinidad and Tobago? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The most pressing challenge to democratic development in Trinidad and Tobago is rampant crime that diverts scarce public funds away from development and undermines trust in the rule of law.

If confirmed, I would champion the Caribbean Basin Security Initiative that addresses these problems by substantially reducing illicit trafficking, increasing citizen security, and strengthening judicial systems, and by engaging in crime and violence prevention programs designed to help at-risk youth.

*Question 3.* What steps will you take—if confirmed—to promote democracy in Trinidad and Tobago? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Trinidad and Tobago's democracy is alive and well, but we can and should work to preserve it. If confirmed, I will call for transparency in campaign

finance to prevent corruption from rolling back gains already made by the people of Trinidad and Tobago.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. The surest way to support democracy and good governance in Trinidad and Tobago is to fight the crime that saps the nation's strength. I understand Embassy Port of Spain already uses resources from the Caribbean Basin Security Initiative to administer programs designed to prevent crime and violence by creating economic opportunities for at-risk youth. I also understand that the International Visitor Leadership Program is an ideal tool for developing future Trinbagonian leadership. If confirmed, I will champion these programs to preserve democracy in Trinidad and Tobago.

*Question 5.* If confirmed, will you meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Trinidad and Tobago? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. I am eager to engage with civil society members and human rights and other non-governmental organizations in the United States as well as Trinidad and Tobago. If confirmed, I will use the U.S. Embassy as a platform to amplify the important messages on human rights and civil society contained in our annual human rights report.

*Question 6.* Will you, your staff, and embassy teams actively engage within Trinidad and Tobago on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Trinidad and Tobago?

Answer. If confirmed, we will absolutely do this, and I understand that Trinbagonians will welcome such outreach. I'm told that Trinidad and Tobago hosts dynamic and diverse media with more than a dozen radio stations, three major daily newspapers, and five major TV stations. The constitution guarantees freedom of the press and the Government respects that.

*Question 7.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will lead the embassy team in efforts to counter disinformation in close coordination with the State Department in Washington. I understand that Embassy Port of Spain already has excellent contacts in government and society to ensure the U.S. perspective is heard. I intend to use the U.S. Embassy's popular Facebook page and Twitter accounts to further counter any disinformation disseminated by foreign state or non-state actors.

*Question 8.* Will you, your staff and your embassy teams actively engage within Trinidad and Tobago on the right of labor groups to organize, including for independent trade unions? Will you and your embassy team engage political parties, and advocate for access and inclusivity for women and minorities?

Answer. I understand from the annual human rights report that Trinbagonian authorities generally respected freedom of association and the right to collective bargaining. Authorities did not use excessive force to end strikes or protests or otherwise retaliate against workers seeking to exercise their rights.

If confirmed, I will call for the equal inclusion of women and minorities.

*Question 9.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Trinidad and Tobago, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Trinidad and Tobago? What specifically will you commit to do to help LGBTQ people in Trinidad and Tobago?

Answer. If confirmed, I will defend the human rights and dignity of all people in Trinidad and Tobago, no matter their sexual orientation or gender identity. I understand that Trinidad and Tobago is a tolerant society and I commit to use the U.S. Embassy as a platform to exhibit tolerance for all.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOSEPH N. MONDELLO BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* In February 2010, Stan Hunkovic's children, Gabriel and Anastasia, were unlawfully taken from their habitual residence in the United States to Trinidad and Tobago by their mother, Leah Raymond. Mr. Hunkovic is a resident of Baltimore County, Maryland. Despite his best efforts, Mr. Hunkovic's children are still living in Trinidad and Tobago. I am disappointed to hear Trinidad and Tobago has denied the Department of Justice's extradition request for Ms. Raymond. As the U.S. Ambassador to Trinidad and Tobago, will you work to request the safe return of Gabriel and Anastasia as well as continue to press the extradition of Ms. Raymond so she may face charges in court?

Answer. Yes. If confirmed, I will do all that I can to press for the resolution of this case.

*Question 2.* In February 2010, Stan Hunkovic's children, Gabriel and Anastasia, were unlawfully taken from their habitual residence in the United States to Trinidad and Tobago by their mother, Leah Raymond. Mr. Hunkovic is a resident of Baltimore County, Maryland. Despite his best efforts, Mr. Hunkovic's children are still living in Trinidad and Tobago. I am disappointed to hear Trinidad and Tobago has denied the Department of Justice's extradition request for Ms. Raymond. What, specifically, will you do to press for Ms. Raymond's extradition?

Answer. It is my understanding that the U.S. Embassy in Port of Spain has excellent relationships with individuals and entities within the Government of Trinidad and Tobago, including with the attorney general, and, if confirmed, I will work to maintain and enhance those relationships in order to continue to support Mr. Hunkovic's case. Mr. Hunkovic and his U.S. attorney may consider whether to consult with local counsel in Trinidad and Tobago and/or participate in local proceedings. It is also my understanding that the Government of Trinidad and Tobago has already denied the United States' request for the extradition of Ms. Raymond. Further, I am informed that the United States request for reconsideration of the extradition request was also denied earlier this year, and that denial of the request for reconsideration of the extradition is final.

*Question 3.* According to UNHCR, over 40,000 Venezuelan refugees were in Trinidad and Tobago in 2017, and that number is expected to grow as Venezuela falls deeper into its economic and political crises. Do you believe Trinidad has the adequate infrastructure and resources to provide for these refugees?

Answer. I understand the United Nations High Commissioner for Refugees (UNHCR) reports more than 40,000 Venezuelans have fled to Trinidad and Tobago, straining local government capacity. The Trinidadian Government has registered 200 asylum applications and found that 92 percent qualified as refugees under the 1951 Convention. UNHCR assesses that none of the southern Caribbean nations are prepared to receive more Venezuelans, and the U.N. agency is working with the Caribbean Community (CARICOM) on capacity building for a potential mass migration event in the Caribbean.

I understand the United States contributed \$12 million to UNHCR's Supplementary Appeal for Venezuela, of which \$2 million will assist with access to adequate reception conditions, registration and documentation for asylum-seekers, and services such as shelter, health, and education in Trinidad and Tobago.

*Question 4.* According to UNHCR, over 40,000 Venezuelan refugees were in Trinidad and Tobago in 2017, and that number is expected to grow as Venezuela falls deeper into its economic and political crises. Should the United States better assist Trinidad in bearing this refugee burden?

Answer. I understand that the United States, and the State Department in particular, has been responsive to the burgeoning crisis since the beginning. This includes substantial humanitarian funding specifically to assist Venezuelans who have fled their country. Most recently, I understand the United States contributed \$12 million to UNHCR's supplementary appeal for Venezuela, of which \$2 million will assist with access to adequate reception conditions, registration and documentation for asylum-seekers, and services such as shelter, health, and education in Trinidad and Tobago. If confirmed, I will coordinate closely with colleagues at the Department of State and other agencies to help Trinidad and Tobago cope with a possible humanitarian crisis.

*Question 5.* According to Admiral Kurt Tidd, Commander of SOUTHCOM, ISIS has increased its recruitment of fighters from Trinidad and Tobago in recent years. The United States provides extensive security assistance to Trinidad and Tobago through International Military Education and Training (IMET) training programs

and DOD's Train and Equip programs. Do you believe these programs have been effective in strengthening Trinidad and Tobago's security apparatus?

Answer. I believe the effectiveness of U.S. IMET programs and the Department of Defense (DoD) train and equip program was evident through the performance of Trinbagonian security forces during the Fused Response exercise. Trinidad and Tobago hosted defense, interagency, and law enforcement partners from the United States for Fused Response April 16–26. That was the first time Trinidad and Tobago hosted this annual crisis response exercise. Fused Response had multilateral components that provided the opportunity for participating countries to work collaboratively with security partners in the region, strengthened longstanding ties, and enhanced interoperability between nations. My understanding is that the Department's ongoing IMET, Foreign Military Finance program, and Department of Defense programs prepared Trinbagonian security forces well for that exercise. If confirmed I will continue to help Trinidad and Tobago develop as effective security partners.

*Question 6.* According to Admiral Kurt Tidd, Commander of SOUTHCOM, ISIS has increased its recruitment of fighters from Trinidad and Tobago in recent years. The United States provides extensive security assistance to Trinidad and Tobago through International Military Education and Training (IMET) training programs and DOD's Train and Equip programs. What more should Trinidad and the United States be doing to prevent the rise of violent extremism in the region?

Answer. I understand that there are existing programs designed to address the full spectrum of challenges in order to counter violent extremism, including countering extremist messaging, developing Trinbagonian capacity to apprehend and prosecute extremists. Additionally, in 2017 Trinidad and Tobago agreed to participate in the U.S. Government's Personal Identification Secure Comparison and Evaluation System (PISCES) to screen traveler biometric and biographic data to detect terrorists. I understand implementation is ongoing. If confirmed, I would seek to work with my team at Post as well as the State Department and other agencies to continue to further these important efforts.

*Question 7.* According to the State Department Trafficking in Persons (TIP) report ranking, Trinidad and Tobago is a Tier 2 country, serving as a destination, transit, and source country for adults and children into sex trafficking and forced labor. Many of the trafficked women in Trinidad are from Venezuela, the Dominican Republic, and Colombia. While Trinidad works to eliminate trafficking, what should the United States be doing to support anti-trafficking efforts in Trinidad and Tobago?

Answer. From the annual Trafficking in Persons (TIP) report, I understand that Trinidad and Tobago demonstrated increasing efforts compared to the previous reporting period but has yet to secure a conviction under its anti-trafficking law. I believe the U.S. needs to work very closely with appropriate authorities in Trinidad and Tobago to ensure they have the legal infrastructure necessary to prosecute TIP cases. I am also concerned about the lack of specialized services, including during legal proceedings, for victims of trafficking, as reported in the TIP report. If confirmed, I will coordinate closely with colleagues at the State Department and other agencies to determine which resources can be brought to bear to develop these missing capacities in Trinidad and Tobago.

*Question 8.* According to the State Department Trafficking in Persons (TIP) report ranking, Trinidad and Tobago is a Tier 2 country, serving as a destination, transit, and source country for adults and children into sex trafficking and forced labor. Many of the trafficked women in Trinidad are from Venezuela, the Dominican Republic, and Colombia. Will you use your position as Ambassador to prioritize trafficking with Trinidadian officials?

Answer. Absolutely. The scourge of modern day slavery appalls me. If confirmed, I commit to working with Trinidadian officials to fight trafficking in persons in Trinidad and Tobago.

*Question 9.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As a local elected official and political leader I have consistently worked to expand opportunities for all individuals—regardless of race, religion, gender or sexual orientation—to fully participate in the political process.

While by no means an exhaustive list, I am proud that I facilitated the election of the first women to serve as Hempstead Town (America's largest township) supervisor, councilwoman, town clerk and receiver of taxes. Additionally, my efforts led to the election of the first African-American member of this town board as well as

the first African-American woman to serve as my party's commissioner of the county board of elections.

Furthermore, in an effort to eradicate an obstacle that traditionally barred, or limited, women from assuming leadership roles in local government, I successfully established one of the first governmentally supported day care centers specifically for municipal employees.

*Question 10.* What are the most pressing human rights issues in Trinidad and Tobago? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Trinidad and Tobago? What do you hope to accomplish through these actions?

Answer. The most significant human rights issues in Trinidad and Tobago include mistreatment of detainees by police and prison officials, refoulement of refugees due to poor training of officials, official corruption, and gender based violence.

If confirmed, I would champion existing embassy programs designed to address these and other human rights issues. In particular, I would use my convening authority, as U.S. Ambassador, to speak directly to local leaders at all levels of society to affect positive change on these pressing human rights concerns.

*Question 11.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Trinidad and Tobago in advancing human rights, civil society and democracy in general?

Answer. Domestic crime and an overburdened judicial system are the biggest obstacles to progress on human rights in Trinidad and Tobago. If confirmed, I would press the Trinidad and Tobago Governments to implement the rule of law while respecting human rights in a high crime environment with limited resources.

If confirmed, I will work with my embassy staff to accelerate existing programs through which we train criminal justice officials and call for wider application of alternative dispute resolution to help reduce the backlog within the court system.

*Question 12.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Trinidad and Tobago? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. I am absolutely committed to meeting with human rights, civil society, and other non-governmental organizations in the United States and in Trinidad and Tobago, and will eagerly do so if confirmed.

Additionally, if confirmed, I will support the Leahy Law through strict compliance with required vetting procedures that I understand are already in place in Embassy Port of Spain. The Leahy Law is a powerful tool for ensuring that human rights violators do not abuse security assistance from the United States.

*Question 13.* Will you and your embassy team actively engage with Trinidad and Tobago to address cases of key political prisoners or persons otherwise unjustly targeted by Trinidad and Tobago?

Answer. While there are no known cases of current political prisoners in Trinidad and Tobago, the human rights report does describe at least one instance in which an individual may have been targeted unjustly by a law enforcement official.

If confirmed, I will continue the proud tradition of U.S. diplomats speaking out on behalf of those who are denied a voice.

*Question 14.* Will you engage with Trinidad and Tobago on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes, if confirmed, I will insist that the embassy keep human rights, civil rights, and governance on the top of the bilateral agenda.

*Question 15.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 16.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 17.* Do you or do any members of your immediate family have any financial interests in Trinidad and Tobago?

Answer. No.

*Question 18.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Our country's greatest strength is the extraordinary diversity of its citizenry. In order to best serve our nation's interests abroad each member of our Foreign Service, particularly those from previously underrepresented groups, must be provided with the support and encouragement necessary to excel. If confirmed as head of mission, it would be my responsibility to ensure that all staff members are energized and motivated to achieve their fullest potential. This is best achieved by creating a cohesive team of staff members that functions in an atmosphere of mutual respect and understanding.

*Question 19.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Active, hands-on oversight of Embassy supervisors is the best approach to ensuring that all staff members are provided with a working environment that is diverse and inclusive. If confirmed as head of mission, I would meet regularly with supervisory staff to set clear goals and requirements in this regard. I would establish procedures designed to ensure that all staff members understand what is individually required of them in order to secure a diverse and inclusive workplace. I would also be readily accessible to any staff member who has comments or concerns relative to these issues.

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**RESPONSE TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR BOB CORKER**

*Question 1.* There is concern that the Government of Peru has thus far been unable to resolve the claims of many of our constituents who have invested in Peruvian Agrarian Reform bonds, commonly known as "land bonds." These constituents are hard working men and women, often in blue collar jobs, who have invested via their pension funds, which are already facing considerable financial strain. Though the former President of Peru Pedro Pablo Kuczynski assured several Members of Congress last year that he would meet with the U.S. bondholders, to date the Government has refused to do so. If confirmed as the next Assistant Secretary of State for the Western Hemisphere, will you commit to working with the Peruvian Government to achieve a final resolution to this issue? What steps can the Department of State take to encourage Peru to fulfill its obligations to U.S. citizens on these notes?

Answer. Yes, if confirmed, I will work with the bondholders and the Peruvian Government to facilitate an amicable and expeditious resolution on this issue. Officials at the Department of State and at our Embassy in Lima have met with representatives of current holders of the bonds (which were first issued by Peruvian military governments between 1969 and 1979) on multiple occasions, and, if confirmed, I will ensure that our door will continue to be open to them. If confirmed, I will also continue our dialogue with the Peruvian Government on this issue.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR ROBERT MENENDEZ**

*Question 1.* In the past week, the President and his senior aides have publicly criticized Canadian Prime Minister Justin Trudeau. These comments come months after the President openly boasted about lying to Prime Minister Trudeau. Do you believe that the President's comments help advance U.S. national interests?

Answer. The United States' relationship with Canada is one of the most important bilateral relationships we have in the world. It is vibrant and enduring; from our deep cultural connections to significant economic interactions and defense cooperation. Historically, we have gone through contentious periods in our bilateral relationship before and our partnership emerged stronger. If confirmed, I will focus my

and the Bureau's efforts on ensuring we maintain the deep and collaborative bilateral relationship with Canada.

*Question 2.* In the past week, the President and his senior aides have publicly criticized Canadian Prime Minister Justin Trudeau. These comments come months after the President openly boasted about lying to Prime Minister Trudeau. What is the impact of the President's comments on efforts to renegotiate NAFTA?

Answer. The United States and Canada remain close partners and share a wide variety of common interests. Our relationship with our neighbor has withstood tests before and it will withstand them now. NAFTA discussions continue to take place between all three parties. If confirmed, I will support our efforts in the NAFTA re-negotiation process that seeks to rebalance and upgrade our agreement.

*Question 3.* Recent testing by North Korea has revealed its ability to strike parts of North America with a missile, possibly one equipped with a nuclear warhead. While the United States and Canada closely cooperate through North American Aerospace Defense Command (NORAD) against threats in the air domain including from cruise missiles, Canada has declined to participate in the United States' ballistic missile defense program. Would Canadian participation in our Ground-Based Midcourse Defense (GMD) system assist our efforts to defend the U.S. homeland from missile threats from North Korea and Iran?

Answer. Respectfully, I must refer you to the Department of Defense for questions on specific military capabilities.

*Question 4.* Could the current missile defense system defend major Canadian population centers from the ballistic missile threat from North Korea?

Answer. Respectfully, I must refer you to the Department of Defense for questions on specific military capabilities.

*Question 5.* If confirmed, in your discussions with the Government of Canada, how would you prioritize securing Canadian participation in the defense of North America from the fully spectrum of aerospace threats we jointly face?

Answer. U.S. bilateral cooperation in the North American Radar Defense (NORAD) program is a cornerstone of the defense of the homeland and emblematic of our deep cooperation with Canada. Like the United States, Canada has prioritized modernizing NORAD to meet all threats to our two countries. If confirmed, I will prioritize coordination with the Department of Defense, Global Affairs Canada, and the Canadian Department of National Defence to ensure all of North America remains safe.

*Question 6.* As our principal diplomat for the Americas, do you intend to formulate a strategy to make Mexico pay for a border wall between our countries?

Answer. No, but I am committed to helping secure our borders. The United States and Mexico work together to stop the flow of drugs and other contraband that travel in both directions across our shared border. We also work together to improve efficiencies at ports of entry to ensure the legitimate flow of commerce and travelers. Border infrastructure is an integral part of border security. Mexico has consistently stated it will not pay for a border wall.

*Question 7.* The President's repeated and public criticism of Mexico and the Mexican people continue to raise the political cost for Mexican authorities that cooperate with the United States on issues including securing our border, addressing unauthorized migration, or addressing challenges related to narcotics trafficking, which are contributing to the heroin and fentanyl epidemic plaguing our country.

What is the impact of the President's comments on efforts to renegotiate NAFTA?

Answer. The United States and Mexico remain close partners and share a wide variety of common interests. The relationship with our neighbor has withstood tests before and it will withstand them now. NAFTA discussions continue to take place between all three parties. If confirmed, I will support our efforts in the NAFTA re-negotiation process to rebalance and upgrade our agreement.

*Question 8.* Do you believe that the United States can address border security, migration, and drug trafficking without a productive partnership with Mexican authorities?

Answer. Mexican cooperation is vital to U.S. national security and, if confirmed, I will ensure the Department of State continues to work with Mexico through the Merida Initiative on issues of border security, migration, and counternarcotics. The administration works with Mexico to disrupt transnational criminal organizations, combat the heroin and fentanyl epidemics, enhance border security to address irregular migration and trafficking in illicit goods, and build Mexico's capacity to investigate and prosecute crime. Our cooperation strengthens Mexican institutions and

the rule of law and promotes strong partners who can work with U.S. law enforcement agencies.

*Question 9.* What, in your view, would be the impact on our national security should Mexico choose to withdraw from cooperating with the United States?

Answer. U.S.-Mexico cooperation is important for U.S. national security and benefits both our nations. If confirmed, I will work with Mexico to maintain positive bilateral engagement. This would include collaborating with Mexico to disrupt transnational criminal organizations, combat the heroin-fentanyl epidemic, enhance border security to address irregular migration and trafficking in illicit goods, and build Mexico's capacity to investigate and prosecute crime. Our cooperation strengthens Mexican institutions and the rule of law, and promotes strong communities to deter recruitment by transnational criminal organizations. These ongoing efforts also directly enhance U.S. security.

*Question 10.* Do you believe the President's comments make it easier or more difficult to build a collaborative relationship (with Mexico)?

Answer. The United States enjoys excellent cooperation with Mexico on a broad range of political, security, migration, and economic issues. Strong institutional relationships help to ensure cooperation continues even when our leaders disagree. Mexico is an important partner in combatting irregular migration, narcotics trafficking, and transnational criminal organizations. If confirmed, preserving and enhancing bilateral cooperation with Mexico will be a top priority for me.

*Question 11.* In your new role, how can you possibly try to recover so much lost ground with such an important partner?

Answer. Bilateral cooperation with Mexico is essential and, if confirmed, I will ensure the Department of State continues to work closely with Mexico on issues of security, counternarcotics, and prosperity. The United States' collaboration with Mexico to jointly disrupt transnational criminal organizations, combat the heroin and fentanyl epidemics, enhance border security, address irregular migration, and build Mexico's capacity to investigate and prosecute crime are critical to both our nations.

*Question 12.* If confirmed, how will you prioritize the United States international efforts to combat illicit heroin and fentanyl trafficking?

Answer. I believe that effectively responding to the opioid crisis by driving down the number of overdose deaths in the United States requires a global response. It is my understanding that the vast majority of illicit opioids, like heroin and fentanyl, come from overseas. I also understand that Mexican transnational criminal organizations produce over 90 percent of heroin found in the U.S. market, while synthetic opioids often purchased online from China, are shipped in small quantities through the mail and express consignment services, to the United States, Mexico, and Canada.

If confirmed, I will continue to work with the U.S. counterdrug community and focus capacity building in partner countries and diplomatic engagement on efforts to prevent the flow of illicit heroin and fentanyl to the United States. If confirmed, I will continue to support efforts to attack these supplies and trafficking methods by working bilaterally with Mexico and China, trilaterally through the North American Drug Dialogue, and multilaterally, through the Organization of American States, United Nations Office of Drugs and Crime (UNODC) and other fora, to control illicit production and distribution.

I understand that our security cooperation with Mexico is excellent and the Department is working through the Strategic Dialogue on Disrupting Transnational Criminal Organizations, to combat the organizations that produce and traffic heroin to the United States. I believe this process must continue and that we should assist Mexico's efforts to build its capacity to eradicate poppy, dismantle clandestine labs, enhance border security, and bring criminals to justice.

*Question 13.* What is your assessment of the importance of the U.S.—Mexico cooperation to address illicit heroin and fentanyl trafficking and transnational organized crime?

Answer. Mexican cooperation is vital to U.S. national security and the Department of State is committed to our deep bilateral security partnership with Mexico. Neither country can successfully confront transnational organized crime or the scourge of illicit drugs alone. If confirmed, I will continue our work with Mexico and U.S. assistance through the Merida Initiative to disrupt transnational criminal organizations, combat the heroin-fentanyl epidemic, enhance border security against illegal migration and trafficking in illicit goods, and build Mexico's capacity to investigate and prosecute crime.

*Question 14.* Do you think the U.S. can address heroin and fentanyl trafficking without Mexico's cooperation?

Answer. Mexican cooperation is vital to U.S. national security and the Department of State is committed to our deep bilateral security partnership with Mexico. Neither country can successfully confront transnational organized crime or the scourge of illicit drugs alone. Our governments remain dedicated to implementing projects through the Merida Initiative that target the entire business model of transnational criminal organizations, including the illicit drug trade. These projects will expand Mexico's capacity to more effectively target and eradicate opium poppy fields; identify, safely dismantle, and investigate clandestine drug laboratories; interdict and destroy drugs; and track chemical precursors to prevent diversion to illicit drug production. If confirmed, I will continue this important work.

*Question 15.* At a time when the political relationship between the U.S. and Mexico is under increasing duress due to the President's antagonistic statements, how will you work to sustain and build the cooperation necessary to combat illicit trafficking and transnational organized crime?

Answer. Mexican cooperation is vital to U.S. national security and, if confirmed, I will ensure the Department of State continues to work with Mexico on issues of security, counternarcotics, and prosperity. The administration works with Mexico to disrupt transnational criminal organizations; combat the heroin-fentanyl epidemic; enhance border security to address irregular migration and trafficking in illicit goods; and build Mexico's capacity to investigate and prosecute crime. Our assistance strengthens Mexican institutions and the rule of law, and promotes strong partners for U.S. law enforcement agencies.

*Question 16.* What is your assessment of corruption in the federal government of Mexico?

Answer. Corruption is a universal challenge and Mexico is no exception to the rule. The Department of State supports Mexico's efforts to fight corruption and build good governance at the federal level. Mexico has undertaken an historic transition to an oral accusatory justice system that will provide greater transparency, accountability and efficiency in the administration of justice. I believe these are essential elements for the success of every nation. If confirmed, I will support U.S. anti-corruption efforts in Mexico.

*Question 17.* What is your assessment of corruption in state governments in Mexico?

Answer. State governments in Mexico formally transitioned to an open, accusatorial justice system in June 2016. Consolidation of the new system to hold those who commit crimes accountable—including for corruption—will not be easy. It will take a long-term effort, as well as sustained political will, at both the state and federal levels. Mexico is taking steps to investigate and prosecute former state government officials. If confirmed, I will support these efforts to help Mexico fight corruption.

*Question 18.* What is your assessment of corruption in the main political parties in Mexico?

Answer. Mexican voters have repeatedly cited corruption as a major concern, according to recent polls in the run up to July 1 national elections. All of the candidates of the major parties have addressed this as a campaign issue and have pledged to combat corruption. U.S. assistance to Mexico helps promote transparency and the rule of law. If confirmed, I will support these anti-corruption efforts.

*Question 19.* What is your assessment of reports that Mexico's Procuraduría General de la Repùblica (PGR) suppressed a legal investigation into corruption between the Government of Mexico and Brazilian oil company Odebrecht, as reported by the New York Times on June 11, 2018?

Answer. I am aware of the press report. My understanding is that Mexico's Attorney General is conducting an active investigation into the matter. I am committed to advancing our comprehensive efforts to combat corruption in Mexico and throughout the Western Hemisphere. If confirmed, I will continue to work with our partners in Mexico to strengthen the rule of law and independent judiciary sectors.

*Question 20.* Please describe your role in accompanying White House Senior Adviser Jared Kushner to a meeting with Mexican Foreign Secretary Luis Videgaray in Mexico City on March 8, 2018?

Answer. I attended meetings with the U.S. Ambassador, Embassy staff, NSC staff, the Senior Advisor, and Mexican officials.

*Question 21.* Why was U.S. Ambassador to Mexico, Roberta Jacobson, not invited to attend your meeting with Foreign Secretary Videgaray on March 8, 2018?

Answer. The agenda and meetings were arranged by the National Security Council and the Government of Mexico. The National Security Council and the White House invited me to join in the trip of the Senior Advisor but did not consult me on the composition of the meetings. I have known Ambassador Jacobson for more than fifteen years and hold her in the highest regard and have regularly sought her counsel in my work. If confirmed, I commit to ensuring that U.S. Ambassadors are included in future such meetings.

*Question 22.* In your role as Senior Adviser for the Western Hemisphere in the State Department's Office of Policy Planning, how many times and on what dates did travel to Mexico prior to your trip on March 8, 2018?

Answer. The bilateral relationship with Mexico is one of the most important and unique relationships that the United States has in the world. It is also an area of my expertise, developed over many years in public service and the private sector. As such, I travelled to Mexico on two occasions prior to March 2018 as a Member of the Policy Planning Staff. In January 2018, I travelled with an inter-agency delegation to discuss various areas of the bilateral relationship and how we might advance efforts to address shared opportunities and challenges. In November 2017 I travelled to Mexico for meetings and briefings with the U.S. Ambassador, DCM, Embassy section heads, and Mexican officials.

*Question 23.* What is your understanding of the status of the Section 232 investigation into the national security implications of imports of automobiles and automotive parts?

Answer. I understand the Secretary of Commerce initiated an investigation to consider the national security effects of imported automobiles, trucks, and automotive parts on May 23. If confirmed, I will ensure the Bureau of Western Hemisphere Affairs contributes to State Department and interagency discussions involving this investigation.

*Question 24.* Are you aware of any evidence that suggests imports of automobiles or automobile parts from Canada or Mexico present national security risks for the United States?

Answer. It is important to note that U.S. national security includes elements of economic security. I am aware that automobile manufacturing has long been a significant source of American technological innovation. I also understand U.S. imports of passenger vehicles have grown significantly in recent years while U.S. employment in motor vehicle production and the U.S. share of global research and development in the automobile sector have declined.

*Question 25.* Do you believe our treaty relationships should be considered when determining which countries should be subject to import restrictions as a result of a Section 232 investigations?

Answer. My understanding is that according to U.S. law, our treaty and free trade agreement partners are not exempt from any Section 232 investigations or actions. If confirmed, I will support any trade-related investigations in accordance with U.S. law.

*Question 26.* Do you believe Congress should have a greater role in the oversight and review of Section 232 investigations and any resulting import adjustments?

Answer. Checks and balances on all branches of government are fundamental to any actions taken by the U.S. Government. If confirmed, I will support the administration's trade-related investigations in accordance with U.S. law.

*Question 27.* Do you believe that Canadian steel and aluminum constitute a threat to U.S. national security?

Answer. It is important to note that U.S. national security includes elements of economic security and global overproduction has impaired the U.S. steel and aluminum industries. The application of the steel and aluminum tariffs does not foreclose the possibility of arriving at an alternative agreement with Canada to exempt it in the future. If confirmed, I will work with our trade partners to address global excess production of steel and aluminum.

*Question 28.* Do you believe Mexican steel and aluminum constitute a threat to U.S. national security?

Answer. It is important to note that U.S. national security includes elements of economic security and global overproduction has impaired the U.S. steel and aluminum industries. The application of the steel and aluminum tariffs does not foreclose the possibility of arriving at an alternative agreement with Mexico to exempt

it in the future. If confirmed, I will work with our trade partners to address global excess production of steel and aluminum.

*Question 29.* Will you commit to us that, if confirmed, any recommendations you give regarding the TIP Report will be based solely on a country's efforts to combat trafficking, and not trade or other unrelated factors?

Answer. If confirmed, I will ensure that any tier recommendations for the TIP Report, as well as any waiver considerations that may be applicable, are in compliance with the law.

*Question 30.* If confirmed, do you commit to supporting U.S. efforts to address the security, stability, and prosperity of the Northern Triangle in Central America?

Answer. If confirmed, I commit to supporting U.S. Government assistance in the region and furthering our diplomatic engagement with our Central American partners. U.S. programs and engagement aim to secure U.S. borders and protect U.S. citizens by addressing the security, governance, and economic drivers of illegal immigration and illicit trafficking through the U.S. Strategy for Central America by enhancing regional economic opportunity, reducing insecurity and violence, and fighting impunity and corruption. Our assistance complements the more than \$2.5 billion that Northern Triangle countries themselves are investing to address these goals.

*Question 31.* How do you plan to work with the countries of the Northern Triangle to address the problems of violence, poverty and weak security and justice institutions driving children and families from their countries?

Answer. If confirmed, I plan to advance our partnership with the Northern Triangle governments of El Salvador, Guatemala, and Honduras and continue to advance U.S. programs and assistance that complement the Northern Triangle's Plan for the Alliance for Prosperity (A4P). I understand the A4P is a Northern Triangle government initiative designed to stimulate the productive sector, develop opportunities for their people, improve public safety, enhance access to the legal system, and strengthen institutions. U.S. assistance supports these goals.

If confirmed, I will also continue to implement U.S. efforts that support the Northern Triangle governments' progress and reforms needed to advance the goals outlined in the A4P to improve the business climate, increase tax revenues, facilitate trade, expand energy integration, strengthen public-private sector dialogue, combat organized crime, promote citizen security, improve information sharing, cooperate on migration flows, continue the security dialogue, strengthen border security, and reduce violence.

*Question 32.* Will you engage with the Governments of Honduras and El Salvador to support fair and impartial attorney general selection processes to emphasize the need to select of honest and qualified candidates with a clear commitment to the rule of law?

Answer. If confirmed, I will engage with the Governments of Honduras and El Salvador to emphasize the importance of supporting fair, transparent, and impartial attorney general selection processes. I will underscore the importance of selecting honest and highly-qualified candidates with a strong commitment to the rule of law and the fight against corruption and impunity.

*Question 33.* Will you commit to maintaining continued U.S. political and financial support for United Nations International Commission against Impunity in Guatemala (CICIG) and the Organization of American States Support Mission against Corruption and Impunity in Honduras (MACCIH)?

Answer. Anti-corruption efforts in Guatemala and Honduras will be a priority for me, if confirmed. The United States provides funding to International Commission against Impunity in Guatemala (CICIG) for its important mission to combat corruption and impunity and strengthen Guatemala's justice sector. The Department, USAID, and the U.S. Mission to the United Nations (USUN) have met to discuss options for ensuring oversight and reform of CICIG that can strengthen the commission and preserve its important, independent mandate, and I understand these will be presented to Secretary Pompeo. Similarly, the United States supports the Organization of American States (OAS) Mission Against Corruption and Impunity in Honduras (MACCIH) which also plays a vital role in supporting the work of the attorney general in Honduras to strengthen the rule of law, fight impunity, and combat corruption, including the corrupt networks linked to transnational criminal organizations in the region.

*Question 34.* How would you support and strengthen the efforts of CICIG and MACCIH, and how would you help ensure the full cooperation of the Guatemalan and Honduran Governments?

**Answer.** The United States provides funding to International Commission against Impunity in Guatemala (CICIG) and the Organization of American States (OAS) Mission Against Corruption and Impunity in Honduras (MACCIH) to support their important missions to combat corruption and impunity and strengthen the justice sector in both countries. The Department, USAID, and the U.S. Mission to the United Nations (USUN) have met to discuss options for ensuring oversight and reform of CICIG that can strengthen the commission and preserve its important, independent mandate, and I understand these will be presented to Secretary Pompeo.

If confirmed, I look forward to engaging Guatemala's new attorney general Marfa Consuelo Porras Arqueta to continue her government's efforts against corruption and support for CICIG's mission. A strong attorney general is an integral part of the fight against corruption, impunity, and transnational criminal organizations. Corruption and impunity enable illicit networks and affect the ability of U.S. companies to do business in Guatemala. Measurable progress on combatting transnational criminal organizations requires significant progress in combating corruption.

I would continue to urge the Government of Honduras to approve a new head of MACCIH as soon as possible to ensure its important work continues and that it has sufficient access to information to support Public Ministry investigations into corrupt networks. I would also encourage the Honduran Government to select a highly-qualified attorney general willing to support and collaborate with MACCIH to fight corruption and impunity.

If confirmed, I also would engage the Governments of Guatemala and Honduras to underscore the importance of achieving results on Congressionally-mandated criteria regarding combatting corruption and cooperation with commissions against impunity and regional human rights entities.

#### *Honduras*

**Question 35.** Many members of Congress were deeply troubled by the Honduran elections at the end of last year. The disturbing evidence presented by the OAS suggests varying degrees of tampering took place in the election results tabulation process. Numerous public reports indicate that two dozen protesters were killed after the elections, mostly by the Honduran Military Police.

- Was the Honduran election free, fair, and democratic?

**Answer.** I understand international observers generally recognized the elections to be free, but noted serious procedural irregularities in the electoral process. If confirmed, I will continue to support the United States' policy goals of strengthening democratic institutions in Honduras as the long-term solution to ensuring elections represent the will of the Honduran people. It is up to the Honduran people to determine their political future through their democratic institutions and processes. If confirmed, I will advocate for supporting and strengthening democratic institutions throughout the Western Hemisphere.

**Question 36.** Many members of Congress were deeply troubled by the Honduran elections at the end of last year. The disturbing evidence presented by the OAS suggests varying degrees of tampering took place in the election results tabulation process. Numerous public reports indicate that two dozen protesters were killed after the elections, mostly by the Honduran Military Police.

- Why did the administration recognize the results of a flawed process?

**Answer.** The Department of State recognized the election of President Hernandez on December 22, 2017, as declared by the Honduran Supreme Electoral Tribunal (TSE). I share your concerns regarding the electoral irregularities identified by the Organization of American States (OAS). Those irregularities and the close election results highlighted the need for a significant long-term effort to heal Honduras's political divide. I understand Honduras invited the United Nations to provide support to a national dialogue for reconciliation, and the United Nations is leading a series of meetings with the three leading political parties to identify parameters for a potential national dialogue. If confirmed, I will advocate for a robust national dialogue and the enactment of significant electoral reforms to strengthen confidence in Honduran institutions.

I also share your concerns related to the deaths of civilians following the election. If confirmed, I will emphasize to the Honduran Government the need to ensure security forces respect the rights of protestors and to investigate credible allegations of human rights abuses by security forces and hold accountable those responsible.

**Question 37.** Many members of Congress were deeply troubled by the Honduran elections at the end of last year. The disturbing evidence presented by the OAS suggests varying degrees of tampering took place in the election results tabulation process. Numerous public reports indicate that two dozen protesters were killed after

the elections, mostly by the Honduran Military Police. The OAS Secretary General called for new elections.

- Do you think Honduras should have held new elections?

Answer. I value the OAS role in the observation of this and other elections in the hemisphere and share your concerns regarding the electoral irregularities identified by the Organization of American States (OAS). However, I understand that there was not enough evidence of specific fraud that would have changed the outcome of the election or necessitated a new one. Those irregularities and the close election results highlighted the need for a significant long-term effort to heal Honduras's political divide and to enact significant electoral reforms to strengthen confidence in Honduran institutions. If confirmed, I will advocate for a robust national dialogue and the enactment of significant electoral reforms to strengthen confidence in Honduran institutions.

*Question 38.* Many members of Congress were deeply troubled by the Honduran elections at the end of last year. The disturbing evidence presented by the OAS suggests varying degrees of tampering took place in the election results tabulation process. Numerous public reports indicate that two dozen protesters were killed after the elections, mostly by the Honduran Military Police.

- What is your assessment of how other countries in the hemisphere view U.S. willingness to recognize the result of a deeply flawed process carried out by a government the professes to be a close friend of the United States?

Answer. The Department of State recognized the election of President Hernandez on December 22, 2017, as declared by the Honduran Supreme Electoral Tribunal (TSE). Mexico, Colombia, and Spain had previously issued similar statements when the United States statement was released. It is up to the Honduran people to determine their political future through their democratic institutions and processes.

#### *Temporary Protected Status (TPS)*

*Question 39.* What was your role in the decision making process related to the State Department's recommendation to the Department of Homeland Security regarding the Temporary Protected Status designations for El Salvador, Honduras and Haiti?

Answer. Although I did not offer an opinion, I was aware that deliberations were ongoing inside the Department between relevant Bureaus on the issue of Temporary Protected Status.

*Question 40.* During the decision making process, did you express any affirmative or negative opinions regarding the recommendations made in the diplomatic cables from the U.S. Embassies in El Salvador, Honduras and Haiti?

Answer. No.

*Question 41.* In the event that you did not express any opinions, why not?

Answer. I didn't see a need as the Western Hemisphere Bureau fully presented its views on Temporary Protected Status.

*Question 42.* During the decision making process, did you express any affirmative or negative opinions regarding then-Secretary Tillerson's recommendation to DHS?

Answer. I agreed with the Secretary's assessment there could be risks to U.S. bilateral relationships and programs in El Salvador, Honduras, and Haiti if the process is not well managed. If confirmed, I will work with the Governments of El Salvador, Honduras, and Haiti to maintain strong U.S. bilateral relationships and ongoing programs to ensure that any possible risks that may emerge are mitigated.

*Question 43.* In the event that you did not express any opinions, why not?

Answer. As I stated in Question 42, I agreed with the Secretary's assessment there could be risks to U.S. bilateral relationships and programs in El Salvador, Honduras, and Haiti if the process is not well managed.

*Question 44.* Even if you were not explicitly asked for nor did you offer your opinion on the matter of terminating TPS for these countries, as a long-term specialist on the region, do you assess that ending TPS for El Salvador, Honduras, and Haiti poses a risk to U.S. national security interests?

Answer. I assess there could be risks to U.S. bilateral relationships and programs in El Salvador, Honduras, and Haiti if the process is not well managed. If confirmed, I will work with the Governments of El Salvador, Honduras, and Haiti to maintain strong U.S. bilateral relationships and ongoing programs to ensure that any possible risks that may emerge are mitigated.

*Question 45.* Do you believe that the Governments of El Salvador, Honduras, and Haiti have the capacity to effectively repatriate more than 400,000 people, in total?

**Answer.** As a part of its review, DHS decided on a delayed effective date of 18 months for El Salvador, Honduras, and Haiti to permit an orderly transition, both for those returning home and for the country receiving them. The phase-out period will provide time for TPS beneficiaries to arrange for their departure and for the countries to prepare for the reception and reintegration of their citizens. Our embassies in Honduras and El Salvador have met with host government counterparts to encourage the development of programs to reintegrate their citizens. With respect to Haiti, we have urged the Haitian Government to make changes to facilitate investment in order to grow its economy and increase economic opportunity in order to prepare for the reception and reintegration of its citizens. If confirmed, I will redouble these efforts.

**Question 46.** Is it your assessment that the repatriation of more than 400,000 people to El Salvador, Honduras and Haiti—if not handled effectively—would threaten the stability and security of these countries?

**Answer.** The effective repatriation of temporary migrants to their home countries is critical to the stability and security of those countries. Our embassies in Haiti, Honduras, and El Salvador have met with host government counterparts to encourage the further development of programs to reintegrate their citizens and to expand economic activity and opportunity. If confirmed, I will work to redouble the efforts of our overseas missions to strengthen the region's ability to reintegrate all returning nationals, including TPS returnees. As a longstanding partner of these countries, the U.S. Government remains committed to all three countries' long-term security and stability.

**Question 47.** In the event that the more than 400,000 TPS beneficiaries are accompanied by their more than 270,000 U.S. citizen children, do you believe that the Governments of El Salvador, Honduras, and Haiti can guarantee the safety and well-being of these American children?

**Answer.** If confirmed, I will make sure the Department continues to provide all available consular services to U.S. citizens, including U.S. citizen children of beneficiaries of Temporary Protected Status. I am committed to continuing the Department's work to help the countries of Central America and Haiti to address economic opportunity, reduce insecurity and violence, and fight impunity and corruption. I will also make sure the U.S. Government continues to implement programs that empower youth by supporting educational, social, and employment opportunities for youth and violence prevention activities.

**Question 48.** In his October 31, 2017 letter to Acting DHS Secretary Duke, Secretary Tillerson cautioned that ending TPS for El Salvador and Honduras could jeopardize U.S. foreign policy objectives in those two countries. Do you agree with that assessment?

**Answer.** I agree that if the process is not properly handled risks to U.S. bilateral relationships may emerge. A secure and stable Central America contributes to a safer and more prosperous United States by helping to secure our borders, protect U.S. citizens, and increase opportunities for U.S. and other businesses. I understand U.S. programs address the underlying economic development, security, and governance challenges that contribute to illegal immigration and illicit trafficking. If confirmed, I will continue to advance the Department's work with Central American governments to advance these objectives.

As a part of its review, DHS decided on a delayed effective date of 18 months for El Salvador, Honduras, and Haiti to permit an orderly transition, both for those returning home and for the country receiving them. The phase-out period will provide time for the countries to prepare for the reception and reintegration of their citizens. Our embassies in Honduras and El Salvador have met with host government counterparts to encourage the development of programs to reintegrate their citizens. If confirmed, I will redouble these efforts.

**Question 49.** In his October 31, 2017 letter to Acting DHS Secretary Duke, Secretary Tillerson cautioned that ending TPS for El Salvador and Honduras could jeopardize U.S. cooperation with both governments to combat transnational organized crime. Do you agree with that assessment?

**Answer.** A secure and stable Central America contributes to a safer and more prosperous United States by helping to secure our borders, protect U.S. citizens, and increase opportunities for U.S. and other businesses. I understand the U.S. Government partners with law enforcement agencies in El Salvador and Honduras to facilitate real-time information sharing and inform law enforcement operations to combat transnational organized crime. If confirmed, I will continue to advance programs in partnership with these governments that dismantle transnational gangs, such as MS-13 and 18th Street, and other transnational criminal organizations.

*Question 50.* In diplomatic cable San Salvador 860, dated July 7, 2017, the U.S. Embassy in El Salvador warned that U.S. citizen children accompanying TPS beneficiaries returning to the country could be vulnerable to gang recruitment or other forms of illicit employment. Do you agree with that assessment?

Answer. I am concerned with the security situation posed by gangs in El Salvador and the region, including gang recruitment of minors. The multi-year U.S. Strategy for Central America addresses the underlying economic development, security, and governance challenges that contribute to illegal immigration. I understand the U.S. Embassy in El Salvador has met with host government counterparts to encourage the further development of programs and services that will facilitate the effective reintegration of their citizens into their respective societies. I also understand USAID has hosted migration workshops in El Salvador to explore challenges and best practices in reintegration. If confirmed, I will continue to work with the Government of El Salvador to strengthen its ability to safely and successfully reintegrate their returning nationals, including TPS returnees, as well as ensure that our Embassy is able to assist U.S. citizens, including minor children.

*Question 51.* In diplomatic cable San Salvador 860, dated July 7, 2017, the U.S. Embassy in El Salvador warned that repatriating more than 260,000 TPS beneficiaries to El Salvador could accelerate “illegal immigration” to the United States. Do you agree with this assessment?

Answer. I understand that the multi-year U.S. Strategy for Central America is working to address the underlying economic development, security, and governance challenges that contribute to illegal immigration. I understand the U.S. Embassy in El Salvador has met with host government counterparts to encourage the further development of programs and services that will facilitate the effective reintegration of their citizens into their respective societies and USAID has hosted migration workshops in El Salvador to explore challenges and best practices in reintegration. If confirmed, I will redouble our efforts to work with our Embassy and the Government of El Salvador to strengthen its ability to reintegrate their returning nationals, including TPS returnees, and stem the flow of illegal migration.

*Question 52.* In diplomatic cable Tegucigalpa 618, dated June 29, 2017, the U.S. Embassy in Honduras warned that U.S. citizen children accompanying TPS beneficiaries returning to the country could be vulnerable to gang recruitment or other forms of illicit employment. Do you agree with that assessment?

Answer. I remain concerned with the security situation posed by gangs in Honduras and the region, including gang recruitment of minors. Through the U.S. Strategy for Central America, the Department of State implements programs to empower youth by supporting educational, social, and employment opportunities for at-risk and disadvantaged youth and violence prevention activities. One example of these programs aimed at preventing youth from joining gangs is the Gang Resistance Education and Training (GREAT) program. The GREAT program supports nationwide prevention of violence and youth gang involvement through the development of a positive relationship between Honduran law enforcement, families, and young people. Since the Department launched the GREAT program in 2013, over 375 Honduran National Police officers have been trained as GREAT instructors and more than 240,000 students have participated in the program. I will continue to work with our in-country partners to continue GREAT and other similar programs to address gang recruitment of youth.

The United States will continue to provide all available consular services to U.S. citizens, including U.S. citizen children of Temporary Protected Status beneficiaries. In coordination with the Honduran Government, the United States also will work to ensure that U.S. citizen children returning to Honduras with their parents are able to access education, local health services, and other social services.

*Question 53.* What steps will you take to guarantee that U.S. foreign policy objectives are not undermined by the decision to end TPS for El Salvador, Honduras, and Haiti?

Answer. If confirmed, I will continue to promote U.S. foreign assistance programs in Central America and Haiti that disrupt transnational criminal organizations, promote citizen security, halt illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity.

As a part of its review, DHS decided on a delayed effective date of 18 months for El Salvador, Honduras, and Haiti to permit an orderly transition, both for those returning home and for the country receiving them. Our embassies in Honduras and El Salvador have met with host government counterparts to encourage the development of programs to reintegrate their citizens. With respect to Haiti, we have urged

the Haitian Government to make changes to facilitate investment in order to grow its economy and increase economic opportunity in order to prepare for the reception and reintegration of its citizens. If confirmed, I will redouble these efforts.

*Question 54.* What amount of financial resources from the FY 2019 budget request and the FY 2018 and FY 2017 budgets would you recommend that the State Department dedicate to ensuring the effective repatriation of more than 400,000 TPS beneficiaries to El Salvador, Honduras, and Haiti?

Answer. If confirmed, I will work with the relevant bureaus and offices to ensure U.S. foreign assistance promotes our foreign policy objectives in the region. Such programs include programming to combat transnational criminal organizations and drug trafficking, halt illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity. Support for programs under the U.S. Strategy for Central America that have shown positive results should be considered for additional support. These programs contribute to improved living conditions and economic opportunity for those residing in and returning to these countries.

*Question 55.* How would you work with the Governments of El Salvador, Honduras and Haiti to mitigate the massive upheaval if 400,000 people are returned to their country of origin, as well as guarantee the safety of these individuals and that of their U.S. citizen children that will be accompanying them?

Answer. If confirmed, I will continue to work with our embassies and USAID to strengthen the region's ability to reintegrate all migrants, including TPS returnees. I understand that USAID has hosted migration workshops in El Salvador and Honduras to explore challenges and best practices in reintegration. Our embassies in El Salvador, Honduras, and Haiti have met with host government counterparts to encourage the further development of programs to reintegrate their citizens. Our embassies and consulates overseas stand ready to provide appropriate consular services for U.S. citizens, including U.S. citizen children of TPS beneficiaries.

*Question 56.* If confirmed, will you advocate that Secretary Pompeo reconsider the recommendations of his predecessor to DHS in order to better draw on the expertise of State Department officials?

Answer. There is tremendous expertise residing in the Department of State and, if confirmed, I will ensure that expertise is leveraged toward achieving the best possible policy outcomes for the United States. If confirmed, I would work closely with and draw upon Department experts on TPS beneficiary countries to manage the bilateral relationships.

*Question 57.* What contact did the State Department's Office of Policy Planning have with the White House Domestic Policy Council prior to Secretary Tillerson issuing his October 31, 2017 recommendations?

Answer. I did not discuss TPS with the White House Domestic Policy Council.

*Question 58.* Did the State Department's Office of Policy Planning lend more credence to the recommendations and guidance of the White House Domestic Policy Council than the recommendations and warnings of U.S. diplomatic personnel?

Answer. I did not discuss TPS with the White House Domestic Policy Council.

*Question 59.* Did the State Department's Office of Policy Planning provide direct policy guidance to the Bureau of Western Hemisphere Affairs as to how it should formulate its recommendation to Secretary Tillerson? If so, what was the nature of that guidance?

Answer. The Department's internal Temporary Protected Status (TPS) review process is comprehensive and well established. It involves input from the relevant regional bureau and U.S. embassy in the TPS country under review, the Bureau of Population, Refugees, and Migration (PRM), and the Office of the Legal Adviser. Additional offices that review and contribute to the process include the Secretary's Policy Planning Staff, the Office of the Deputy Secretary, and the Office of the Undersecretary for Political Affairs. All sources of information are considered in developing the Department's recommendation. Regional bureaus take into account posts' on-the-ground insights into country conditions as applied to the legal requirements outlined in the TPS statute.

*Question 60.* Did the State Department's Office of Policy Planning provide direct policy guidance to the Bureau of Population, Refugees, and Migration as to how it should formulate its recommendation to Secretary Tillerson? If so, what was the nature of that guidance?

Answer. My portfolio covers the Bureau of Western Hemisphere Affairs. I never discussed TPS with the PRM Bureau.

*Question 61.* What was the Bureau of Western Hemisphere Affairs's recommendation to the Secretary's Office of Policy Planning?

Answer. While I cannot speak to WHA's internal deliberations, the Department's internal Temporary Protected Status (TPS) review process is comprehensive and well established. The Secretary's recommendation to DHS is based on input from the relevant regional bureau and U.S. embassy in the TPS country under review, the Bureau of Population, Refugees, and Migration (PRM), and the Office of the Legal Adviser. Additional offices that review and contribute to the process include the Secretary's Policy Planning Staff, the Office of the Deputy Secretary, and the Office of the Under Secretary for Political Affairs.

*Question 62.* Do you commit to making decision based on the input of career foreign service professions when it comes to Temporary Protected Status?

Answer. Yes.

*Question 63.* Thirty-two percent of Salvadoran and Honduran TPS holders surveyed in 2016 owned their own home and are making mortgage payments. What will happen to the homes when TPS is terminated?

Answer. The Department of Homeland Security, as a part of its review of Temporary Protected Status (TPS), decided on a delayed effective date of 18 months for El Salvador and Honduras to permit an orderly transition for individuals returning home and for the countries receiving them. The phase-out period will provide time for individuals to arrange for their departure and for the countries to prepare for the reception and reintegration of its citizens' consular services for U.S. citizens.

*Question 64.* Will you advocate that former TPS holders be eligible to apply for non-immigrant tourist and business visas to travel to the United States after the end of the TPS designation for their respective countries?

Answer. The Department is committed to facilitating legitimate tourist and business travel to the United States, without compromising our border security. Any citizen of a foreign country seeking to enter the United States may apply for a non-immigrant visa. The purpose of intended travel and other facts determine what type of visa is required under U.S. immigration law. The applicant must meet all requirements to receive the category of visa for which they are applying.

*Question 65.* If confirmed, what strategy would you recommend to address the Venezuelan crisis?

Answer. The political and economic crises in Venezuela continue to deteriorate precipitously, causing a humanitarian crisis and outflow of Venezuelans at levels that threaten regional stability and U.S. interests. As a result, responding to this crisis will take a whole of government approach, including close coordination with like-minded countries in the Western Hemisphere and beyond.

The administration has developed a strategy that coordinates the U.S. approach and addresses key issues related to the crisis through five lines of effort: diplomatic engagement; strategic communications; economic measures; support to democratic actors; and contingency planning and humanitarian assistance.

*Question 66.* If confirmed, do you commit to working with Congress on legislation to advance a comprehensive U.S. strategy to address the humanitarian, political, and economic crisis in Venezuela?

Answer. Yes, if confirmed, I commit to working with Congress on legislation to advance a comprehensive U.S. strategy to address the humanitarian, political, and economic crisis in Venezuela.

*Question 67.* What do you believe is the most effective way to facilitate about the restoration of democracy in Venezuela?

Answer. The international community has a role to play in facilitating Venezuela's return to a prosperous, democratic country. The Maduro regime has shown how far it is willing to go to maintain power. It seeks international legitimacy and support for its actions. If confirmed, I will ensure the United States continues to coordinate with the international community to hold regime officials accountable for their actions. I will also seek to redouble our efforts at the Organization of American States, through the United Nations, and in support of the efforts of the Lima Group. International pressure, alongside support to democratic actors in Venezuela, is paramount in facilitating a restoration of democracy in Venezuela.

*Question 68.* Will you personally engage in diplomatic efforts and ensure that senior State Department officials have the tools they need to pursue a coordinated international response to the situation in Venezuela?

Answer. Yes. If confirmed, I will personally engage in diplomatic efforts and ensure that senior State Department officials have the tools they need to pursue a co-ordinated international response to the situation in Venezuela.

*Question 69.* In August 2017, President Trump stated that the U.S. has a ‘military option’ for Venezuela; do you support the use of the U.S. military to address Venezuela’s political, economic and humanitarian crisis?

Answer. If confirmed, my role would be to pursue a diplomatic solution to the Venezuelan crisis. To date the administration has undertaken robust diplomatic engagement in the region and globally in support of the Venezuelan people. I would, if confirmed, continue and build upon these efforts to seek a peaceful resolution.

*Question 70.* Numerous press articles have cited that the administration is considering sanctions on the Venezuelan oil sector; how would oil sanctions affect Venezuela’s economic and humanitarian crisis, and how might it facilitate a diplomatic solution to the country’s political crisis?

Answer. The administration uses sanctions as one of several tools to address the deteriorating situation in Venezuela. The United States has designated more than 50 Venezuelan nationals since January 2017, including President Nicolas Maduro and former Vice President Tareck El Aissami, for their actions against the Venezuelan people. If confirmed, I will support additional strong and swift action to prevent the theft of Venezuela’s wealth by corrupt individuals in the Maduro regime.

With regard to potential energy sector sanctions, if confirmed I will consider additional diplomatic and economic measures to support the restoration of democracy in Venezuela and also take into consideration potential impacts on the humanitarian crisis, U.S. interests, and our partners in the region and global community.

*Question 71.* During a speech at the University of Texas, then-Secretary Tillerson suggested that the Venezuelan military should “handle that,” referring to the restoration of the constitutional order in Venezuela; what is your assessment of this statement?

Answer. President Maduro has undermined democracy in Venezuela by destroying democratic institutions, processes, and norms. The administration has repeatedly called on Maduro, the opposition, and all actors including the military to press for a return to the democratic path in Venezuela.

*Question 72.* Did you advise Secretary Tillerson to make such a statement?

Answer. No.

*Question 73.* What aspects of the Venezuelan military’s involvement in drug trafficking, human rights abuses, and widespread corruption would suggest that it would facilitate a return to democracy?

Answer. All Venezuelans should support Venezuela’s return to a prosperous democracy. Members of the Venezuelan armed forces can be a part of the future of Venezuela if they respect the rule of law; however, those who choose to put their own interests above those of their fellow citizens should expect to be held accountable.

*Question 74.* How should the Department of State address the humanitarian crisis in Venezuela?

Answer. If confirmed, I will redouble the Department’s efforts to support a U.S. Government humanitarian assistance response to the Venezuelan crisis and its impact on the region, including by working with the international community and interagency to coordinate assistance efforts both inside and outside of Venezuela. While the U.S. Government’s ability to provide direct assistance to the Venezuelan people in their own country is limited by the Maduro regime’s refusal to permit large-scale international humanitarian aid into the country, the U.S. Government is providing assistance throughout the region. The Department is working with the U.S. Agency for International Development (USAID), and other international organizations—including UNHCR and the International Organization for Migration—to ensure there is a comprehensive international response. This support will provide assistance to Venezuelans in Colombia, Brazil, Ecuador, Peru, and other countries in the region receiving large numbers of Venezuelans. The Department has also called on the Maduro regime to accept international humanitarian assistance, and if confirmed I will continue to urge the international community to express concern and support humanitarian assistance to relieve the suffering of the Venezuelan people. I will specifically continue to encourage additional contributions from regional governments and other donor countries to meet growing needs.

*Question 75.* Will you prioritize humanitarian and refugee issues alongside sanctions and the tools needed to address growing criminality in Venezuela?

**Answer.** If confirmed, I will seek to employ all of the policy tools at the disposal of the U.S. Government to address the worsening humanitarian crisis in Venezuela and in the region. This crisis has led to more than 1.8 million Venezuelans deciding to flee their country in search of better conditions. It will be important to provide assistance quickly to prevent further regional instability. The United States has already made significant financial commitments to respond to the outflow of Venezuelans, and I will continue to encourage additional financial contributions from regional organizations and other donor governments.

**Question 76.** What should the United States do to ensure an adequate humanitarian response to the flow of Venezuelan migrants and refugees fleeing from the crisis in Venezuela?

**Answer.** The humanitarian crisis is worsening by the day. Venezuelans fleeing their country need shelter, food, medical services, documentation, legal protection, and pathways to integration in their host countries. The United States has committed nearly \$40 million in humanitarian and development assistance to support Venezuelans fleeing the manmade crisis in Venezuela and the countries that are hosting them. If confirmed, I will continue the Department's work with U.S. partners in the region, including multilateral organizations, host countries, and the inter-agency, to determine how best to assist the Venezuelan people and continue to encourage other donors to also contribute to these efforts. U.S. assistance is critical as the conditions worsen and more Venezuelans decide to flee, and both the Department and USAID intend to increase our assistance in the coming months.

**Question 77.** Do you support robust funding for UNHCR and other agencies charged with responding to the crisis?

**Answer.** Yes. The Department's Bureau of Western Hemisphere Affairs is working with the Bureau of Population, Refugees, and Migration to support UNHCR's regional appeal for assistance related to the Venezuela crisis. The Department of State provided more than \$3.3 million to UNHCR to provide immediate assistance to Venezuelans in Colombia, Brazil, Costa Rica, and the Caribbean. The Department is providing another \$12 million to UNHCR for programs to assist Venezuelans throughout the region. In addition, USAID has also provided \$5.6 million for assistance to Venezuelans in Colombia and an additional \$500,000 to assist Venezuelans in Brazil. If confirmed, I would support the continued provision of humanitarian assistance to address this man-made crisis and support the victims of the Maduro regime's policies.

#### *TIP Report*

**Question 78.** Under the Obama administration, the State Department raised Cuba from Tier 3 to Tier 2 Watch List on its annual Trafficking in Persons report. However, there is widespread consensus that many Cuban doctors are forced to travel and work abroad in conditions that resemble indentured servitude. Under the Trump administration, Cuba remains on the Tier 2 Watch list.

- What is your assessment of the forced labor conditions that many Cuban doctors faced when they are conscripted to work abroad?

**Answer.** Combating trafficking in persons and forced labor remains a key priority for this administration, and I understand the Department is actively engaged with the Cuban Government on these issues. I share the Department's concerns, outlined in its 2017 Trafficking in Persons report, that the Cuban Government does not prohibit forced labor, report efforts to prevent forced labor domestically, or recognize forced labor as a possible issue affecting its nationals in medical missions abroad. I understand the Department has expressed these concerns directly with the Cuban Government.

I am aware of reports that participants in foreign medical missions are coerced by Cuban officials into these programs, for example by withholding participants' passports, restricting their movement, or threatening to revoke their medical licenses or retaliate against their family members in Cuba if participants leave the program. If confirmed, I will review closely all reports on these matters to advance our administration's priorities in combatting trafficking in persons and forced labor in Cuba.

**Question 79.** Under the Obama administration, the State Department raised Cuba from Tier 3 to Tier 2 Watch List on its annual Trafficking in Persons report. However, there is widespread consensus that many Cuban doctors are forced to travel and work abroad in conditions that resemble indentured servitude. Under the Trump administration, Cuba remains on the Tier 2 Watch list.

- If confirmed, what information would you advocate be included do you commit to ensure robust attention to this issue in the TIP report?

**Answer.** The Department prepares its annual Trafficking in Persons report and determines the Tier rankings using information from a wide range of sources including U.S. embassies, nongovernmental and international organizations, media sources, and published reports. I share the Department's concerns that the Cuban Government does not prohibit forced labor, report efforts to prevent forced labor domestically, or recognize forced labor as a possible issue affecting its nationals in medical missions abroad. If confirmed, I will ensure that a broad range of sources are reviewed and analyzed when preparing the Trafficking in Persons report on Cuba to make certain issues such as forced labor continue to be addressed.

**Question 80.** Under the Obama administration, the State Department raised Cuba from Tier 3 to Tier 2 Watch List on its annual Trafficking in Persons report. However, there is widespread consensus that many Cuban doctors are forced to travel and work abroad in conditions that resemble indentured servitude. Under the Trump administration, Cuba remains on the Tier 2 Watch list.

- If confirmed, would you recommend downgrading Cuba to Tier 3?

**Answer.** Combating trafficking in persons remains a key priority for this administration, and I understand the Department is actively engaged with the Cuban Government on this issue.

The Department prepares its annual Trafficking in Persons report and determines the Tier rankings using information from a wide range of sources including U.S. embassies, nongovernmental and international organizations, media sources, and published reports. I understand that, in 2017, the Department ranked Cuba as Tier 2 Watch List for the third consecutive year. The Secretary granted Cuba a waiver from an otherwise required downgrade to Tier 3 consistent with the Trafficking Victims Protection Act (TVPA) because the Cuban Government devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards. I also understand the Secretary has authority to grant Cuba one more waiver in 2018 if Cuba remains at Tier 2 Watch List, but in 2019, Cuba must be upgraded or downgraded.

If confirmed, I will seek to advance the administration's priorities in combatting trafficking in persons in Cuba and work with the Office to Monitor and Combat Trafficking in Persons to ensure its annual report accurately reflects the extent of Cuba's efforts to meet the TVPA minimum standards for the elimination of human trafficking.

#### *Democracy Assistance*

**Question 81.** The Cuban people have long suffered under a regime that suppresses their freedom and fails to respect human dignity.

- As the Government of Cuba continues to suppress freedom of expression and continues to carry out arbitrary detentions of peaceful demonstrators, would you advocate restoring U.S. funding for democracy, human rights and civil society programs to the traditional level of \$20 million?

**Answer.** The administration's Cuba policy announced in June 2017 makes our continued support of democracy and human rights in Cuba and the intention to demonstrate solidarity with the Cuban people in the face of a repressive regime our primary objective. The democracy programs, which the Department of State and USAID administer inside and outside of Cuba, are an important tool for advancing our priorities on the island.

I understand requested foreign assistance funding levels were reduced globally in FY19, but neither Cuba nor the region was singled out. If confirmed, I will ensure the Department continues to administer these important democracy programs to support the critical work of human rights defenders in Cuba, consistent with the administration's policy.

**Question 82.** The Cuban people have long suffered under a regime that suppresses their freedom and fails to respect human dignity.

- If confirmed, how will you work support the critical work of promoting a free and democratic Cuba?

**Answer.** As directed by the June 2017 National Security Presidential Memorandum, "Strengthening the Policy of the United States Toward Cuba," the Department has focused its efforts on promoting improved respect for human rights in Cuba. I understand the Department monitors human rights developments in Cuba and calls out violations by the Cuban Government. It also actively engages with members of Cuban civil society. The Department and USAID administer U.S. Government-funded programs to promote democracy and the exercise of fundamental freedoms and to support the critical work of human rights defenders on the island.

If confirmed, I will continue to support these critical initiatives and work towards a more stable, prosperous, and free country for the Cuban people, consistent with the administration's policy.

*Fugitives*

*Question 83.* The Government of Cuba has harbored fugitives who have been tried and convicted in the United States. Two of these fugitives include Joanne Chesimard, who is responsible for the murder of New Jersey State Trooper Werner Foerster during a routine traffic stop and William Morales, leader and chief bombmaker for the terrorist organization FALN, who committed numerous terrorist attacks on United States soil, including the bombings of Fraunces Tavern in lower Manhattan in 1975 and the Mobil Oil employment office in New York in 1977. In 2013, Chesimard became the first woman named to the Federal Bureau of Investigation's (FBI) Most Wanted Terrorists.

- If confirmed, will you advocate for the extradition of these individuals so that they can face justice in the United States?

Answer. Facilitating the return of fugitives, like Joanne Chesimard, is one of this administration's top priorities in our bilateral engagement with Cuba. I understand the Department of State, in conjunction with the Department of Justice and other relevant agencies, actively engages with the Cuban Government on fugitive issues through our bilateral Law Enforcement Dialogue and associated technical exchanges. Through this dialogue, I understand we continue to press the Cuban Government to return these fugitives. In addition, in January 2018, New Jersey state troopers provided the Cuban law enforcement officials a briefing on the nature of the crimes committed by Joanne Chesimard, providing Cuba new information about her conduct.

If confirmed, I will continue to work with relevant U.S. agencies and the Cuban Government to push for the return of individuals like Chesimard so they can face justice in the United States.

*Question 84.* What has the Department of State done to ensure that none of the U.S. Government programs in Haiti were implicated by the Oxfam scandal?

Answer. It is my understanding that USAID did not fund Oxfam during the 2010 Haiti earthquake response, and that USAID currently does not have any active programs with Oxfam in Haiti.

In Fiscal Year 2015–2017, USAID provided \$1.9 million to Oxfam in Haiti. This included funding to enhance disaster preparedness systems, as well as emergency humanitarian assistance following Hurricane Matthew in 2016. This funding was subject to USAID's strict Code of Conduct requirement, mandating that partners ensure the protection of beneficiaries from sexual exploitation and abuse in humanitarian relief operations.

I further understand that the State Department has been in touch with Oxfam to ensure that no staff behaved improperly while working on programs funded by USAID.

*Question 85.* Does the Department of State have a process to ensure that its subcontractors are not involved in sexual misconduct and generally abide by the same conduct guidelines that regulate U.S. Government employees?

Answer. It is my understanding that the Department and USAID prioritize protecting vulnerable populations and aid beneficiaries from sexual exploitation and abuse in humanitarian relief operations.

Prior to receiving funding from us, our partners must demonstrate that their humanitarian assistance programs not only protect beneficiaries' safety and well-being, but that they do not increase any population's risk of violence, coercion, or abuse.

By law, any organization that receives International Disaster Assistance funding from USAID must adopt a Code of Conduct providing for the protection of beneficiaries from sexual exploitation and abuse in humanitarian relief operations.

*Question 86.* How do you assess our recovery effort?

Answer. Much progress has been made over the course of the past eight years. I understand that since the 2010 earthquake, the United States has made available more than \$5.1 billion to Haiti to support life-saving post-disaster relief as well as longer-term recovery, reconstruction, and development programs.

More than 20,000 jobs have been created in Haiti's growing export apparel sector, adding more than 1.5 percent to Haiti's GDP. In the agricultural sector, it is my understanding that U.S. assistance has helped 70,000 farmers increase crop yields, and introduced improved seeds, fertilizer, irrigation, and other technologies to more than 100,000 farmers.

U.S. health programs are improving access to basic services for approximately 40 percent of the population and have contributed to improvements in basic health indicators. The U.S. Government supports food and nutrition security targeting malnourished children under five, and vulnerable households. The United States has been instrumental in training civilian Haitian police, which now number over 15,000, thus enabling U.N. peacekeeping troops to depart in October 2017.

USAID funded the construction of a power plant in northern Haiti that provides uninterrupted electricity to the Caracol Industrial Park, and local households, businesses, and government institutions have been connected with meters to the power grid.

*Question 87.* What have been the principal barriers to a more speedy recovery and how do you hope to address them?

Answer. While there have been successes, I believe Haiti needs to continue to take steps to create a more welcoming investment climate. It will become increasingly important for Haiti to build its own economy in order to generate greater prosperity for Haiti's citizens, and sufficient revenue to provide for key government services.

If confirmed, I will see that the State Department continues to work with the Haitian Government, the Haitian private sector, and other bilateral and multilateral donors to improve Haiti's investment climate.

#### *Trinidad & Tobago—ISIS Recruitment*

*Question 88.* Several prominent media outlets have reported that more than 100 Trinidadian citizens left their country to join the Islamic State over the last few years. As ISIS retreats, Trinidad faces the possibility that trained citizens could return to radicalize a younger generation. A younger, radicalized generation is extremely concerning, especially if it were to happen in our hemisphere. If confirmed, what steps will you take to address the issue of ISIS-recruited returnees to Trinidad?

Answer. Open source media reports that 135 Trinidad and Tobago citizens have gone to fight for ISIS, the highest per capita rate in the Western Hemisphere. Many of these fighters had prior affiliations with criminal gangs. If confirmed, I would support ongoing programs designed to build Trinidad and Tobago's capacity to counter violent extremism. Such programming includes an Embassy Port of Spain program to identify and amplify credible local voices to counter extremist messaging. Embassy Port of Spain also participated along with the Department of Defense in the Fused Response crisis management exercise with the Government of Trinidad and Tobago from April 16–26.

The Trinidad and Tobago Government approved a comprehensive counterterrorism strategy in November 2017, and has proposed amendments to its existing Anti-Terrorism Act to address critical gaps in the legislation. If confirmed, I will press the Government to pass these amendments that will broaden the scope for terrorism-related prosecutions.

*Question 89.* Several prominent media outlets have reported that more than 100 Trinidadian citizens left their country to join the Islamic State over the last few years. As ISIS retreats, Trinidad faces the possibility that trained citizens could return to radicalize a younger generation. A younger, radicalized generation is extremely concerning, especially if it were to happen in our hemisphere. Do you commit to working with the Government of Trinidad & Tobago to ensure that a cohesive strategy is in place?

Answer. Yes, if confirmed, I commit to working with the Government of Trinidad & Tobago to ensure that a cohesive strategy is in place to counter violent extremism. The U.S. Government engagement pursues a whole of government approach to countering violent extremism that includes building law enforcement and judicial capacity as well as programming to counter violent extremist messaging.

*Question 90.* Trinidad & Tobago Reporting indicates that SCL Group, the parent company of Cambridge Analytica—the data company that worked on Trump's campaign—planned to illegally acquire the internet-browsing histories of the citizens of Trinidad & Tobago, and use it to create psychological profiles to target voters on behalf of a political party there. What is your assessment of the SCL Group's activities in Trinidad & Tobago?

Answer. I understand that press reports asserted a Trinbagonian political party employed a private data-mining firm in a previous election. If confirmed, I would work to continue our law enforcement cooperation with host government authorities.

*Question 91.* Trinidad & Tobago Reporting indicates that SCL Group, the parent company of Cambridge Analytica—the data company that worked on Trump's campaign—planned to illegally acquire the internet-browsing histories of the citizens of

Trinidad & Tobago, and use it to create psychological profiles to target voters on behalf of a political party there. Trinidad & Tobago is now reportedly investigating SCL Group's activities there—will you commit to assisting local authorities with their investigation?

Answer. I understand that the United States is already committed to building law enforcement and justice sector capacity in Trinidad and Tobago. If confirmed, I would continue our commitment to enhancing those institutions in close coordination with the Government of Trinidad and Tobago.

*Question 92.* Trinidad & Tobago Reporting indicates that SCL Group, the parent company of Cambridge Analytica—the data company that worked on Trump's campaign—planned to illegally acquire the internet-browsing histories of the citizens of Trinidad & Tobago, and use it to create psychological profiles to target voters on behalf of a political party there. Will you also commit to providing this committee with any information it requests regarding this issue?

Answer. I am committed to transparency and appreciate the importance of Congressional oversight. If confirmed, I will strive to share information as appropriate with this committee.

*Question 93.* Do you commit to working with our Colombian partners to advance a comprehensive strategy that combats all elements of the illicit narcotics trade?

Answer. The Trump administration remains deeply concerned about the large increase in Colombian coca cultivation and cocaine production. At the U.S.-Colombia High-Level Dialogue (HLD) March 1, the United States and Colombia agreed to expand counternarcotics cooperation over the next five years, with the shared goal of reducing Colombia's estimated cocaine production and coca cultivation to 50 percent of current levels by 2023. If confirmed, I will prioritize work with Colombia to ensure continued progress in reducing coca cultivation and the production of cocaine as agreed to at the HLD, including through enhanced eradication, interdiction, alternative development, and operations to dismantle narcotrafficking organizations.

*Question 94.* What do you plan to do to address some of the broader problems that are complicating our counternarcotic efforts in Colombia like a lack of state presence in vulnerable regions of Colombia and a dearth of viable economic opportunities?

Answer. Colombia needs to do more to reverse the large increase in coca cultivation and cocaine production in Colombia, including by making more progress to expand the presence of security and civilian agencies to vulnerable regions. U.S. assistance plays a key role in supporting this effort. The administration works in Colombia with all levels of government, the armed forces, and the private sector to extend government presence, confront illegality, and encourage licit, sustainable development. If confirmed, I will continue to work with the Colombian Government to support the expansion of capable government services, security, and economic opportunities throughout the country.

*Question 95.* Do you commit to working in partnership with USAID to expanding and strengthening alternative development programs in Colombia?

Answer. The United States strongly supports Colombia's efforts to secure a just and lasting peace. I understand the Department of State and USAID work together to support Colombia's transition towards a durable peace through efforts to reestablish state control in vulnerable regions in a phased approach that combines security, counternarcotics, and economic and social development. If confirmed, I will commit to working with USAID to support government and citizen efforts in Colombia to expand government presence, confront criminal groups, and encourage licit, sustainable development.

*Question 96.* Do you commit to work with the U.S. Departments of Treasury and Justice to prioritize combatting financial crimes as part of our engagement with Colombia, including increasing money laundering prosecutions and asset forfeiture cases?

Answer. Despite the Government of Colombia's fairly strict anti-money laundering regime, the laundering of money, primarily from Colombia's illicit drug production and illegal mining but also from domestic terrorist groups, continues to penetrate its economy and affect its financial institutions. I understand Colombia is taking appropriate steps by addressing some of the inefficiencies in its asset forfeiture regime. I believe Colombia should continue to look for additional ways to increase efficiency and streamline its judicial system. If confirmed, I will continue to work with the U.S. Departments of the Treasury and Justice to prioritize efforts to combat financial crimes.

*Question 97.* How do you plan to work with our partners in Colombia to more aggressively target financial crimes?

**Answer.** Colombia is a vital partner in the fight against financial crimes, which fuel narcotics trafficking and other forms of illicit activity. If confirmed, I will continue the Department's efforts to build Colombia's capacity to combat money laundering and other financial crimes, pursue forfeiture, and effectively manage seized assets in order to target criminal networks and crucial business facilitators, with the goal of disrupting and dismantling their organizations. I will also encourage continued collaboration between the Department of the Treasury, the Department of Justice, and the U.S. interagency to target the financial crimes of Colombia-based criminal organizations.

**Question 98.** While pursuing bilateral counternarcotics cooperation, how can we work with Colombia to arrest its alarming increase in killings of social leaders and human rights defenders?

**Answer.** The administration works in Colombia to support efforts to protect civil society, including human rights defenders and community leaders, from violence fueled by narcotics trafficking organizations and other illegal armed criminal groups. If confirmed, I will continue to work with Colombia to reduce drug flows, dismantle illegal armed groups, hold accountable those responsible for attacks on social leaders, and support government and civilian efforts to provide effective security guarantees for civil society.

**Question 99.** What steps would you take to guarantee the political and human rights of Afro-Colombian and indigenous persons?

**Answer.** The United States strongly supports Colombia's efforts to secure a lasting peace. The United States employs a comprehensive approach to promote peace, human rights, and social inclusion of indigenous and Afro-Colombians, including through programming, engagement with civil society, funding for the U.S.-Colombia Action Plan on Racial and Ethnic Equality, and ongoing dialogue with the Colombian Government. If confirmed, I will continue to support Colombia's efforts to secure an inclusive peace, including implementation of the peace accord's Ethnic Chapter, and to hold accountable all those responsible for attacks on ethnic leaders and communities as a way to deter future violence.

**Question 100.** As we work to advance counternarcotics cooperation, what do you see as the role of the United States in helping Colombia in its implementation of the peace accord?

**Answer.** The United States strongly supports Colombia's efforts to secure a just and lasting peace. Colombia remains one of the United States' strongest partners in the region, and successful implementation of the peace accord is in the national interest of both nations. Protecting civil society, including human rights defenders and community leaders, from violence is essential to ensuring that the promise of the accord is fulfilled. U.S. assistance plays a key role in supporting implementation. If confirmed, I will continue to work with the Colombian Government to support the implementation of the peace accord.

**Question 101.** What is your assessment of WikiLeaks and its founder, Julian Assange?

**Answer.** I am concerned about Julian Assange and WikiLeaks' hostile activities and intent to undermine U.S. national security.

**Question 102.** Do you believe that WikiLeaks collaborated with the Russian Government to influence the 2016 U.S. election?

**Answer.** I am aware of the ODNI's January 6, 2017, "high confidence" assessment that Russian efforts to influence the 2016 U.S. presidential election included the use of the Russian military's General Staff Main Intelligence Directorate (GRU) to relay U.S. victim data obtained in cyber operations to WikiLeaks. I am also aware of that report's assessment that "the Kremlin's principal international propaganda outlet RT (formerly Russia Today) has actively collaborated with WikiLeaks. The RT editor-in-chief visited WikiLeaks founder Julian Assange at the Ecuadorian embassy in London in August 2013, where they discussed renewing his broadcast contract with RT, according to Russian and Western media." I am also aware of media reports detailing Mr. Assange and WikiLeaks' interference with the domestic politics of a number of other countries, including some of our allies.

**Question 103.** What is your assessment of the Government of Ecuador's decision to provide asylum for Mr. Assange at its Embassy in London?

**Answer.** The 2012 decision by the previous Government of Ecuador to provide asylum at its embassy in London for Mr. Assange, an Australian citizen, as he fought extradition to Sweden to stand trial for sex crimes, is a matter between the Ecuadorian and British Governments. I understand the current Government of Ecuador has been engaging with the British Government to find a solution to the issue. If

confirmed, I will continue to raise our significant concerns regarding Mr. Assange with the Government of Ecuador at every available opportunity, including addressing his harmful activities and attempts to undermine the national security of the United States and our allies.

*Question 104.* If confirmed, in your interaction with the Government of Ecuador, how would you address the issue of Mr. Assange's current asylum status in the Ecuadorian Embassy in London?

Answer. If confirmed, I will continue to raise our significant concerns regarding Mr. Assange with the Government of Ecuador at every available opportunity, including addressing his harmful activities and attempts to undermine the national security of the United States and our allies.

*Question 105.* If confirmed, do you commit to keeping Senate Foreign Relations committee Staff informed about your discussions with the Government of Ecuador about Mr. Assange?

Answer. Yes, if confirmed, I will endeavor to keep the Senate Foreign Relations committee informed about my discussions with the Government of Ecuador regarding Mr. Assange.

*Question 106.* Is there a link between this corruption and the violence and poverty that drive so many of these countries' citizens to migrate?

Answer. I believe that corruption is a key enabling factor for all forms of crime and violence in the region. Corruption weakens democratic institutions, undermines the rule of law, impedes economic development, and contributes to the permissive environments that allow transnational criminal organizations to operate. If confirmed, I would remain committed to advance the principles of accountability, transparency and democratic governance.

*Question 107.* What more can the U.S. Government do to support, train, and protect people in these countries who are revealing, investigating, and prosecuting corruption?

Answer. Across the hemisphere, we are seeing a surge in support for anti-corruption efforts. If confirmed, I will work to take advantage of this momentum by ensuring that our diplomatic engagement and capacity-building programs take a comprehensive approach to reducing corruption and protecting those who are revealing, investigating, and prosecuting corruption. If confirmed, I will work closely with civil society, the business community, and the interagency to assess which programs have proven successful and which offer the potential for future success. I also believe that a comprehensive approach should include pressing governments to improve mechanisms to protect investigators, journalists, and community leaders who are committed to battling corruption. Together, I believe our efforts to strengthen national institutions, international standards, engage civil society, and remain vigilant can strengthen representative democracy, the rule of law, and economic progress.

*Question 108.* What steps would you take to decrease violence and murders of social activists, human rights defenders, ethnic minorities and journalists in the region?

Answer. Around the world, human rights defenders, social activists, and journalists work tirelessly to protect human rights and fundamental freedoms, advocate for government transparency and accountability, promote rule of law, and expose corruption. They work in the face of mounting challenges including threats, harassment, intimidation, and physical attacks. If confirmed, I will continue to advance the U.S. commitment to the promotion and protection of human rights, and fundamental freedoms of all people. Within the Hemisphere, I will continue our collaboration with bilateral and regional stakeholders to strengthen protection mechanisms for activists, support for independent civil society, and deepen adherence to the rule of law so as to reduce impunity. If confirmed, I will use a wide range of tools to advance respect for human rights, including working with democratic partners, international and regional organizations to include the independent bodies of the Inter-American Human Rights System, civil society, and the private sector.

*Question 109.* Why do you believe the United States' standing in the region has dropped?

Answer. Our greatest asset in the Western Hemisphere is a shared vision for the future: we all want to live securely in democratic societies in which we can prosper. U.S. engagement with partners across the Western Hemisphere is based on long-standing cooperation around shared values and objectives.

If confirmed, I will focus on expanding the security and economic prosperity of the United States and the Hemisphere and strengthening relationships with our part-

ners based on common interests, goals, and values. I will work to translate our bilateral and regional partnerships into concrete initiatives that unlock increased stability, prosperity, and opportunities for the citizens of our countries.

*Question 110.* What is the impact of such low approval ratings of U.S. leadership in the region?

Answer. Our partnerships with countries across the Western Hemisphere are rooted in longstanding cooperation based on our shared values and objectives. The most pressing issue facing the Western Hemisphere is the restoration of democracy in Venezuela. Our diplomats have forged unprecedented consensus across the Americas in support of the Venezuelan people and repudiating the tyranny of Nicolas Maduro. Nations representing more than 90 percent of the Hemisphere's population have come together with the United States on this issue. If confirmed, I will work to strengthen and expand this consensus to defend democracy in our Hemisphere, based on our enduring shared values and vision for the future.

*Question 111.* What is your assessment of our current public diplomacy programs in the region?

Answer. Through robust public diplomacy, our embassies are advancing U.S. policy goals while building people-to-people relationships, which strengthen the ties between the United States and the countries of the Hemisphere. Current public diplomacy engagement emphasizes entrepreneurship, education, English language programs, and other policy-relevant exchanges to increase economic prosperity, security, and democracy in the Hemisphere. These programs have directly benefited the U.S. economy, promoted U.S. interests, and have led to strong networks of influential individuals who share our policy priorities and values and who serve as partners and allies in our efforts.

*Question 112.* What public diplomacy initiatives will you pursue to recover U.S. standing in the Western Hemisphere?

Answer. If confirmed, I will use our public diplomacy engagement to advance our priorities of increased security, prosperity, and democracy in the Western Hemisphere. Our embassies will conduct exchange programs that advance entrepreneurship and innovation, which build linkages between the United States and young business and social entrepreneurs across the Hemisphere. Under my leadership, if confirmed, the Bureau of Western Hemisphere Affairs will also continue to emphasize English language and education diplomacy to create networks of knowledge, connect and shape current and future generations of leaders, and increase academic exchange and workforce development in the Americas. We will also use public diplomacy to promote people-to-people exchanges in order to build on the strong historical and cultural ties between the United States and the region.

*Question 113.* Do you commit to fully funding and implementing public diplomacy programs in the region, including the many important exchange programs like the International Visitors Leadership Program that are strongly supported by Congress?

Answer. Yes, if confirmed, I will fully support public diplomacy programs in the region, including important exchange programs such as the International Visitors Leadership Program. These programs expand the security and economic prosperity of the United States and the Hemisphere by strengthening our relationships with our partners based on common interests, goals, and values.

*Question 114.* In the past decade, China has heavily increased its commercial ties and investments in the Western Hemisphere. Chinese President Xi Jinping has travelled three times to the region, and in 2015, he announced a five-year plan to strengthen relations with Latin America that included reaching \$500 billion in trade and \$250 billion in foreign direct investment. While trade between the U.S. and Latin America has doubled since 2000, China's trade with the region has multiplied 22 times.

- Do you see China's increased commercial ties and investments in Latin America as a U.S. security threat?

Answer. While the United States remains the preferred trade and investment partner in the region, the sharp increase in China's engagement over the past decade presents challenges to U.S. national security and economic interests. If confirmed, working with the inter-agency to devise a strategy to address rising Chinese influence in region will be a top priority. China's efforts to shape standards and trade rules to benefit Chinese companies run counter to U.S. interests in maintaining a rules-based international order. Further, China's lack of transparency in its investment practices and its poor adherence to free market principles can undermine the region's efforts to combat corruption. If confirmed, working with the inter-

agency to devise a strategy to address rising Chinese influence in region will be a top priority.

*Question 115.* In the past decade, China has heavily increased its commercial ties and investments in the Western Hemisphere. Chinese President Xi Jinping has travelled three times to the region, and in 2015 he announced a five-year plan to strengthen relations with Latin America that included reaching \$500 billion in trade and \$250 billion in foreign direct investment. While trade between the U.S. and Latin America has doubled since 2000, China's trade with the region has multiplied 22 times.

- How do you propose the U.S. reinvigorate its commercial diplomacy in order to maintain its competitiveness in the region?

Answer. The United States is the top trading partner for more than half the countries in the region and sells more goods in the Western Hemisphere than to all Asian countries combined. If confirmed, I will seek ways to build upon our commercial diplomacy efforts in order to ensure the United States remains the region's partner of choice. I would start by fostering U.S. economic growth through fair and reciprocal trade and investment. If confirmed, I would also seek to improve the trade and investment climate for U.S. businesses in the region. This work would involve improving the transparency and accountability of procurement practices for investment, boosting protection of intellectual property rights, streamlining border clearance procedures, and modernizing free trade agreements. Finally, I would encourage a whole of U.S. Government approach to provide U.S. businesses and Latin American and Caribbean partners financing and project feasibility opportunities through the Overseas Private Investment Corporation, USAID's Development Credit Authority, and the U.S. Trade and Development Agency.

*Question 116.* What is your assessment of the recent decision by the Dominican Republic and Panama to cut ties with Taiwan?

Answer. I believe China's efforts to alter the status quo across the Taiwan Strait and undermine the framework that has enabled peace, stability, and development for decades are deeply concerning. I am disappointed that these two countries did not value this critical factor in their decision to switch diplomatic recognition.

*Question 117.* Do you believe this is an indication of a larger trend in the region in which we will see more countries cutting ties to Taiwan?

Answer. The United States continues to oppose unilateral actions by either side to alter the status quo across the Strait. With ten countries in the Western Hemisphere who recognize Taiwan, if confirmed, I will continue to reach out to partners in the region to reaffirm our position.

*Question 118.* How does the Department of State help Taiwan in its efforts to curb China's attempt to bully countries in the regions into cutting ties with Taiwan?

Answer. Per longstanding policy, the United States opposes unilateral actions by either side that alter the status quo across the Taiwan Strait. Switching diplomatic recognition is destabilizing to that delicate balance. It is my understanding that our embassies have underscored the importance of cross-Strait stability to the United States. If confirmed, I will also continue to caution countries in the Western Hemisphere that China's financing practices can come at a steep price for recipient countries in terms of the potential negative effects on local labor and environmental conditions, debt sustainability, and rule of law.

*Question 119.* Do you commit to work with our allies in the region to curb this trend?

Answer. If confirmed, I will work with our allies and partners in the region to continue our longstanding policy of opposing unilateral actions by either side that alter the status quo across the Taiwan Strait.

*Question 120.* What are the most important actions you have taken in your career to date to promote democracy and human rights? What has been the impact of your actions?

Answer. The promotion and defense of human rights and democracy is central to U.S. national security and prosperity. Throughout my career I have supported policies and approaches to foreign affairs that seek to support democracy and human rights. Supporting human rights can take many forms including calling out human rights violators, advocating for justice and accountability, and supporting programs to build capacity. During my career in policy work at the White House and the State Department as well as in my work at think tanks I have been involved in supporting and implementing policies in each of these areas. If confirmed I will continue to put the highest priority on support for democracy and human rights.

*Question 121.* What issues are the most pressing challenges to democracy or democratic development in the WHA region? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Latin America has largely transformed over the past two decades from a region of military dictatorships and civil conflicts to one with vibrant, peaceful democracies. However, democracy in Latin America still faces the challenges of economic and social disparities, insecurity, corruption, attacks on civil society, and impunity. I believe that in some countries in the region, democracy is advancing, becoming more inclusive and institutionalized, and is delivering results. In others, we see important threats to representative democracy, including a trend toward incumbents seeking to rewrite constitutional rules to enable them to run for re-election and a disrespect for fundamental freedoms. Within individual countries, certain elements of democracy are consolidating, while other specific aspects such as democratic institutions and rule of law face security-related stress. Narcotics traffickers, criminal gangs, and corrupt officials pose a threat to democracy, and they flourish where the rule of law is weak. Weak democratic institutions and the inability of governments to establish and maintain the rule of law contribute to the spread of transnational crime and corruption.

*Question 122.* What steps will you take—if confirmed—to promote democracy in the region? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will engage with a full range of stakeholders including governments, regional organizations, civil society, the private sector, and the media to promote fundamental human rights and democracy. If confirmed, I will ensure U.S. policies and programs remain focused on strengthening democratic governance, rule of law, and equal access to justice. If confirmed, I will work to ensure our programs strengthen the capacity of our democratic partners to increase transparency and accountability and promote economic prosperity in their respective countries and the region. My objective would be to ensure that all citizens of the Hemisphere benefit from the fruits of democracy and economic development.

Weak democratic institutions and the inability of governments to establish and maintain the rule of law hinder effective democratic governance and weaken the ability of governments to deliver the benefits of democracy and economic prosperity. If confirmed, I will ensure our efforts to build a secure, prosperous, and democratic hemisphere are supported by programs aimed at improving the rule of law, good governance, and adhere to fundamental human rights and freedoms.

*Question 123.* If confirmed, will you meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the WHA region? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Around the world, civil society, non-governmental organizations (NGOs), and activists work tirelessly to protect human rights and fundamental freedoms, advocate for government transparency and accountability, promote rule of law, and expose corruption. They work in the face of mounting challenges, including threats, harassment, intimidation, and physical attacks. If confirmed, I will build on our long history of engaging leaders outside of government and meet with civil society, NGOs, and activists. I will encourage our embassies to also meet at all levels with civil society, NGOs, and activists to bring attention to the dangers facing civil society and advocate for their protection and empowerment. If confirmed, I will remain committed to ensuring that all of our diplomatic and programmatic engagement maintains its end goals of protecting civil society and human rights activists, supporting them to continue their important work and raising awareness of the legitimate and critical role these actors play in the functioning of healthy and robust democracies.

*Question 124.* Will you, your staff, and embassy teams actively engage within the region on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the region?

Answer. A free and active press is an integral part of a healthy democracy. The Department of State is committed to supporting regional efforts to promote freedom of the press. If confirmed, I, along with my staff and our Embassy teams, will work together with countries throughout the Hemisphere to support press freedom and freedom of expression. Under my leadership, if confirmed, the Bureau of Western

Hemisphere Affairs will continue to engage with independent local media in the region.

*Question 125.* Will you, your staff and your embassy teams actively engage within the region on the right of labor groups to organize, including for independent trade unions? Will you and your embassy team engage political parties, and advocate for access and inclusivity for women and minorities?

Answer. The region's labor movements have transformed in much of Latin America. Recognizing the important work of labor groups and trade unions in advancing worker rights, if confirmed, I will ensure my team remains engaged on labor issues and advocates at all levels for strengthening labor rights and advancing workplace democracy in the global economy.

If confirmed, I will support social inclusion and work to address the disproportionate impact of violence, discrimination, and poverty on vulnerable groups, including people of African descent and indigenous peoples, women and girls, and lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. I will work to integrate these groups and their needs into processes that seek to combat crime and promote rule of law in order to further more inclusive and prosperous economies that ensure all members of society thrive.

*Question 126.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the region, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in the region? What specifically will you commit to do to help LGBTI people in the Western Hemisphere?

Answer. In many parts of the world, LGBTI individuals and their supporters continue to face violence, arrest, harassment, and intimidation for standing up for their human rights, participating in peaceful marches and rallies, expressing their views, and simply being who they are. As Secretary Pompeo affirmed in his statement on the International Day Against Homophobia, Transphobia and Biphobia, "the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else." If confirmed, I will promote the inclusion of LGBTI persons and support the Department's use of public and private actions to counter violence and discrimination against LGBTI persons. These include diplomatic outreach through bilateral and multilateral channels, offering emergency assistance to LGBTI persons and organizations at risk, and imposing visa restrictions and economic sanctions, as appropriate, against those who violate their human rights.

*Question 127.* Do you commit to regularly consult with me and SFRC staff, as we discussed in our July 11, 2018 meeting?

Answer. Yes. If confirmed, I am committed to keeping you and your staff regularly apprised of developments of interest to the committee, including through briefings and consultations by me and other WHA officials.

*Question 128.* The Trump administration has utilized targeted Global Magnitsky sanctions against individuals in Nicaragua, Guatemala, and the Dominican Republic. However, the administration has not utilized the powerful tool against Cuban Government officials. If confirmed, do you commit to advocating for the use of targeted Global Magnitsky sanctions against Cuban official involved in human rights abuses and corruption, as we discussed in our July 11, 2018 meeting?

Answer. If confirmed, I will consider all options, including use of Global Magnitsky sanctions, to address human rights abuses in Cuba. Where appropriate, I am committed to advocating for the use of targeted Global Magnitsky sanctions against officials involved in human rights abuses and corruption, as we discussed. The administration appreciates Congressional support for this powerful, versatile tool.

*Question 129.* Despite evidence that the Government of Cuba conscripts Cuban doctors and health workers to participate in foreign medical missions under conditions that regularly resemble indentured servitude, the Trump administration has maintained Cuba on the Tier 2 Watch List of its annual Trafficking in Persons Report. If confirmed, do you commit to promoting greater attention to this issue in next year's TIP report and a ranking that appropriately reflects this information, as we discussed in our July 11, 2018 meeting?

Answer. Yes. Combating trafficking in persons remains a key priority for this administration. If confirmed, I would work closely with the Department's Office to

Monitor and Combat Trafficking in Persons to promote attention to the heinous crime of human trafficking, not only in Cuba, but throughout the Hemisphere.

*Question 130.* Independent Cuban activists and human rights defenders have had limited access to U.S. visa services in Havana, while Cuban Government officials and participants in U.S. exchange programs are able to regularly secure visas from the U.S. Embassy in Cuba. Despite current staffing levels at the U.S. Embassy in Cuba, if confirmed, do you commit to provide my office with information related to the current state of visa services and advocate for independent activists and human rights defenders to have greater access to U.S. visa services in Havana, as we discussed in our July 11, 2018 meeting?

Answer. If confirmed, I will work with my colleagues in the Bureau of Consular Affairs to provide your office with information related to the state of visa services in Havana. I will also support the access of independent activists and human rights defenders to U.S. visa services in Havana commensurate with staffing levels there.

*Question 131.* I am currently working on bipartisan legislation to response to the multifaceted crisis in Venezuela. If confirmed, do you commit to working with my office to provide State Department input and comments on this bill, as we discussed in our July 11, 2018 meeting?

Answer. Yes. If confirmed, I will work with my team in the Bureau of Western Hemisphere Affairs and with other offices at the State Department to ensure we provide timely and substantive comments to the bill. I look forward to working with you and your staff to help peacefully resolve the political, economic, social, and humanitarian crises in Venezuela.

*Question 132.* Concurrent with your nomination to be Assistant Secretary for Western Hemisphere Affairs, you have been nominated to the Board of the Inter-American Foundation (IAF), an independent U.S. development assistance agency that supports citizen-led initiatives and creates alternatives to migration, the drug trade, crime, unemployment, exclusion and corruption in Latin America and the Caribbean. The IAF has a long history of strong Congressional bipartisan and bicameral support. What is your assessment of the IAF's grassroots development work in the region?

Answer. The Inter-American Foundation (IAF) provides small grants to citizen-led organizations to build the capacity of local actors and promote the sustainability of development efforts. If confirmed, I look forward to being fully briefed on IAF's ongoing development work and how I can advance U.S. efforts in that important body.

*Question 133.* During fiscal years 2018 and 2019, the current administration recommended the elimination of the IAF as an independent agency. Congress has signaled in both fiscal years that it does not support the elimination of the agency; and greatly values the IAF's contributions to U.S. development and foreign policy interests in the LAC region. If confirmed to the IAF's Board of Directors, will you work to preserve the IAF as an independent agency and protect and further its mission?

Answer. If confirmed as Assistant Secretary, I will carry out all duties of the position, including serving on the IAF's Board of Directors and work in partnership with federal and independent agencies working to advance our national security and foreign policy interests of the United States. If confirmed, I am committed to implementing U.S. appropriations law with regard to the IAF.

*Question 134.* In multiple briefings provided by the Senate Foreign Relations committee by the Bureaus for Western Hemisphere Affairs, International Narcotics and Law Enforcement Affairs, and International Organizations, as well as the U.S. Mission to the United Nations, State Department officials have indicated that there is no known evidence that the Russian Government has interfered with or unduly influenced the work of the United Nations International Commission Against Impunity in Guatemala (CICIG), or colluded with CICIG officials. Do you agree with this assessment provided to the Senate Foreign Relations committee by various offices of the State Department?

Answer. I take allegations of Russian influence seriously, and if confirmed commit to personally reviewing all available information related to the case in question.

*Question 135.* Former U.S. Government officials and Guatemalan Government officials, across multiple administrations representing multiple parties, have repeatedly reaffirmed the importance of CICIG as an invaluable tool for combatting corruption and impunity in Guatemala. Do you believe that CICIG has made positive contributions to combatting corruption and impunity in Guatemala?

Answer. Yes. The United States provides funding to International Commission against Impunity in Guatemala (CICIG) for its important mission to combat corruption and impunity and strengthen Guatemala's justice sector. I understand the De-

partment, USAID, and the U.S. Mission to the United Nations (USUN) have met to discuss options for ensuring oversight and reform of CICIG that can strengthen the commission and preserve its important, independent mandate, and I understand these will be presented to Secretary Pompeo.

*Question 136.* In your statement, you mentioned the administration's Caribbean 2020 Strategy which you described as looking "to foster security and prosperity in a region important to our interests." While the strategy as written is very impressive, its implementation—a full year after it was sent to Congress—leaves much to be desired.

- For each of the areas in the Caribbean 2020 Strategy (security, diplomacy, prosperity, energy, education and health), please provide the committee with a timeline of what steps you would take to specific policy actions.

Answer. In the context of Caribbean 2020, upcoming plans for further diplomatic engagement include an annual consultative meeting with Caribbean leaders. If confirmed, I will continue our commitment to the Caribbean Basin Security Initiative (CBSI) and will prioritize maritime security and counter-narcotics; law enforcement capacity building; community engagement in youth crime and violence prevention activities; and positive alternatives for at-risk youth. In order to highlight private sector engagement and sustainable growth, the Department will work with partners in the Caribbean to organize the second Prosperity Roundtable in late 2018.

The Department approved the Caribbean Energy Security Initiative (CESI) Guarantee Program on March 19, and is moving to implement it during the next year. The CESI Guarantee Program will leverage at least \$300 million in lending to stimulate investment in the energy sector in Caribbean countries. On education, if confirmed, I will work to build stronger partnerships between U.S. and Caribbean higher education institutions and advance cooperation on entrepreneurship and technical and vocational skills. Finally, in the health field the Department is working with community leaders to design and install rainwater harvesting systems in Saint Lucia, supporting the American Red Cross in promoting disaster management skills training in the Eastern Caribbean, and working with the Organization of American States to bolster resiliency among small business in the Caribbean tourism sector. The Department is also joining with Caribbean diaspora partners and the Department of Health and Human Services to support universal compliance with international health regulations to prevent the spread of Zika in Barbados and the Eastern Caribbean.

*Question 137.* In your statement, you mentioned the administration's Caribbean 2020 Strategy which you described as looking "to foster security and prosperity in a region important to our interests." While the strategy as written is very impressive, its implementation—a full year after it was sent to Congress—leaves much to be desired.

- The Strategy states, "We will hold a trade and investment conference with Caribbean countries focused on increasing bilateral trade and improving the region's investment climate and regulatory environment." When and where will advocate that this conference take place?

Answer. Since the Department held its first Caribbean Prosperity Roundtable in November 2017 with Caribbean policymakers and private sector representatives to spur economic development and trade, the Department has worked to ensure reconstruction efforts result in resilient, cost-effective energy systems. Plans are underway to host a second Caribbean Prosperity Roundtable in the region later this year.

*Question 138.* In your statement, you mentioned the administration's Caribbean 2020 Strategy which you described as looking "to foster security and prosperity in a region important to our interests." While the strategy as written is very impressive, its implementation—a full year after it was sent to Congress—leaves much to be desired.

The Strategy states, "Were funding to become available in the future, the Department could explore expanding its diplomatic and consular presence in Eastern Caribbean countries that do not currently host a permanent U.S. diplomatic mission." In anticipation of funding becoming available, please provide the committee with a detailed plan on how the U.S. could expand our diplomatic and consular presence in the Eastern Caribbean.

Answer. Embassy Barbados constitutes the United States' diplomatic and security presence in the Eastern Caribbean, with support from the U.S. Embassy in Grenada and the U.S. Consular Agency in Antigua and Barbuda. Official personnel based in Embassy Barbados travel frequently to engage with government officials and other host nation interlocutors in all Eastern Caribbean countries to advance and defend bilateral and regional U.S. foreign policy goals. The State Department remains fo-

cused on ensuring that it actively promotes U.S. interests from this platform and if confirmed, I would use funds to maintain and strengthen the Department's ability to continue to do so. Any decisions on a future expansion of our diplomatic and consular presence in the Eastern Caribbean would be premised on which countries would best support the protection of U.S. citizens and advancement of U.S. interests not only bilaterally, but also regionally.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. The promotion and defense of human rights and democracy is central to U.S. national security and prosperity. Throughout my career I have supported policies and approaches to foreign affairs that seek to support democracy and human rights. Supporting human rights can take many forms including calling out human rights violators, advocating for justice and accountability, and supporting programs to build capacity. During my career in policy work at the White House and the State Department as well as in my work at think tanks I have been involved in supporting and implementing policies in each of these areas. If confirmed I will continue to put the highest priority on support for democracy and human rights.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will support diversity in the Bureau of Western Hemisphere Affairs. I have experience and government training in diversity and inclusion as well as extensive experience in my prior government service in mentoring up-and-coming staff. If confirmed, I will explore the possibility of creating a new mentoring program in the Bureau, and will seek opportunities to mentor foreign and civil service officers, particularly through example to help aspiring women overcome obstacles to their success.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Western Hemisphere Affairs are fostering an environment that is diverse and inclusive?

Answer. If confirmed, when interviewing candidates for senior positions in the Bureau of Western Hemisphere Affairs I will make it a priority to ensure all candidates affirm their support for a diverse and inclusive workplace and then will monitor that commitment among staff. If confirmed, I will take immediate action in cases where discrimination or bias is reported to me.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. My investment portfolio consists of diversified mutual funds and de minimis interests. The diversified mutual funds are exempt from the conflict of interest laws, as are my other investments because of their size. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

*Question 7.* As I mentioned in your hearing, in 2015, Marylander Alex Villamayor was brutally raped and murdered in Paraguay. After years of mismanagement and delays, guilty verdicts were recently handed down in his case.

- As Assistant Secretary, in future cases involving American citizens will you apply diplomatic pressure to accept FBI assistance sooner, and review how the State Department treats cases where American citizens are slain or assaulted abroad.

Answer. If confirmed, I commit to working closely with our interagency partners to ensure host governments understand the benefit of accepting our technical assistance to fully investigate U.S. citizen deaths overseas. The United States enjoys strong cooperation in law enforcement and security with our partners in the Western Hemisphere, and in the past, the U.S. Government has provided technical assistance and training for judges, prosecutors, and police to many of them. If confirmed, I will engage with the relevant authorities to offer all appropriate technical assistance that might help achieve a thorough, impartial investigation and a fair trial in these cases.

*Question 8.* President Trump's statements and policies on issues such as immigration and trade have been received poorly, to say the least, throughout the hemisphere, as has been reflected in various polls and studies. The Gallup's 2017 World Poll, for example, showed only a 16 percent approval rating of President Trump in Latin America. The poll also highlighted that Latin Americans expect relations to worsen rather than improve over time.

- To what do you attribute the marked increase in negative views in the Western Hemisphere of U.S. leadership over the past year, and what specific steps will you take to help reverse those views?
- To what extent do you think negative perceptions of the Trump administration have impacted, or will impact, other nations' willingness to cooperate with the United States?

Answer. The United States' greatest asset in the Western Hemisphere is a shared vision for the future: we all want to live securely in democratic societies in which we can prosper. U.S. engagement with partners across the Western Hemisphere is based on longstanding cooperation around shared values and objectives.

If confirmed, I will focus on expanding the security and economic prosperity of the United States and the Hemisphere and strengthening relationships with our partners based on common interests, goals, and values. I will work to translate our bilateral and regional partnerships into concrete initiatives that unlock increased stability, prosperity, and opportunities for the citizens of our countries.

The most pressing issue facing our hemisphere is the restoration of democracy in Venezuela. Our diplomats have forged unprecedented consensus across the Americas in support of the Venezuelan people and repudiating the tyranny of Nicolas Maduro. Nations representing more than 90 percent of the Hemisphere's population have come together with the United States on this issue. If confirmed, I will work to strengthen and expand this consensus to defend democracy in our Hemisphere, based on our enduring shared values and vision for the future.

#### *Trade (Tariffs, NAFTA)*

*Question 9.* The administration announced recently that it is moving forward with steel and aluminum tariffs on Canada and Mexico (as well as Europe), with the possibility of additional future tariffs. The President has been aggressive in his efforts to re-negotiate NAFTA, and pulling out of TPP angered our neighbors who are party to the agreement. There is no question that these actions have turned U.S. trade and bilateral relationships in the region upside down and disrupted the investment markets in the region.

- What is your view of these actions and the potential impact on U.S. businesses?
- How are they impacting our relationships to regional economic partners like Canada and Mexico?
- Are you concerned about the rhetoric the president and his aides have used against the Canadian prime minister?
- To what extent are these actions affecting other aspects of U.S. relations with our regional partners?
- What are the prospects for reaching a renegotiated NAFTA agreement before Mexico's July 1, 2018 elections? If an agreement is not reached by that time, what are prospects for negotiating with Mexico's next government?

Answer. The United States, Canada, and Mexico remain close partners and share a wide variety of common interests. If confirmed, I will continue to build upon our existing relationships and extensive areas of mutual cooperation. The relationships with our neighbors have withstood tests before and they will withstand them now. The application of the steel and aluminum tariffs does not foreclose the possibility of arriving at alternative agreements with Canada and Mexico to exempt them in the future. If confirmed, I will continue to work with our partners to address global

excess production of steel and aluminum. I will also continue to support our efforts in the ongoing NAFTA re-negotiation process that seeks to rebalance and upgrade our agreement. An updated agreement will benefit all Americans, including workers, farmers, ranchers, manufacturers, and service providers.

*Question 10.* I recognize that you believe that TPS was designed to be temporary, not for 20 years, that the original conditions don't exist anymore, but why didn't the administration follow the recommendations of the Embassy staffs in Haiti, El Salvador and Honduras that maintaining TPS was in the U.S. national security interest?

Answer. The Temporary Protected Status (TPS) statute provides the executive branch with the authority to offer temporary protection from removal for individuals from countries experiencing armed conflict, environmental disaster, or other extraordinary and temporary conditions that prevent their citizens from returning in safety. Any extension of an existing TPS designation must be tied to the original reason for designation. The statute explicitly states that if a TPS country no longer continues to meet the conditions for designation, the designation shall be terminated. The statute further provides for limitations on consideration of legislation providing a pathway to lawful permanent resident status for TPS beneficiaries, indicating a Congressional intent to underscore the temporary nature of the program. While U.S. foreign policy and economic interests may lead Congress to reconsider the future legal treatment of long-term TPS beneficiaries, the statute does not allow the executive branch to extend TPS designations on these bases.

The Department's internal TPS review process is comprehensive and well established. It involves input from the relevant regional bureau and U.S. embassy in the TPS country under review, the Bureau of Population, Refugees, and Migration (PRM), and the Office of the Legal Adviser. Additional offices that review and contribute to the process include the Secretary's Policy Planning Staff, the Office of the Deputy Secretary, and the Office of the Undersecretary for Political Affairs. In these cases, the regional bureaus review Embassy cables from their region and factor the views of Posts into their decision-making.

The authority to make decisions regarding TPS resides with DHS, after consultation with appropriate agencies. With respect to the decisions on the countries mentioned, DHS consulted with the Department of State to determine whether the conditions under the applicable statute continued to be met.

*Question 11.* Do you believe the Haitian, Salvadoran, and Honduran Governments will be able to safely absorb TPS returnees when their designations expire? Are we looking to scale up specific programming in TPS returnee home countries to support their return?

Answer. I understand the Department of Homeland Security decided on a delayed effective termination date of 18 months for El Salvador, Honduras, and Haiti to permit an orderly transition for individuals returning home and the country receiving them. If confirmed, I will ensure the Department works closely with USAID to continue its work with governments in the region to strengthen their ability to reintegrate their returning nationals, including Temporary Protected Status (TPS) returnees. If confirmed, I will also ensure the Department provides consular services to U.S. citizen children and spouses of TPS beneficiaries.

#### *China and Russia*

*Question 12.* In then-Secretary Tillerson's recent trip to Latin America in February, he warned about the activities of both China and Russia in Latin America. This committee issued a Minority Report on Russia in January, which I commissioned, that highlighted Russia's activities in Mexico. Russia has also been friendly with the Maduro regime-Putin congratulated Maduro on his election. China has taken a similar posture.

- What is your view of the growth of Chinese and Russian activities and engagement in Latin America?
- How do the activities of the two countries in the region differ?
- What U.S. policy measures would you recommend regarding China and Russia in Latin America?

Answer. The United States remains the diplomatic, economic, and security partner of choice for the majority of the Western Hemisphere. If confirmed, I am committed to advancing democratic governance and strengthening our work with partners in the region. I will continue to encourage investment and trade in the Western Hemisphere that incorporates long-standing international best practices in transparency, anti-corruption, debt sustainability, and labor rights, and respects the needs and concerns of local communities in order to ensure more secure and lasting economic and social dividends.

Since 2014, we have seen Russian engagement in the hemisphere increase, albeit from a very low baseline. Russia's strongest relationships in the Western Hemisphere are with Venezuela, Nicaragua, Bolivia, and Cuba. Russia has also expanded its media presence in the hemisphere through Spanish and Portuguese versions of Sputnik and RT. If confirmed, I would remain vigilant of Russian involvement in the security sector and of any expansion of Russian-sponsored disinformation campaigns in the region.

China's engagement in the Western Hemisphere has increased over the last decade as China has sought access to natural resources and markets, stronger trade relations, tourism opportunities, and infrastructure investments. We are committed to promoting economic development, prosperity, transparency, and good governance throughout the Western Hemisphere. If confirmed, I would continue to press that China's economic engagement meet high standards in terms of transparency, adherence to anti-corruption standards, debt sustainability, labor rights, environmental stewardship, and the needs and concerns of local communities.

#### PUBLIC CORRUPTION

*Question 13.* In recent years, high-profile corruption scandals in Latin America have contributed to the resignation or removal from office of several presidents, including most recently Peru's president, and have galvanized civil society activism.

- Which U.S. assistance programs or other policy tools have been the most effective in helping to reduce corruption by public officials?
- Are there other ways you would support tackling this issue in Latin America such as the Corruption Index bill we discussed?
- How is corruption factoring into elections and appointments, such as the upcoming (July 1) elections in Mexico and Attorney General appointments in the northern triangle countries?

Answer. Across the hemisphere, a regional anti-corruption movement is growing, and that public opinion polls and street demonstrations exemplify increased intolerance of corruption within the region. In Mexico, for example, combating corruption has emerged as a key campaign issue in the July 1 presidential, gubernatorial, and legislative elections.

If confirmed, I will work to take advantage of this momentum by ensuring that our diplomatic engagement and capacity-building programs take a comprehensive approach to the problem. Working closely with civil society, the business community, and the United States Government, I will support efforts to improve program success, including the careful examination of the Corruption Index bill.

I believe that a comprehensive approach that includes United States assistance and policy tools should also include pressing governments to improve mechanisms to share information to combat money laundering, improve visa regulations, and control of offshore and shell companies. If confirmed, I will also encourage governments to enhance transparency wherever possible to include reducing red tape, increasing online services where citizens initiate government transactions, and reducing bureaucracy.

#### GLOBAL MAGNITSKY

*Question 14.* I applaud the administration for adopting the Global Magnitsky law, including with an expansive Executive Order. The next round of sanctions will be announced this summer, and I was pleased to recently see the sanctioning of Dominican Republic Senator Bautista under Global Magnitsky.

- Are you prepared to ensure full vetting of possible cases in the region, even in governments that are right of center and 'supposedly' aligned with U.S. interests (i.e. Honduras, Nicaragua)?

Answer. Yes. I am committed to protecting and promoting human rights and combatting corruption with all of the tools at the Department's disposal. We must lead by example and, if confirmed, I will pursue tangible and significant consequences for those who commit serious human rights abuses and engage in corruption.

#### RULE OF LAW

*Question 15.* I recently participated in a forum at the Woodrow Wilson center on Rule of Law promotion where we discussed the challenges with promoting rule of law globally and in the Western Hemisphere region.

- What are your goals for addressing rule of law challenges in the region?
- What challenges and opportunities exist in the human rights, anti-corruption, and governance space?

- How do violence and trafficking activities exacerbate rule of law challenges in the region?
- How can the interagency -State, USAID, Dept. of Defense, Department of Justice, etc.—better coordinate on regional programming to address rule of law challenges in the region?

Answer. If confirmed, I will ensure that strengthening and extending the rule of law continues to be a critical component of our diplomatic engagement and capacity-building efforts across the region. If confirmed, I will also target our assistance programs and partner government actions to address the full range of factors contributing to the permissive environment that criminals exploit, ranging from strengthening community resilience to improving law enforcement capacity and enhancing judicial processes.

The promotion and defense of human rights is central to U.S. national security and prosperity. If confirmed, I would continue to advance the U.S. commitment to the promotion and protection of human rights and fundamental freedoms of all people. Within the Hemisphere, I would continue our collaboration with bilateral and regional stakeholders to strengthen protection mechanisms for activists, support for independent civil society, and deepen adherence to the rule of law to reduce impunity. If confirmed, I would use a wide range of tools to advance respect for human rights, including working with democratic partners; international and regional organizations to include the independent bodies of the Inter-American Human Rights System; civil society; and the private sector.

I understand that corruption inflicts substantial costs upon the economy, society, security, and saps confidence in rule of law, a driver of migration in the Western Hemisphere. However, across the hemisphere, we are seeing a truly regional anti-corruption movement, and if confirmed, I will work to take advantage of this momentum by taking a comprehensive approach to the problem.

I also understand violence associated with criminal activity is a major obstacle exacerbating efforts to improve governance, encourage prosperity, and enhance the rule of law. Trafficking, whether it be in illegal drugs, people, gold, or wildlife, helps finance criminal organizations, and I recognize that in certain countries a broad and comprehensive approach requires high levels of interagency coordination. If confirmed, I will ensure that we have adequate mechanisms across all key stakeholders and across all missions to strengthen the rule of law. I believe that deep and continuous interagency review and analysis at both the program and policy level is necessary for success.

#### HUMAN RIGHTS

*Question 16.* There have been numerous attacks against journalists in the region. The journalist death toll in Mexico is a particularly troubling, but violence against journalists and murders have occurred at an alarming rate across the region from Guatemala to Haiti, Honduras, Nicaragua, to name just a few. In your view, why is this occurring? What is the U.S. doing to get pressure governments in the region to protect journalists, as well as civil and human rights activists, and ensure those behind the attacks are brought to justice?

Answer. Respect for human rights is fundamental, and a free and active press is an integral part of a healthy democracy. I am deeply distressed by the killings of journalists and human rights activists, which have undermined freedom of speech, freedom of association, and security in the region.

The Department of State is committed to supporting efforts to increase respect for human rights and press freedom, as defining features of democracy. If confirmed, I will work together with other countries throughout the Hemisphere to promote respect for human rights and the rule of law and end impunity. We will continue to call on local and federal authorities to investigate and prosecute those responsible for crimes against journalists and human rights activists wherever they occur.

*Question 17* There is no doubt that the Honduran police and military have committed atrocious crimes against innocent civilians. The Berta Caceres case is just one tragic example of why human rights advocates across the globe have highlighted the connection between indigenous rights, rule of law, corruption, and security sector abuse in Honduras. I have long called for conditioning certain aid to advance rule of law and human rights, and I acknowledge that your government did seek justice in the Caceres case, having made at least nine arrests. However, some, including CASA de Maryland and Members of Congress have called for an end to all non-humanitarian U.S. assistance provided directly to the Honduran Government, especially the police and military given widespread corruption and abuse.

- What are your views on this?

- Do you think completely withholding funds would change the behavior of the Honduran security sector?
- Has conditioning the aid helped improve the rights situation in any way thus far?

Answer. I agree that Honduras continues to face serious human rights challenges and, if confirmed, will continue to prioritize human rights issues. I understand U.S. assistance to Honduras directly supports programs and institutions to effectively address human rights in Honduras, such as impunity, public sector corruption, weak government institutions, and drug trafficking and transnational gang activities.

The congressional certification criteria outline the effective steps Honduras must take to develop its judicial system, protect human rights defenders, increase inclusive economic growth and development, and enhance the capacity and transparency of Honduran institutions. I believe addressing the security and developmental challenges in Honduras will require sustained U.S. assistance that balances security with development. Equally important will be significant political will and resources from Honduras. As we press for full accountability of Honduran institutions, U.S. assistance through the U.S. Strategy for Central America aims to support Honduran efforts to strengthen the rule of law and build stronger, more professional government institutions. These efforts are critical to protecting human rights and reducing impunity.

I understand the Department is working to help Honduran authorities develop a professional, credible, and effective police force that is free of corruption and upholds the rule of law. Properly trained and vetted civilian police are the most important long-term solution to maintaining public security in Honduras and elsewhere. It will take time for Honduras to institutionalize its ongoing efforts to reform its national police. Sustained U.S. assistance is important to achieving long-term, institutional reforms.

*Question 18.* The U.S. Congress has repeatedly called for the removal of the Honduran Armed Forces from domestic policing. You yourself have in the past promised to do so, and established time lines for withdrawal. Yet the military remains today more present in domestic policing than ever, with continuing deadly effects.

- If confirmed, what efforts would you make to pressure the Honduran Government to remove the military from domestic policing?

Answer. I understand that the Department does not provide foreign assistance funds to Honduran military engaged in domestic policing. The Honduran Government is aware of this policy. If confirmed, I will reinforce the Department's long-standing position that policing is best done by civilian police who are properly trained and equipped, and I will continue to support Honduran efforts to reform its national police. I understand the Department provides foreign assistance to help develop a professional, accountable, and effective civilian police force that upholds the rule of law. I view this support as critical to the Honduran Government's efforts to professionalize and reform its police force. If confirmed, I will support U.S. assistance to strengthen law enforcement in Honduras.

#### VENEZUELA

*Question 19.* As certain policymakers are seeking to isolate Venezuela, it is important to keep the door open for a diplomatic, negotiated solution to the crisis.

- If confirmed, what posture will you take regarding meeting with the Venezuelan Government?

Answer. Diplomats often must meet with leaders with whom we disagree in efforts to advance U.S. interests and national security. While economic pressure and international isolation are important steps toward a peaceful resolution of the crisis, if confirmed, I would also be prepared to engage with the Venezuelan Government if there were strong indications discussions would be productive and conducted in good faith.

*Question 20.* Given the Trump administration's efforts to reverse President Obama's actions to open U.S. relations with Cuba, some U.S. businesses are at risk of losing out on important opportunities.

- If you are confirmed as Assistant Secretary, will you work to ensure that any additional Trump administration actions will not adversely impact U.S. business interests on the island?

Answer. If confirmed, I will continue to ensure that any engagement between the United States and Cuba advances the interests of the United States, as directed by the National Security Presidential Memorandum "Strengthening the Policy of the United States Toward Cuba," including U.S. business interests.

*Question 21.* In response to unexplained injuries of U.S. personnel at the U.S. Embassy in Havana, the State Department ordered the departure of nonemergency personnel from Cuba in September 2017, and subsequently ordered the departure of 15 Cuban diplomats from the Cuban Embassy in Washington, DC.

- What has been the effect of the downsizing of State Department staff in Havana on visa processing at the U.S. Embassy?
- To what extent has the downsizing affected other diplomatic activities in Cuba, such as outreach to human rights activists and political dissidents?

Answer. Given Embassy Havana's limited staffing, Post's ability to conduct direct outreach to human rights activists and political dissidents in Cuba is significantly constrained. However, the Department continues to monitor and advance human rights developments in Cuba, consistent with the June 2017 "National Security Presidential Memorandum on Strengthening the Policy of the United States Toward Cuba," in Washington, in Cuba, and in third countries. The U.S. raises concerns with the Cuban Government, including in the June 14 U.S.-Cuba Bilateral Commission meeting, and with other countries and in international fora; and, along with the U.S. Agency for International Development, administer the annual Congressional appropriation of economic support funds supporting democracy programs in Cuba. The Department also continues to call out the Cuban regime's enduring repression of its citizens and its recent undemocratic leadership transition. Due to the slowdown, only diplomatic nonimmigrant visa applications and nonimmigrant cases for applicants with life-threatening illness may be processed at U.S. Embassy Havana. U.S. consular officials have begun conducting immigrant visa interviews for Cuban nationals at U.S. Embassy Georgetown, Guyana. The United States supports efforts by Cuban human rights defenders to obtain non-immigrant visas outside of Cuba.

*Question 22.* How do you see the Guatemalan embassy in Israel's move to Jerusalem impacting U.S.-Guatemalan relations?

Answer. The United States has expressed its appreciation to Guatemala for its support on Israel in the United Nations and welcomed the move of the Guatemalan embassy to Israel from Tel Aviv to Jerusalem. The United States has long-maintained a friendly bilateral relationship with Guatemala and, if confirmed, I will aim to continue our close collaboration with the Guatemalan Government to advance the U.S. Strategy for Central America in Guatemala.

*Question 23.* What are your views of CICIG? What role do you expect the new Attorney General to have with CICIG? Do you see corruption as a priority issue to be investigated in Guatemala?

Answer. Anti-corruption efforts in Guatemala will be a priority for me, if confirmed. The United States provides funding to International Commission against Impunity in Guatemala (CICIG) for its important mission to combat corruption and impunity and strengthen Guatemala's justice sector. The Department, USAID, and the U.S. Mission to the United Nations (USUN) have met to discuss options for ensuring oversight and reform of CICIG that can strengthen the commission and preserve its important, independent mandate, and I understand these will be presented to Secretary Pompeo. If confirmed, I look forward to engaging Guatemala's new attorney general Marfa Consuelo Porras Arqueta to continue her government's efforts against corruption and support for CICIG's mission. A strong attorney general is an integral part of the fight against corruption, impunity, and transnational criminal organizations. Corruption and impunity enable illicit networks and affect the ability of U.S. companies to do business in Guatemala. Measurable progress on combatting transnational criminal organizations requires significant progress in combatting corruption.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR JEANNE SHAHEEN

*Question 1.* On May 7, 2018, Attorney General Sessions announced that the Justice Department would begin prosecuting every person who illegally crosses into the United States along the southern border, even if they attempt to seek asylum. This unprecedented policy has resulted in parents being separated from their children. What is your opinion of this policy? How do you think it will be viewed in Latin America, and what effect will it have on our relations with countries in that region?

Answer. No one wishes to see family members separated from each other. If confirmed I will do everything within my sphere of influence to help address the root

causes of this situation in the countries of origin. It is my understanding the Department works with countries in the region to ensure migration is well managed and legal. This includes improving border controls, combatting human smuggling and trafficking networks, and improving the capacity of countries to receive and re-integrate their citizens who have been returned from the United States and other countries.

It is also my understanding U.S. programs in Central America address the underlying causes of security, governance, and economic drivers of illegal immigration and illicit trafficking. We also work jointly with Mexico in Central America to strengthen security conditions and promote prosperity. If confirmed, I will ensure that we continue to carry out that policy.

*Question 2.* The Russian Government has sought to undercut U.S. sanctions against Venezuela. What has the administration done to challenge the Kremlin over its support to the Maduro regime? If confirmed, what steps would you consider to do so?

Answer. My understanding is that Russia has lent approximately \$5 billion to Venezuela in exchange for oil. Media reports indicate Venezuela's state oil company, PDVSA, and Russia's state oil company, Rosneft, continue to make new deals, despite objections from the Venezuelan National Assembly. I understand Russian experts and banks were also involved in the Maduro regime's brazen attempt to circumvent U.S. financial sanctions with the launch of the "petro" and other digital currencies, which the administration sanctioned on March 19.

If confirmed, I will ensure the Department continues working with the interagency and our international partners to support Venezuela's return to a democratic, stable, and prosperous country and isolate those who are not working to bring the Maduro regime to the negotiating table, including Russia. I understand our Venezuela-related financial sanctions have prevented Russian energy companies from restructuring Venezuelan debt through the U.S. financial system. If confirmed, I will prioritize these efforts and continue the Department's use of all diplomatic and economic tools in coordination with the interagency, the international community, and regional partners, to support the Venezuelan people's efforts to restore a stable, prosperous, and democratic country.

*Question 3.* Apart from sanctions, what other policy options are available to the United States and the international community to support human rights and democracy in Venezuela?

Answer. The Maduro regime is eroding human rights guarantees and intimidating, persecuting, criminally prosecuting, torturing, or forcing into exile political critics as a means of keeping a stranglehold on power in an increasingly dire situation. The Venezuelan Government has politicized the judiciary to undermine the legislative branch and has curtailed freedom of expression and of the press. If confirmed, I will continue the Department's use of all diplomatic tools in coordination with the interagency, the international community, and regional partners, to support the Venezuelan people's efforts to restore a stable, prosperous, and democratic country.

*Question 4.* According to media reports, the then-U.S. Ambassador to Mexico, Roberta Jacobson, was not invited to a meeting, which you reportedly attended, between senior White House adviser Jared Kushner and Mexican President Enrique Peña Nieto in Mexico City on March 7, 2018. What role, if any, did you play in the decision not to include Ambassador Jacobson in this meeting? Do you believe it is important, as a matter of standard practice, to include U.S. Ambassadors in meetings with senior foreign government officials? If confirmed, do you commit to ensuring that U.S. Ambassadors in the Bureau of Western Hemisphere Affairs are included in such meetings in the future?

Answer. The agenda and meetings were arranged by the National Security Council and the Government of Mexico. The National Security Council and the White House invited me to join in the trip of the Senior Advisor but did not consult me on the composition of the meetings. I have known Ambassador Jacobson for more than fifteen years and hold her in the highest regard and have regularly sought her counsel in my work. If confirmed, I commit to ensuring that U.S. Ambassadors are included in future such meetings.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR TIM KAINE**

*Question 1.* As we discussed at your nomination hearing, I am concerned about the future of democracy in Honduras, especially in light of the irregularities and violence surrounding the recent presidential election. During the hearing you stated that a report by the Organization of American States (OAS) did not call for a new presidential election in Honduras. The preliminary report of the Electoral Observation Mission in Honduras released to the public did not explicitly recommend a new election take place. However, on December 17th, 2017, the OAS General Secretariat declared in a statement that after reviewing the preliminary report, “the only possible way for the victor to be the people of Honduras is a new call for general elections.” Despite this recommendation by the OAS, days later the Department of State recognized the victory of incumbent President Juan Hernandez:

- Given the recommendation of the OAS General Secretariat, please explain in detail why the Department of State chose to congratulate and recognize President Hernandez for winning the disputed election and what factors it weighed in doing so when breaking with the OAS recommendation?

Answer. After close consultation with the Organization of American States (OAS) Election Observation Mission, the European Union (EU) Electoral Observation Mission, the EU Bilateral Mission, Mexico, Canada, and meeting with the Honduran Supreme Electoral Tribunal (TSE), the Department saw no evidence of specific and sufficient fraud that would change the outcome of the election or necessitate a new one. The Department of State recognized the election of President Hernandez on December 22, 2017, as declared by the TSE. I share your concerns regarding the electoral irregularities identified by the OAS and EU observation missions. Those irregularities and the close election results highlighted the need for a significant long-term effort to heal Honduras’s political divide and enact electoral reforms. I understand Honduras invited the United Nations to facilitate a national dialogue for reconciliation, and the United Nations is leading a series of meetings with the three leading political parties to identify parameters for a potential national dialogue. If confirmed, I will advocate for a robust national dialogue, the enactment of significant electoral reforms to strengthen confidence in Honduran institutions and bolster Honduran democracy, and a significant role for civil society in the process.

*Question 2.* U.S. companies operating in Honduras, Guatemala and El Salvador continue to report unjustified delays or denials of tax refunds to which they are lawfully entitled. According to the American Chamber of Commerce (AmCham) in Honduras, in 2017 the Government of Honduras owed more than \$60 million in tax refunds to 49 local and U.S. companies. This includes seven U.S. companies that were owed at the time more than \$34 million. The AmChams in El Salvador and Guatemala have similarly stated comparable amounts are owed to local and U.S. companies in their countries, and that requests for refunds are routinely met with delays or denials. While significant progress has been made in El Salvador, vigilance is required to ensure that all Northern Triangle governments establish and maintain refund policies and set examples that help formalize and stimulate local economies. Understanding that the Alliance for Prosperity in the Northern Triangle is designed to stimulate economic growth and strengthen trust in public institutions in the region, it is imperative that the Northern Triangle governments treat U.S. entities and affiliates operating in the region in a fair and transparent manner:

- If confirmed, how would you encourage the Northern Triangle governments to promote a culture of tax compliance among their citizens and businesses, and what steps would you take to ensure that these governments fulfill the legal and financial obligations necessary to foster an attractive investment environment and stimulate economic growth, including the timely refund of excess taxes paid by U.S. companies?

Answer. I agree that transparent, consistent, and predictable rule of law and processes that enforce legal and financial obligations, including tax collection and reimbursement procedures, are important to attracting foreign direct investment and fostering economic growth. Credible tax collection requires taxing all companies, foreign and domestic, in a nondiscriminatory and transparent fashion. I understand our Embassies and officers at the State Department regularly meet with and advocate for the interests of U.S. companies who have invested in the Northern Triangle, including several who have concerns regarding tax reimbursements. If confirmed, I will continue this practice and will advocate for a transparent, predictable, and level

playing field for U.S. companies doing business in El Salvador, Guatemala, and Honduras.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR EDWARD J. MARKEY**

*Question 1.* During your confirmation hearing, you stated that you believed that the Organization of American States had noted irregularities in the election of President Juan Orlando Hernández in Honduras, but not called for a new, legitimate election overseen by independent international observers. I would like to draw your attention to the OAS statement available here (<http://www.oas.org/en/media-center/press-release.asp?sCodigo=E-092/17>) where the OAS wrote, “For the aforementioned reasons, and given the impossibility of determining a winner, the only possible way for the victor to be the people of Honduras is a new call for general elections, within the framework of the strictest respect for the rule of law, with the guarantees of a TSE that enjoys the technical capacity and confidence of both the citizens and political parties.” With this information do you believe that the U.S. Government should also call for a prompt new election, overseen by independent, international observers, in order to ensure the democratic legitimacy of the Government of Honduras? If not, please explain.

Answer. The Department of State recognized the election of President Hernandez on December 22, 2017, as declared by the Honduran Supreme Electoral Tribunal (TSE). I share your concerns regarding the electoral irregularities identified by the Organization of American States (OAS). Those irregularities and the close election results highlighted the need for a significant long-term effort to heal Honduras’s political divide. I understand Honduras invited the United Nations to provide support to a national dialogue for reconciliation, and the United Nations is leading a series of meetings with the three leading political parties to identify parameters for a potential national dialogue. If confirmed, I will advocate for a robust national dialogue and the enactment of significant electoral reforms to strengthen confidence in Honduran institutions.

*Question 2.* In March, I wrote a letter to the State Department to express my concerns regarding the reports of alleged human rights abuses by security forces in Honduras following November’s disputed presidential election and to urge that the State Department ensure that U.S.-trained police or military have not used U.S. training, equipment, or other assistance to oppress the Honduran people. I’m pleased that the State Department takes seriously these concerns, but I remain convinced that we could do more to promote human rights in Honduras. Are you committed to using all U.S. tools to encourage the Honduran Government to uphold human rights in Honduras? What will you do to ensure that U.S.-trained police and military personnel are not using U.S.-funded training, equipment or other assistance to violate the human rights of Honduran citizens?

Answer. Yes, if confirmed, I will commit to upholding and promoting human rights in Honduras. I will push Honduran authorities to fully investigate any and all allegations of human rights abuses by security forces and prosecute those responsible. If confirmed, I will also continue to work with the Ministry of Human Rights to address the human rights challenges Honduras faces.

I understand the Department held a bilateral human rights working group with the Honduran Government in April to collaborate on improving the human rights situation in Honduras by addressing issues including strengthening governmental human rights institutions, working with international human rights partners and civil society, improving citizen security, combating corruption and impunity, and stemming outward migration. If confirmed, I will utilize mechanisms such as the bilateral human rights working group to urge the Honduran Government to uphold human rights and demonstrate a clear commitment to addressing corruption, consistent with its international commitments and legal obligations.

*Question 3.* The U.S. Congress has repeatedly called for the removal of the Honduran Armed Forces from domestic policing. President Hernández has repeatedly promised to do so, and established time lines for withdrawal. Yet the military remains today more present in domestic policing than ever, with escalating deadly effects. Moreover, a recent investigative story from BuzzFeed reports the Guardianes de la Patria (Guardians of the Fatherland) program is being used not only to indoctrinate young children into obedience to the military, but employing children in intelligence projects reporting on their neighbors. New units of the military police con-

tinue to be launched. Do you think the United States should continue to fund, train, and equip Honduran military who engage in domestic policing?

Answer. I understand that the Department does not provide foreign assistance funds to Honduran military engaged in domestic policing. The Honduran Government is aware of this policy. If confirmed, I will reinforce the Department's long-standing position that policing is best done by civilian police who are properly trained and equipped, and I will continue to support Honduran efforts to reform its national police. U.S. foreign assistance is helping to develop a professional, accountable, and effective civilian police force that upholds the rule of law. I view this support as critical to the Honduran Government's efforts to professionalize and reform its police force. If confirmed, I will support U.S. assistance to strengthen law enforcement in Honduras.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIMBERLY BREIER BY SENATOR JEFF MERKLEY**

*Question 1.* Given the current desperate situations and unrest in many countries across Central America—Nicaragua, Honduras, El Salvador, and Guatemala—what would you do, as Assistant Secretary of State for Western Hemisphere Affairs, to address long-term regional instability challenges, and to raise these issues as a priority within the administration?

Answer. Regional instability in Central America adversely affects countries beyond the region's borders. The civil unrest in Nicaragua, the violence in El Salvador, and the lack of government transparency in Honduras and Guatemala directly affect the security, safety, and prosperity of the United States and the citizens of the region. High levels of violence, lack of economic opportunity, weak institutions, corruption, and political instability in Central America allow transnational criminal organizations to operate and threaten the United States and create the conditions that drive illegal immigration from Central America.

If confirmed, I will continue the Department's work under the U.S. Strategy for Central America to help the countries of Central America to address the security, governance, and economic drivers of illegal immigration and illicit trafficking through programs that enhance economic opportunity, reduce insecurity and violence, and fight impunity and corruption. U.S. assistance combats drug and human trafficking, smuggling of people and illicit goods, and transnational gangs and criminal organizations before they reach the United States.

*Question 2.* With regard to economic development programs as policies, how would you ensure that the rights of indigenous people, ethnic minorities, and other disenfranchised groups are upheld by the local governments?

Answer. If confirmed, I will continue the Bureau of Western Hemisphere Affairs' policy to promote social inclusion and advance economic growth in the region, including through bilateral action plans on racial and ethnic equality with Brazil and Colombia. If confirmed, I will commit to working with our interagency partners to ensure U.S. development programs help historically marginalized groups increase their access to and participation in the civic and economic opportunities within their countries, including through encouraging host countries to engage in prior consultation with communities affected by development projects, as appropriate.

*Question 3.* In light of the challenges noted above, do you support the decision by the Trump administration to rescind Temporary Protected Status for Central Americans and citizens of Haiti?

Answer. I understand the Department of Homeland Security has the authority, in accordance with Section 44 of the Immigration and Nationality Act, to provide Temporary Protected Status (TPS) to foreign nationals present in the United States who cannot return home in safety due to temporary and extraordinary conditions, and to terminate the TPS designation of such countries when the statutory criteria is no longer met. I further understand that the Department of State's role in TPS decisions is advisory. The Department of Homeland Security made a determination to terminate the TPS designations for Nicaragua, Haiti, El Salvador, and Honduras in late 2017 and early 2018. If confirmed, I will ensure the Department and USAID continue working with governments in the region to strengthen their ability to re-integrate their returning nationals, including TPS returnees. I will also make certain the Department provides consular services to U.S. citizens, including U.S. citizen children of TPS beneficiaries.

*Question 4.* As Assistant Secretary of State, how would you assess the security situation in all of the countries to which former-TPS-protected individuals would have to return?

Answer. I am aware of the security challenges in Central America and Haiti and understand the U.S. Government conducts foreign assistance programs in the region to enhance citizen security, reduce violence, deter human smuggling and trafficking, professionalize police and military institutions, and improve the ability of governments in the region to address these issues on their own. If confirmed, I will continue to promote U.S. programs that disrupt transnational criminal organizations, promote citizen security, halt illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity.

*Question 5.* Would you support an alternate to deporting people, such as a path to permanent resident status for those who have no criminal records?

Answer. The Department of State's mission is to advance the interests of the American people by leading America's foreign policy through diplomacy. I would defer to the Department of Homeland Security or other U.S. Government entities charged with oversight of immigration policy on questions of deportation or permanent resident status.

*Question 6.* As Assistant Secretary of State for Western Hemisphere Affairs, how will you hold governments accountable for failing to protect women, children, and other victims of domestic violence by failing to have laws and law enforcement infrastructure that would adequately prevent these crimes, protect the victims, and prosecute the offenders?

Answer. Domestic violence is a serious problem in Latin America and many times one of the least visible spheres of citizen insecurity afflicting many parts of Latin America. If confirmed, I would continue to advance the U.S. commitment to improving citizen security and ensure that strengthening and extending the rule of law continues to be a critical component of our diplomatic engagement and capacity-building efforts across the region. I will use a full range of diplomatic engagement with host governments, civil society, the private sector, and the media to press for development and implementation of laws and policies to monitor, prevent, and respond to domestic violence. This will include continued support for programs to strengthen institutions and support partner governments' efforts to develop appropriate legislation, harmonize laws, develop action plans for implementation, and bolster oversight of and advocacy for implementation of these laws.

*Question 7.* As Assistant Secretary of State for Western Hemisphere Affairs, how will you hold governments accountable for failing to protect victims of crime—especially organized crime syndicates—by failing to have laws and law enforcement infrastructure that would adequately prevent these crimes, protect the victims, and prosecute the offenders?

Answer. I will ensure that strengthening and extending the rule of law continues to be a critical component of our diplomatic engagement and capacity building efforts across the region. I will work to target our assistance programs and partner government actions to address the full range of factors contributing to the permissive environment that criminals exploit, ranging from strengthening community resilience to improving law enforcement capacity and enhancing judicial processes. I will also ensure that our capacity-building efforts continue to include strong measures of effectiveness that will assist us in evaluating partner government and program performance.

*Question 8.* Do you believe that the Honduran constitution permitted Juan Orlando Hernandez to be a candidate for re-election in November 2017?

Answer. I understand the Department recognized the victory of Juan Orlando Hernandez in the November 26 presidential elections, as declared by Honduran electoral authorities, in December 2017. It is up to the Honduran people to determine their political future through their democratic institutions and processes.

*Question 9.* Do you believe that the OAS report is a credible and objective assessment of the November 2017 Honduran election?

Answer. I understand that the Department shares the concerns regarding the electoral irregularities identified by the Organization of American States (OAS). I do not believe that the Department has seen any evidence of specific fraud that would change the outcome of the election or necessitate a new one. Those irregularities and the close election results highlighted the need for a significant long-term effort to heal Honduras's political divide. I understand Honduras invited the United Nations and the OAS to provide support to a dialogue. If confirmed, I will advocate

for a robust national dialogue and enactment of significant electoral reforms to strengthen confidence in Honduran institutions.

*Question 10.* Will you, as Assistant Secretary of State for Western Hemisphere Affairs, work with the OAS to push for new elections in Honduras that adhere to the Honduran constitution and that are administered according to international standards to which Honduras has agreed to be bound (but failed to meet in November 2017)?

Answer. The Department of State recognized the election of President Hernandez on December 22, 2017, as declared by the Honduran Supreme Electoral Tribunal (TSE). I share your concerns regarding the electoral irregularities identified by the Organization of American States (OAS) and European Union (EU) observation missions. Those irregularities and the close election results highlight the need for a significant long-term effort to heal Honduras's political divide and develop much-needed electoral reforms. I understand Honduras invited the United Nations to provide support to a national dialogue for reconciliation, and the United Nations is leading a series of meetings with representatives of the three leading candidates from the election to identify parameters for a potential national dialogue. If confirmed, I will advocate for a robust national dialogue and the enactment of significant electoral reforms to strengthen confidence in Honduran institutions.

*Question 11.* In the wake of the election there were protests that were met with deadly violence. Do you believe there should be an independent investigation into the Honduran security forces' use of deadly force against protesters?

Answer. I remain deeply concerned by the deaths of civilians and security forces following the election. The Honduran Government must ensure security forces respect the rights of protestors. Honduran authorities must also investigate credible allegations of human rights abuses by security forces and hold accountable those responsible.

If confirmed, I will press the Honduran Government about the need to respect the rights of protestors and push for timely investigations into civilian deaths following the election. If confirmed, I will also urge the Honduran Government to apply lessons learned from these events, including by improving its use of force procedures, to prevent them from happening again.

*Question 12.* Honduran Minister of Security Julian Pacheco Tinoco was named in U.S. federal court last spring to have overseen drug trafficking flights while he was a general in the Honduran Armed Forces. The Associated Press also reported in January that National Director of Police José David Aguilar Moran and his senior national police deputies oversaw the movement of over a ton of cocaine in 2013, according to a confirmed internal investigation by the Honduran police. Separately, human rights observers note that Colonel German Alfaro, the Director of Military Intelligence, has been reported to have supervised Honduran military forces implicated in the killings of dozens of small-farmer activists in the Aguan Valley. None of them has been suspended or prosecuted, despite substantial evidence.

- If U.S. security assistance training or equipment is found to have been used against civilians protesting, would you support suspending security aid?
- Please confirm that the above-named individuals have been found ineligible to receive U.S. visas based on their roles supporting drug trafficking and/or human rights violations.

Answer. In accordance with U.S. law and Department policy, the State Department conducts Leahy vetting prior to furnishing assistance to foreign security force personnel and units. Pursuant to the Leahy law, the Department does not furnish assistance to any unit of the security forces of a foreign country if the Secretary of State has credible information that the unit has committed a gross violation of human rights. If confirmed, I will continue to uphold this meticulous vetting process.

In accordance with U.S. law, the United States does not publicly disclose visa information due to statutes governing U.S. visa confidentiality. To your broader point, if confirmed, I will work to cooperate with U.S. law enforcement to hold accountable individuals involved in drug trafficking, violent crimes, and human rights violations.

*Question 13.* As Assistant Secretary of State, how will you prioritize pressing Honduras to hold accountable senior security and other government figures who have abused their positions of responsibility to engage in criminal enterprises?

Answer. If confirmed, I will urge the Honduran Government to demonstrate its commitment to accountability, transparency, and the fight against impunity in Honduras. This includes holding accountable individuals who have abused their official positions to engage in criminal enterprises. The Organization of American States' Mission Against Corruption and Impunity in Honduras (MACCIH) and the Hon-

duran Public Ministry work together to strengthen the rule of law and dismantle corruption networks in Honduras. If confirmed, I will prioritize assistance and support to MACCIH and the Public Ministry and encourage the Honduran Government to empower MACCIH to carry out its mission to root out corruption.

I understand the Department also provides technical assistance and training to Honduran prosecutors, judges, and justice sector actors to support more effective, transparent, and accountable judicial institutions, combat corruption and impunity, promote accountability, uphold the rule of law, and increase access to justice. If confirmed, I will support these types of anti-corruption efforts in order to promote accountability and combat impunity in Honduras, including among government officials.

*Question 14.* Across Latin America, there are credible reports of transgender women being targeted for abuse, with far too few perpetrators held accountable. On International Day Against Homophobia, Transphobia and Biphobia (IDAHOTB) Secretary Pompeo stated that the U.S. “opposes criminalization, violence and serious acts of discrimination” against LGBTI persons.” What specifically will you commit to do to help LGBTI people in the Western Hemisphere, to ensure they are not targeted for abuse or discrimination, and to ensure that crimes against them are adequately investigated and prosecuted?

Answer. As Secretary Pompeo affirmed in his statement on the International Day Against Homophobia, Transphobia and Biphobia, “the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else.” If confirmed, I will promote the inclusion of LGBTI persons and support the Department’s use of public and private actions to counter violence and discrimination against LGBTI persons. These include diplomatic outreach through bilateral and multilateral channels, offering emergency assistance to LGBTI persons and organizations at risk, and imposing visa restrictions and economic sanctions, as appropriate, against those who violate their human rights.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KENNETH GEORGE BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I believe my career, both in prior government service and in the private sector, by their very nature, have promoted human rights and democracy. I served as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service in embassies and consulates in 65 countries and 120 foreign cities in their endeavors to improve economic opportunities, the growth of human rights, and the institutions promoting democracy. In addition to these responsibilities, I was tasked to lead the economic rebuilding, the reintroduction of democracy, and the strengthening of human rights on the island of Granada. After serving in the federal government, I served four years in the Texas Legislature and supported the most important actions in any democracy, open and free elections.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Uruguay? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Uruguay enjoys free and competitive elections, active political opposition, free press, civil society, and labor unions, and strong respect for human rights. Uruguay is a significant partner for strengthening the international human rights framework through international institutions. Uruguay has advocated for creating and defending international human rights norms and standards. According to the Department of State’s Human Rights Report, the most significant human rights issues included poor and potentially life-threatening conditions in some prisons, widespread use of extended pretrial detention, and violence against women and children. At times the country struggles to effectively implement human rights-related legislation due to resource shortages, a lack of specific procedures and protocols, and difficulties with interagency coordination.

*Question 3.* What steps will you take—if confirmed—to support democracy in Uruguay? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The United States and Uruguay share strong values on democracy and human rights, and promoting governance and human rights is one of our top priorities in Uruguay. If confirmed, I will seek to provide continued capacity building and support expert exchanges for the judicial branch, the Attorney General's Office, the Ministry of Interior, and other key institutions. I will also continue efforts to engage with and strengthen civil society organizations. The Embassy will continue to draft, circulate, and promote the Department's annual reports on human rights, trafficking in persons, child labor, and religious freedoms with public sector counterparts and civil society in order to raise awareness on these important issues. If confirmed, I will utilize the Department's social and traditional media resources strategically to amplify our messaging on democracy and human rights.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. As a high-income country, Uruguay does not receive U.S. assistance funding. I understand that the United States works with Uruguay to promote democracy and human rights in international institutions. I also understand that the Embassy's small grants program supports civil society projects to promote democracy and social justice. If confirmed, I would seek to continue these efforts.

*Question 5.* If confirmed, will you meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Uruguay? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes. I understand that as a practice, the U.S. embassy in Montevideo meets with non-governmental organizations, think tanks, international organizations, and human rights experts and defenders, and civil society leaders. Uruguay has a free civil society and, if confirmed, I look forward to continuing the embassy's broad engagement with such groups and individuals, both in promoting regular dialogue and providing opportunities to strengthen the role of civil society in Uruguay through exchanges and capacity-building programs. To my knowledge, the State Department has no reports of Uruguay seeking to restrict or penalize non-governmental organizations or civil society via legal or regulatory measures.

*Question 6.* Will you and your embassy team actively engage with Uruguay on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Uruguay?

Answer. Yes. Fortunately, I understand the Department does not have reports of efforts designed to control or undermine press freedom through legal, regulatory, or other measures in Uruguay. If confirmed, I look forward to engaging with the press and advocating for freedom of the press.

*Question 7.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Any foreign effort—whether external or through internal actors—to improperly influence Uruguay's elections would be completely unacceptable. If confirmed, I will remain vigilant of foreign sponsored disinformation campaigns and of any attempt to spread disinformation in the region. One of the best defenses against disinformation is a free and transparent news media environment, which is why we engage with our partners and allies, including host government counterparts and civil society, around the globe to strengthen independent journalism. Healthy and robust public debates based on facts, evidence, and reason are integral to civic engagement. I believe a well-informed citizenry is key to the strength of democratic institutions.

*Question 8.* Will you, your staff and your embassy teams actively engage within Uruguay on the right of labor groups to organize, including for independent trade unions? Will you and your embassy team engage political parties, and advocate for access and inclusivity for women and minorities?

Answer. Uruguay has strong and active trade unions, and the Government and constitution recognize the right for labor to organize. If confirmed, my team and I will actively support labor rights. Uruguay also enjoys open competition among po-

litical parties from across the ideological spectrum, including active political opposition parties. Uruguay recently approved an extension of its 2009 gender-quota law, which says that one of three candidates on an election list must be female. Uruguay will hold national elections in 2019, and I understand the U.S. embassy expects an open and competitive campaign. If confirmed, I will engage with leaders from across the political spectrum, including minority and opposition candidates, and will advocate for access and inclusivity for women and minorities.

*Question 9.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Uruguay, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Uruguay? What specifically will you commit to do to help LGBTI people in country Uruguay?

Answer. Uruguay is one of the most progressive countries in the hemisphere on Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) rights. Uruguayan law prohibits discrimination based on sexual orientation and gender identify. The Uruguayan Government hosted the 4th Global LGBTI Human Rights Conference in July 2016, the first such conference in the Americas. Uruguay co-founded the Equal Rights Coalition, an international forum to strengthen cooperation and share information in advancing LGBTI rights and inclusion. However, LGBTI individuals face societal discrimination and some acts of violence, particularly against transgender individuals. If confirmed, my staff and I will meet regularly and consult closely with representatives of the LGBTI community on how best to support its efforts to protect, defend, and advance human rights and fundamental freedoms for all—including by strengthening Uruguay's ability to protect LGBTI individuals from violence and ensuring that perpetrators are brought to justice.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KENNETH GEORGE BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Despite its small size, Uruguay plays an active role in promoting stability and security in the Western Hemisphere and around the world. By most accounts, Uruguay is a strong proponent of democracy and human rights, the peaceful resolution of disputes, international law, and multilateralism, and it often seeks to advance those values by serving as a consensus builder and mediator in international institutions. Indeed, Uruguay has taken an interesting approach to the OAS's attempts to resolve the crisis in Venezuela. The Vázquez administration has condemned the undemocratic actions of the Venezuelan Government but reportedly views U.S. and regional efforts to isolate Venezuela diplomatically as counterproductive to fostering a peaceful restoration of democracy.

- How would you engage the Vázquez administration on Venezuela?

Answer. If confirmed, I will engage the Vázquez administration by focusing on the multilateral approach to Venezuela within the Organization of American States (OAS). I will also strongly urge Uruguay to join its neighbors in standing up to defend the shared values that unite our hemisphere at the OAS.

Additionally, if confirmed, I will also speak with Uruguayans about something they know all too well—a people's loss of their democratic rights. From June 1973 until February 1985, an undemocratic regime curtailed democratic rights, violated human rights, tortured, and “disappeared” Uruguayan citizens. Thousands emigrated, many never to return. Uruguayans struggled to restore their institutions, but they created a strong democracy with independent institutions. I see in Venezuela's present circumstances echoes of Uruguay's past. If confirmed, I will urge Uruguayans to join us and their South American neighbors in helping Venezuelans recover their own institutions and their own political rights.

*Question 2.* Do Uruguay's domestic achievements, including a strong democracy and rising living standards, provide any lessons for countries elsewhere in the region?

Answer. Uruguay has done a remarkable job of securing a high standard of living for its citizens. Uruguay ranks second in Latin America on the Human Development Index, and second on the Economic Freedom Index. Sixty percent of Uruguay's population is middle class, the highest rate in the Americas. And Uruguay has done all this while maintaining—and even strengthening—its democratic institutions.

Uruguay has demonstrated the benefits of focusing on broad social inclusion, ensuring protections for the most vulnerable, and building upon strong social consensus. While different countries have different social and economic policies as befit

their unique circumstances, the process of using strong democratic institutions to build social consensus and negotiated agreements can serve as an example for other countries of the benefits of a democratic system.

*Question 3.* Uruguay has deepened its bilateral trade relationship with the United States significantly in the last decade, with the U.S. as its fourth largest trading partner. However, according to the U.S. commerce department China is Uruguay's third largest trading partner.

- What should the United States be doing to remain competitive with Chinese trade interests in Uruguay?

Answer. China has engaged Uruguay on the trade, investment, security, and cultural/education fronts. In terms of trade and investment, if confirmed, I will highlight the value of doing business with U.S. companies, arrange more trade missions, and encourage bilateral investment opportunities. I would work to ensure the U.S. mission works with Uruguay to build our capacity to engage and facilitate commercial relationships. In the security area, if confirmed, I would underscore the shared democratic values inherent in our law enforcement and military relationships, focus on the quality of U.S. partnerships, services, and products, and coordinate assistance to Uruguay's peacekeeping operations. In the education and cultural arena, I would promote U.S. programs that assist in maintaining English predominance in foreign-language instruction and promote the quality and accessibility of U.S. education opportunities, while underscoring our shared values of individual rights and social justice.

*Question 4.* What recommendations do you have to further implementation of the U.S.-Uruguay Trade and Investment Framework Agreement (TIFA)?

Answer. Continued engagement in the TIFA process facilitated progress in the U.S.-Uruguay bilateral trade relationship. Recent achievements include Uruguayan bone-in lamb exports to the United States, U.S. live cattle exports to Uruguay, and a bilateral social security totalization agreement. If confirmed, I would work with the U.S. Trade Representative (USTR) to use the TIFA to address trade measures implemented or under consideration by the Government of Uruguay that are not in our interests.

Additionally, amidst tight budgets and in a reach for additional revenues, Uruguay began applying increased import taxes by raising a consular fee this year. If confirmed, I will engage with USTR to see if TIFA discussions would be an appropriate forum to discourage and halt future such uses of the consular fee. Finally, if confirmed, I would focus on Uruguay's regional trade example; though U.S.-Uruguay bilateral trade volumes may be relatively small (\$1.7 billion in two-way trade in 2016), trade issues in Uruguay could set a precedent for its MERCOSUR partners.

*Question 5.* President Vázquez's economic policies have contributed to strong economic growth in the country. The poverty rate fell from 39.9 percent in 2004 to 7.9 percent in 2017. Uruguay's middle class now encompasses 60 percent of the population, making it the largest in Latin America in relative terms. However, some groups continue to face more challenging circumstances. Nearly 17 percent of Afro-Uruguayans remain below the poverty line. I think it is important for Uruguay to ensure that all groups within the country can reap the benefits of this impressive economic growth.

- If confirmed as U.S. Ambassador to Uruguay, how would you address this issue with the Government?

Answer. Uruguay shares with the United States a strong belief in the equal treatment of people without regard to their race, gender, sexual orientation, ethnicity, social origin, or religion. If confirmed, I will lead the U.S. Government's efforts in Uruguay to strengthen our cooperation to promote social inclusion and equal opportunity for all, with a focus on economic growth for disadvantaged populations. Additionally, if confirmed, I will do my best to accurately describe the situation of Afro-Uruguayans and other marginalized groups in Uruguay through the annual human rights report and use it as a tool to advocate for the rights of vulnerable populations.

*Question 6.* Will you vow to promote policies that prioritize economic inclusion for all Uruguayans?

Answer. Yes, if confirmed I will promote policies that prioritize economic inclusion for all Uruguayans. As part of that effort, I will encourage my team to continue programs that encourage educational opportunity and economic growth for historically marginalized populations.

*Question 7.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I believe my career, both in prior government service and in the private sector, have promoted human rights and democracy. I served as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service in embassies and consulates in 65 countries and 120 foreign cities in their endeavors to improve economic opportunities, the growth of human rights, and the institutions promoting democracy. In addition to these responsibilities, I was tasked to lead the economic rebuilding, the reintroduction of democracy, and the strengthening of human rights on the island of Granada. After serving in the federal government, I served four years in the Texas Legislature and supported the most important actions in any democracy, open and free elections.

*Question 8.* What are the most pressing human rights issues in Uruguay? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Uruguay? What do you hope to accomplish through these actions?

Answer. Uruguay enjoys a strong record on human rights, ranging from free and fair elections to respect for freedom of expression to laws against forced labor, child labor, and employment discrimination. The most significant human rights issues in Uruguay include poor and potentially life-threatening conditions in some prisons, widespread and unreasonably long trial delays resulting in extended pretrial detention, and violence against women and children. If confirmed, I will continue to support expert exchanges and training programs to help improve respect for human rights in Uruguayan prisons and facilitate the implementation of judicial reform.

I am also concerned by the prevalence of violence against women and children and the challenges Uruguay faces related to trafficking in persons. If confirmed, this is an issue I will follow closely and will actively encourage the Government of Uruguay to protection and services for all trafficking victims, and to vigorously investigate and prosecute trafficking cases and hold traffickers accountable with strong sentences.

*Question 9.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Uruguay in advancing human rights, civil society and democracy in general?

Answer. The Government of Uruguay is strongly committed to democracy and human rights. Given our shared values in this area, the United States works closely with Uruguay in promoting human rights and democracy around the world, and if confirmed, I will make it a priority to continue to do so.

In spite of this, the United States has disagreed with Uruguay in one important area—the defense of democracy and human rights in Venezuela. I was disappointed that Uruguay abstained on the June OAS resolution supported by the vast majority of its South American neighbors. If confirmed, I will push Uruguay to play a stronger role in the Venezuela crisis by speaking out in defense of democracy and human rights.

*Question 10.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Uruguay? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of Uruguayan society, including human rights activists, non-governmental organizations, civil society, the media, religious groups, and other organizations. I will continue the Embassy's outreach to these groups, promoting regular dialogue and providing opportunities to strengthen the role of civil society in Uruguay through exchanges and capacity-building programs.

Vetting of potential recipients of U.S. security assistance is vital for maintaining the integrity of our assistance programs. Embassy Montevideo already has in place a robust and active Leahy vetting program. If confirmed, I will prioritize Leahy vetting and seek ways to further strengthen the program.

*Question 11.* Will you and your embassy team actively engage with Uruguay to address cases of key political prisoners or persons otherwise unjustly targeted by Uruguay?

Answer. While there are no reports of political prisoners or detainees in Uruguay, if confirmed, my embassy team and I will actively engage with the Government of

Uruguay should such issues arise. If confirmed, I will seek to ensure that all relevant stakeholders are able to play a supportive and collaborative role.

*Question 12.* Will you engage with Uruguay on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will engage with the Uruguayan authorities on matters of human rights, civil rights, and governance as part of our bilateral mission.

*Question 13.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 14.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 15.* Do you or do any members of your immediate family have any financial interests in Uruguay?

Answer. No.

*Question 16.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I am firmly committed to promoting, mentoring, and supporting a diverse staff. In my previous government service as Assistant Secretary and Director General of the U.S. and Foreign Commercial Service, I led a large staff with important work in 65 countries and 120 foreign cities. Much of our work promoted a culture that highlighted diversity and inclusion within and without.

As founder, Chairman of the Board and CEO of the nation's second largest ESOP, with 15,000 employee-owners scattered across 35 states, I feel qualified to manage and support staff from diverse backgrounds. My company's logo was the inverted pyramid. It spoke to the culture of the company that valued and empowered the employee-owners in unique and meaningful ways. The inverted pyramid was our visual demonstration that the senior leadership's role was to support those across all ranks of the company. This made it the company it became. Having 15,000 employee-owners in a myriad of positions in the health care industry was a natural source of diversity that was celebrated. The very nature of my company's vision spoke to inclusion.

*Question 17.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will encourage both the State Department's personnel managers and the other Agencies represented at Post to send personnel with a diversity of backgrounds, ethnicities and orientations to our posts in Uruguay, particularly with respect to the Embassy's section heads, the senior-most officers reporting to me. Additionally, I believe that stressing and demonstrating the importance of providing an inclusive work environment, honoring all participants, and holding supervisors responsible is the best way to ensure an environment that is both diverse and inclusive.

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## NOMINATIONS

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THURSDAY, JUNE 14, 2018

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

The committee met, pursuant to notice, at 10:05 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Risch, Rubio, Flake, Gardner, Young, Isakson, Portman, Menendez, Cardin, Shaheen, Coons, Murphy, Kaine, Markey, and Booker.

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

The CHAIRMAN. The Foreign Relations committee will come to order.

And we thank our nominees for being here and for their willingness to serve our country.

We especially thank our distinguished Senators who are here to introduced them: Senator Nelson, Senator Hirono. As a courtesy to you, we will not go through you having to listen to the unbelievable opening comments that both Menendez and I are going to offer in just a moment, and instead let you go directly to yours so that you can go to other meetings. So why do you not all go ahead and make your introductions? We thank you for coming in here to be with us today. We thank both of you for your service, and we look forward to your comments.

**STATEMENT OF HON. BILL NELSON,  
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Well, Mr. Chairman, Senator Hirono and I would be delighted to hear the eloquence of the chairman and the ranking member, but the fact that you would allow us to go ahead—it is a personal reason that we are here because we know the nominee. And we consider the Admiral a distinguished Floridian. What we in our native lingo say that he is a Florida boy having gone to junior high and high school in Pensacola.

I want to thank him for his willingness. And as you know, he was first nominated to be the Ambassador to Australia. And I think the fact that the administration decided this critically important post in South Korea—I think that indicates not only the confidence that people have in the four-star admiral, but it is also him being willing to answer the call of service wherever he is required.

And he first answered that call as a young man 40 years ago, the Naval Academy. He comes from a long line of great naval aviators. And over the course of his military career, he reached the height of his profession. His dad, Navy chief petty officer. And his record speaks for itself.

This is a nomination that is fitting and timely, and as we undertake now the diplomacy with North Korea, obviously the necessity is having the most prepared and skilled Ambassador to represent the United States in that part of the world. Like the other combatant commanders, he is not just what you think of as a combatant commander because every one of them are skilled diplomats. They are warriors, but they are also diplomats. He helped to grow the partnerships with the military and the political leaders throughout the Pacific region, and like any good military leader, he knows just how important diplomacy is. He is going to make a great Ambassador just like he made a great commander.

It is not every day that two Senators, neither from the President's party, commend the nominee of the President. But this is a nominee that I look at—he is not partisan. He is not bipartisan. He is nonpartisan. And that is exactly what we need. It is telling that the nominee enjoys such broad bipartisan support. And I hope that this committee will move his nomination quickly. It is obvious that we need our Ambassador in that position.

And I want to thank the Admiral and his family—and my wife has gotten to know his wife—for their courtesies extended to us. And we want to thank both of you for your continued public service after 40 years. Thank you.

The CHAIRMAN. Thank you, sir. Thank you very much.  
Senator Hirono?

**STATEMENT OF HON. MAZIE HIRONO,  
U.S. SENATOR FROM HAWAII**

Senator HIRONO. Thank you, Mr. Chairman, for your courtesy, and Ranking Member Menendez and all the distinguished members of this committee.

This week was a significant moment for our engagement in the Korean Peninsula. For the first time, a sitting United States President met with the leader of North Korea. At the Singapore summit, President Trump and Kim Jong-un committed to continue negotiations and reaffirm promises that North Korea has made in the past.

However, we also heard the President question the long-term commitment of our troop presence in South Korea and accept the North Korean rationale on ending joint military exercises that have increased regional safety and cooperation.

We all share the goal of a permanent, verifiable, denuclearization of the Korean Peninsula, but the hard work lies ahead. Many obstacles remain between Tuesday's handshake and a comprehensive, verifiable agreement between our two countries. Reaching an agreement will require months or even years of hard negotiations and considerable consultation with our regional allies, particularly South Korea and Japan.

Our next Ambassador to South Korea can play a role in these negotiations. These efforts will require an individual with experience

in the region, an understanding of our military forces serving on the Korean Peninsula, and the diplomatic skills and temperament necessary to negotiate with a regime that has repeatedly failed to live up to its commitments.

I believe Admiral Harry Harris fits this bill, and I am honored to join Senator Nelson in introducing Admiral Harris to this committee to serve as our next Ambassador to South Korea.

After graduating from the U.S. Naval Academy in 1978, Admiral Harris served as a decorated naval flight officer. He went on to hold a variety of leadership roles throughout the Navy, including as the Secretary of State's military attaché during the Obama administration.

I first met Admiral Harris just before he assumed command of the U.S. Pacific fleet in October 2013. Over the past 5 years, I have gotten to know Admiral Harris and appreciate the open, supportive, and candid relationship that we have developed. He and his wife, Bruni Bradley, have become part of our Hawaii Ohana.

Upon assuming command of the U.S. Pacific Command in 2015, Admiral Harris dedicated significant time and effort to strengthening America's regional alliances and partnerships. During visits to 22 of the 36 countries in the Indo-Pacific region, Admiral Harris met with civilian and military leaders and frequently attended joint exercises with our defense allies and partners. His work to improve military-to-military relationships often led to stronger government-to-government relationships throughout the Indo-Pacific region. In his time as Pacific fleet commander and PACOM commander, Admiral Harris developed close relationships with South Korean leaders, including current President Moon Jae-in. In 2014, he received Korea's Tong-il medal, the country's highest national security merit citation, in recognition of his work with the Republic of Korea armed forces. Admiral Harris also worked closely with our congressional delegation and other Members of Congress.

When my colleagues in the House and Senate visited Hawaii and requested a PACOM briefing, I made it a point to also attend. Admiral Harris' briefings were always thorough, often eye-opening, and left attendees with a deeper appreciation for PACOM and our country's vital interests in the Indo-Pacific region.

Many know Admiral Harris as a tough leader, with high expectations for the men and women under his command, but I also know him as a down-to-earth, empathetic person. Let me tell you a story.

The "Washington Post" recently highlighted one example of Admiral Harris' dedication to others as part of a profile on Colonel Bruce Hollywood. Bruce was born in Japan to a Japanese mother and an American father, but Bruce's father left his birth mother in Japan, and she put Bruce up for adoption, thinking that that would be best for Bruce under the circumstances. He was adopted by an American couple, raised in Texas, and went on to serve as an Air Force colonel.

After he nearly died of a heart attack in 2005, Bruce set off to find his birth mother and thank her for giving him the chance to have what he called a wonderful life. Bruce contacted the Japanese embassy in the United States, the U.S. embassy in Tokyo, and even hired a private detective, all to no avail. He had given up his search for his mother when by chance he met then Rear Admiral

Harris at an airport and shared his story. When Admiral Harris told Bruce that he would help him find his birth mother, Bruce was very skeptical, but Admiral Harris was adamant. So Bruce gave him the information he had pieced together. And 10 days later, Bruce received a call while at work at the Pentagon. The Japanese embassy was on the phone with news that they had found, at long last, his birth mother, Nobue Ouchi. Thanks to Admiral Harris' assistance, Bruce reunited with his mother, and they were in contact for 3 years before she passed away in 2009.

So in Admiral Harris, we have someone who is tough-minded and clear-eyed with tremendous military experience and someone who is very resourceful and focused on the task at hand.

Admiral Harris' expertise in the Indo-Pacific region, his leadership experience and engagement with a variety of stakeholders in the region will stand him in good stead as our Ambassador to South Korea.

Last month at the Pacific Command change of command ceremony, Chief of Naval Operations Admiral John Richardson described Admiral Harris as a warrior diplomat with an insatiable spirit of adventure and an infectious can-do attitude. Secretary of Defense Jim Mattis, who said earlier this year that diplomacy must be our first approach to deescalating tensions on the Korean Peninsula, praised Admiral Harris' experience and expressed his confidence in Admiral Harris in his new role at the same change of command ceremony.

I join Secretary Mattis and so many others in expressing my confidence that Admiral Harris will serve our country well as our next Ambassador to South Korea. And I thank this committee for its consideration. Mahalo.

The CHAIRMAN. Well, thank you for being here with us and both of you for your comments. You are welcome to leave and go about your day.

Admiral, I understand why you have that Hawaiian lei on. You may wish to take it off before you testify, but if you do not wish to—

Senator HIRONO. I would be really hurt if he did that. [Laughter.]

The CHAIRMAN. Okay. Thank you both again.

Today we will consider the nominations of individuals to serve our nation in three roles: Ambassador to South Korea and the positions of Assistant Secretary for both Near Eastern and African Affairs. If confirmed, these individuals will direct our diplomatic efforts over an enormous swath of the globe and will grapple with issues ranging from the Syrian civil war to our ongoing dialogue with North Korea.

We welcome all of you. We thank you for your willingness to serve and thank your families in the same way.

We first have David Schenker. Mr. Schenker has extensive personal and professional experience in the Middle East and speaks a fluent Arabic. I am confident that Mr. Schenker is well equipped to balance and promote U.S. interests in the Middle East.

No region has required more high-level attention than the Middle East, which is home to some of our most vital security partners and also the source of security challenges. Countering Iran, com-

bating terrorism, working to resolve the wars in Syria and Yemen, and reinforcing our regional alliances requires continuous and focused engagement, which is why I am pleased that the administration has nominated David Schenker to be the next Assistant Secretary of State for Near East Affairs.

Next, we have Ambassador Tibor Nagy to serve as Assistant Secretary of State for African Affairs. The United States has important interests in developing and maintaining strong partnerships with African countries, and we remain committed to supporting those that choose inclusive and responsible governance. The Africa Bureau must address an extremely large range of diplomatic challenges across the continent with resources and talent appropriate to our growing expectations of relationships we have there.

Finally, we have Mr. Harry Harris. I feel like I know more about you than I even want to know—[Laughter.]

The Chairman:—who just recently retired with the rank of Admiral after completing a highly distinguished career in the United States Navy, to serve as the Ambassador to the Republic of Korea. The U.S.-Republic of Korea alliance is an important relationship for maintaining peace and stability in the Indo-Pacific. During this critical moment on the Korean Peninsula, we require an Ambassador in Seoul that will speak frankly about the importance of alliance cohesion, including maintaining the administration's maximum pressure strategy while pursuing negotiations to eliminate North Korea's nuclear weapons.

I am glad the President and Kim Jong-un were able to have a meeting this week in Singapore, but I look forward to having Secretary Pompeo before our committee soon to share his insights about what of a concrete nature has occurred, including the future of security cooperation with Japan and South Korea.

We need an ambassador who appreciates that the U.S.-South Korea partnership runs deep, including cooperation across a range of political, economic, and cultural issues. I am confident that Mr. Harris recognizes the value of the relationship between Washington and Seoul and will effectively advocate for strengthening our relationship with this critical ally.

Our thanks to all of you being here before the committee.

Before I turn to Senator Menendez, we have two votes beginning at 10:30. We plan to move through. We are just going to continue on. If you could kind of time out when you leave, knowing when you are going to be coming up, that would be great so we can continue and not have a vacuum here.

With that, I will turn to our distinguished ranking member and my friend, Bob Menendez.

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

Senator MENENDEZ. Thank you, Mr. Chairman, for holding this hearing today. We have a panel before us of high-level nominees, and I appreciate and congratulate you and your families on the nominations.

I am a bit dismayed that these nomination hearings have become one of the few opportunities the committee has to really engage on what the administration's policies are, and I hope, Mr. Chairman,

we can have more hearings on more topics with administration witnesses so the committee can exercise its oversight role.

Collectively, these nominees will be taking on some of the most pressing national security challenges at a time when good will towards our country is on a steep decline, where the administration's budget proposals are slashing non-military resources, and the crumbs of U.S. credibility were left somewhere between the summits in Canada and Singapore.

But I want to welcome all the nominees. You have demonstrable records of service, expertise, and experience in your chosen fields.

Admiral Harris, I almost think you should skip your opening statement because after that, I would rest my case. But I am sure that you will want to make it anyhow.

You know that you have accepted this nomination at a time when our allies and adversaries are seriously questioning U.S. commitment to Asia and at a time when, perhaps as never before, adept and agile diplomacy is needed on the Korean Peninsula. Like you, I am fully of the view that it is imperative that we improve our engagement across the region, especially with allies like the Republic of Korea politically, economically, and strategically. I think the President blindsided everyone, including South Korea, when he carelessly conceded to Kim Jong-un this week something North Korea has long wanted, the cessation of U.S.-South Korean joint military exercises, in exchange for—well, apparently nothing. So I am interested in your thoughts about how we strengthen the U.S.-Korean alliance moving forward.

From your time as our Pacific commander, you are well aware of the extent of our challenge with North Korea. So we thank you for your service.

As we consider the outcomes of the Trump-Kim meeting, any strategy to constrain North Korea's nuclear and ballistic missile programs must start with our allies and partners and lead to the complete, verifiable, and irreversible dismantlement of North Korea's nuclear and ballistic missile programs.

Mr. Schenker, in the Middle East, the Trump administration's strategy for the U.S. role in the region is something that I am still trying to deduce. If confirmed as the Assistant Secretary of State for Near Eastern Affairs, you will have the responsibility not only to craft but to execute policy here in Washington, but also to drive diplomatic implementation in cooperation with our partners and allies.

When it comes to Iran, I share the long sought goal of stopping all of Iran's nuclear and non-nuclear threats. But I worry that the President's unilateral actions have degraded the very partnerships we need to maintain unity of effort in countering the Iranian regime's malign activities.

Regarding Israel, I share the goal of ensuring that Israel has the resources and support she needs to defend herself. But I worry that the President's desire to withdraw U.S. forces from Syria while freezing our stabilization assistance programs and closing doors to refugees are tactics without strategy and that, taken together, amount to an abdication of U.S. leadership. Over the past year, Bashar al Assad facilitated the activities of violent extremists next door to Israel. Iran is moving its proxies ever closer to Israel's bor-

ders. Lebanese Hezbollah is preparing for the next war, and Russia has demonstrated neither the resolve nor the capability to curb Iran's actions in Syria.

I hope you share Secretary Pompeo's commitment as expressed at his nomination hearing to sustain programs that address conditions that give rise to transnational terrorist groups, including poor governance, lack of economic opportunity, corruption, and persistent human rights abuses.

Finally, I am pleased that the nominee to be the Assistant Secretary for the Africa Bureau has an impressive record of service to this country. For decades, both Republican and Democratic Presidents with the help of lawmakers on Capitol Hill have undertaken an impressive set of initiatives over the years, including the African Growth and Opportunity Act, PEPFAR, MCC compacts, and Power Africa. The administration has given us little encouragement on continued cooperation. The President's unseemly comments about Africa and the steep budget cuts to the 150 account send an alarming signal, and while the administration's national security strategy makes lots of promises about its engagement with Africa, the budget requested would in no way facilitate that strategy or secure our interests in countering ISIS or Al Qaeda affiliates. Perhaps most troubling, the administration does not appear to have a whole-of-government approach towards Africa which places emphasis on all of the three D's: defense, diplomacy, and development.

Take Niger. Niger is facing increasing security threats on three fronts. It also ranked 187 out of 188 on the most recent human development index. The U.S. military has over 800 soldiers deployed to Niger as part of our effort to help that government fight terrorism, four of whom were tragically killed. We are building an airfield in Agadez. However, we do not have a USAID mission in the country that could help support sustainable governance and economic growth.

I have written the administration about the need for a strategy for Mali. I have sounded the alarm about increasing violence in the Central African Republic and raised questions with Secretary Pompeo about our strategy for South Sudan, Sudan, and the Horn of Africa. We have yet to receive a satisfactory response.

So, Ambassador Nagy, I certainly hope that you and I will have an opportunity to talk soon and look forward to hearing about your priorities, your plans, and your intentions, if confirmed.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

And as it relates to having witnesses in, I know I said so in my opening comments, but we are pushing to have Secretary Pompeo in so we can fully understand what actually happened in Singapore. And as you know, we have not had a lot of officials to have testify, and this meeting is, hopefully, going to help fill some of the slots. But I thank you for your comments and agree that we need to have officials in here helping us.

If you all would just move in order, starting with Admiral Harris, I would appreciate it. If you could keep your comments to about 5 minutes, we appreciate it. If you want to introduce your outstanding families who are here, please feel free to do so. It usually

tempers folks on this side of the dais. And if you could keep your comments to 5 minutes. If you have any written documents, we are glad to accept them here also. Admiral?

**STATEMENT OF HARRY B. HARRIS, JR., OF FLORIDA, TO BE  
AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF  
THE UNITED STATES OF AMERICA TO THE REPUBLIC OF  
KOREA**

Mr. HARRIS. Thanks, Mr. Chairman and Ranking Member Menendez and distinguished members of the committee. I am honored to be with you today on Flag Day, I might add, as President Trump's nominee to serve as the U.S. Ambassador to the Republic of Korea. I am humbled the President has entrusted me with this opportunity to work with the White House and our dedicated officers at the State Department and the 15 other departments and agencies that make up Mission Korea to lead our engagement with such an important ally.

Few nominees are fortunate enough to testify before their own Senators, and I am privileged to be here before you, Chairman Corker from Tennessee and Senator Rubio of Florida. I am also grateful that Senators Nelson and Hirono took the time to formally introduce me.

Knowing I have not journeyed here alone, let me take a moment to express my love and gratitude to my wife, Bruni Bradley, behind me, herself a 25-year Navy veteran.

A personal thanks as well to the many former ambassadors who have helped me these past few months, nominees of both parties.

To the men and women of the U.S. Indo-Pacific Command, it has been a privilege and joy to have served with you these past 3 years.

And finally, I am honored to be on this panel with such luminaries as David Schenker and Tibor Nagy. I hope you will ask them the hard questions and save the softballs for me. [Laughter.]

Mr. HARRIS. President Trump and his administration have made clear that our alliance with Korea is one of our top priorities. The President hosted President Moon just last June and again last month. The President also visited Korea last November in the first state visit by a U.S. President in 25 years. Following this, there have been a number of other senior-level visits, underscoring the strength and importance of our bilateral relationship. In fact, Secretary Pompeo is in Seoul today meeting with President Moon.

Mission Korea is staffed by almost 600 dedicated men and women, all working hard to advance U.S. interests in Korea and throughout the Indo-Pacific. If confirmed, I am excited to serve with this team. Importantly, the alliance and the larger partnership it undergirds enjoy strong bipartisan support. This committee and your staffs play an active and vital role in guiding this relationship, and I would like to underscore my deep appreciation for the leadership and engagement that go into maintaining our strong bond with South Korea.

I have experienced this relationship firsthand through my experiences with Korea across an almost 40-year career in uniform, including as a former Indo-Pacific Command commander overseeing the military side of the U.S.-Korea alliance. These personal connections began even before I was born, as my father was a sailor who

fought in World War II and the Korean War and helped teach Korean sailors at Chinhae. His stories propelled me to a career in the Navy. Bruni's personal connections started during her first tour of duty when we accompanied her boss to Seoul on several occasions. These experiences afforded us lasting friendships and a deep appreciation of Korean culture and history, with their profound linkages to the United States.

Everywhere I traveled, whether on ships, in jungles, or the embassies, I saw firsthand 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. If confirmed, I will carry with me those many voices of America, along with an abiding commitment to strengthen the shared values that lie at the heart of our relationship with the Republic of Korea.

I am acutely aware that our relationship with Korea is not one dimensional. Economically, Korea is our sixth largest trading partner and the fifth largest market for U.S. agricultural goods. Korean foreign direct investment is already the second largest Asian source of investment in the United States. As a fellow champion of the rule of law and market principles, Korea has shown its willingness to work with the U.S. to ensure free, fair, and reciprocal trade. Last year, our countries enjoyed a \$154 billion trading relationship, including goods and services.

The U.S. and Korea also share deep people-to-people ties.

And as good as our economic relationship is, we can do even better. If confirmed, I will support U.S. efforts to tap additional export opportunities and what I see as nascent opportunities in the energy, medical technology, and information sectors. I would support enhanced access for U.S. firms in the Korean market and more Korean direct investment into the U.S. Finally, if confirmed, I will strive to further deepen our cultural exchanges, scientific collaboration, and cooperation on global issues.

Ladies and gentlemen, I fully appreciate that I will have to come up to speed quickly. As is obvious to all of you, I have spent my life in uniform and that is where my expertise lies. But I promise I will work hard to learn the language and skill sets of diplomacy. I will even forswear acronyms. I have a lot to learn indeed, but I do understand the importance of diplomacy as an instrument of national power. As Chief of Mission of a large embassy with hundreds of U.S. Government employees, I pledge to this committee to do my utmost to keep them safe as they carry out their official duties and similarly commit to keeping the American community in South Korea informed of anything that could affect their safety and security. I testified last March to your colleagues on the Armed Services committee that a fully resourced State Department is as important as a fully resourced Defense Department. Robust diplomacy increases our chances of solving problems peacefully.

In sum, drawing on the strength of the entire U.S. Government, I would, if confirmed as Ambassador, endeavor to deepen our partnership and alliance with the Republic of Korea. I am honored to be considered for this critical post and grateful for the opportunity to continue serving our great nation.

And I look forward to your questions.[Mr. Harris's prepared statement follows:]

PREPARED STATEMENT OF HARRY B. HARRIS, JR.

Mr. Chairman, Ranking Member Menendez, distinguished members of the committee, I'm honored to be with you today as President Trump's nominee to serve as the U.S. Ambassador to the Republic of Korea. I'm humbled the President has entrusted me with this opportunity to work with the White House and our dedicated officers at the State Department and the 15 other departments and agencies that make up Mission Korea to lead our engagement with such an important ally. Few nominees are fortunate enough to testify before their own senators, and I'm privileged to be here before Chairman Corker of Tennessee and Senator Rubio of Florida. I'm also grateful that Senators Nelson and Hirono took the time to formally introduce me. Knowing that I've not journeyed here alone, let me take a moment to express my love and gratitude to my wife, Bruni Bradley—herself a 25-year Navy veteran. A personal thanks as well to the many former Ambassadors who helped me these past months—nominees of both parties. Finally, to the men and women of U.S. Indo-Pacific Command, it's been a privilege and a joy to have served with you these past three years.

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Everywhere I traveled—whether on ships, in jungles, or to embassies—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. If confirmed, I'll carry with me these many voices of America, along with an abiding commitment to strengthen the shared values that lie at the heart of our relationship with the Republic of Korea.

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Korean foreign direct investment is already the second largest Asian source of investment into the United States. As a fellow champion of the rule of law and market principles, Korea has shown its willingness to work with the United States to ensure free, fair, and reciprocal trade. Last year, our countries enjoyed a \$153.7 billion trading relationship, including goods and services.

The United States and Korea also share deep people-to-people ties. Almost 200,000 American citizens live, work, or are visiting in Korea at any given time. About 1.7 million people of Korean descent reside in the United States. Academic exchanges are an important part of our relationship with Korea, including the long-standing bi-national Fulbright program.

As good as our economic relationship is, we can do even better. If confirmed, I'll support U.S. efforts to tap additional export opportunities and what I see as nascent opportunities in the energy, medical technology, and information sectors. I would support enhanced access for U.S. firms in the Korean market, and more Korean di-

rect investment into the United States. Finally, if confirmed, I'll strive to further deepen our cultural exchanges, scientific collaboration, and cooperation on global issues.

Ladies and gentlemen, the U.S.-Republic of Korea alliance has served as a pillar of peace and stability in the Indo-Pacific and the world for 65 years, cooperating closely on a wide range of global priorities. Our relationship is anchored by a shared commitment to democratic values and the rule of law. America could not ask for a better friend, partner, and ally than Korea.

I fully appreciate I will have to come up to speed quickly. As is obvious to all of you, I've spent my life in uniform and that's where my expertise lies. But I promise I'll work hard to learn the language and skill sets of diplomacy. I'll even forswear acronyms. I have a lot to learn, indeed, but I do understand the importance of diplomacy as an instrument of national power. As Chief of Mission of a large Embassy with hundreds of U.S. Government employees, I pledge to this committee to do my utmost to keep them safe as they carry out their official duties, and similarly commit to keeping the American community in South Korea informed of anything that could affect their safety and security. I testified last March to your colleagues on the Armed Services committee that a fully resourced State Department is as important as a fully resourced Defense Department. Robust diplomacy increases our chances of solving problems peacefully. I'll also draw heavily on my experiences a few years ago when I was assigned as the Assistant to the Chairman of the Joint Chiefs, where I accompanied the Secretary of State abroad. In two years, I travelled to over 80 countries and saw up-close the business of diplomacy and the hard, often dangerous, work of our diplomats abroad.

In sum, drawing on the strength of the entire U.S. Government, I would, if confirmed as Ambassador, endeavor to deepen our partnership and alliance with the Republic of Korea. I'm honored to be considered for this critical post and grateful for the opportunity to continue serving our great Nation. I look forward to your questions.

The CHAIRMAN. Thank you very much. We will see whether you are able to forswear what you said.

But go ahead, Mr. Nagy.

#### **STATEMENT OF HON. TIBOR PETER NAGY, JR., OF TEXAS, TO BE AN ASSISTANT SECRETARY OF STATE, AFRICAN AFFAIRS**

Ambassador Nagy: Mr. Chairman, Ranking Member, and members of the committee, I am honored to appear before you as President Trump's nominee to be Assistant Secretary of State for African Affairs. I am grateful to the President and Secretary of State for their confidence in me. If confirmed, I very much look forward to working with Congress, especially this committee, to promote America's interests in Africa.

My nearly half-century professional and personal association with Africa began in 1979 when I was assigned as a first tour officer to Lusaka, Zambia, a city I had never heard of, on a continent I knew little about, to the most junior positions at a U.S. embassy. That posting gave me a tremendous appreciation for Africa and its people, and I went on to complete eight tours in Africa, including two as U.S. Ambassador and three as Deputy Chief of Mission, in some of the most challenging environments possible.

After retiring in 2003, I joined academia and continued Africa-related work by teaching about it, writing about it, and making multiple trips to the continent to promote ties between U.S. and African universities.

In 2016, I was briefly called back to take charge of the U.S. embassy in Nigeria, and that experience reawakened my intense desire to again help promote U.S. interests on the continent.

Since the last time I appeared before this committee nearly 20 years ago, Africa has changed dramatically, mostly for the better.

Data points indicate improvements in overall levels of development, education especially for girls, health, governance, and economic wellbeing. These improvements have been matched by dramatic declines in poverty, HIV infections, corruption, and instability. Credit goes to the generosity of the American people and U.S. policies for much of that progress, including bipartisan programs such as AGOA and PEPFAR, which continue to significantly help Africa.

At the same time, Mr. Chairman, some of Africa's problems remain unchanged or have worsened. Terrorism and violent extremism have increased in scope and intensity. Some African leaders are perpetuating their rule through constitutional manipulation and increased repression. The most tragic case is South Sudan, born in ebullience in 2011 but since descended into ethnic warfare due to its uncaring leaders. And there is China, adversary, competitor, partner, or all three? One certainty is that the U.S. will have to address China's activities in Africa, especially since that country is offering itself as a more Africa-appropriate model for government and development.

Africa is at a historic crossroads, and the direction it takes will impact its future and the security and wellbeing of the rest of the world. Projections are that by 2050 Africa's population will double to 2.5 billion people with 70 percent under 30. Nigeria alone will surpass the U.S. with 350 million people, and most of this growth will take place in Nigeria's north, its most impoverished region. Yet young Africans will have similar life ambitions to young people everywhere. If their dreams are frustrated by conflict, misrule, or lack of opportunities, the results will be catastrophic. If, on the other hand, they encounter positive prospects and good governance, Africa's youth will be a dynamic force for global progress and prosperity.

Mr. Chairman, the U.S. is well placed to benefit from the second scenario. A well-governed, stable Africa, providing opportunities to its people and welcoming U.S. businesses as partners in development, is achievable. I saw this firsthand when I met in Abuja with some returning participants in the Young African Leaders Initiative, and I worked with another group last summer at Texas Tech University. They were some of the brightest and most impressive young people I have met anywhere and very favorably disposed towards our country and our principles. They are the future of Africa, not the corrupt dinosaurs who want to stay presidents for life immaterial of the harm they cause their own people. If confirmed, I look forward to working with the committee to promote the types of U.S. policies which can help bring that about.

And it is my pleasure and honor to introduce my dear wife of 47 years and my partner in diplomacy, Jane Nagy, sitting right behind me.

[Ambassador Nagy's prepared statement follows:]

PREPARED STATEMENT OF TIBOR P. NAGY JR.

Mr. Chairman, Ranking Member, and members of the committee, I'm honored to appear before you as President Trump's nominee to be Assistant Secretary of State for African Affairs. I am grateful to the President and Secretary of State for their confidence in me. If confirmed, I very much look forward to working with Congress, and especially this committee, to promote America's interests in Africa.

This nomination is especially meaningful to me since I started life in America as a political refugee, having slipped out of Communist Hungary with my father just steps ahead of the secret police who were going to arrest and execute him for having fought against the Soviets during our brief 1956 revolution. America not only generously opened its doors to us, but also provided us the same opportunities available to native born citizens. He went on to serve the U.S. many years overseas in international development, while I had an opportunity to become a U.S. diplomat and represent my new country abroad. When I met diplomatic colleagues from other nations, especially after I became a U.S. Ambassador, they were often stupefied that America would allow non-native born citizens to achieve the rank of Ambassador—in their countries that could never happen. I always assured them that when someone becomes an “American” through naturalization, their citizenship is just as real as being born here. America has blessed my family in so many ways—I am beyond grateful that I can serve her in return.

My nearly half-century professional and personal association with Africa began in 1979 when I was assigned as a first tour officer to Lusaka, Zambia—a city I had never heard of, on a Continent I knew little about—to the most junior of positions at a U.S. Embassy. That posting gave me a tremendous appreciation for Africa, and its people, and I went on to complete eight tours in Africa—including two as U.S. Ambassador, and three as Deputy Chief of Mission—in some of the most challenging environments possible. After retiring in 2003, I joined academia and continued Africa-related work by teaching about it, writing about it, and making multiple trips to the Continent to promote ties between U.S. and African universities. In 2016, I was briefly called back to take charge of the U.S. Embassy in Nigeria, and that experience reawakened my intense desire to again help promote U.S. interests on the Continent.

Since the last time I appeared before this committee nearly twenty years ago, Africa has changed dramatically—mostly for the better. Data points indicate improvements in overall levels of development, education (especially for girls), health, governance and economic well-being. These improvements have been matched by dramatic declines in poverty, HIV/AIDS infections, corruption, and instability. Credit goes to the generosity of the American people and U.S. policies for much of that progress—including bipartisan programs such as AGOA and PEPFAR, which continue to significantly help Africa.

At the same time, Mr. Chairman, some of Africa’s problems remain unchanged, or have worsened. Terrorism and violent extremism have increased in scope and intensity. Some African leaders are perpetuating their rule through constitutional manipulation and increased repression. The most tragic case is South Sudan—born in ebullience in 2011 but since descended into ethnic warfare due to its uncaring leaders. And there is China—adversary, competitor, partner—or all three? One certainty is that the U.S. will have to address China’s activities in Africa, especially since that country is offering itself as a more Africa-appropriate model for government and development.

Africa is at a historic crossroads, and the direction it takes will impact its future and the security and well-being of the rest of the world. Projections are that by 2050 Africa’s population will double—to 2.5 billion people, with 70 percent under 30. Nigeria alone will surpass the U.S. with 350 million people, and most of this growth will take place in Nigeria’s North, its most impoverished region. Yet young Africans will have similar life ambitions to young people everywhere. If their dreams are frustrated by conflict, misrule, or lack of opportunities, the results will be catastrophic. If, on the other hand, they encounter positive prospects and good governance, Africa’s youth will be a dynamic force for global progress and prosperity.

Mr. Chairman, the U.S. is well-placed to benefit from the second scenario. A well-governed, stable Africa, providing opportunities to its people and welcoming U.S. businesses as partners in development, is achievable. I saw this first-hand when I met in Abuja with some returning participants in the Young African Leaders Initiative, and when I worked with another group last summer at Texas Tech University. They were some of the brightest and most impressive young people I have met anywhere—and very favorably disposed toward our country and our principles. They are the future of Africa, not the corrupt dinosaurs who want to stay Presidents for Life immaterial of the harm they cause their own people. If confirmed, I look forward to working with the committee to promote the types of U.S. policies which can help bring that about.

The CHAIRMAN. Thank you for being with us, and thank you for that testimony.

Mr. Schenker?

**STATEMENT OF DAVID SCHENKER, OF NEW JERSEY, TO BE AN  
ASSISTANT SECRETARY OF STATE, NEAR EASTERN AFFAIRS**

Mr. SCHENKER. Mr. Chairman, Ranking Member Menendez, members of the Senate Foreign Relations committee, it is an honor to appear before you this morning as the nominee to become Assistant Secretary of State for Near East Affairs.

I greatly appreciate the members of the committee making time in recent weeks to meet me with me and exchange views. If confirmed, it would be my intention to engage in consultation with Congress routinely.

I would like to thank the President of the United States and Secretary of State Pompeo for my nomination. If confirmed, it would be an honor to serve our country at the Department of State.

I am grateful some of my family members can join me this morning. My seemingly angelic children, Ethan and Dylan Schenker, are here. So are my mother and stepfather, Linda and Abraham Davis, and my aunt and uncle, Jane and Ken Friedland. My father and stepmother, Michael and Judy Schenker, could not be here today but are no doubt watching on the Web.

Let me also take this opportunity to thank my former bosses, mentors, and colleagues, without whose support I would not be here today.

The portfolio of the Assistant Secretary of State for Near East Affairs is expansive. I have, in a sense, been preparing for this job for the past 3 decades. My academic background and the entirety of my professional career has been focused on the Middle East. I have spent 4 years living in the region. In the early 1990s, I worked for a USAID contractor on projects in Egypt and Jordan. For the better part of 2 decades, I have researched and written about the region as a fellow at the Washington Institute for Near East Policy, a leading nonpartisan think tank. And from 2002 to 2006, I served as Levant director in the Office of the Secretary of Defense, advising senior policymakers at the Pentagon on Jordanian, Syrian, Lebanese, Israeli, and Palestinian affairs.

Over these decades, I have had the privilege of knowing and working with many of the outstanding diplomats who have served with such distinction as Assistant Secretary of Near East Affairs. I worked with current acting Assistant Secretary David Satterfield during the Bush administration. I traveled to Syria in 2004 with then Assistant Secretary William Burns. I know former Assistant Secretary Anne Patterson. This is an illustrious and impressive cohort of diplomats who handled an incredibly difficult job with commitment and dedication. If confirmed, I would be humbled to be counted among this group.

The responsibilities of the Assistant Secretary of State for Near East Affairs stretch from Morocco to Iran to Yemen. It is an AOR that faces enormous challenges, including failed states, horrific terrorism, acute humanitarian crises, and continued efforts by the regime in Tehran to destabilize the region. Given our critical alliances, the region's natural resources, its vital sea lanes, and the enormous potential of its population, it is also a region of great strategic import to the United States.

At the front line confronting these challenges and taking advantage of the opportunities are the highly professional men and

women of the U.S. Department of State's Near East Bureau. These Foreign Service officers and civil servants are dedicated and courageous. They make great sacrifices for our country. Over the past 2 decades as a scholar at the Washington Institute and as a policy official serving in the Department of Defense, I have worked closely with NEA and have great respect for both the professionalism and expertise of these career professionals. They work alongside their impressive colleagues in the U.S. military and from other departments, whom I hold in the highest esteem and with whom I would seek to coordinate as closely as possible.

If confirmed, it would be a great privilege to serve alongside these American patriots helping to advance and secure U.S. interests in the Middle East. There is a real need to strengthen alliances with our traditional partners, to defeat ISIS and other terrorist organizations, to confront and roll back destabilizing and pernicious Iranian behavior, and to work to build a more peaceful and secure region.

The U.S. faces a series of complex strategic challenges in the Middle East, which require the application of all tools of American power to mitigate and now, more than ever, especially diplomacy. As we know all too well, what happens in the Middle East does not stay in the Middle East. Washington's regional alliances are a force multiplier in safeguarding U.S. interests at home and abroad. They need to be nurtured through diplomatic engagement.

If confirmed, I look forward to working closely with this committee and with the Congress as a whole to address these and other national security challenges facing our country.

I am grateful for your consideration of my nomination, and I look forward to your questions. Thank you.

[Mr. Schenker's prepared statement follows:]

#### PREPARED STATEMENT OF DAVID SCHENKER

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If confirmed, I look forward to working closely with this committee, and with the Congress as a whole, to address these and other national security challenges facing our country.

I am grateful for your consideration of my nomination, and I look forward to your questions.

Thank you.

The CHAIRMAN. Again, we thank all three of you.

I am going to reserve my time and turn to our ranking member, Senator Menendez. Next in line will be Senator Isakson. I am going to run and go vote and come back.

Senator MENENDEZ. Well, thank you, Mr. Chairman. Thank you all for your testimony.

Admiral Harris, as PACOM commander, you were outspoken, rightly in my view, about the nature and extent of North Korea's nuclear threat. And that threat is real. Right?

Mr. HARRIS. It is real.

Senator MENENDEZ. So do you think we no longer need to worry about North Korea's nuclear threat?

Mr. HARRIS. No, Senator. I think we must continue to worry about the nuclear threat.

Senator MENENDEZ. I appreciate that because I know the President said the other day that after Singapore, we can sleep well because we no longer have to worry about North Korea's nuclear threat. But I did not sleep much better. I understand that there are still nuclear warheads. There are still intercontinental ballistic missiles. There is still a nuclear fissile material development proc-

ess. And so until that is dismantled, I do not think we can rest comfortably at the end of the day.

Let me ask you this. Also from your experience, do you think that it is important to have military exercises between the United States and South Korea as our forces are there, I think about 28,000, and as they ultimately prepare themselves for any defensive eventuality?

Mr. HARRIS. Senator, in my previous capacity, I spoke very strongly about the need to continue with military exercises, most notably in 2017, but we were in a different place in 2017. North Korea was exploding nuclear weapons. They were launching ballistic missiles almost willy-nilly. And if war was not imminent, it was certainly possible, maybe even likely.

I think today, following the President's summit with Kim Jong-un in Singapore, I think we are in a dramatically different place. I think the whole landscape has shifted, and I believe that we should give major exercises a pause to see if Kim Jong-un in fact is serious about his part of the negotiations. I have spoken in the past about the need to bring Kim Jong-un to his senses and not to his knees, and I think the President's efforts in Singapore did just that.

Senator MENENDEZ. Do you think these are war games?

Mr. HARRIS. Well, you can call—I think the President—

Senator MENENDEZ. Would you in your present role call it war games?

Mr. HARRIS. I would call them major exercises.

Senator MENENDEZ. Major exercises.

Do you think they are provocative?

Mr. HARRIS. I think they are certainly of concern to North Korea and to China. But we do them in order to exercise our ability to work and interoperate with our South Korean allies.

Senator MENENDEZ. As our Ambassador, you will have to be dealing with the South Koreans who have to be concerned that they did not know about it. The Japanese did not know about it. And there is a real challenge when these countries are a critical part of us ultimately coming to the end goal that we all desire and want to see. So I think it is going to be critically important about how you speak about those issues when you get there.

Mr. HARRIS. I agree, Senator.

Senator MENENDEZ. Let me turn to Mr. Schenker. In the Countering American Adversaries Through Sanctions Act, the Congress, signed into law by the President, required the administration to deliver a comprehensive Iran strategy by January of 2018. It is now June the 12th or so, and we have yet to receive a comprehensive strategy.

If you are confirmed and this has not been completed by that time, will you commit to the committee that you will work with the Secretary to produce a comprehensive strategy on Iran that has to be delivered to the Congress according to law?

Mr. SCHENKER. Yes, sir.

Senator MENENDEZ. Now, let me ask you. What do you think are elements of such a strategy?

Mr. SCHENKER. Thank you, Senator.

There are several different elements. One would be, for example, the diplomatic strategy; that is, to work with our European partners to get them on board. While we have some disagreements with our European allies, we can all agree that the nuclear development, the proliferation of missiles and Iranian destabilizing regional activities are all a problem. So on the diplomatic front, the sanctions and also maintaining, at least for the time being, the presence in Syria, which prevents the establishment of a land bridge, among other things for Iran to the Mediterranean, working with the U.S. military, among other things, to prevent the shipment of missile components to the Houthis, for example, working with the Government in Iraq to try and establish a government that is inclined toward good relations with Washington, not a wholly owned subsidiary of Tehran, et cetera.

Senator MENENDEZ. I appreciate that. I also hope we will think about how our Gulf partners play a more strategic role than they have so far.

I asked you in our private meeting and I warned you about the possibility of this question, so I am not blindsiding you. Would the purchase of the S-400 system constitute a significant transaction with the Russian defense sector? There are public reports that Saudi Arabia and Qatar have been discussing purchasing the S-400. If either government proceeds with this acquisition, would this trigger CAATSA sanctions under section 231?

Mr. SCHENKER. Senator, if confirmed, I would make clear to Saudi Arabia and our allies—and thank you for your leadership on CAATSA, by the way. I would make clear to our allies and friends in the region that the sanctions are intended to exact cost on Russia for its human rights violations, for its behavior in Ukraine, for its meddling in U.S. elections. And I would work with our allies to dissuade them or encourage them to avoid military purchases that would be potentially sanctionable. In other words, I would tell Saudi Arabia not to do it.

Senator MENENDEZ. I appreciate that answer, and I appreciate your diplomacy in how you are trying to answer my question. I will leave it at this—also Egypt seeking to purchase 50 fighter jets and 46 helicopters from Russia. These entities who are our allies must understand that under U.S. law, under CAATSA, the purchase of such systems ultimately are sanctionable, and we will press very hard on the question of pursuing those sanctions, should they choose to do so. And I hope you will communicate that in your role.

Mr. SCHENKER. Absolutely, Senator. If confirmed, I will implement the law.

Senator MENENDEZ. Thank you. My time has expired but I will come back. Ambassador, I do not want you to think you are left out of the process of my questions.

Senator Isakson?

Senator ISAKSON. Thank you, Senator Menendez. I appreciate it.

I agree with your comments about the Admiral. He is ultimately qualified, very qualified, and a great nominee.

I appreciate you all being here today.

Mr. Nagy, thank you for accepting a tremendous challenge in African affairs at the Department. Do you happen to know one of your predecessors by the name of Johnnie Carson?

Ambassador Nagy: Yes, Senator. He is a good friend of mine.

Senator ISAKSON. Of all the people I have got to know in my travels to Africa and the work I have done in Africa since I came to Congress, Johnnie is the most knowledgeable, insightful, and most well received American on the continent of Africa. So you did know him, which I thought you did, but if you had not, I wanted to make sure you do. Since you do know him, take advantage of him because he is a terrific asset.

Ambassador Nagy: Absolutely. When I was Ambassador in Ethiopia, he was Ambassador in Kenya.

Senator ISAKSON. You focused on the Sudan in part of your testimony. You mentioned the Sudan. That is a horrible problem that is getting worse by the day. We have tried a special envoy. I knew General Grayson. The comprehensive peace agreement we worked on to finally get a referendum for independence, which we finally got, but it never did anything because of the violence, the murder, the assassination, and the economic stealing from one another's assets have just destroyed the environment there.

What initiative would you try to move us to in South Sudan to go from a caretaker of chaos, which I think is where we are right now, to a caretaker of a route to peace and security?

Ambassador Nagy: Senator, thank you for that question.

In my view, South Sudan is one of the greatest tragedies in the world right now and absolutely needless. It should never have happened, especially given the positive role the United States played in creating South Sudan.

Senator, if confirmed, I promise you I will look for every pressure point possible, including the ones that have not yet been pushed, to make sure that those who are complicit in these tragedies have to pay for that, so that they do not have places where they can park their money, they do not have places where they can go and enjoy their vacations and go shopping while their people are dying, women are being raped, and people are going hungry and chased from their homes. I truly believe that I would put that at the top of my inbox, if confirmed.

Senator ISAKSON. Well, it is going to take our leadership to do that. Al Bashir in the north is not going to be a help to us at all. He is not going to be a problem because he is indicted in the International Criminal Court. But he is not going to be a help to us. But the South Sudanese are doing a pretty good job of messing up by themselves. So we need to move them forward as much as we can.

On that point also, last week Nathaniel, who was a former intern of mine, who was a refugee at Clarkston, Georgia, about 15 years ago, is one of the lost boys of Sudan. He came to my office last week to share with me some of his experiences in the Sudan since he has gone back to try and bring back that country. He said the biggest need that they have on the ground is a recognition by the public, the people of Sudan, that the United States is engaged, that the Government of Sudan is getting engaged with them, and that we are going to be a part of moving Sudan forward.

I asked him. I said, are we not visible now? And he said, not as visible as we should be. I think that is one of the things you are going to have to focus on, the extent of the visibility of our country and our commitment to help them come out of their problems is

there, but that they are willing to take a partnership with us and do that.

Ambassador Nagy: Senator, I can promise you, if confirmed, the South Sudanese will realize just how involved the United States is. Being one of the few U.S. Ambassadors who ever spent time in a refugee camp as a refugee and not just a visitor, I am passionate about refugee issues.

Senator ISAKSON. Well, you are going to do a great job, and I am certain of that. And Africa is the continent of the 21st century for the United States in many ways. The population explosion as you referred to in Nigeria, which will be bigger than the United States by the half point of this century—it is important we have them as friends, but it is important that we help them grow economically, and using AGOA, which you also referred to in your remarks, is a way to do that. Senator Coons, who was here, and I 2 years in the work on AGOA used that as a lever to get the South Africans to open South Africa to domestic poultry, which happens to be the biggest export of Georgia and Delaware, which is why Senator Coons and I were interested in the first place. But the point is we can use—they want to business with America. We need to use our assets and use that trade agreement to open more doors of opportunity for Africans but more doors of opportunity for Americans too.

Ambassador Nagy: Absolutely, Senator. I agree with you totally.

Senator ISAKSON. My last point on—not my last point, but the last point I have time to really talk about. I want to go to South Korea. There have been some questions on what the President offered when he offered to suspend or temporarily postpone or postpone the second round of exercises in South Korea this year pending the North Koreans beginning to do what they need to do in the agreement that they made with America at Singapore.

As one who has served in the military—and I was in the Air Force. We had ORIs all the time, ordinance readiness inspections, where we were, at the drop of the hat and a phone call, called to come and go through an exercise as if we were at war, but we, of course, were not. Some could call it a war game. Some would call it an exercise. Whatever.

Does putting off or postponing what would have otherwise been a regularly scheduled exercise in any way damage our readiness in that part of the world?

Mr. HARRIS. Senator, for short periods of time, no. But I believe, without knowing with any certainty, the President was referring to major exercises. The Vice President has stated since then that regular readiness and training evolutions will continue. So I view that in terms of the ORI that you mentioned and service-related exercises and things like that will continue. But I do not know that for a fact. That would be up to the Department of Defense to determine what is allowable under the new construct. But I am convinced—and I know the administration has underscored—that our alliance commitments to South Korea remain ironclad and have not changed.

Senator ISAKSON. Well, I agree with you. I am not good at acronyms either. ORI is an old acronym because I am an old American soldier. So believe me, it could be a new name by now. But I think

it is not the type of exercise that they were referring to in the agreement at Singapore.

But there is no place in the world that we are better prepared with manpower and investment and infrastructure than in South Korea to carry through on any commitment we have to the South Korean people or the people of Japan or any other people in that part of the Pacific. Would you agree with that?

Mr. HARRIS. I would, sir.

Senator ISAKSON. And I do not think suspending a temporary exercise in any way diminishes our ability to continue to do everything we have promised to do and have partnered with those countries to do to enjoy the peace and security and freedom in that part of the world.

Mr. HARRIS. I agree, Senator. I think that we do need to create some breathing space for the negotiations to continue and to assess whether Kim Jong-un is serious on his part of the deal or not. And I think this gives us that opportunity.

Senator ISAKSON. Well, as my World War II Navy captain father-in-law, William Davis—and he flew in the south Pacific for 20 years—used to say, if you got a tough job to do, give it to the Navy. So we are going to give you a tough job, and I am sure you can do it.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Isakson.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations and thank you to each of you for your nominations and for your willingness to serve, and thank you to your families also for being willing to make that kind of a commitment.

Admiral Harris, I want to follow up on Senator Isakson's question about the military exercises not in terms of what that might do to readiness, but what the message is that that sends to not just our allies in the region but also to our adversaries. There have been news reports about China's pleasure at our announcing this kind of a concession. Do you agree that this is a benefit to China?

Mr. HARRIS. I think it is too early to tell, Senator, if it is of benefit to China or not. I do know that the Chinese Foreign Minister Wang said that this was creating new history. But President Moon as well talked about the talks being the talks of the century. And so I think that South Korea is looking at this in a positive way, this being the summit. And I believe that we are in fact in a new landscape with North Korea. For the first time certainly in my career, we are at a place where peace is a possibility, and I think we should be encouraged by that. I have said before that we can be hopeful and we can even be optimistic as long as we are realistic also, and I am convinced that the administration has that realism at heart as we move forward in this new place that we are in.

Senator SHAHEEN. And if we are able to successfully move forward towards denuclearization, will South Korea still face a conventional military threat from North Korea and a cyber threat? Do you think those issues should be part of negotiations around denuclearization?

Mr. HARRIS. I think ultimately all of those things should be on the table. Right now, we are focused—and rightfully so—on the nu-

clear aspects of the North Korean capability, but ultimately we seek peace on the peninsula. No one has a greater stake on peace on the peninsula than South Korea. I mean, they are the ones that went to war and are still technically at war with the North. And I think that that encompasses all types of capabilities that the North has. But we start with the nuclear piece. That is the one that threatens the region, as well as parts of the United States, potentially all of the United States, and we start there. And then we work for peace on the peninsula writ large.

Senator SHAHEEN. Thank you.

Mr. Schenker, as I am sure you are aware, yesterday the Saudi-led coalition in Yemen began an offensive to take the port city of Hodeidah. There are dramatic reports about what this assault will mean for people in Yemen, the number of people who will be killed. The U.N. has pulled out all of their humanitarian personnel there and the U.N. envoy has suggested that this is a major impediment to efforts to bring parties to the table to have a peaceful resolution in Yemen.

Should the United States be doing more to urge the Saudi-led coalition to stop that invasion and to come to the table?

Mr. SCHENKER. Thank you, Senator.

It is my understanding that the United States had advised the Emirati and Saudi forces not to go to Hodeidah. The Secretary has now made a statement a few days ago on this, recognizing not only the security concerns of the Saudis and Emiratis but also holding the Emiratis and the Saudis to their humanitarian commitments.

I am very concerned about the impact of the move on Hodeidah. As you know, 22 million out of 30 million Yemenis are food insecure. Hodeidah is the largest port for humanitarian and commercial goods going into the country. If there was an interruption, that would be very serious to the Yemeni people. If confirmed, I would make every effort to get all the parties to the table with the envoy, Martin Griffiths, immediately. That would be a top priority, yes.

Senator SHAHEEN. And are there other tools that we have, incentives, disincentives that we have that we should be using that we are not currently using?

Mr. SCHENKER. Senator, I do not know. I have not been privy to the deliberations or the representations with the Saudis and the Emiratis. I think there is more that can be done in terms of incentives. I would have to, let us say, consult with colleagues at the DOD, if confirmed. But, yes, I think there are ways to encourage them.

Senator SHAHEEN. Thank you. As I am sure you are aware, this committee has weighed in on the Yemeni conflict in a way that suggests that we should put more pressure on the Saudi-led coalition. So I certainly appreciate your commitment to do that, if confirmed.

Are you aware, Mr. Schenker, that the State Department is withholding \$200 million in stabilization funding for Syria in areas that have previously been controlled by ISIS?

Mr. SCHENKER. Yes, Senator.

Senator SHAHEEN. Can you explain what the reasoning is behind that?

Mr. SCHENKER. My understanding is that the administration is conducting an assessment of this aid to determine what of this is appropriate and perhaps inappropriate. It is my general view that groups such as the White Helmets are doing outstanding and important work and other recipients of U.S. funding, local councils, et cetera who had been receiving money were doing important work to create the conditions in local communities that would prevent the reemergence of ISIS 2.0, for example. But I do not have any visibility into the ongoing administration review, but if confirmed, I would be happy to come talk to you about it.

Senator SHAHEEN. I appreciate that.

Can you also—beyond eliminating ISIS, can you discuss what you believe is the United States' policy in Syria and what our long-term strategy is?

Mr. SCHENKER. Well, I can take a shot at it.

Senator, we have troops in Syria right now that are working with our allies there and doing excellent work to seek the remaining pockets of ISIS out in the east. They are also helping to train local security forces doing ordinance disposal, humanitarian demining, and generally working to create the conditions whereby ISIS 2.0, follow-on groups, Al Qaeda do not return. All this is very important work.

While the U.S. forces are there, there is another benefit which is that I think it strengthens the U.S. hand in its representations with Moscow over the future disposition of Syria.

Long-term the President has said we intend to depart. My understanding is that there are deliberations within the administration as to when that will occur. The administration appears to still be committed to the end of Assad himself.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Portman?

Senator PORTMAN. Thank you, Mr. Chairman.

And first to Admiral Harris, thank you for your willingness to serve. I enjoyed our meeting together and I have enjoyed our meetings over the years, including briefings you have given us in your role as PACOM commander. You are going at a critical time, obviously, not just for Korea but for the region and the world. And you are going to be part of a new team. You are going to be part of the Pompeo team now. And as you say, you have a lot of background and experience on the military side, which will be very helpful.

I do think that we have a real opportunity here and there is an opening. We need to be clear-eyed, as you and I have discussed, about what the challenges are. We certainly, based on experience, cannot be trusting of what North Korea says in terms of their commitments because they have made commitments in the past that they have not honored. But it is an opportunity, and I do believe that we ought to give the President and the administration the space to be able to negotiate what could be an historic agreement with regard to the Korean Peninsula and the denuclearization that all of us hope for.

I want to follow up on China just for a second because you heard from Senator Shaheen that perhaps China has a little different

view than we do about what the future ought to look like, particularly as I look at it, not just about our nuclear presence on the peninsula because we do provide that nuclear umbrella, but also our troops and also exercises.

Are you concerned that China will push for the North Koreans to demand the total withdrawal of U.S. troops in Korea or redeployment of the THAAD missile defense system as a condition that, in my view, would weaken America's military posture in the region? And if so, how would you deal with that?

Mr. HARRIS. Senator, I do not know how China will react with regard to pressuring North Korea as a negotiating partner of the United States. I do know, based on my previous job, that China is very unhappy with the placement of the THAAD missile system, the terminal high altitude area defense missile system, in South Korea. But that was an alliance decision taken up by both the Republic of Korea and the United States together. And I think it is important—it is critical—that the decisions—as we go forward here in this new place that we are in, that the decisions that we make with regard to troop levels, with regard to exercises, and with regard to everything else that affects the alliance, that those decisions be taken together with our South Korean ally. Now, these must be alliance decisions and not unilateral decisions.

I think one of the jobs that I will have, if confirmed as the Ambassador, is to implement policy that comes from Washington, that comes from the Secretary of State and the President and also to stay synchronized with our South Korean ally. And that will be the good work of diplomacy I believe.

Senator PORTMAN. Speaking of that for a moment, the interoperability between the U.S. forces and the ROK forces is obviously a critical part of the security there. And my understanding is that President Moon has voiced support for an early transfer of wartime control of operational forces, the OPCON forces from the United States to South Korea, in other words, taking away operational control from the U.S. Is that a good idea? Are they ready?

Mr. HARRIS. At some point they will be ready.

Senator PORTMAN. Are they ready now?

Mr. HARRIS. They are not ready today. The transfer of operational control, OPCON transfer—we have agreed with South Korea that it must be conditions-based, and when those conditions are met, rather than time-based, then they will be ready to do that. That is hard work. That is ongoing right now between U.S. Forces Korea, Pacific Command, and DOD to work with their counterparts in Korea to determine those conditions and when those conditions will be met.

Senator PORTMAN. Putting on your new State Department hat—and I am confident you will be confirmed, and I am pleased again you stepped up to do this—what do you think our posture ought to be with regard to human rights abuses in North Korea? As you and I discussed, I come from Ohio, very involved in the release of Otto Warmbier, and the abhorrent behavior he received at the hands of the North Koreans is something we can never forget. But there are many North Koreans who have also been subject to human rights abuses, including war camps.

Should that be part of any agreement with North Korea?

Mr. HARRIS. I think human rights should be a part of discussions. The President did raise them. And as a nation and certainly as a department, we were very concerned with the gross human rights violations evidenced by the North Korean regime.

Senator PORTMAN. Thank you again, Admiral Harris, and we wish you the best of luck. You are going to be a critical part of these negotiations going forward.

Mr. Schenker, just briefly and I have got to run and go vote. I am probably holding things up over there. What do you think the prospects are for Iran and other parties to continue implementing the JCPOA. This is the Iran agreement that America has now withdrawn from. Would it be the administration's intent that we continue to work with our European allies to come up with a new agreement? What would be your view on that?

Mr. SCHENKER. Senator, thank you for the question.

I do not know where the administration is at on that exactly. It seems to me that the Europeans can make their own decisions on whether to pull out or not, but the secondary sanctions that will be imposed on companies that are doing business may eventually make the Iranians leave. I do not know how this is going to play out, but it seems that the main priority of the administration and, if confirmed, one of my main priorities will be getting a new agreement that incorporates all of the elements, whether it is Iranian nuclear, countering Iranian destabilizing regional behavior, and the missile proliferation.

Senator PORTMAN. Yes. Destabilizing behavior I think is the part that we missed, and look what has happened in the last several years with regard to Hezbollah in Syria in particular but also as we see in Yemen and elsewhere.

I need to run and vote. My time has almost expired. Mr. Nagy, lots of questions for you, but I want to follow up, if I could, in writing on the Okavango Delta legislation that we are trying to work on here in the Senate and get your input on that.

Ambassador Nagy: Sure.

Senator PORTMAN. And I thank you all for your willingness to serve.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

Senator Cardin?

Senator CARDIN. Thank you, Mr. Chairman.

And let me thank all three of our nominees. You have all had very distinguished careers, and we very much appreciate your willingness to serve in positions that are so critically important at this time on foreign policy and national security issues. And we thank your families for your willingness.

I want to start—some of my colleagues have already talked about the dimension of human rights and making sure that that is a top priority in your responsibilities, whether it is one country in South Korea or the regions of Africa and the Near East.

So I want to start with Ambassador Nagy. And I told you outside that you might get off, but let me start with you, if I might.

The comment you made about leaders in Africa wanting to hold onto power rather than allowing their countries to develop I

thought was a very poignant point, and I could not agree more with that assessment.

So let me talk about a country where they have a new leader, which is Ethiopia. You are familiar with that country. I had the opportunity to meet with one of the dissidents who was in town this week who has been arrested and has had some serious issues. He is a pretty brave person. And there is some reason, I guess, for some optimism that maybe there is going to be some change. But we have not seen it demonstrated yet as far as the safety of the activists in the country.

Can you just give me your assessment as to how the United States can play a constructive role in Ethiopia?

Ambassador Nagy: Thank you very much, Senator.

I am extremely optimistic about Ethiopia. I have seen Ethiopia at its worst during my first tour there during the awful Marxist dictatorship. Then I saw it somewhat better when I was Ambassador looking at Ethiopia in an evolutionary manner. The new prime minister I am very encouraged by. In my view, he may be the first generation that will actually be willing to allow itself to be voted out of office, which I think is a huge step going forward. I have also been very encouraged by recent steps that he has taken, most especially just in the last couple of days, the agreement to implement the peace treaty with Eritrea, which is going to be quite difficult given internal Ethiopian pressures. So overall, Ethiopia had major human rights problems in the past. I am encouraged that each year it will get better and better, and if confirmed, I will certainly engage very strongly with Ethiopia, given my own history with that country, to make sure it goes forward.

Senator CARDIN. I just hope that we will be pretty tough on this. We have seen other countries like Burma where we thought they were on a path. They made an abrupt change in direction. The safety issues in Ethiopia are real. So I would hope that you would continue to do that.

Mr. Schenker, we had a chance to talk about this. I know Senator Shaheen raised the port issues in regards to Yemen. Yemen has a major humanitarian crisis now, and it is complicated as to how we can get help to the people. There are clearly outside forces trying to prevent that from happening, but we do not have the sensitivity that we believe is necessary from the Saudis or UAE. Obviously, they have security concerns. We understand that. There are outside forces causing a lot of these problems.

How much more aggressive can we be to make sure the people of Yemen get the help they need?

Mr. SCHENKER. Thanks, Senator.

I think more can be done certainly. We have UNVIM in there, the U.N. verification and inspection team, which has I think provided some bit of assurance to the Saudis and the UAE that contraband weapons are not arriving for the Houthis in these ports. It perhaps can be that we can pressure parties there to bring in cargo planes into Sana'a directly. That may ameliorate some of the situation. But it is a very I think complex and difficult situation. Hodeidah itself, even if Hodeidah shut down, they have Saleef, which is north of there. But the road from Saleef goes through Hodeidah to go east. So I think more can be done and pressured

on our allies. They have made commitments to meet the standard to Martin Griffiths of humanitarian goods getting into the country.

Senator CARDIN. I think you can play a really critical role here because there is a lot of activity by UAE and the Kingdom here in Washington, and there is a lot of engagement. I think it is important that they get a very clear message as to the importance of being as strong as possible in regards to humanitarian aid. So I appreciate your statements on that.

Mr. SCHENKER. Thank you, Senator.

Senator CARDIN. Admiral Harris, I want to talk a little bit about North Korea. I was going to let you go without that.

Most of the experts that we have had before this committee—we have had outside experts that were in the administration. We have not had yet the administration's people here—have said that the very first thing you need to do, if there is going to be any confidence that North Korea is going to give up their nuclear weapons, you have to have a declaration. You got to know what is going on in North Korea. You got to know the venues. You got to know the activities. You got to have inspectors in to verify what the starting point is. And then you need not just a statement that you are going to end the nuclear program, but you need a game plan which is realistic for the dismantling of their nuclear program from beginning to end, including the delivery systems. That is what the experts that have testified before this committee said is the first step—the first step, not the final step, but the first step—in achieving our objectives. We have not heard anything about that from the Singapore summit.

But do you agree with that assessment that if we are going to be able to have success, we need to know where we are starting from?

Mr. HARRIS. Sure, Senator. But I believe that the first step has to be the meeting. Right? And so we had that meeting.

Senator CARDIN. But we have had meetings before, I mean, not directly.

Mr. HARRIS. Right, but not meetings at this level, not meetings with the President.

Senator CARDIN. That is correct. But we have had high-level meetings in the past and commitments in the past, and we never really have had our eyes on exactly what they have and an understanding on how you dismantle that.

Mr. HARRIS. And I agree with you completely in the way you formulated that.

I think that after the meeting, the President said that the summit in Singapore was not designed to solve all issues all at once, but to be a starting point for serious negotiations. And that is the next step are those serious negotiations to establish the modalities for what a complete, verifiable, and irreversible denuclearization means and how we are going to go about doing that. But that is the work of the negotiating teams and the experts in denuclearization, of which we have many in the United States, scientific experts that have done this in the past in other places. We need to rely on them to help us get to that point where we can be satisfied that North Korea has denuclearized.

I know the IAEA, the International Atomic Energy Agency, has also come up and said they are ready to help, should they come to that.

Senator CARDIN. Thank you.

Thanks, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Coons?

Senator COONS. Thank you, Chairman Corker, Ranking Member Menendez, for holding this important hearing.

And to our three distinguished witnesses and your families, we are blessed to have men of your experience and strength and character willing to continue serving our country, and I am grateful for the opportunities I have had to meet with you before. Admiral Harris and Ambassador Nagy, thank you so much for our conversation yesterday—Mr. Schenker. And I look forward to supporting your nominations.

If confirmed, which I expect you to be, you will confront some of the greatest challenges the United States faces around the world from North Korea, the Indo-Pacific, and strengthening and sustaining our vital partnership with our ally, South Korea, to embracing the opportunity of the continent of Africa while also confronting terrorism and humanitarian crises to the very real challenges and risks of Iran, Syria, and the Middle East. You have a full plate.

The Trump administration has given high priority to addressing strategic competition with China in Africa. Senator Corker and I have worked hard on a bipartisan bill called the BUILD Act that will create a new development finance institution, which we hope will be marked up here next week. If realized, this new DFI would shape U.S. efforts to counterbalance China's growing economic influence on the continent. And I am encouraged the White House has expressed strong support for it.

Ambassador Nagy, if the bill then passes into law, how could you use this new tool to promote international development and advance U.S. foreign policy interests in Africa?

Ambassador Nagy: Thank you very much, Senator.

If it passes into law, it would be in my view a tremendous asset for us to use especially regarding when you mentioned China because in talking about China's activities in Africa, we can make the list of all the negative impacts. But the big so-what question there is, so what do we displace it with? How do we replace it? How do we get more American businesses involved in getting into Africa? I know the large businesses have no problems—the multinationals. But when I was in west Texas, so many companies came to me and said we are interested in investing in Africa, the dairies, the soybeans, and the others. How can we do it? We are afraid to do that because it is not a level playing field. If we get into a dispute, we are going to lose. That type of an act would be absolutely perfect to complement the other side of warning African Governments about China's activities and extraction and indebtedness and all the other things.

Senator COONS. Thank you, Ambassador. It is my hope that we will deliver that tool to you and to other folks who represent us

around the world in partnership with USAID to advance development and security.

Let me move to a country where we have an opportunity to advance democracy in a very real way and where they are watching very closely what is said and done here, Zimbabwe. I recently had a chance to lead a bipartisan CODEL. Senator Flake and Senator Booker were also with me where we visited with South Africa and Zimbabwe, both of which have relatively new presidents. And as you know, on July 30, there will be an election in Zimbabwe. Prospects for democracy there are uncertain. In our lengthy one-on-one meeting with President Mnangagwa, he said all the right things, and he has publicly continued to say and do good things. But there are significant unaddressed barriers to their restoration of full participation in the community of nations.

Senator Flake and I introduced an amendment to ZDERA, the Zimbabwe Democracy and Recovery Act. Do you agree the United States should not relieve sanctions on Zimbabwe until the Government takes concrete actions to demonstrate its respect for human rights, its commitment to free and fair elections, and to pursuing genuine anti-corruption measures and a rules-based economy?

Ambassador Nagy: Absolutely, Senator. Actions speak so much louder than words, and we just have to wait to see what happens there.

Senator COONS. One of the core actions we could take would be to send an American Ambassador. In your own experience, you were once recalled from retirement to serve as our Ambassador in Nigeria. We have a nominee now from the administration who we might be able to get through this committee and the floor in a month, thus would arrive in Harare a week before a generationally significant election. Would you recommend that the Department look for a seasoned, experienced former ambassador to send, as well as moving forward as fast as we can to confirm a new ambassadorial nominee?

Ambassador Nagy: Senator, if confirmed, once I can look at all the details and the information, I promise you if I believe that that would be a solution, I will move as quickly as possible for that because in my own case, it really did help to spend some time there in Nigeria.

Senator COONS. Having someone with the length of service and range of experiences and relationships you have is going to be a terrific opportunity for us. But I am concerned about the press of time in a country that has a once-in-a-generation chance to get this right.

Admiral Harris, if I might, I just wanted to both commend you for your long service and your wife's long service in the United States Navy and to welcome you and to thank you for your willingness to take on this job.

Will you ensure that talks with North Korea do not destabilize the Korean Peninsula at the expense of expanding Chinese influence? My concern is that there is a very real prospect here of our making the strategic mistake of canceling exercises, withdrawing American troops without having a clear and verifiable and irreversible path towards denuclearization.

And I will just echo something Senator Portman asked you previously. I just met with North Korean human rights activists and folks that defected recently over many years. Should the Government of South Korea, with our partnership, be playing a role in advocating for human rights in North Korea as well, and should that be a central part of our advocacy with regard to North Korea?

Mr. HARRIS. Thanks, Senator.

If confirmed, I will do all of those things that you said. And with regard to human rights, I believe that the Government of the Republic of Korea, South Korea, has a big role to play in the issue of human rights and the gross violations by the North. Also, there are the issues of abductions of Japanese citizens, and the President raised those issues in his discussions. So I think that is a positive as well.

Senator COONS. Let me close by saying to Mr. Schenker, if I might, a number of us on a bipartisan basis sent a letter to the President urging that he not precipitously withdraw U.S. forces from Syria out of a concern that the vacuum created, if we were to withdraw, would both significantly put at risk or greatly harm our allies who worked with us, our partners in combat against ISIS, and that that vacuum would simply be filled by Iranian proxies.

Is it your view that our departure from the ground in Syria would create a significant vacuum and we would be at risk of having Iranian proxies simply fill that vacuum?

Mr. SCHENKER. Senator, thank you.

I am concerned about withdrawing precipitously. I think we have to make the decision based on conditions on the ground and in conjunction with what the combatant commanders say is appropriate.

Senator COONS. Thank you.

I appreciate your previous comment as well that the White Helmets do terrific work. I was concerned by the hold on funds to them and hope that you will also be able to make progress in releasing those vital humanitarian funds that support a number of different NGOs and vital work in Syria.

Thank you all for your testimony and your willingness to serve, and I look forward to working with you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Rubio? And I am going to go vote, and then we will have Senator Kaine who will follow you. Thank you.

Senator RUBIO. It is perfect. I can go as long as I want now. [Laughter.]

Senator RUBIO. But thank you all for being here. Thank you for your willingness to serve.

I wanted to begin with you, Admiral Harris—you have a deep amount of experience in that Indo-Pacific region—and just ask kind of a very basic question. You may have already been asked this. But just on your experience from the region, you would agree that perhaps the leading—if not the leading, one of the leading—reasons why what we saw earlier this week was the impossible, Kim Jong-un looking for a meeting and so forth, is because he had serious doubts about whether they could attach a warhead to a missile before the economy collapsed. They were in a race between being

able to prove that capability and economic collapse that threatened the regime. And they had significant doubts and perhaps were convinced that the collapse would come before attacking it, and they needed to kind of try to stop that from occurring.

Mr. HARRIS. Thanks, Senator.

I am not sure what is going on in Kim Jong-un's mind, but I do believe that it is the maximum pressure campaign plan that was led by the State Department and the enforcement of U.N. sanctions, pretty harsh sanctions by many countries, including China. I think the force of those sanctions and the maximum pressure campaign is what brought Kim Jong-un to the negotiating table in Singapore.

Senator RUBIO. Right. And I only raise that because in the context of all the other stuff that is going on, how many flags they had and all those other things, these are all certainly relevant to some extent, but ultimately at the core the single most important thing that got him to the table and will keep him at the table is these sanctions, this pressure. And as long as that pressure is there, that is the one thing they desperately need to figure out.

Mr. HARRIS. I agree with you. I am concerned that China is starting to relax the sanctions, and they want further relaxation of sanctions by other parties. I think it is important that we maintain those sanctions until we can come to the point where we believe that Kim Jong-un is serious about the negotiations and the ultimate aim of the talks, which is to have that complete, verifiable, and irreversible denuclearization.

Senator RUBIO. Well, if confirmed—and I believe you will be—I think one of the fundamental tasks that you will play will be a very critical one because one of the biggest dangers in all of this is going to be an attempt on the part of the Chinese and the North Koreans to split the United States and South Korea. As we know, there is an inflated public expectation in South Korea about what this deal could mean.

And here is my concern. My concern is we reach a point that they are able to drag this thing out into extended and protracted talks, that at some point there are offers being made that South Korea is saying these ideas are fine by us, but they are not good for the United States, and that that split between the U.S. and South Korea would undermine the international sanctions. The international community, the U.N. would say, well, if South Korea is okay with this, North Korea is okay with this, and China is okay with this, then the United States is being unreasonable and that that could undermine the international sanctions. So I think that is going to be an enormous part of your responsibility, is to prevent that split from happening.

In particular, I am concerned about a push that would say something like, well, we are going to have a deal but in order for us to do some concession short of denuclearization, we want it to be step by step. We do something; you do something. And in that sort of negotiation step by step, two of those steps along the way towards a final deal would be, number one, we want you to have a significant reduction in troops, and the other is we want you to remove the missile defense system from South Korea. And each of those steps would be met by some reciprocal concession short of

denuclearization. But it would show progress. And the South Korean Government, given this expectation, could come forward and say, well, we are in agreement with that. And then the world would say to the United States, well, they are all in agreement with it. You guys are being unreasonable by not agreeing with it.

So I think there is a real danger of a protracted process here where they are able to gain very valuable concessions, some of which directly benefit. The THAAD presence in South Korea—its removal would deeply benefit China and, frankly, even Russia, but would be against our national interests. But it might be something that the South Koreans would look favorably on in a step-by-step process, and we are now cast in the role of the bad guys who are standing in the way of a deal yet to be consummated.

So I just truly believe that one of the most important functions you will play will be to ensure that that split never happens, that we do not allow, as part of this negotiation, that they create a gap between us and South Korea as part of a negotiating tactic. And I believe that part of the challenges you will face is an incredible amount of expectation within South Korea and the amount of political capital that the President of South Korea has put on this deal being successful.

And I was curious whether you share that view as a risk and what your views would be about ensuring that that split does not happen.

Mr. HARRIS. Thanks, Senator.

I do believe that it is important that we stay synchronized and aligned with our ally in South Korea and that the decisions that we make regarding troop levels or the terminal high altitude air defense system and any other thing that could come out of the negotiations, that those decisions that we make, that we undertake are alliance decisions, are decisions that are made with our South Korean ally and not unilaterally. And they need to make their decisions based on the alliance as well. Just like the decision to put the THAAD into South Korea was an alliance decision, I believe that is important. And I think that that is one of the roles that I will have, as you said, if confirmed, is to stay synchronized and aligned with leaders in South Korea.

Senator RUBIO. Can I ask with your background there obviously in that command—the existence of a missile defense system in South Korea, separate even if North Korea did not have long-range missiles and nuclear capability, would it still be in the national security interest of the United States to have a missile defense presence in South Korea and in the Indo-Pacific region beyond the North Korea threat?

Mr. HARRIS. Senator, based on my previous job, we put the THAAD ballistic missile defense system in South Korea with South Korea and that alliance decision because of the threat from North Korea. It is not there for anything from China or Russia or anywhere else. It is based solely on the ballistic missile threat from North Korea.

Senator RUBIO. So there would be no justification for it if there were no North Korean—

Mr. HARRIS. I do not think there would be a justification. It is not the issue. I think there would be no need for it. That is a very

tactical system designed for ballistic missiles coming from North Korea.

Senator RUBIO. Towards the mainland of the United States.

Mr. HARRIS. No, no. The THAAD is there for ballistic missiles coming to South Korea. It is there for the defense of the Americans in South Korea, our South Korean allies and the people there.

Senator RUBIO. Okay.

Senator Kaine?

Senator KAINÉ. Thank you to my colleagues.

And thank you and congratulations to the nominees. I think this is a very, very impressive panel of nominees.

I want to say, Admiral Harris, my worry as a member of the Armed Services committee when you last appeared before us to complete your time at PACOM was that I would never have an opportunity again to torment you across the witness table. I am glad to see that those opportunities are not coming to an end.

To Ambassador Nagy, I have to say of any resume I have ever seen of anybody, I am giving you the best resume. Born in Hungary and a member of the Communist Youth Pioneers as a youngster until your father got a death sentence and you guys left the country. You have been involved in three political campaigns for President: Barry Goldwater, Mitt Romney, and Barack Obama. That is an unusual hat trick. There are not a lot who would say that. And some others. And your tremendous service in Africa, your multiple language fluencies. You are the most interesting man in the world. [Laughter.]

Senator KAINÉ. But I will tell you the thing about the resume I liked the best—those of you out in the audience did not have a chance to read this. Listen to this sentence. He failed the Foreign Service exam the first time he took it but passed in 1977. Who puts that in their resume? A very confident person who is attributing success to the most important element, which is persistence. Look at the career, being an Ambassador twice and now being nominated, and you put that front and center. That is very, very much to your credit.

My questions are going to be for Mr. Schenker. Thank you for the opportunity to visit in the office and your work. I am the ranking member on the SFRC subcommittee that kind of coincides with your area of responsibility.

In your professional expertise—I am not asking about administration policy. I am talking about your professional expertise working in this area. Do you think a peace deal between Israel and Palestine, two states for two people living in peace, is still a possibility, or have facts, you know, violence from Gaza against Israel or Israeli settlements into the West Bank—have facts eclipsed the possibility of a two-state peace deal?

Mr. SCHENKER. Thank you, Senator. It was a pleasure meeting with you as well.

No, I think it is still a possibility, but I think it depends on the wills of the party. Ultimately any solution to the Israeli-Palestinian conflict is going to be determined by the parties. The United States has a role in facilitating those negotiations, but both parties have to be ready to make the sacrifices necessary.

Senator Kaine. Let me ask you this. Do you think it should still be U.S. policy now to promote, under the right circumstances—as you point out, it is the will of the parties—but to promote that as the ideal, which has been U.S. policy since the U.N. first recognized the state of Israel? Do you think that should be our policy?

Mr. SCHENKER. I do.

Senator Kaine. What do you think Israel must do to make that possibility a reality in your professional opinion, not the State Department?

Mr. SCHENKER. Senator, I do not want to prejudge the negotiations. I have not been privy at all to any of the internal administration deliberations, what Jared Kushner and Jason Greenblatt—

Senator Kaine. I am not really asking you about the administration. You are an expert in this field. You lived there. You studied there. You are fluent in the languages. You have worked in think tank organizations who have worked on this for years. So what I hope to do in my remaining 3 and a half minutes is just get your professional expertise based on a life of work in the area, what you think Israel must do, what you think the Palestinians must do, what you think the United States should do, what Europe Israel's neighbors should do. So, again, I am not talking about the negotiation but just in your expertise in the area, I would hope you could educate us.

Mr. SCHENKER. Well, thank you.

I think the broad outlines are laid for peace. There is a West Bank for the parties to determine the lines. There is Gaza for the parties to determine the lines. Territorial swaps, a recognition—

Senator Kaine. That is on the Palestinian side.

Mr. SCHENKER. Right.

There are difficult decisions that are going to have to be made potentially between the parties about where the capital ultimately may be of the Palestinian state.

For the Palestinians, once again, it is recognition of Israel's right to exist as a Jewish state. I think that is what the Israelis are demanding right now.

Senator Kaine. And that was the terms of the original U.N. decision.

Mr. SCHENKER. And for Israel to live within safe and secure borders, and that is for the parties to determine, of course, but whether this future Palestinian state is largely demilitarized.

So I think those are sort of some of the key issues on that front. And I think those are surmountable.

Senator Kaine. If each side is willing to do the things that you outlined.

Mr. SCHENKER. Correct.

Senator Kaine. And both Israel and Palestinians have some things that they have to do if this desirable reality will be accomplished.

I am not going to ask you what the U.S. should do because you are right. The State Department and Jared Kushner and others are working that.

What about the neighbors of Israel and Palestinians? What do you think they need to do to help make the desirable outcome a reality?

Mr. SCHENKER. Thank you. I think this is the key element here, which is that for Israel presumably to make some very difficult decisions, in return there would be recognition from across the region and other parties to follow. And that is acceptance and opening ties with Gulf States. That may be ongoing now, but are I think very quiet.

Senator KAINES. Sort of sub rosa. We would want them to be publicly supporting both any peace deal, but also opening up true nation-to-nation relations in the sunlight with Israel.

Mr. SCHENKER. Right. That would be the hope, obviously.

Likewise, I think some funding support for the Palestinians to help them develop their economy in a very big way, which will be I think important to both stabilize and strengthen and counter violent extremism in these areas.

Senator KAINES. Well, I hope that we remain very committed to this. I despaired from my first visit in Israel in 2000 till my most recent visits. It seems like the prospect have gotten farther and farther apart. But I always describe having ancestors from a part of the world where the prospects looked zero for hundreds of years in Ireland, and then in our lifetime, after the Good Friday Accords, there was an accord and there are generations of kids born in Ireland today who do not even know what it was like that there were centuries of troubles.

So we need to remain committed to it and watch for those opportunities. And I appreciate your long work in this area and encourage you to keep that in the front of your mind in your capacity, should you be confirmed.

Thanks, all of you, and thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Markey for a full 7 minutes.

Senator MARKEY. Thank you.

We hoped that our agreement is matched by President Trump's negotiating skill with President Kim. Thank you.

And by the way, Senator Kaine, I agree with you. That is an incredible resume for the most interesting man in the world. It is amazing.

But I was talking to Admiral Harris yesterday.

Senator MENENDEZ. You are going to sink his nomination if you keep saying he is the most interesting man in the world. The President is the most interesting man in the world. [Laughter.]

Senator MARKEY. This is true. This is true.

But Admiral Harris—his father in the Navy meets his mother in Japan. After World War II, they get married, move to Tennessee and then to Florida. And he returns as the head of our Pacific Command.

The CHAIRMAN. Those are both States with no income tax. He is very smart. [Laughter.]

Senator MARKEY. And then to be here as our Ambassador to Korea, just absolutely amazing. Each of these stories is just an American dream come true in each instance. And we thank you for embodying all of that.

And by the way, I support wholeheartedly each one of your nominations for confirmation. We thank each of you for your service.

I would like, if I could with you, Admiral Harris, to just move over to the sanctions regime, which is in place, and kind of some of the commentary coming out of China. There might be an interest in relaxation of that sanctions regime before we see full compliance by President Kim in the denuclearization of North Korea.

Could you talk about that, your philosophy in terms of what the sequencing should be in the removal of any of those sanctions?

Mr. HARRIS. Sure, Senator. As I understand it, sanctions remain in effect. Full sanctions remain in effect until North Korea makes concrete steps, demonstrates concrete steps toward denuclearization. The full range of United Nations sanctions is what I am talking about, and I believe that it is those sanctions that brought North Korea to Singapore in the first place, that brought Kim Jong-un to Singapore. So I think that we need to maintain those sanctions until there are some concrete demonstrations of moving toward a denuclearized North Korea.

Senator MARKEY. Are you concerned that China kind of unilaterally might just begin to turn a blind eye to an increase in trade that will help to bolster the regime?

Mr. HARRIS. I am concerned. China is a member of the United Nations, and the United Nations has determined that North Korea should be sanctioned because of their nuclear weapons development program. And the United Nations has not relaxed those sanctions. So China as a member of the United Nations in my opinion is obliged to follow those rules.

Senator MARKEY. I was there in Korea last August with Senator Van Hollen and Senator Merkley while military maneuvers were being conducted in South Korea. Could you talk a little bit about the relationship with South Korea, the concern which they voiced on day one that they had not been notified of the change in terms of those military exercises, and what you think is necessary going forward in terms of maintaining a close working partnership with South Korea?

Mr. HARRIS. Sir, I believe that President Moon Jae-in said it right after the talks in Singapore. He described them as talks of the century. I think that he is optimistic and wants to create that negotiation space so that North Korea has an opportunity to demonstrate the seriousness by which it is willing to undergo denuclearization.

So I think the first step we have to do is create that space, that negotiating space, and then go forward from there.

Senator MARKEY. Is your definition of denuclearization the complete removal of all nuclear equipment before there is any relaxation of trade sanctions?

Mr. HARRIS. Not necessarily to the extent that you just described. I believe that denuclearization means complete denuclearization of equipment, research, existing stockpiles, and all of that, including the means to deliver them. I think that is what denuclearization means.

I do not know, quite frankly, where along that timeline toward complete denuclearization that we should start to relax sanctions. I think that is part of the negotiations, and that is certainly part of the deliberations that will happen back here in Washington and in Seoul with South Korea.

Senator MARKEY. So how concerned are you that this Kim is still working from the Kim family playbook which in the 1990s and now in the 21st century just continues to result in them pocketing the rewards of negotiation while delaying the concessions and then accepting those rewards as now a fait accompli without ever having seen any benefits to flow to the United States, South Korea, or the West?

Mr. HARRIS. Yes, sir. Well, we saw with his predecessors this happen in 1994, in 2005, and 2012. But I believe that the President is spot on when he says that he is not going to wait that long. He will know within a year, maybe less and we will know within a year or maybe less the seriousness by which Kim Jong-un approaches his part of the deal and we will be able to make that decision then.

Senator MARKEY. Thank you. We thank you, Admiral. We thank each of you for your service to our country, and we look forward to trying to help you do your jobs in the years ahead. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, sir.

Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Ambassador Nagy, let me just ask you. Do you view defense, diplomacy, and development, the three D's, as all critically important to our work in Africa?

Ambassador Nagy: Absolutely, Senator. If you get rid of the terrorists, you have to fill the space with something. And if after you get rid of the terrorists, the same conditions remain there with poor governance, abuse of human rights, a couple of years later, another terrorist group will come, as we saw in Somalia over the last several decades. So absolutely yes, Senator.

Senator MENENDEZ. Do you think we have the balance right as of this moment?

Ambassador Nagy: Senator, I can promise you that if I am confirmed, I will be as aggressive as I can be in trying to obtain the resources that I believe are necessary. Of course, at the end of the day, I will support whatever budget the President puts out. But in my career, I have had to deal with lean budgets. I have had to deal with better budgets, and I promise you that I will optimize the resources the best way I can.

Senator MENENDEZ. My goal is not to have you dispute the administration's budget. Nobody could defend that. But the question is will you be an advocate if you are ultimately approved, confirmed of creating the right balance among these three critical elements?

Ambassador Nagy: Absolutely, Senator.

Senator MENENDEZ. Let me ask you. What is the effect of having such a significant military footprint in a country like Niger but no aid mission?

Ambassador Nagy: Senator, I do know that Niger has resources from USAID. They do have a limited mission there, not a formal mission, and they are also supported from other regional offices. It is one of those cases where Niger is threatened from several different directions. I think it is probably one of the most vulnerable countries in the Sahel. The question will be rightly when the ter-

rorists are gone, what happens next. And I can promise you that, if confirmed, I will do my best to fight for those resources to replace the vacuum that is left behind.

Senator MENENDEZ. Let me ask you this. Given the concerns that some have voiced about radicalization occurring due to abuses by security forces, how should we be weighing in whether and when to sell arms to countries in Africa whose militaries have engaged in well documented human rights abuses even in the face of significant terrorist threats?

Ambassador Nagy: Senator, abuse by security forces is a significant problem. In my experience in Africa, I have seen the positive role that U.S. military exchanges can play in actually improving the security forces from systematic abuses to a point where it is only rogue elements or rogue individuals. So based on my own experience, Senator, I am very, very much in favor of as full an engagement as possible.

Senator MENENDEZ. Because of the mil-to-mil relationship you are talking about.

Ambassador Nagy: Absolutely.

Senator MENENDEZ. I am talking about selling arms.

Ambassador Nagy: On those, Senator, I totally support U.S. law, and I promise you that, if confirmed, I will examine very closely the human rights situations in each of those cases.

Senator MENENDEZ. But as you know, the committee, the chairman and I, have jurisdiction over arms sales in an informal way. And I would be interested in having an understanding of what is the right calibration here, so your insights would be helpful.

Just finally, what is your position on the utility of investments in the democracy and governance sector as it relates to the African continent?

Ambassador Nagy: Thank you very much for that question.

In my view governance and democracy is the glue that holds all other programs together because without governance and democracy—for example, we can have a phenomenal Power Africa program but if the citizens in the country after the power is there do not believe in their government or do not believe that people are paying for their bills, the infrastructure will be destructed. So from my experience, I am totally committed to governance and human rights and democracy projects.

Senator MENENDEZ. As a follow-on—and I am thrilled to hear your answer. As a follow-on to that, I hope you will be, within the confines of the State Department and the administration, an advocate for funding in that regard because we are sorely lacking in this.

Lastly, I would like commitments from you that, if confirmed, you will return in a relatively brief time to brief us on the status of the development of a coordinated diplomatic approach to both the Horn and the Sahel Mahgreb part of the continent.

Ambassador Nagy: You have that, Senator.

Senator MENENDEZ. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I want to thank all three of you for your willingness to serve. I can tell you in recent times we have not had a committee hearing like this where all of the nominees are so broadly supported on

both sides of the aisle. And I think it speaks to who you are as people but also your professionalism. So we thank you for that. We thank your families for joining you in your service.

We are going to keep the record open until the close of business tomorrow. So there will be some written questions. I know all three of you are very familiar with this. If you could respond to those fairly quickly, it will help speed along your nomination.

Senator MENENDEZ. One very brief comment, Mr. Schenker. You suggested that your children are not angels. They have behaved extraordinarily well. [Laughter.]

Senator MENENDEZ. I do not think there are adults who could behave as well in the audience. [Applause.]

The CHAIRMAN. Do you want to respond to that? [Laughter.]

Mr. SCHENKER. No comment. [Laughter.]

The CHAIRMAN. Thank you so much.

And with that, the meeting is adjourned.

[Whereupon, at 11:55 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO HARRY B. HARRIS, JR. BY SENATOR ROBERT MENENDEZ

#### *State of U.S.-ROK Relations*

*Question 1.* Despite our shared interests and values with Korea, your nomination comes at a time when there are serious questions about U.S. commitment to Korea and the broader Asia-Pacific region under the Trump administration. We have not had an Ambassador to Korea since January 2017, approval of U.S. leadership by Koreans is ebbing, and although President Trump and President Moon have managed to find firm footing on how to deal with North Korea, the relationship has also been strained by disagreements over trade and alliance burden-sharing, among other issues.

- How do you plan to build our relationship with this important ally and restore our image in the region?

Answer. As former PACOM Commander, I understand U.S.-Republic of Korea alliance is ironclad. The strength of the relationship is significant not just in a bilateral context but for the entire Indo-Pacific region. With this in mind, I will endeavor to deepen our partnership with the Republic of Korea, by focusing on communication and engagement with both the Government of the Republic of Korea and with the Korean people.

President Trump and President Moon have committed to foster expanded and balanced trade while creating reciprocal benefits and fair treatment between the two countries. I plan on building upon this and making our economic relationship a priority.

In sum, if confirmed, I will ensure that all concerns about the alliance are put to rest and expend all my efforts towards conveying President Trump's and the administration's continued commitment to this historic alliance.

*Question 2.* What measures do you intend to take to seek to undo the damage of our ambassadorship being empty for such an extended period—at such a crucial time?

Answer. The State Department has a roster of capable and experienced diplomats working on Korea policy, including at our U.S. Embassy in Seoul. I am very confident in the abilities of the dedicated officers from the 15 departments and agencies that make up Mission Korea. Our Charge d'Affaires in Seoul is also a seasoned diplomat and Korea expert.

I believe that ambassadors should be seen and heard. To that end, if confirmed, I intend to pursue a robust public diplomacy focused on reassuring the Korean people of America's resolve and commitment to the Alliance. Equally important is private diplomacy to reassure the Korean leadership of America's resolve.

*Question 3.* What is your assessment of where we stand today with containing the threat of a nuclearized North Korea?

Answer. The President achieved his objectives at the Singapore Summit. He secured a DPRK commitment to complete denuclearization of the Korean Peninsula and built a good working relationship with Chairman Kim. This is the beginning of the process to completely, verifiably, and irreversibly denuclearize North Korea.

Our alliances remain ironclad, and ensure peace and stability in the region.

The security of South Korea and Japan are America's security, and the United States will continue to meet all of its alliance commitments.

*Question 4.* How would you use your future role as U.S. Ambassador to the Republic of Korea to advance our objective to denuclearize North Korea?

Answer. Following the June 12 U.S.-DPRK summit in Singapore, there is a great deal of work ahead to ensure the DPRK's commitment to denuclearize is fulfilled. If confirmed, I will work closely with our ROK allies to ensure that we remain in lockstep in our approach toward the DPRK. I will also ensure that U.S. Embassy Seoul provides Secretary Pompeo all necessary expertise and support to ensure that follow-on negotiations to implement the outcomes of the U.S.-DPRK summit are a success.

*Question 5.* As former PACOM Commander, what is your sense of how realistic U.S. military options were—or might yet need to be—on the Korean Peninsula? Do we have real military options that don't spill into a very costly general war in the region?

Answer. The fact that President Trump and Chairman Kim met in Singapore shows that the two sides are very serious about finding a diplomatic solution. These efforts give us hope that we can find real success where past efforts have fallen short. As the former PACOM commander, I am confident in our military options which are both real and comprehensive. These options cover the entire spectrum of violence.

*Question 6.* What is your view of the current pace and trajectory of North-South dialogue and the Panmunjom (pan-moon-john) Declaration?

Answer. The United States congratulates the Republic of Korea and the Democratic People's Republic of Korea on their historic meeting and the Korean people's aspirations for peace and prosperity.

The United States is encouraged by President Moon Jae-in and Chairman Kim Jong Un's stated goal of complete denuclearization in the Panmunjom Declaration. It is important the DPRK match its words with actions. After all, no one has more stake in the outcomes of the North-South dialogue and Singapore summit than our treaty ally, the Republic of Korea.

*Question 7.* Do you have any concerns about how we keep the denuclearization process and the North-South diplomatic process linked together?

Answer. Of course I do. But I'm encouraged by President Moon's statement that, "the improvement of relations between North and South Korea cannot advance separately from resolving North Korea's nuclear program." This is the hard work of diplomats and negotiators. If confirmed, I look forward to beginning this hard work.

*Question 8.* What steps would you recommend to make sure Pyongyang does not drive a wedge between Washington and Seoul?

Answer. I understand we remain in constant and close contact with the Republic of Korea about our unified response to North Korea. If confirmed, there will be no change in this posture as I will make communication and engagement with the Government of the Republic of Korea my top priority.

#### *North Korea-U.S. Forces*

*Question 9.* Some analysts have suggested that as the price for any deal North Korea might demand that U.S. forces on the Korean Peninsula leave. President Trump himself has suggested he would like to withdraw U.S. forces from South Korea.

- What is your assessment of how such a retreat of U.S. forces would affect U.S. security interests and posture on the Korean Peninsula? In Asia? In the Indo-Pacific?

Answer. While it is difficult to engage in a hypothetical question, as I stated in my testimony, any decision regarding a change in the force posture of United States Forces Korea (USFK) should be an alliance decision between the United States and the Republic of Korea.

*Question 10.* What steps will you take under the Korea-US trade agreement to assure that South Korea open its legal services market and further remove regulations that hinder foreign investment?

Answer. President Trump and President Moon have committed to foster expanded and balanced trade while creating reciprocal benefits and fair treatment between the two countries. If confirmed, I will build on the President's 2017 visit to Seoul when 42 ROK companies announced their intent to implement 64 projects in the United States valued at \$17.3 billion over the next four years. Twenty-four ROK companies announced planned purchases of U.S. goods and services valued at \$57.5 billion, to include \$22.8 billion in energy purchases. I'm also encouraged by last March's negotiations where U.S. Trade Representative Lightizer and ROK Minister for Trade Kim Hyun-chong announced that both countries had reached an agreement in principle on KORUS amendments and modifications to address investment disputes, tariffs, trade in automobiles, and customs procedures. Both countries are actively engaged in discussions to prevent competitive currency devaluation and exchange rate manipulation. These are good steps to ensure that the totality of trade between our countries, including goods and services, is free, fair, and market-based. If confirmed, I intend to pursue and advance this concept vigorously.

*Question 11.* As U.S. Ambassador to Korea, and as a Japanese-American, how will you handle these issues and assure that our two important Northeast Asian allies maintain a constructive relationship?

Answer. If confirmed, I'll work hard to emphasize that my personal ethnic background is representative of the strength and diversity of America. That a Japanese-American boy from rural Tennessee who immigrated with his mother from Japan can rise to be a 4-star Admiral in command of all U.S. military forces in the Pacific and then be nominated to be the Ambassador to a key American ally is emblematic of America as a nation of immigrants and a country that values diversity. I will endeavor to ensure Embassy Seoul works closely with the Department and Embassy Tokyo to remain in close contact with the ROK and Japan to coordinate our DPRK engagement. President Trump spoke with President Moon and Prime Minister Abe before and immediately after the U.S.-DPRK Summit, and Secretary Pompeo spoke with Foreign Minister Kang and Foreign Minister Kono shortly after the summit. I also understand that Secretary Pompeo visited Seoul from June 13–14 to provide an in-person readout of the summit to President Moon, ROK Foreign Minister Kang, and Japan Foreign Minister Kono. Our alliances remain ironclad, and ensure peace and stability in the region.

*Question 12.* China: Both the U.S. and Korea are interested in encouraging China to be a responsible global and regional leader. How do you plan on working with Korea in order to build a collaborative regional framework that will ensure China follows established international economic rules, and supports international institutions, laws, and norms?

Answer. The U.S.-Republic of Korea alliance has served as a pillar of regional peace and stability and we cooperate closely on a wide range of global priorities, including engagement with China. Our relationship is anchored by a shared commitment to democratic values and the rule of law.

If confirmed, I believe the United States should remain engaged to maintain U.S. power and influence, and to work with allies and partners to address areas in which China's actions are undermining established rules and norms. If confirmed, I will work closely with our South Korean allies to draw attention to, and contest, Chinese policies and actions that undermine the international order.

*Question 13.* What is your understanding of the administration's Indo-Pacific strategy?

Answer. The Indo-Pacific strategy seeks to advance U.S. leadership and preserve a rules-based order in the region by redoubling our commitment to allies and partners, strengthening regional institutions, advancing our economic interests, and promoting U.S. values. The strategy has three lines of effort: security, economics, and governance. Regarding security, the aim is to build a resilient network of security partners, ensure regional stability, advance maritime security and respect of international law, including freedom of navigation and overflight and other lawful uses of the sea, by building our partners' capabilities, and encourage India to play a greater role in the region. In economics, the strategy seeks to advance free, fair, and reciprocal market-based trade and investment policies, diversify opportunities for trade and investment, and enable partners to build sustainable infrastructure that will increase regional connectivity. With respect to governance, the United States seeks to build capacity for good governance, preservation of national sovereignty and

territorial integrity, respect for human rights and the rule of law, greater transparency, and adherence to international rules and standards.

*Question 14.* How do you plan to advance it [Indo-Pacific Strategy] as Ambassador to the Republic of Korea?

Answer. As a long-time ally and partner, the Republic of Korea is an important nation in helping us advance our Indo-Pacific Strategy. If confirmed as the U.S. Ambassador to the Republic of Korea, I will work with the President and Secretary of State to partner with the Republic of Korea so that we are working together to achieve the Indo-Pacific Strategy's objectives.

*Question 15.* Following the Singapore Summit Secretary Pompeo stated that sanctions relief "cannot take place until such time as we have demonstrated that North Korea has been completely denuclearized. President Trump stated that "I hope it's going to be soon. At a certain point, I actually look forward to taking them off," following the summit. Other U.S. officials have discussed sanctions relief if North Korea takes steps towards denuclearization. And North Korean state media reported after the summit that President Trump had discussed lifting sanctions against Pyongyang during his talks with Kim in Singapore and that "The President of the U.S. expressed the possibility of suspending the U.S.-South Korea joint military exercises...and, as progress is made from dialogue and negotiations, lifting sanctions against DPRK." Those positions all represent wildly different standards for when sanctions might be lifted off North Korea.

- What is your understanding of the statutory requirements for sanctions relief?

Answer. My current understanding is that sanctions remain in full effect until North Korea denuclearizes. The full implementation of U.N. Security Council resolutions by the international community brought us to this moment, and will ensure a successful outcome of this process.

*Question 16.* Following the Singapore Summit Secretary Pompeo stated that sanctions relief "cannot take place until such time as we have demonstrated that North Korea has been completely denuclearized." President Trump stated that "I hope it's going to be soon. At a certain point, I actually look forward to taking them off," following the summit. Other U.S. officials have discussed sanctions relief if North Korea takes steps towards denuclearization. And North Korean state media reported after the summit that President Trump had discussed lifting sanctions against Pyongyang during his talks with Kim in Singapore and that "The President of the U.S. expressed the possibility of suspending the U.S.-South Korea joint military exercises...and, as progress is made from dialogue and negotiations, lifting sanctions against DPRK." Those positions all represent wildly different standards for when sanctions might be lifted off North Korea.

- What is your understanding of U.S. Government policy regarding sanctions relief?

Answer. My current understanding is that sanctions remain in full effect until North Korea denuclearizes. The full implementation of U.N. Security Council resolutions by the international community brought us to this moment, and will ensure a successful outcome of this process.

*Question 17.* Following the Singapore Summit Secretary Pompeo stated that sanctions relief "cannot take place until such time as we have demonstrated that North Korea has been completely denuclearized. President Trump stated that "I hope it's going to be soon. At a certain point, I actually look forward to taking them off," following the summit. Other U.S. officials have discussed sanctions relief if North Korea takes steps towards denuclearization. And North Korean state media reported after the summit that President Trump had discussed lifting sanctions against Pyongyang during his talks with Kim in Singapore and that "The President of the U.S. expressed the possibility of suspending the U.S.-South Korea joint military exercises... and, as progress is made from dialogue and negotiations, lifting sanctions against DPRK." Those positions all represent wildly different standards for when sanctions might be lifted off North Korea.

- What is your understanding of the agreement reached between President Trump and Kim Jong Un in Singapore regarding sanctions relief?

Answer. I have not yet been briefed by principals who participated in the U.S.-DPRK Summit. However, I believe sanctions remain in full effect until North Korea denuclearizes. The full implementation of U.N. Security Council resolutions by the international community brought us to this moment, and will ensure a successful outcome of this process.

*Question 18.* Following the Singapore Summit Secretary Pompeo stated that sanctions relief "cannot take place until such time as we have demonstrated that North

Korea has been completely denuclearized. President Trump stated that “I hope it’s going to be soon. At a certain point, I actually look forward to taking them off,” following the summit. Other U.S. officials have discussed sanctions relief if North Korea takes steps towards denuclearization. And North Korean state media reported after the summit that President Trump had discussed lifting sanctions against Pyongyang during his talks with Kim in Singapore and that “The President of the U.S. expressed the possibility of suspending the U.S.-South Korea joint military exercises … and, as progress is made from dialogue and negotiations, lifting sanctions against DPRK.” Those positions all represent wildly different standards for when sanctions might be lifted off North Korea.

- What is your understanding of what North Korea believes that understanding to be?

*Answer.* My current understanding is that sanctions remain in full effect until North Korea denuclearizes. The full implementation of U.N. Security Council resolutions by the international community brought us to this moment, and will ensure a successful outcome of this process. While I’m currently not in a position to determine what North Korea’s understanding regarding sanctions is, I believe that, following Secretary Pompeo’s clear and unequivocal statements, North Korea should be under no illusions about the seriousness with which the U.S. ties sanctions relief to actual and complete denuclearization.

*Question 19.* If confirmed, how do you view your role in coordinating with the Republic of Korea to assure that the United States and the Republic of Korea maintain a common and unified position on this issue?

*Answer.* I understand we remain in constant and close contact with the Republic of Korea about our unified response to North Korea. If I am confirmed, there will be no change in this posture as I will make communication and engagement with the Government of the Republic of Korea my top priority.

*Question 20.* As Ambassador, if confirmed, what sort of consultations do you think are constructive and necessary when different voices in the United States administration appear to offer different views on critical issues for diplomacy and denuclearization?

*Answer.* I have always sought out diverse and different opinions to guide me throughout my career. If confirmed, I plan to take the same approach as the U.S. Chief of Mission in Korea.

*Question 21.* On April 20, 2018 North Korean Government announced it would suspend nuclear testing. On May 16 its ambassador to the conference on disarmament said North Korea “will join international disarmament efforts for a total ban on nuclear tests” and on May 24 before a group of invited journalists North Korea apparently destroyed entrances to some of the test tunnels at its Punggye-ri site.

In recent weeks, U.S. allies including Japan and France have called upon North Korea to solidify its no-test pledge by signing the 1996 Comprehensive Nuclear Test Ban Treaty. Meanwhile, U.N. Secretary General Gutierrez and the Executive Secretary of the CTBTO Technical Secretariat Dr. Lassina Zerbo have suggested that, if invited, the CTBTO can help provide on-site technical assessment of the Punggye-ri site “closure” activities, which would may yield data relevant to a better understanding the history of the North Korea’s nuclear tests and how much nuclear material it may have used up in the process.

- Is the United States satisfied that these actions provide a sufficient legal and technical basis to monitor and verify that that North Korea will permanently end nuclear weapons testing, and if not, what specific legal, political, and technical measures is the Trump administration pressing North Korea to take in order to do so?
- And has the USG been in communication or in consultation with our allies, the UNSG, and/or the CTBTO regarding monitoring and verification of North Korea’s nuclear test halt pledge?

*Answer.* I welcome the DPRK’s announcement that it will suspend its nuclear testing program and dismantle its nuclear testing site. In the June 12, 2018 summit joint statement, Chairman Kim Jong Un reaffirmed his firm and unwavering commitment to complete denuclearization. The President made clear he did not expect we could solve all issues in one meeting. The U.S. and the DPRK will hold follow-on negotiations led by Secretary Pompeo to implement summit outcomes.

The independent inspection and full verification by international experts of the dismantlement of all nuclear weapons sites, including the nuclear test site, is a key step in the complete, verifiable, irreversible denuclearization of the Korean peninsula. As the President said, the complete denuclearization of North Korea will be

verified. Observation by journalists is not sufficient. The United States remains in regular communication with allies and partners, including international organizations, on achieving denuclearization of the Korean peninsula.

*Question 22.* If you are confirmed as Ambassador to the Republic of Korea how will you explain President Trump's moral and ethical views about human rights to the Korean people?

Answer. As stated in the State Department's most recent Human Rights Report, we are a nation founded on the belief that every person is endowed with inalienable rights. Promoting and defending these rights is central to who we are as a country. The President's foreign policy reflects who we are and promotes freedom as a matter of principle and interest. I will work to ensure the Republic of Korea knows we seek to lead other nations by example in promoting just and effective governance based on the rule of law and respect for human rights, and that the United States will continue to support those around the world struggling for human dignity and liberty.

*Question 23.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. While our diplomats overseas normally have the lead on issues of democracy and human rights in other countries, the military has a role to play, particularly in those countries led by authoritarian regimes. In my previous uniformed life as the Pacific Command commander, three examples come to mind which gets at your question. First, I was the first 4-star in many years to visit Thailand following that country's coup in 2012. In 2017, I opened exercise Cobra Gold and, during my public address, I encouraged Bangkok to return to full-throated democracy as soon as possible. I reiterated this in my meetings with the highest level of Thai Government and military leaders. In the Philippines, another important treaty ally of the U.S., I encouraged that country's leaders, both civilian and military, to avoid involving the Armed Forces of the Philippines in operations where allegations of extra-judicial killings might arise. Finally, I made Women, Peace, and Security a major theme of my tour. I believe these actions contributed to Bangkok's stated intent to hold elections next February and to the Armed Forces of the Philippines remaining generally untainted by allegations of human rights violations. I am proud of my military career and, if confirmed, I look forward to my new role as the President's leading diplomat in the Republic of Korea, where both democracy and human rights will be front and center in much of what I would do as the U.S. Ambassador to the Republic of Korea.

*Question 24.* What issues are the most pressing challenges to democracy or democratic development in Korea, in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The June 13 regional elections in the Republic of Korea, as well as the country's 2017 presidential election were considered free and fair. So, while work in democratic development continues, the country has made great strides in recent decades. Given President Moon's push for increased transparency, the near-term signs are good for continued democratic development. Regarding challenges, the State Department's 2017 Country Report on the Republic of Korea highlights the most significant human rights issues as: government interpretation and application of the National Security Law, libel laws, and other laws that limited freedom of expression and restricted internet access; corruption; domestic violence; and the military's prosecution of male soldiers for homosexual activities, although President Moon's Government discontinued this action. If confirmed, I look forward to getting to the Republic of Korea to better understand these issues and what the United States can do to help address these ongoing challenges.

*Question 25.* What steps will you take—if confirmed—to support democracy in Korea? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. President Moon was elected in the wake of the Republic of Korea's candle light revolution which led to the impeachment of his predecessor. To date, he has made transparency and rooting out corruption cornerstones of his presidency. If confirmed, I will work with President Moon and his government to better understand his efforts to further democracy within the Republic of Korea to make sure the country continues on its current path of strong, democratic development.

*Question 26.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other

sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** Democracy and governance will be important priorities for me if confirmed as the U.S. Ambassador to the Republic of Korea. While I am encouraged by President Moon's focus on both democracy and governance, it is too early for me to say specifically what I will do to maximize the impact of State Department and USAID funding to further our efforts in the Republic of Korea. But, I can assure you that as I undertake my consultations in Washington to better understand current operations and should I be confirmed and upon arriving in Seoul, I will focus on democracy and governance to ensure the United States is doing what it can, and should, to further these traditional United States foreign policy hallmarks in the Republic of Korea.

**Question 27.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Washington and in Korea? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** Yes. If confirmed, I will prioritize meeting with civil society, human rights, and other non-governmental organizations in the Republic of Korea and Washington. If confirmed, and given the urgency to get the President's new Ambassador to Seoul, it is doubtful I would be able to conduct these meetings before my initial departure. That being said, meeting with these groups in the Republic of Korea will be a priority and I will make it a priority to meet with these groups whenever I am back in Washington. For the most part, and per the State Department's most recent Human Rights Report, most of these groups generally operate without government restrictions in the Republic of Korea. However, there are several civil society groups, NGOs, and umbrella labor unions that have encountered problems in recent years and if confirmed I will be sure the United States continues to call out these problems while also providing support when possible.

**Question 28.** If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** Yes. The United States makes a point to meet regularly with democratically oriented political opposition figures and parties. I understand that our diplomats have traditionally done this in the Republic of Korea and we will continue to do this should I be confirmed as the U.S. Ambassador to the Republic of Korea. Of course, and perhaps ironically, the primary political opposition in Korea today is the center-right and conservative parties which support the ousted former president. I will advocate for access and inclusivity for women, minorities, and youth within political parties.

**Question 29.** Will you and your Bureau leadership team actively engage with Korean leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Korea?

**Answer.** Yes. If confirmed, I and my country team will actively engage with Korean leaders on freedom of expression, including for the press and address any government effort to control or undermine press freedom. If confirmed, I will meet regularly with independent, local press in the Republic of Korea.

**Question 30.** Will you and your leadership team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the region?

**Answer.** Yes. If confirmed, I will engage actively with civil society and government counterparts to counter disinformation and propaganda from foreign state or non-state actors.

**Question 31.** Will you and your Bureau leadership team actively engage with Korean interlocutors on the right of labor groups to organize, including for independent trade unions?

**Answer.** Yes, if confirmed, I and my country team will actively engage with Korean interlocutors on the right of labor groups to organize, including for independent trade unions.

**Question 32.** The United States has been a loud voice globally in the struggle against discrimination, and specifically against discrimination towards women and members of the LGBTI community. What kind of efforts do you envision undertaking to protect the rights of all citizens and oppose discrimination?

Answer. If confirmed, and just as I have done in the military, I will be a voice in the struggle against discrimination. If confirmed, and upon my arrival in Seoul, I would meet with Embassy Seoul personnel to better understand exactly what we have been doing to protect the rights of all and oppose discrimination. Should I be confirmed, and after consultations, I can better determine what more we can do to raise awareness and call attention to discrimination so that we can continue reducing its harmful impact.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HARRY B. HARRIS, JR. BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. While our diplomats overseas normally have the lead on issues of democracy and human rights in other countries, the military has a role to play, particularly in those countries led by authoritarian regimes. In my previous uniformed life as the Pacific Command commander, three examples come to mind which gets at your question. First, I was the first 4-star in many years to visit Thailand following that country's coup in 2012. In 2017, I opened exercise Cobra Gold and, during my public address, I encouraged Bangkok to return to full-throated democracy as soon as possible. I reiterated this in my meetings with the highest level of Thai Government and military leaders. In the Philippines, another important treaty ally of the U.S., I encouraged that country's leaders, both civilian and military, to avoid involving the Armed Forces of the Philippines in operations where allegations of extra-judicial killings might arise. Finally, I made Women, Peace, and Security a major theme of my tour. I believe these actions contributed to Bangkok's stated intent to hold elections next February and to the Armed Forces of the Philippines remaining generally untainted by allegations of human rights violations. I am proud of my military career and, if confirmed, I look forward to my new role as the President's leading diplomat in the Republic of Korea, where both democracy and human rights will be front and center in much of what I would do as the U.S. Ambassador to the Republic of Korea.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As I testified, I am committed to diversity and the concept that America is stronger because of our diversity. If confirmed, I will draw on my personal background as an Asian-American to convey this to my Korean interlocutors and Embassy colleagues. That an Asian-American country boy from Tennessee can rise to become the 4-star Admiral in charge of all American forces in the Indo-Pacific, then be nominated to become our next Ambassador to the Republic of Korea, speaks to how we value diversity in America. Finally, I have received numerous national awards for my work in diversity. I don't come to this as a novice; I'm a true believer!

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Near Eastern Affairs are fostering an environment that is diverse and inclusive?

Answer. I believe that people, including supervisors, follow orders better than they read minds. I confirmed, I intend to lay out my commitment to diversity and my expectations that they foster an inclusive environment that values all and means none.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff??

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HARRY B. HARRIS, JR. BY SENATOR TOM UDALL

*Question 1.* The President stated that “We will be stopping the war games, which will save us a tremendous amount of money, unless and until we see the future negotiations is not going along like it should. But we’ll be saving a tremendous amount of money. Plus, I think it’s very provocative.” When you served as commander of U.S. Pacific Command, did you consider proper military preparation and exercises with our allies as “provocative” as the President just said?

Answer. Our annual U.S.-ROK combined military exercises are transparent, defense-oriented, and have been carried out regularly and openly under the Combined Forces Command for over 40 years. They are designed to increase our readiness and maintain stability on the Korean Peninsula. Depending on the security environment, our exercises can be used both as a message of deterrence against aggressive behavior as well as an effective means of enhancing interoperability amongst allies. In fact, in 2017, I testified before the Senate Armed Services committee that we needed a robust exercise program with our Republic of Korea (ROK) ally. That said, as I testified last week, we are in a dramatically different place today than we were in 2017. Last year, North Korea was exploding nuclear weapons and launching ballistic almost willy-nilly. If war wasn’t imminent in 2017, it was certainly possible, even likely. Now, following the President’s summit with Kim Jong Un in Singapore, the strategic landscape has changed—for the better I might add. I believe we should give major exercises a pause to see how serious Kim Jong Un is regarding nuclear disarmament.

*Question 2.* As the Commanding Officer of PACOM, can you give us an idea of how much the joint exercises with South Korea cost, and what percentage of your budget they represented? Will the U.S. actually be saving “a tremendous amount of money” as the President represented?

Answer. I do not know the cost of our exercises with South Korea and, since I am no longer the Commander of U.S. Indo-Pacific Command, I ask that you refer to the Department of Defense for their latest estimates on those costs.

*Question 3.* Will the military incur additional costs to improve readiness in the future if we cancel exercises now and our preparedness suffers?

Answer. Our men and women in uniform are true professionals, and the United States remains committed to the defense of our allies. Our exercises are just one part of the varied and extensive preparation our military undertakes to meet that commitment to defend and deter. As the Vice President said, regular readiness training and training exchanges will continue.

*Question 4.* As PACOM Commander, you stated that North Korea is the greatest threat we face. This week, President Trump tweeted: “Just landed-a long trip, but everybody can now feel much safer than the day I took office. There is no longer a Nuclear Threat from North Korea.”

- However, North Korea still has nuclear weapons, the IAEA is not allowed into North Korea, and there is no program in place to denuclearize and verify. In your opinion, is North Korea QUOTE “no longer a nuclear threat”, as the President tweeted?

Answer. As I testified last week, I believe North Korea still poses a nuclear threat to the United States. I also testified that I believe we can accept some risk to permit some breathing space for negotiations to continue and to assess whether Kim Jong Un is serious on his part of the deal or not. Peace is worth this risk. The President secured a DPRK commitment to complete denuclearization of the Korean Peninsula. I understand the challenges that lay ahead, but this is the bold first step to completely, verifiably, and irreversibly denuclearize North Korea.

*Question 5.* Has there been a reduction in centrifuges enriching uranium in North Korea?

Answer. I do not know. I left PACOM on May 30. A lot has happened in the U.S.-ROK — North Korea space since then and I have not been briefed on latest developments. Addressing the DPRK’s enrichment capabilities is a key element of the com-

plete, verifiable, and irreversible denuclearization of the DPRK. I would ask that you refer this question to the intelligence community.

*Question 6.* Have the scientists and engineers responsible for nuclear and missile research and development been told to stop work?

Answer. I do not know. I left PACOM on May 30. A lot has happened in the U.S.-ROK — North Korea space since then and I have not been briefed on latest developments. I would ask that you refer this question to the Intelligence Community. In the June 12 Joint Statement from the U.S.-DPRK summit, Chairman Kim Jong Un reaffirmed his firm and unwavering commitment to complete denuclearization. The role of scientists and engineers working on the DPRK's unlawful nuclear and ballistic missile programs will need to be addressed as a part of complete denuclearization. I know that U.S. negotiators are eager to see this process progress as quickly as possible.

*Question 7.* President Trump rejected the Iran deal—a highly detailed agreement that required Iran to get rid of its nuclear weapons within a time frame and subjected Iran to strong verification measures—the strongest in history. The President reneged on our agreement with Iran.

- So why should the North Koreans—or the world—believe that we will uphold our end of the bargain if we enter into an agreement with North Korea?
- Are there any specific improvements upon the Iran agreement that are in the Trump administration's agreement with North Korea?

Answer. Our relationships with countries around the world stand on their own merits. In Singapore, the President secured a DPRK commitment to complete denuclearization and built a good working relationship with Chairman Kim. This is the beginning of the process to completely, verifiably, and irreversibly denuclearize North Korea. The administration looks forward to follow-on negotiations, led by the U.S. Secretary of State Mike Pompeo, at the earliest possible date to implement the outcomes of the U.S.-DPRK summit.

President Trump is not pursuing discussions with Kim Jong Un just for the sake of a deal. If anything, the North Korea situation shows the folly of doubling down on a bad nuclear agreement. The United States is serious about complete, verifiable, and irreversible denuclearization of North Korea. I am not privy to any linkages between the Iran deal and the Singapore Summit, especially in terms of improvements to the former as an outcome of the latter.

*Question 8.* If your nomination is confirmed, will you pledge to work with the nuclear experts at our national labs to ensure that all pathways to a nuclear weapon are cut-off?

Answer. Yes. American nuclear experts are the best in the world and their extensive knowledge will greatly contribute to the complete, verifiable, and irreversible denuclearization of the DPRK.

*Question 9.* The summit gave Kim Jung Un equal footing as the President of the United States on the world stage—while President Moon of South Korea has largely taken a back seat. What is the role of South Korea in the denuclearization talks and in denuclearization of the peninsula? If confirmed, how will you ensure we keep in lock step with our ally? And how will you make sure that South Korea is part of the conversation and decision-making?

Answer. We remain in close contact with the ROK to coordinate our DPRK engagement. President Trump spoke with President Moon before and immediately after the U.S.-DPRK Summit, and Secretary Pompeo traveled to Seoul to speak with President Moon and Foreign Minister Kang (as well as Foreign Minister Kono of Japan) immediately shortly after the summit. If confirmed, I will continue to strengthen our lines of communication with the ROK. We will maintain all of our alliance commitments. There is absolutely no change to our commitment to the defense of the Republic of Korea.

*Question 10.* North Korea sees denuclearization as entailing the exit of U.S. troops from the peninsula and the withdrawal of the U.S. nuclear umbrella for South Korea and Japan. As the Ambassador to the Republic of Korea and as the former Commander of the Pacific Command, would you recommend withdrawing our troops from South Korea? Would you recommend removing South Korea and Japan from the United States' nuclear umbrella?

Answer. As I stated in my testimony, any decisions we make with regard to U.S. troop levels in the Republic of Korea will be made together with our South Korean ally. These must be alliance decisions and not unilateral decisions. That said, I want to be clear: there is absolutely no change to U.S. commitment to the defense of the Republic of Korea and Japan. South Korea and Japan's security is America's secu-

rity, and the United States will continue to meet all of its alliance commitments to both of our allies.

*Question 11.* Secretary Pompeo has said that the U.S. “has been fooled before” by North Korea. And the fact Kim Jung Un’s statements on denuclearization at the summit use the same language that his father, Kim Jong-il, used in the 1990s when President Clinton was engaged in talks with North Korea should be highlighted. If there is a deal but it turns out we got fooled again, what would be your recommended course of action? Would you recommend a “bloody nose” strategy?

Answer. The President has made clear that we will suspend major exercises with South Korea until and unless the talks with North Korea break down. The United States seeks peace on the Korean peninsula and, thanks to our robust diplomatic, economic, and military pressure on the DPRK, we are in a place where peace is a possibility. But, we are also realistic—there is absolutely no change to our commitment to the defense of the Republic of Korea and Japan. South Korea and Japan’s security is America’s security, and we will continue to meet all our alliance commitments to both of our allies. Finally, as I testified before the Senate Armed Service committee earlier this year, I had no “bloody nose strategy” in my toolkit at PACOM.

*Question 12.* In your opinion, what more needs to be done to reconcile the relationship between Japan and South Korea? And how will you work to ensure the two countries show a united front on issues of mutual importance?

Answer. As the PACOM commander, I made improving the bilateral relationship between South Korea and Japan an important part of my theater strategy. While the United States does not, and should not, take sides in this century-long historical argument between our two allies, it is important to encourage them to reconcile their differences in the face of a common threat from North Korea and a common challenge from China. If confirmed, I will endeavor to ensure we remain in close contact with the ROK and Japan to coordinate our DPRK engagement. President Trump spoke with President Moon and Prime Minister Abe before and immediately after the U.S.-DPRK Summit, and Secretary Pompeo spoke with Foreign Minister Kang and Foreign Minister Kono shortly after the summit. Secretary Pompeo visited Seoul from June 13–14 to provide an in-person readout of the summit to President Moon, ROK Foreign Minister Kang, and Japan Foreign Minister Kono. U.S. alliances remain ironclad, and ensure peace and stability in the region.

*Question 13.* There has been a good deal of confusion about exactly what was agreed to at the Singapore summit. Have you been briefed on the precise parameters of the agreement by senior administration officials? If yes, could you set forth the provisions of the agreement with as much specificity as possible?

Answer. No, I have not yet been briefed by principals who participated in the U.S.-DPRK Summit.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HARRY B. HARRIS, JR. BY SENATOR TODD YOUNG

*Question 1.* I was pleased to see that the joint statement between President Trump and Kim Jong Un included an explicit commitment from North Korea to “recovering POW/MIA remains, including the immediate repatriation of those already identified.” Many Americans are still trying to recover the remains of their loved ones who fought and died in the Korean War. According to the Defense POW/MIA Accounting Agency (DPAA), “More than 7,800 Americans remain unaccounted for from the Korean War,” including 176 from Indiana.

- If confirmed, do I have your commitment that you will do all you can to help bring our fallen heroes from the Korean War home, and that you will let me know if there is anything I can do to be helpful?

Answer. Yes. If confirmed I will support the recovery of remains from the Korean War in any way I can.

*Question 2.* Based on your military and command experience, what do you see as the benefits for the United States of our military presence in South Korea?

Answer. Our men and women in uniform serving in the Republic of Korea provide stability not just to the peninsula, but also to the entire region. That stabilizing presence affords great protection and benefit to the United States. Longstanding American commitment to the security of the region provides stable conditions, including for free and open trade and cultural exchange.

*Question 3.* Do the benefits for the United States of having our troops in South Korea extend beyond the North Korean threat? What are some of those additional benefits?

Answer. Our military presence in the Republic of Korea is not only stabilizing to the peninsula but to the entire region. In addition to being ready to meet our treaty obligations to our allies in the region, U.S. and international forces conduct training with allies and partners, enhancing interoperability and readiness.

*Question 4.* Based on your experience as Indo-Pacific Command Commander, do you believe China and Russia would like to see U.S. troops leave South Korea? Why do you believe China and Russia would like to see U.S. troops leave South Korea?

Answer. Our longstanding alliance with the Republic of Korea, including our military presence, is a bilateral U.S.-ROK issue. China and Russia do not have a vote in our troop presence in the Republic of Korea. Our military presence on the peninsula, and in the region, is a stabilizing force that promotes peaceful conditions for the benefit of all countries. China and Russia are also benefitting from the stability and the free and open conditions for economic growth undergirded by the presence of U.S. and allied forces in the Indo Pacific.

*Question 5.* Can you provide a general overview from your perspective regarding Chinese activities in the South China Sea? Can you discuss China's militarization of the artificial islands? What are the implications of that? Do you have any thoughts on how we can respond in a more multilateral and effective manner to China's activities in the South China Sea?

Answer. The United States continues to call out publicly and privately Chinese policies and actions that run counter to U.S. national interests. Specifically, the U.S. makes clear that China's militarization activities should halt in keeping with President Xi's 2015 commitment not to militarize the Spratlys, and ongoing activities raise concerns over China's sincerity in negotiating with ASEAN a meaningful Code of Conduct for the South China Sea consistent with international law.

The United States works with our treaty allies and partners in the region, as well as with like-minded nations around the world, to uphold freedom of navigation and overflight, and other lawful uses of the sea in the South China Sea. This includes by flying, sailing, and operating wherever international law allows. Together with our allies and partners, including many ASEAN Member States, the administration has made increasingly clear our shared concerns over China's militarization of the region. If confirmed, I will join the administration as it continues to do so.

*Question 6.* What is your assessment of China's core national security interests on the Korean peninsula?

Answer. After the June 12 summit in Singapore, the Chinese Ministry of Foreign Affairs (MFA) issued a statement on the summit and its approach to North Korea. The MFA characterized China's position as "committed to and will make tireless efforts toward denuclearization of the Peninsula, the maintenance of peace and stability on the Peninsula and resolution of issues through dialogue and consultations."

I remain clear-eyed about China's track record on North Korea and its stated goals. If confirmed, I will work with Congress, the White House, and the rest of the administration to effectively pursue and attain U.S. national objectives on the Korean Peninsula.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HARRY B. HARRIS, JR. BY SENATOR CORY A. BOOKER

ROK-U.S. RELATIONSHIP

*Question 1.* South Korea is one of the United States most important trading partners. Annual bilateral trade in 2017 reached \$155 billion in goods and services, and South Korea is America's seventh largest trade partner. Yet the Trump administration has threatened South Korea with tariffs and talked about tearing up the Korea-U.S. Free Trade Agreement. My home state of New Jersey is home to a number of Korean firms that employ hundreds of workers.

- What will you do to maintain and improve the vital trading relationship between South Korea and the United States?

Answer. President Trump and President Moon have committed to foster expanded and balanced trade while creating reciprocal benefits and fair treatment between the two countries. The United States and ROK have strengthened an important economic relationship by agreeing to an exemption to steel tariffs for the ROK and sub-

stantial improvements to KORUS that will help rebalance our trade, reduce our trade deficit, and expand U.S. export opportunities. If confirmed, I will build on the President's 2017 visit to Seoul when 42 ROK companies announced their intent to implement 64 projects in the United States valued at \$17.3 billion over the next four years. Additionally, twenty-four ROK companies announced planned purchases of U.S. goods and services valued at \$57.5 billion, to include \$22.8 billion in energy purchases.

*Question 2.* Was this decision to end or curtail the military exercises coordinated with South Korea?

Answer. I was no longer serving in uniform with the United States military when this was being decided and I cannot speak to this point. As I stated during my testimony, it is critical as we move forward that decisions that affect the alliance be taken together with our South Korean ally. If confirmed, that will be my approach.

*Question 3.* What will be the military and political impact of ending these exercises?

Answer. There is absolutely no change to our commitment to the defense of the Republic of Korea. South Korea's security is America's security, and we will continue to meet all our alliance commitments. Our alliances remain ironclad, and ensures peace and stability in the region.

*Question 4.* How will you ensure that important decisions such as this that impact the bilateral relationship are properly coordinated with South Korea?

Answer. We have been in close contact with the ROK and Japan to coordinate our DPRK engagement and I will work to ensure this continues, if confirmed. President Trump spoke with President Moon and Prime Minister Abe before and immediately after the U.S.-DPRK Summit. Secretary Pompeo traveled to Seoul to personally meet with President Moon, Foreign Minister Kang and Japanese Foreign Minister Kono immediately after the summit.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR BOB CORKER**

*Question 1.* How will the administration treat humanitarian assistance in this review?

Answer. The United States is committed to saving lives through principled humanitarian action that is not associated with predatory or corrupt behavior by parties to the conflict. I understand our humanitarian assistance will continue during the comprehensive review of all U.S. assistance programs to South Sudan.

*Question 2.* What consideration will be given more broadly to U.S. assistance in the region, to South Sudan's neighbors, for their unwillingness to counter the financial flows and malign policies in South Sudan that put our long-term investments in each of these countries at risk?

Answer. I understand that the United States is urging regional governments to prevent corrupt South Sudanese leaders from investing or conducting financial transactions within their countries, a policy I intend to vigorously advance if confirmed. The Intergovernmental Authority on Development (IGAD), and all regional and international partners, must also increase pressure on the warring parties to end the conflict. This pressure could include a multilateral arms embargo and targeted sanctions against South Sudanese leaders who continue to obstruct peace.

*Question 3.* What diplomatic leadership will the administration provide in helping to urgently promote peace and fundamentally alter the current course of destruction end this man-made catastrophe?

Answer. I understand the United States is deeply engaged with regional and international partners to seek an end to the conflict in South Sudan. If confirmed, I will support the administration's stated view that the only way forward for South Sudan is through a negotiated arrangement for an inclusive transitional government that reflects South Sudan's diversity, and which is structured to provide checks and balances on political and economic power. If confirmed, I will look into what more can be done to reach this goal in addition to the targeted sanctions, unilateral arms embargo, and other measures imposed over the last several months.

*Question 4.* How are Gulf countries such as UAE and Qatar, as well as the Governments of Turkey and Egypt, influencing events and geo-political calculations across East Africa and what is the impact of their involvement on U.S. national security interests?

**Answer.** The Gulf States, Egypt, and Turkey are heavily engaged in and compete for political, security, and economic influence across East Africa. In Somalia, these countries provide considerable humanitarian and security assistance and have major economic investments, particularly in the transportation sector, much of which is constructive and consistent with U.S. interests. A notable exception has been engagement related to the Gulf dispute, where the UAE, in particular, has pressured the Federal Government of Somalia to publicly side with the Quartet (UAE, Saudi Arabia, Bahrain, and Egypt) against Qatar. This has exacerbated tensions between Mogadishu and its Federal Member States and undermined U.S.-backed stabilization and reform efforts.

Regarding Sudan, the Gulf States support Sudan's engagement with the United States. Saudi Arabia has been active in encouraging more moderate policies. Qatar has been active in encouraging parties to the Darfur conflict to take steps toward a more sustainable peace. Egypt has recently been more engaged with Sudan and Ethiopia to resolve concerns and disagreements regarding the Grand Ethiopian Renaissance Dam (GERD) and related Nile water usage issues. That said, these countries are competing for influence in Khartoum and have diverse interests on a range of issues in Sudan including the GERD, the Yemen conflict, and Sudan's position in the Gulf dispute. If confirmed, I will continue to make United States' priorities known—including ending internal conflict, expanding humanitarian access, countering terrorism, improving regional stability, and advancing respect for human rights—and coordinate with these countries on shared interests.

*Question 5.* How are Chinese policies and loans also playing into the uncertain economic futures of these countries and the region?

**Answer.** Studying Africa from outside of government for the past fifteen years, I have become concerned by some aspects of China's trade and investment with Africa, particularly non-transparent, concessionary lending and overreliance on imported labor for the completion of projects. I believe that China can play a role as a source of capital and knowledge for African development, but that it must apply the highest international standards of openness, inclusivity, transparency, and governance. If confirmed, I hope to engage with China on its role in Africa and, most importantly, work hard to encourage U.S. trade and investment on the continent.

*Question 6.* What steps is the United States prepared to take should he register as a candidate in July?

**Answer.** I understand that the administration has made clear that we expect the DRC to hold elections in December and for President Kabila to abide by his commitment to refrain from running or changing the constitution. President Kabila serving as a candidate would clearly be inconsistent with credible elections. If confirmed, I would support a strong administration response if President Kabila were to register as a candidate. I would consider a full range of options, including accelerated targeted sanctions among other steps. I understand the administration's immediate focus is to continue using the full range of foreign policy tools to press for greater progress on the electoral process and ensure that President Kabila abides by constitutional requirements and does not present himself as a candidate for the December elections.

*Question 7.* What if any substantive steps will the United States employ prior to the decision date for candidates to register in order to achieve a reasonable electoral process without Kabila?

**Answer.** If confirmed, I plan to continue the administration's active engagement in pressing for greater progress on the electoral process in the Democratic Republic of Congo (DRC). As part of continuing U.S. pressure, I am aware that the United States has been clear that it remains prepared to impose additional targeted sanctions, as developments warrant. Steps taken by the DRC Government between June and August will be critical in determining the prospects for credible elections in December. To this end, I understand that the administration is employing the full range of foreign policy tools in support of our objectives. This policy approach includes targeted sanctions; international coordination and pressure, including with our European and African partners as well as the U.N.; public messaging; diplomatic engagement, including senior-level visits; and technical assistance to support a transparent and credible process.

*Question 8.* How will the United States contribute to support a reasonable election in DRC, including the specific financial commitment, if Kabila selects an alternative candidate to himself?

**Answer.** If confirmed, I will continue U.S. diplomatic efforts to make clear to the DRC Government and the DRC's electoral commission, the CENI, that the administration stands ready to support a process that is credible and inclusive. I will work

closely with USAID, as well as our international donor partners, to determine how best the United States can support a credible, inclusive electoral process in the DRC, possibly through additional programming if there are positive steps.

USAID has provided approximately \$37 million in election and political processes support since 2013. USAID is providing civic and voter education to an estimated 1.9 million Congolese through civil society organizations, face-to-face community campaigns, and through a nationwide media campaign. USAID also supported DRC's leading domestic observer group to monitor voter registration and provide timely recommendations to the CENI. USAID funding also supports democratic activists, such as human rights defenders, and the media, which brings greater transparency to the electoral process.

*Question 9.* What is the status of U.S. diplomatic efforts to convince other donors to step up to meet these mutual international resource appeals?

Answer. The administration has regular discussions with like-minded allies, including the EU, France, and UK, to discuss the need for greater assistance to Africa to support peace and security, development, and humanitarian efforts, and the need to coordinate assistance among foreign partners. Each of these partners has expressed a willingness to work with us to achieve shared goals related to these critical issues in the region. If confirmed, I will engage our partners regularly to ensure our shared goals and objectives on the Continent are addressed appropriately and in a coordinated manner.

*Question 10.* How will the United States reinforce and help sustain these courageous steps of this new government while assuring principled expectations of sustained reform and good governance?

Answer. If confirmed, I will ensure that United States policy continues to support and encourage the reform agenda of Prime Minister Abiy in Ethiopia. The United States is actively highlighting the many new opportunities for American investment in Ethiopia, even as State and other U.S. agencies continue other political, economic, developmental, and humanitarian support for the people of Ethiopia and their fast-growing economy.

*Question 11.* What would such reform and improved policies mean for the already strong bilateral relationship with the United States?

Answer. For decades, the United States Government has steadfastly expressed its concern over human rights issues, political and economic freedom, and other matters to the Government of Ethiopia. During those years, the U.S. and Ethiopian Governments have managed to maintain a close and strategic relationship. However, the reforms you have described might be characterized as the dawn of an Ethiopian Government the United States—and the people of Ethiopia—hoped to see for those many years. These reforms, which must be supported and strengthened internally and with the help of Ethiopia's friends like the United States, will benefit both countries and help deepen our historic and significant relationship.

*Question 12.* Given that the scheduled election in Zimbabwe on July 30 is a critical juncture to assess the degree to which the new government leaders are committed and implementing fundamental reforms, will the administration send a senior and experienced diplomat to serve as Charge ad interim for the election period?

Answer. I understand that the White House nominated Brian Nichols on June 4 to be the U.S. Ambassador to Zimbabwe. Brian Nichols is a Career Member of the Senior Foreign Service and was most recently the U.S. Ambassador to Peru. It would be ideal if Ambassador Nichols could be quickly confirmed so he could arrive in Zimbabwe before the election. I understand that, in the interim, the current Chargé d'Affaires, a member of the Senior Foreign Service with well-established credentials and experience and the confidence of her interlocutors and counterparts in Zimbabwe, will continue to lead the U.S. Embassy in Harare. If confirmed, I commit to giving my immediate attention to this important election and the resources we have deployed to contribute to a successful outcome.

*Question 13.* How will the United States ensure that real and fundamental reform in Zimbabwe are the minimum necessary criteria for the United States to support any international financial relief of arrears or new financing, especially given the deep corruption and theft of state assets to date?

Answer. I understand that our policy regarding arrears clearance or new international financing for Zimbabwe continues to be guided by the Zimbabwe Democracy and Economic Recovery Act (ZDERA), passed with strong bi-partisan support by Congress in 2001. ZDERA directs the Treasury Department, through the U.S. executive directors, to oppose and vote against any new lending or debt relief for Zimbabwe at the International Financial Institutions (IFIs), except for lending in-

tended to support basic human needs or good governance. For this restriction to be lifted, the President must certify that a list of conditions have been satisfied. These conditions include restoration of the rule of law, including respect for freedom of speech and association, a presidential election widely accepted as free and fair or a pre-election environment consistent with international standards, a commitment to legal land reform, and control of the Zimbabwean Armed Forces by an elected civilian government.

I believe strongly in the centrality of these democratic and governance principles and, if confirmed, will interpret them as Congress intended as real and credible benchmarks.

*Question 14.* To what extent is Uganda likely to remain committed in Somalia on its own regardless of U.S. expectations due to the fiscal value of paying for their security forces?

Answer. The Government of Uganda has repeatedly indicated that it remains steadfast in its participation in the African Union Mission in Somalia (AMISOM). A reduction in international support for the mission, particularly EU-financed troop stipends, could have a negative impact on that position, however.

*Question 15.* To what extent is Uganda engaged in neighboring DR Congo, and how has that inflamed the region?

Answer. Uganda shares a long border with the Democratic Republic of Congo (DRC) and hosts over 285,000 Congolese refugees in settlements. Uganda also considers the Allied Democratic Forces (ADF), a rebel group active in the DRC whose stated goal is the overthrow of the Ugandan Government, to be a national security threat. ADF forces have been responsible for a number of violent attacks in eastern DRC. For these reasons, Uganda remains engaged with the Government of the DRC from a national security and humanitarian perspective, including having conducted joint military operations against the ADF, and consults with other regional governments about increasing stability in the Great Lakes region. Uganda is also believed to be engaged in the illicit trade of gold from the DRC.

*Question 16.* To what extent is Uganda working toward diminishing the necessity of foreign assistance, and what does the assistance timetable look like over the last ten years, and projected over the next five?

Answer. Bilateral foreign assistance to Uganda, which aims to promote public health, accountable and transparent governance, economic development, and regional peace and stability, has been holding relatively steady at between \$400 million and \$500 million over the past several years. With a stated goal of growing the economy to become a middle-income country and diminishing its reliance on foreign assistance, the Government of Uganda has taken on increasing levels of national debt in recent years to develop its infrastructure for national transportation networks and electricity generation. Uganda has the fourth largest proven oil reserves in sub-Saharan Africa. If developed responsibly, Uganda could double its GDP as oil production comes online within the next five years. If confirmed, I will work with the Ugandan Government to leverage these developments and reduce Ugandan reliance on foreign assistance in the medium term.

*Question 17.* What steps have been taken to more appropriately leverage U.S. cooperation and assistance to achieve a more sustainable Ugandan governance given the many instances of internal policies working at direct cross-purposes to U.S. interests? These include:

- The government massacre of Ugandans at Kasese
- The manipulation and apparent theft of massive UNHCR and WFP resources intended to respond to refugees, including the reported 1 million from South Sudan whose presence is in part due to Uganda's ongoing support to President Kiir's man-made crisis.
- Direct manipulation of multiple electoral processes and recent forced parliamentary changes to enable President Museveni to run for years to come.

Answer. I fully concur that our development assistance to any country should carry with it expectations about governance and respect for human rights. If confirmed, I would continue to press for government accountability and reform on such fundamental issues.

I understand that the U.S. Government continues to urge the Government of Uganda to conduct or permit fair and independent investigations into alleged human rights abuses, including the killings in Kasese. We have engaged at a high level with both the Ugandan Government and international assistance providers to address the allegations of fraud in refugee programs, and, if confirmed, I will prioritize our response to ongoing investigative reports.

Our Embassy directly communicates with the Government to raise concerns about arrests and raids of non-profit organizations, as well as police investigations that serve to stifle the Ugandan people's right to free expression and tarnish Uganda's global image. If confirmed, I will continue to press for the protection and expansion of democratic rights.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR ROBERT MENENDEZ**

*Question 1.* If confirmed, what steps will you take to secure access to the Anglophone regions for international and domestic observers to ascertain the veracity of the current accounts of widespread government abuses in the area?

Answer. I am deeply concerned about continuing violence, including against civilians, in the Anglophone regions. If confirmed, I will continue to call for an end to violence and will urge all sides to initiate a broad-based dialogue, without pre-conditions. All elements of Cameroonian society must undertake a genuine, inclusive dialogue to resolve these differences peacefully.

The safety and security of American citizens is of paramount concern. All but mission-essential travel by U.S. Embassy Yaoundé personnel to the Southwest and Northwest Regions is currently prohibited and private American citizens are discouraged from all but essential travel to these regions.

With adequate security, greater access for observers to assess the situation on the ground is key to obtaining accurate information about humanitarian assistance needs and to investigating reports of human rights violations and abuses on both sides. If confirmed, I will work with our Embassy in Yaoundé and international partners to urge the Government of Cameroon to facilitate that access and to hold accountable anyone responsible for human rights violations and abuses, on either side of the conflict.

*Question 2.* What do you see as the role of the U.S. in addressing this escalating conflict?

Answer. If confirmed, I will work with our Embassy in Yaoundé to continue to call for an end to violence in the Anglophone regions and for unfettered humanitarian access, and to urge all sides to initiate a broad-based dialogue without pre-conditions. All elements of Cameroonian society must undertake a genuine, inclusive dialogue to resolve their differences peacefully.

If confirmed, I will condemn the ongoing violence in the Anglophone regions perpetrated by both sides. I will also call on the Government of Cameroon to afford detainees all the rights and protections enshrined in Cameroon's constitution and consistent with the nation's international obligations and commitments, and to investigate promptly and transparently all allegations of human rights abuses perpetrated by Cameroonian security forces.

*Question 3.* If confirmed, what steps will you take to reiterate the imperative that elections are held by the end of the year, and Kabila upholds his commitment to step down?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government to make clear that we expect the DRC to hold elections in December and that President Kabila will not run for re-election, per his commitments made in December 2016. To this end, I would plan to continue the administration's policy of employing the full range of foreign policy tools in support of our objectives. This policy approach includes targeted sanctions; international coordination and pressure, including with our European and African partners as well as the U.N.; public messaging; diplomatic engagement, including senior-level visits; and technical assistance to support a transparent and credible process.

*Question 4.* What steps should be taken to ensure the human rights situation does not deteriorate further?

Answer. If confirmed, I will continue the administration's active engagement in pressing for greater respect for human rights in the DRC. This includes condemning the excessive use of force by security services against civilians and government attempts to pass laws severely restricting civil liberties, holding accountable those responsible for human rights violations and abuses, supporting the implementation of U.N. resolutions, cooperating with the U.N. Office for the High Commissioner for Human Rights (OHCHR), and supporting human rights defenders and media freedoms. This also includes consideration of further use of our sanctions authorities against human rights abusers or those responsible for undermining democratic proc-

esses in the DRC. Finally, while elections alone will not solve DRC's human rights problems, they are critical to averting violence and improving the overall human rights climate in the country.

*Question 5.* How will you coordinate with USUN and the Bureau for International Organizations on efforts to ensure elections by the end of the year?

Answer. Coordination with our Mission to the U.N. and the Bureau for International Organizations has been an important part of our strategy to increase pressure on the DRC to hold elections in December. If confirmed, I will work closely with Ambassador Nikki Haley, who travelled to the DRC in October 2017, to ensure that the U.N. Security Council continues to call for elections and to coordinate on U.N. sanctions. I would also ensure that we continue our close cooperation with the U.N. Organization Stabilization Mission in the DRC (MONUSCO), which is required under its mandate to support the electoral process through a broad array of activities to ensure the holding of credible elections in December 2018.

*Question 6.* Will you consider asking for the Appointment of a Special Envoy for the Great Lakes to assist with these efforts?

Answer. If confirmed I will closely evaluate all current mechanisms which are in place to promote stability and an improved human rights environment in the Great Lakes region. I will then strongly advocate for any additional policies or processes which I believe will lead to the changes the U.S. seeks in the Great Lakes.

The Department currently has a Senior Coordinator for the Great Lakes, the distinguished Ambassador (ret.) Laurence Wohlers. Ambassador Wohlers has a wealth of Africa experience and is spearheading our engagement with other Great Lakes envoys and key regional actors. If confirmed, I will work closely with Ambassador Wohlers to leverage the coordination, advocacy, and messaging work he is conducting with key African, international, and multilateral partners to maintain pressure on the DRC to hold elections in December.

*Questions 7.* What do you see as key priorities for the U.S. in the short to medium term in light of the reforms being announced?

Answer. If confirmed, I will insure that United States policy continues to support and encourage the reform agenda of Prime Minister Abiy in Ethiopia. We are actively highlighting the many new opportunities for American investment there, even as we continue our other political, economic, developmental and humanitarian support for the people of Ethiopia and their fast-growing economy. I believe it is of the utmost importance for us to help these reforms take root and flourish.

*Question 8.* What specific steps, if any, should the U.S. take to support further reforms, especially in the area of democratization?

Answer. I believe we can help advance these reforms by supporting the new government, and deepening our engagement where we can. If confirmed, I will continue our efforts to enhance democratization and good governance in Ethiopia. I expect some of the Prime Minister's legislative reforms, including changes to the laws on civil society and non-government organizations, will greatly improve our ability to provide support in those areas.

*Question 9.* Should the U.S. continue to press for expansion of political space through participation in the U.S.—Ethiopia Working Group on Democracy, Governance and Human Rights?

Answer. Yes. This Working Group has been an important and successful venue for both of our governments and, in my opinion, should continue. For decades, the U.S. Government has steadfastly expressed its concern over human rights issues, political and economic freedom and other matters to the Government of Ethiopia. During those years, we have managed to maintain a close and strategic relationship. However, the reforms you have described might be characterized as the dawn of an Ethiopian Government we—and the people of Ethiopia—have hoped to see for those many years. These reforms, which must be supported and strengthened internally and with the help of Ethiopia's friends like us, will bring us all benefits in deepening our historic and significant relationship. The dialogue created by this Working Group is an important part of our ongoing engagement.

*Question 10.* How should the United States address the issue of allegations of abuses by security forces, including the military, and how should that impact our security assistance and cooperation?

Answer. The United States has a long history of engagement with the Ethiopian National Defense Forces (ENDF), including in the context of U.N. Peacekeeping operations, where the ENDF has played a crucial and professional role as the largest provider of forces to the U.N. We have also very precisely explained our concerns with regard to reports of abuse or improper conduct by some ENDF personnel,

largely inside Ethiopia. If confirmed, I will continue that close engagement and will support the new Prime Minister's efforts to improve the ENDF at all levels.

*Question 11.* What diplomatic messages in your view should our Ambassadors in Riyadh, Ankara, Abu Dhabi and Doha be delivering about the actions these countries are taking that could potentially play a destabilizing role in the Horn of Africa? The UAE, Saudi Arabia, and Turkey have increased their military presence along the coast of the Horn of Africa—should the United States be concerned about a potential “base race” in this turbulent region, particularly the implications for fragile states like Somalia and Eritrea?

Answer. If confirmed, I will work with the Bureaus of European Affairs and Near Eastern Affairs to encourage our Ambassadors in countries engaged in the Gulf crisis to urge host governments to avoid pressuring third countries to take sides in the dispute. This message is particularly important in the Horn of Africa, where a number of fragile states rely heavily on support from both sides to the dispute for economic, political, and security development, including counterterrorism support. It also will be important to avoid a military build up of opposing forces in this region due to its proximity to strategic shipping lanes and susceptibility to further destabilization.

*Question 12.* What impact has the dispute between Qatar, Saudi Arabia, and the UAE had on the border dispute between Djibouti and Eritrea? Has any other country stepped in to fill the mediation role previously played by Qatar? Are tensions between Djibouti and Eritrea likely to flare in the near term? Do the tensions between Djibouti and Eritrea pose any threat to our military presence in Djibouti? Are tensions likely to flare? What role if any should the U.S. play in reducing such tensions?

Answer. Tensions between Qatar, Saudi Arabia, and the United Arab Emirates have significantly complicated the situation in the region, but I understand they are not likely to precipitate conflict between Djibouti and Eritrea. Though no other nation has stepped in to take over the Qatari's former mediation role on the border, Djibouti-Eritrea tensions have not worsened and we do not believe the situation on the border constitutes a threat to our military presence in Djibouti. If confirmed, I will urge all parties to disputes in the Gulf region to de-escalate tensions and refrain from any actions that could lead to instability among their neighbors.

*Question 13.* How would you assess the roles played by the United Arab Emirates and Turkey in Somalia—are they playing constructive roles in supporting international efforts to stabilize the country?

Answer. The United Arab Emirates and Turkey are among many partners that provide security and humanitarian assistance to Somalia. Both are also investing in transportation and other sectors of the Somali economy. The international community seeks to coordinate and deconflict the bilateral assistance efforts in Somalia through structures such as the Somalia Partnership Forum and Comprehensive Approach to Security. I understand the Gulf dispute has been a significant distraction for Somalia, as the UAE has put significant pressure on Mogadishu to side against Qatar, undermining stabilization efforts.

*Question 14.* News reports indicate that the United Arab Emirates engages directly with Somalia's nascent Federal Member states, bypassing and/or allegedly seeking to circumvent the federal government at times. How is this direct engagement affecting the formation of relations between the Federal and state governments? In your view, does this have the potential to destabilize the Somali state?

Answer. I understand that the United Arab Emirates and other international partners engage and invest with Somalia's Federal Member States, and that in some cases these activities have exacerbated tension between federal and regional authorities in Somalia. This tension has distracted the Somali authorities significantly from efforts to advance the federalism process and make progress on security sector reform. Somalia's long-term stability depends heavily on Mogadishu and its Federal Member States reaching agreement on an appropriate delineation of authorities between national and regional levels.

*Question 15.* Tensions between the Somali Federal Government and the UAE appear very high right now—what messages should we be conveying to Abu Dhabi about its actions in the country? How might Al Shabaab seek to exploit the current situation? Is the recent disagreement over the legality of Somaliland's Berbera port deal with DP World linked to the Gulf crisis?

Answer. If confirmed, I will work with the Bureau of Near Eastern Affairs and our Embassy in Abu Dhabi to emphasize to the UAE that its pressure on Mogadishu over the Gulf crisis runs counter to our shared goals of promoting peace and sta-

bility in Somalia. This includes efforts to combat al-Shabaab and promote reconciliation between Mogadishu and Somaliland. I understand that Mogadishu's challenge of the legality of the DP World's Berbera port deal with Somaliland has exacerbated tensions between Abu Dhabi and Mogadishu and reflects the political sensitivities surrounding Somali sovereignty issues.

*Question 16.* South Sudan, plunged into a civil war in 2013 that has been characterized by largescale attacks on civilians, destruction and looting of civilian property, sexual violence including rape and gang rape, enforced disappearances, arbitrary arrests and prolonged detention, beatings and torture, and extrajudicial executions. Despite public pronouncements of support, the Government has made no progress on establishing a hybrid court as envisioned by the 2015 peace agreement. The U.S. has imposed sanctions on government officials, and imposed a unilateral arms embargo, yet attempts at a U.N. Security Council arms embargo have failed. Will you support a Special Envoy for Sudan and South Sudan?

Answer. I understand that resolving the conflict and resulting humanitarian crisis in South Sudan is a top policy priority for the U.S. Government in Africa. If confirmed, I am committed to leveraging the available tools to achieve our goals for South Sudan effectively and efficiently, including by analyzing the value and impact of a Special Envoy.

*Question 17.* What should the United States be doing to incentivize each member of the Intergovernmental Authority on Development to prioritize and pursue a sustainable peace in South Sudan?

Answer. Achieving peace in South Sudan will require the assistance of South Sudan's neighbors. The Intergovernmental Authority on Development (IGAD) member states and all regional and international partners must increase pressure on the warring parties to end the conflict. I understand that the United States is urging IGAD member states to prevent corrupt South Sudanese leaders from investing or conducting financial transactions within their countries, a policy I intend to vigorously advance if confirmed. This pressure could include a multilateral arms embargo and targeted sanctions against South Sudanese leaders who continue to obstruct peace. If confirmed, I will reach out to neighboring IGAD countries bilaterally and through multilateral bodies such as the African Union (AU) to urge them to help us end the conflict by pressuring the warring parties, cutting off the flow of arms and ammunition, and stopping illicit financial flows from South Sudan to neighboring countries.

*Question 18.* What role should the U.S. play in ensuring the peace process includes all relevant stakeholders, not just those who were party to the 2015 Agreement on the Resolution of the Conflict in South Sudan?

Answer. I understand that the U.S. Government and its international partners demanded from the outset the participation of all relevant stakeholders in the Intergovernmental Authority on Development's High-Level Revitalization Forum (HLRF) peace process. Through three rounds of the ongoing HLRF process, I understand participation has been expanded beyond the original signatories of the 2015 Agreement, to include a coalition of nine opposition parties, civil society members, and the South Sudanese Council of Churches.

*Question 19.* What further steps do you believe the U.S. can take to support accountability for human rights abuses and crimes against humanity, including accountability for those at senior levels of the South Sudanese Government and opposition?

Answer. I support accountability for human rights abuses in South Sudan. If confirmed, I will press the Government of South Sudan to cooperate with the African Union to establish the Hybrid Court for South Sudan. I would also support multilateral and domestic sanctions on those responsible for human rights abuses and crimes against humanity.

*Question 20.* What efforts can the U.S. undertake that would further implementation of the 2015 peace agreement?

Answer. I understand that the United States continues to play a very strong role in supporting the full implementation of the Algiers Accord for Peace and Reconciliation in Mali. The Embassy in Bamako is particularly active as an observer to the international mediation. In September 2017, the United States backed the establishment of a U.N. sanctions regime. I anticipate working closely with our partners on the U.N. Security Council to find ways to use this tool to pressure the parties to make progress in implementing the Algiers Accord. If confirmed, I intend to work closely with the interagency community and our international and regional partners to identify new pressures and inducements to move the process forward.

Mali will hold presidential elections beginning on July 29. I believe it is essential that we engage early and at a high level with the next President to insist on full implementation of the Algiers Accord.

*Question 21.* What actions should the U.S. take to help counter the spread of violent extremism in both central and northern Mali?

Answer. I am concerned about the instability in Northern and Central Mali. If confirmed, I intend to look closely at the tools and resources we are utilizing to address this challenge and to work closely with international and regional partners. Ungoverned spaces like in Northern and Central Mali allow bad actors take advantage and exploit drivers of violent extremism. If confirmed, I will continue our ongoing coordination with the Department of Defense, USAID, and our international partners to advance our development, security, and governance objectives in the Sahel, and address drivers of violent extremism.

*Question 22.* What factors should be taken into consideration prior to resumption of U.S. security assistance for Mali?

Answer. My understanding is that the United States continues to provide assistance to strengthen Malian security institutions and make its security forces better able to address the rapidly growing threat from violent extremists, including through bilateral support to Malian units deploying to the G5 Sahel Joint Force. Mali faces the enormous challenge of addressing a grave terrorist threat while at the same time reforming its security sector. As we help with both efforts, if confirmed I would insist that we continue to consider the forces' ability to respect human rights, maintain appropriate command and control, develop positive civilian-military relations, address corruption, and re-establish a constructive state presence in unstable areas. I believe the performance of Malian forces is central to peace and security in the country and the region. If confirmed, I will seek assurances from the Government of Mali to hold their forces accountable for poor performance and misconduct, and will target security assistance that allows Malian forces to contribute to domestic and regional efforts in a professional and sustainable manner.

*Question 23.* What do you believe is the right approach for the United States when it comes to security cooperation with Nigeria?

Answer. I believe that the U.S. Government needs a robust inter-agency effort that aims to help the Nigerian Government and civil society address instability across Nigeria while building more capable, professional, and accountable Nigerian security forces that respect human rights and protect civilians. The U.S. Government must employ its full toolkit—including diplomacy, foreign assistance, senior military engagement, and security assistance—to help improve the Nigerian military's conduct and capabilities, to advance respect for human rights and upholding of the Law of Armed Conflict, to support security sector doctrinal and operational reforms, and to better enable the protection of civilians. We must press the Nigerian Government for credible, transparent, and thorough investigations into allegations of corruption and human rights violations, pursuing accountability for those responsible.

I understand that due in part to our deepening military and diplomatic relationship, we are beginning to see positive steps toward change. For example, then acting President Osinbajo established an independent Presidential Investigative Panel in 2017 with a broad mandate to investigate allegations of human rights violations, the Nigerian military has created human rights desks, and the Nigerian Army is also taking increased action to hold soldiers found guilty of abuse to account transparently, in particular through court-martial proceedings in northeast Nigeria. We must continue to work to ensure these first steps lead to real change and accountability. If confirmed, I will ensure that our security cooperation with Nigeria continues to support our goals of respect for human rights and protection of civilians.

*Question 24.* How can the U.S. strike the right balance between addressing national security and human rights concerns?

Answer. To effectively combat both ISIS-West Africa and Boko Haram, the Nigerian military must become a force capable of effective military operations against asymmetric threats. It must also be a force that protects its citizens and respects human rights. In the press conference during his April 30 visit to the White House, President Buhari reiterated his deep commitment to the principles of human rights as well as the promotion and protection of people's freedom, even in the process of fighting terror. He also committed to ensure that all documented cases of human rights abuses are investigated and those responsible for violations held accountable for their actions. If confirmed, I will work to hold Nigeria to that commitment while bolstering Nigeria's long-term ability to maintain peace and security within its own borders.

*Question 25.* To your knowledge, has anyone been held accountable for the Rann bombing or the Zaria massacre through a transparent legal process?

Answer. As I understand, in December 2016, the Kaduna State Government accepted the findings of the state-level Judicial Commission of Inquiry that the Nigerian Army used "excessive and disproportionate" force in attacks against the Islamic Movement of Nigeria (IMN), which left at least 348 IMN members and one soldier dead in Zaria in December 2015. The Judicial Commission of Inquiry also recommended the prosecution of an army commander and the prosecution of other senior officers as well as ordered the State Commissioner of Police and the Attorney General to commence investigations. I am not aware that anyone accused of wrongdoing by the Judicial Commission of Inquiry has been held to account, but I will look into the matter if confirmed.

I also understand that the Nigerian Government established an independent, civilian-led Presidential Investigative Panel in 2017 with a broad mandate to investigate allegations of human rights abuses by the military, including the events at Zaria in Kaduna State, but that the findings have not yet been made public.

The January 2017 Rann bombing was a terrible tragedy. I understand that the Nigerian Government and military immediately assumed responsibility for the incident. The Nigerian Air Force established a six-person panel to investigate the incident, but I am not aware that that investigation has been made public or if anyone has been punished for wrongdoing. The Nigerian military initiated a number of corrective actions to prevent future such mistakes, including closer coordination with humanitarian organizations in the region and U.S.-provided air-to-ground integration training. If confirmed, I will prioritize human rights and the protection of civilians, and press the Nigerian Government to hold those found guilty of wrongdoing to account.

*Question 26.* If confirmed, what specific actions will you take as Assistant Secretary of State to support accountability for the Rann bombing and the Zaria massacre?

Answer. If confirmed, I will underscore to the Nigerian Government that human rights abuses and impunity for such violations tarnish Nigeria's international reputation, undermine the trust of its citizens, impede counterterrorism efforts, and hinder U.S. ability to partner with Nigeria. I will urge the Nigerian Government to carry-out credible investigations into allegations of security force abuses and undertake more transparent efforts to end impunity and ensure accountability. The State Department will also continue to use its annual Country Reports on Human Rights Practices and other reporting to document publicly human rights concerns.

I understand that in 2017, the Nigerian Government created an independent, civilian-led Presidential Investigative Panel in 2017 with a broad mandate to investigate allegations of human rights abuses by the military, including the events at Zaria in Kaduna State. If confirmed, I will press the Nigerian Government to release these findings publicly and hold those found guilty of wrongdoing to account.

*Question 27.* Should we condition the delivery of Super Tucanos to the Government of Nigeria on assurances that the Government would share with us the findings of the investigation into either incident [Zaria or Rann]?

Answer. It is my understanding that the United States sale of twelve A-29 aircraft to the Nigerian Government was concluded earlier this year. The Department did not specifically condition delivery, but this sale includes training and other components that are aimed at improving the professionalism of Nigerian security forces, and have a specific emphasis on protecting human rights, preventing harm to civilians, and upholding the Law of Armed Conflict. The sale is part of a broader strategy that, if confirmed I intend to continue, that aims to support a more capable and professional Nigerian security force that respects human rights and upholds the Law of Armed Conflict, and is better able to protect civilians from terrorism. If confirmed, I will urge timely and credible investigations into allegations of human rights abuses, broader and more transparent efforts to end impunity, and accountability for all individuals implicated in wrongdoing.

*Question 28.* If confirmed, how will you work with the Government of Nigeria to address restriction of access, the lack of safety assurances, and bureaucratic impediments to ensure that U.S. assistance is delivered effectively and efficiently to those in greatest need?

Answer. I share your commitment to ensuring that U.S. humanitarian assistance is delivered effectively and efficiently to those in need. The Nigerian military provides escort and protection to humanitarian workers while also conducting offensive operations and protecting the civilian population from attack in a large geographic area. If confirmed, I will continue to support U.S. assistance to increase the capacity

and professionalism of the Nigerian military. I will also encourage improved civilian-military coordination and increased dialogue and coordination between the military and humanitarian responders, and encourage the Government of Nigeria to reduce any hurdles to getting life-saving assistance to its population.

*Question 29.* Do you believe climate change is real and that human activities that release of greenhouse gases into the atmosphere are the principle catalyst for climate change?

Answer. The facts indicate the earth is getting warmer and that there is likely a human component and that Africa may be especially negatively impacted. As a global leader in innovation, I believe the United States will continue support for developing countries' energy, land use, and resilience activities where mutually beneficial to our broader foreign policy, economic development, and national security objectives.

*Question 30.* It was recently reported that the White House has weighed whether to deliberately ignore climate change. Given that the threats from climate change can be seen across the African continent, do you believe that it is wise to ignore or debate the issue when it comes to engaging African leaders?

Answer. I believe the United States supports a balanced approach to climate mitigation, economic development, and energy security that takes into consideration the realities of the global energy mix. Currently, the United States guiding principles are universal access to affordable and reliable energy, and open, competitive markets that promote efficiency and energy security, not only for the United States but for other countries, including those in Africa. Over the past 10 years, the United States has shown that it can reduce emissions while growing the economy and promoting energy security. The United States' net greenhouse gas emissions have fallen by 12 percent since 2005 even as the economy has grown by 17.5 percent, adjusted for inflation. I believe the United States will continue supporting a balanced approach to climate mitigation, economic development, and energy security that takes into consideration the realities of the global energy mix.

*Question 31.* What will be your strategy for engaging with African countries on challenges associated with climate change?

Answer. If confirmed, I will work with other countries on advancing innovation in the development and deployment of a broad array of technologies that will ultimately enable us to achieve our climate and energy security goals. Currently, the United States, through our work with Power Africa, the Government has been able to catalyze some \$60 billion in energy investments that will provide modern energy services for roughly 300 million citizens across Africa by 2030. Beyond energy, I believe the United States will continue to help our partner countries reduce emissions from forests and other lands, to adapt to the impacts of climate change, and to respond to natural disasters.

*Question 32.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Over the course of my career in the Foreign Service, I had the good fortune to perform work that allowed me to support democracy and human rights on a routine basis. Some examples that I find particularly notable include the following:

- *Cameroon (Deputy Chief of Mission 1990–1993).* When the Cameroon Government, largely in response to domestic instability and pressure from the U.S., allowed the first-ever multi-party Presidential elections, I led the U.S. Embassy training and monitoring efforts. I managed to obtain permission for the National Democratic Institute's (NDI) delegation to be admitted to the country and to observe the elections, and dispatched Embassy observers to key voting areas. After the Governing Party claimed victory there was considerable political instability and the Government responded with force. I traveled to the English-speaking part of Cameroon to personally investigate the killing of demonstrators and submitted a report for inclusion in the annual Human Rights report.
- *Nigeria (Deputy Chief of Mission 1993–1995).* My time coincided with the illegal coup of General Abacha and the imprisonment of Mashood Abiola, the rightful winner of the 1993 elections. I maintained close personal relations with leading human rights figures, including making high profile visits to them after their imprisonment. I was the Embassy's contact with the highest profile "house arrestee"—General Obasanjo—whom I visited at his farm and served as the conduit for his correspondence with segments of the U.S. Government. Obasanjo subsequently became President of Nigeria.

- *Guinea (Ambassador 1996–1999).* The Guinean Government arrested Alpha Conde, the major opposition leader and kept him totally incommunicado under house arrest. I pressed the Government and obtained permission for a group of Western Ambassadors to visit him, and provided him with materials to write, read, and listen to the radio. I also maintained ongoing dialogue with all of the opposition leaders. Alpha Conde subsequently won the presidential elections and is currently Guinea's President.
- *Ethiopia (Ambassador 1999–2002).* I opened the Ambassador's Residence on an ongoing basis for round table discussions with key opposition leaders, despite the Ethiopian Government's strong disdain for my actions. My residence was the one place they could gather and communicate unhindered and not fear arrest. I also personally investigated reports of the Government killing demonstrators in a remote part of the country.

*Question 33.* What issues are the most pressing challenges to democracy or democratic development in Africa in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Democratic deficiencies contribute to transnational threats across the region; therefore, I believe we must help states and communities foster legitimate, inclusive political systems that reduce fragility and mitigate risks of violent conflict and instability. The African continent has made important gains on democracy and institution building, however, those gains are fragile and must be supported over time. Elections are widely accepted as the norm in the region, but there is an increasing frequency of electoral events that contribute to democratic backsliding rather than consolidation. In many countries, corruption is endemic and state institutions remain weak. In addition to corruption, fiscal indiscipline and unaccountable public financial management systems in Africa gravely impact economic growth and democratic governance. Strong, accountable, and democratic institutions, sustained by a deep commitment to the rule of law and human rights, generate greater prosperity and stability, and meet with greater success in mitigating conflict and ensuring security than their less democratic counterparts.

*Question 34.* What steps will you take—if confirmed—to support democracy in Africa? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Democracy is the foundation for a country's success. African voters understand how important democracy is, and they support it. When they are given the opportunity to vote, they do it enthusiastically. But again, elections alone do not define a democracy, particularly as some incumbents in Africa and elsewhere narrow or close altogether the space for competition, participation, and a free press long before an election is held. A healthy democracy requires checks and balances, including a strong judiciary and legislature, competitive political parties, a free press, and an engaged civil society. If confirmed, I am dedicated to strengthening democratic norms and institutions on the continent, which has made important, but fragile democracy and governance gains. I will also promote the rule of law, respect for human rights, adherence to constitutionally mandated term limits, and strong democratic institutions, which are all fundamental to a country's peace, security, and prosperity.

*Question 35.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will work with my colleagues within the Department and at USAID to strategically apply resources to democracy, human rights, and governance (DRG) programs critical for safeguarding national security, fostering global prosperity, asserting U.S. influence and leadership, and ensuring foreign assistance programs are sustainable and effective. Recognizing the foundational importance of DRG programs to sustainable development, I will seek to advance these principles in Africa by utilizing resources to promote the rule of law and access to justice, respect for human and civil rights, credible and legitimate elections, a politically active civil society, and accountable and citizen-centered democratic governance. Working in partnership with African Governments and civil society, if confirmed, I will continue to support programs which strengthen governance institutions and protect the democratic and development gains that have been made across the continent and to prevent democratic backsliding.

*Question 36.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Washington and in Africa? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I am committed to working with a broad spectrum of actors from African civil society. A robust and diverse civil society is imperative for the achievement of a peaceful and prosperous Africa. I will support mechanisms to protect human rights and respond to abuses and provide assistance to civil society organizations for human rights monitoring activities. I will strive to empower all Africans with particular emphasis on engaging and empowering women and youth to constructively shape and participate in their social, political, and economic environments. Civil society continues to face challenges to its role in representing and advocating for citizens, particularly where the enabling environment is closing or closed; therefore, I am committed to promoting and protecting the role of civil society as an essential element of citizen-centered democratic governance. I will support the development of the institutional architecture to support victims, enhance access to justice and promote voices that encourage local dialogue among Africans, respect the rule of law, foster civil society, and recognize the value of independent media.

*Question 37.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I am committed to working with all democratically engaged actors on the Continent, including political opposition parties. I will focus on enabling and supporting credible electoral processes that are participatory, representative, and inclusive. I will encourage engagement by key actors within civil society, advocate for independent national elections commissions, promote of minority representation in government, and support voter education and election observation programs. I will also encourage policies to increase women's, youth's and marginalized groups' political participation as voters, civil society members and leaders, political party leadership, and office holders at all levels of government.

*Question 38.* Will you and your Bureau leadership team actively engage with African leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Africa?

Answer. If confirmed, I will champion a free press and open media in line with the National Security Strategy, which states, "An informed and engaged citizenry is the fundamental requirement for a free and resilient nation." As disinformation and manipulation work best in a monopolized information space, I will work with allies and partners to encourage and support professional, balanced, and fact-based reporting, and expose and counter hostile disinformation campaigns. I will support efforts to help civil society and independent media protect themselves from attacks by hostile actors and draconian laws restricting press freedoms.

*Question 39.* Will you and your Bureau leadership team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I commit to advance democratic values and counter actors attempting to undermine democratic institutions and promote authoritarian objectives across sub-Saharan Africa. As disinformation and manipulation work best in a monopolized information space, I will work with allies and partners to encourage and support professional, balanced, and fact-based reporting, and expose and counter hostile disinformation campaigns. I am committed to partnering with civil society and independent media to help them protect themselves from attacks by hostile actors, and I will take proactive stands against the arbitrary or unlawful use of surveillance technologies by malicious actors.

*Question 40.* Will you and your Bureau leadership team actively engage with African interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. Ensuring respect for internationally recognized worker rights and high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States. Independent trade unions are one of the fundamental building blocks for any democratic society and are important partners for the State Department in many countries. If confirmed, I will continue to support workers' ability to form and join independent trade unions of their choice.

*Question 41.* The United States has been a loud voice globally in the struggle against discrimination, and specifically against discrimination towards women and members of the LGBTI community. What kind of efforts do you envision undertaking to help move countries to uphold their international obligations to protect the rights of all of their citizens and oppose discrimination?

Answer. If confirmed, I am committed to protecting the fundamental rights and freedoms of all citizens, particularly historically marginalized or persecuted populations. The safety and security of all citizens, including LGBTI persons, is of the utmost importance; therefore, I will ensure our approach in Africa, first and foremost, does no harm. I will encourage our Posts to develop their strategies through regular discussions with local LGBTI community and civil society partners so that we can avoid sending messages or taking actions that might be counter-productive or dangerous to the community. I will also raise LGBTI issues in the context of larger human rights concerns wherever possible. And finally, I will support and encourage the development of local voices in support of LGBTI rights.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR MARCO RUBIO**

Ambassador Nagy, as you know, the situation in the Democratic Republic of the Congo is increasingly worrisome. We are nearly 18 months past the end of President Kabila's second and final term in office.

Violence and conflict have displaced more than 5 million people and many more face severe food insecurity.

Elections have been announced for December, but notwithstanding an agreement brokered by DRC's Roman Catholic bishops, several leading opposition figures, including former Governor Moise Katumbi, have thus far been unable to return to the country, due to what many believe are trumped-up legal proceedings.

*Question 1.* If confirmed, what will you do to support the return of free and fair elections?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government to make clear that we expect the DRC to hold inclusive and transparent elections in December and that President Kabila will not run for re-election, per his commitments made in December 2016. To this end, I would plan to continue the administration's policy of employing the full range of foreign policy tools in support of our objectives. This policy approach includes targeted sanctions; international coordination and pressure, including with our European and African partners as well as the U.N.; public messaging; diplomatic engagement, including senior-level visits; and technical assistance to support a transparent and credible process.

*Question 2.* If confirmed, would you prioritize nominating an Ambassador for the DRC?

Answer. If confirmed, I am committed to working closely with the Secretary and the White House to identify qualified candidates for key leadership positions. Pending the appointment and confirmation of a new Ambassador, we have a talented, capable, and experienced career diplomat in place as Chargé d'Affaires. Jennifer Haskell and her team have faithfully carried out our policy of pressing the DRC Government on the importance of holding credible elections in December 2018 and a subsequent peaceful, democratic transfer of power.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Over the course of my career in the Foreign Service, I had the good fortune to perform work that allowed me to support democracy and human rights on a routine basis. Some examples that I find particularly notable include the following:

- *Cameroon (Deputy Chief of Mission 1990–1993).* When the Cameroon Government, largely in response to domestic instability and pressure from the United

States, allowed the first-ever multi-party Presidential elections, I led the U.S. Embassy training and monitoring efforts. I managed to obtain permission for the National Democratic Institute's (NDI) delegation to be admitted to the country and to observe the elections, and dispatched Embassy observers to key voting areas. After the governing party claimed victory there was considerable political instability and the Government responded with force. I traveled to the English-speaking part of Cameroon to personally investigate the killing of demonstrators and submitted a report for inclusion in the annual Human Rights report.

- *Nigeria (Deputy Chief of Mission 1993–1995)*. My time coincided with the illegal coup of General Abacha and the imprisonment of Mashood Abiola, the rightful winner of the 1993 elections. I maintained close personal relations with leading human rights figures, including making high profile visits to them after their imprisonment. I was the Embassy's contact with the highest profile "house arrestee"—General Obasanjo—whom I visited at his farm and served as the conduit for his correspondence with segments of the U.S. Government. Obasanjo subsequently became President of Nigeria.
- *Guinea (Ambassador 1996–1999)*. The Guinean Government arrested Alpha Conde, the major opposition leader and kept him totally incommunicado under house arrest. I pressed the Government and obtained permission for a group of Western Ambassadors to visit him, and provided him with materials to write, read, and listen to the radio. I also maintained ongoing dialogue with all of the opposition leaders. Alpha Conde subsequently won the presidential elections and is currently Guinea's President.
- *Ethiopia (Ambassador 1999–2002)*. I opened the Ambassador's residence on an ongoing basis for round table discussions with key opposition leaders, despite the Ethiopian Government's strong disdain for my actions. My residence was the one place they could gather and communicate unhindered and not fear arrest. I also personally investigated reports of the Government killing demonstrators in a remote part of the country.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I will pursue the same policies I did while managing U.S. embassies in Africa—which included Americans, local employees, and third country nationals of diverse backgrounds. I insisted on equal and respectful treatment of everyone; immaterial of local cultural, religious, or ethnic practices. I received several awards during my Foreign Service Career for my professional and caring management of my people, and my mentoring of junior staff. While serving as diplomat-in-residence at the University of Oklahoma (2002–2003) I made it a priority to recruit Native Americans for the State Department from throughout the region.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Near Eastern Affairs are fostering an environment that is diverse and inclusive?

Answer. I will continue my past practice of frequent meetings, personal coaching and mentoring sessions to reinforce the precepts of equality, fairness, and non-discrimination. I will also take a pro-active approach to immediately address any problems which arise and correct any perceptions of discrimination or a hostile working environment—whether in Washington or in the field.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff??

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR TODD YOUNG**

*Question 1.* Are you familiar with the National Guard's State Partnership Program in which state national guards establish mutually beneficial partnerships with foreign militaries? The Indiana National Guard established a partnership program with the Republic of Niger in January 2017. If confirmed, do you commit to working with me to strengthen this relationship?

Answer. Yes. I am familiar with the National Guard's State Partnership Program, and if confirmed, I will work with you to reinforce the Indiana National Guard's work in Niger, in close coordination with the Department of Defense.

*Question 2.* What steps can or should we take to encourage more private investment in Africa, particularly in high-risk markets? What specific steps should be taken with respect to corruption?

Answer. If confirmed, I would look at encouraging African countries to reduce constraints on investment, strengthen rule of law and work to ensure a competitive environment for private investment. Reducing corruption would be an integral part of this effort, as it will help to mitigate risks that often scare away investors. To help prevent and combat corruption, I would also, if confirmed, support measures to increase transparency, public accountability, and rule of law.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR CHRISTOPHER MURPHY**

*Question 1.* The United States has increasingly relied on our military as the primary mode of engagement with African countries since the September 11 attacks. The Obama administration increased military spending and deployed more troops to combat terrorism across Africa. Under President Trump, the number of U.S. forces in Africa has increased by nearly 1,500 to total 7,500. In 2017, U.S. troops were deployed to 50 of Africa's 54 countries. Military advisers now outnumber diplomats in embassies across Africa:

- As the African continent continues to grow in population and economic importance, do you believe the United States needs to recalibrate the balance between military and non-military engagement with African countries? Do you believe our Ambassadors have sufficient input in, and oversight of, U.S. military assistance offered to host nation governments?

Answer. I believe there is a link between economic development and peace and security within Africa. Without a sustained diplomatic engagement and programs emphasizing critical human rights norms, democratic processes, and good governance, peace and security in the region will remain unattainable. If confirmed, I will work closely with my DOD and USAID colleagues to ensure there is a balanced approach to policy and resource allocation, and afford our Ambassadors the tools necessary to provide sufficient input in, and oversight of, U.S. military assistance.

*Question 2.* Following the tragic death of four U.S. service members in Niger last year and one in Somalia last week, are you concerned that U.S. troops are being drawn into harm's way during these supposedly non-combat missions? If U.S. troops can reasonably be assumed to encounter combat situations, should the administration be required to seek additional authorization from Congress?

Answer. I respect Congress's role in authorizing the use of military force and in providing oversight on these issues. I understand that the administration is not seeking any new or additional authority to use military force.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR TIM KAINE**

*Question 1.* I had an amendment that was included in the FY 2017 NDAA (Section 385) that gave combatant commanders the flexibility to help support State and USAID counter violent extremism (CVE) programs through shared resources, which would in turn help DOD's mission. Can you speak to how you would work with AFRICOM in this position to take advantage of this authority and if you would commit to working with AFRICOM to ensure strong proposals are sent to address CVE challenges in Africa?

Answer. I understand State, Department of Defense, and USAID are coordinating Section 385 proposals this year giving combatant commanders the needed flexibility to counter violent extremism in Africa. If confirmed, I will ensure that our CVE policy and programmatic coordination with the Department of Defense, USAID, and others is continuous and comprehensive, and I will commit to working with AFRICOM to ensure strong proposals are sent to advance our CVE objectives in Africa.

*Niger*

*Question 2.* The number of U.S. special operations forces in Africa over the past years has dramatically increased, especially compared to our diplomatic presence. I understand that following the attack in Niger last October that led the death of four U.S. service members and the need to address other strategic threats, these force levels are currently under review for reduction. In this position, if confirmed, you will be responsible for ensuring that the U.S. Government has the appropriate balance between our diplomatic, development and military efforts to achieve our foreign policy objectives in Africa. I have serious concerns and questions about our “train, advise, assist, and accompany” missions, particularly in Africa, and believe our diplomatic efforts should be prioritized in our overall strategy. If confirmed, will you report back to me by the end of this calendar year to provide your assessment of our diplomatic strategy and whether it is appropriately balanced with our military efforts in Africa? Will you also commit to informing SFRC on a bi-annual basis, beginning this fall, on the status of coordination between the Department of State and DOD on decisions regarding military operations, specifically the coordination between AFRICOM and our Chief of Mission in Africa? In both briefings, will you commit to provide your candid assessment even if they are not aligned with DOD?

Answer. I believe there is a critical link between democracy, human rights, and governance and peace and security within Africa. Without a sustained diplomatic effort and programs emphasizing critical human rights norms, democratic processes, and good governance, peace and security in the region will remain unattainable. If confirmed, I will work closely with my DOD and USAID colleagues to ensure there is a balanced approach to policy and resource allocation, and will provide SFRC my candid assessment of the status of interagency coordination in Africa. If confirmed, I look forward to maintaining a constructive dialogue with you on these issues.

*Somalia*

*Question 3.* Do you agree that the State Department and USAID have the appropriate expertise to conduct stabilization operations in the post conflict environment of Somalia? Do you agree that a lack of embassy or State Department presence, a lack of security and logistics capability has inhibited the State Department from conducting stability operations in Somalia? Can you provide some examples of where this stabilization authority could be useful in helping USAID and State gain access to areas in Somalia where security and logistics issues are currently preventing them from implementing post-conflict assistance?

Answer. I am confident that the Department of State and USAID have personnel with the requisite talent and expertise available to implement stabilization programming within Somalia. I agree that lack of presence, security, and logistics are severe impediments to such efforts. I believe that Department of Defense assistance would be most useful in enabling Department of State and USAID activities in those areas of southern and central Somalia that remain contested by al-Shabaab and other elements opposed to expanding the reach of legitimate governance, and where DoD-enabled partner forces from the African Union Mission in Somalia and Somali security forces are currently operating.

*Fragile States*

*Question 4.* AFRICOM Commander General Waldhauser stated in his 2017 testimony to Congress, “In Africa, weak and ineffective governance is the leading cause of state fragility. According to the 2017 Fund for Peace ‘Fragile State Index,’ 15 of the 25 most fragile countries in the world are in Africa.” One aspect of addressing fragile states is working to improve weak and ineffective governance which is led by State and USAID but also include Commerce, Treasury, Justice, the CDC, NASA and more. In this position, how would you improve the effectiveness of U.S. Government efforts to prevent violent conflict in fragile states in Africa? What would a more effective interagency approach to conflict prevention in fragile states in Africa look like? What changes in interagency goals, coordination structures, funding, and authorities will be needed?

Answer. If confirmed, I am committed to addressing the root causes of conflict in sub-Saharan Africa. There is a critical need to address democratic deficiencies that contribute to transnational threats. States and communities need assistance to foster legitimate, inclusive, and transparent political systems that reduce fragility and mitigate risks of violent conflict. I believe in an interagency approach to foster democratic governance, the rule of law, and respect for human rights. Current efforts, such as the Security Governance Initiative, rely on expertise from throughout the U.S. Government to strengthen the governance and effectiveness of security and justice institutions.

*Niger*

*Question 5.* The number of U.S. special operations forces in Africa over the past years has dramatically increased, especially compared to our diplomatic presence. I understand that following the attack in Niger last October that led the death of four U.S. service members and the need to address other strategic threats, these force levels are currently under review for reduction. In this position, if confirmed, you will be responsible for ensuring that the U.S. Government has the appropriate balance between our diplomatic, development and military efforts to achieve our foreign policy objectives in Africa. I have serious concerns and questions about our “train, advise, assist, and accompany” missions, particularly in Africa, and believe our diplomatic efforts should be prioritized in our overall strategy.

- If confirmed, will you report back to me by the end of this calendar year to provide your assessment of our diplomatic strategy and whether it is appropriately balanced with our military efforts in Africa? Will you also commit to informing SFRC on a bi-annual basis, beginning this fall, on the status of coordination between the Department of State and DOD on decisions regarding military operations, specifically the coordination between AFRICOM and our Chief of Missions in Africa? In both briefings, will you commit to provide your candid assessment even if they are not aligned with DOD?

Answer. I believe there is a critical link between democracy, human rights, and governance and peace and security within Africa. Without a sustained diplomatic effort and programs emphasizing critical human rights norms, democratic processes, and good governance, peace and security in the region will remain unattainable. If confirmed, I will work closely with my DOD and USAID colleagues to ensure there is a balanced approach to policy and resource allocation, and will provide SFRC my candid assessment of the status of interagency coordination in Africa. If confirmed, I look forward to maintaining a constructive dialogue with you on these issues.

*Niger (follow-up)*

*Question 6.* Thank you for your responses, though I would like a more direct answer to my question on Niger. Will you meet with me no later than December 31, 2018 to provide your assessment of our diplomatic strategy in Africa and whether it is appropriately balanced with our military efforts? Will you also commit to informing SFRC on a bi-annual basis on the status of coordination between the Department of State and DOD on decisions regarding military operations, specifically the coordination between AFRICOM and our Chief of Missions in Africa?

Answer. Yes. If confirmed I would be pleased to meet with you before the end of end of this calendar year to discuss our diplomatic strategy in Africa. Additionally, please know that I understand the importance of engaging with Congress and providing information regarding State Department efforts across the globe. If confirmed, and when asked, my staff and I would be happy to brief Members and staff of the Senate Foreign Relations committee regarding the Bureau’s work across Africa, including the efforts of our Chiefs of Mission and our coordination with other agencies.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
TIBOR PETER NAGY, JR. BY SENATOR CORY A. BOOKER

*Question 1.* How do you plan to rethink our humanitarian and political engagement in South Sudan?

Answer. I agree that the situation in South Sudan is urgent. If confirmed, I will work with interagency and international partners to assess U.S. humanitarian and political engagement in South Sudan in order to help the South Sudanese people achieve the peace and security they deserve.

*Question 2.* If confirmed, what steps will you take to reach out to the neighboring countries and put pressure on them to put forth a regional effort to end the war in South Sudan?

Answer. Achieving peace in South Sudan will require the assistance of South Sudan's neighbors. If confirmed, I will reach out to those neighboring countries bilaterally and through multilateral bodies such as the Intergovernmental Authority on Development (IGAD) and the African Union (AU) to urge them to help end the conflict by pressuring the warring parties, cutting off the flow of arms and ammunition, and stopping illicit financial flows from South Sudan to neighboring countries.

*Question 3.* The U.S. has advocated for sanctions and an arms embargo at the U.N. Security Council. If the Security Council does not back this call, what should the U.S. do next?

Answer. I believe the United States should continue pushing for sanctions and an arms embargo at the U.N. Security Council as appropriate. If the Security Council does not back the U.S. position, the United States has an array of authorities that can be used to apply domestic sanctions. If confirmed, I will also engage with international and regional partners to enact similar measures.

*Question 4.* Do you believe AFRICOM's role in Niger is helping us to meet our development goals in the Sahel?

Answer. I believe that security is a necessary condition for development but not sufficient alone to bring it about. AFRICOM's work and U.S. Government support of over \$250 million in security force assistance to Niger since 2012 has been critical to maintaining security for a country facing terrorist threats on three of its borders with a relatively small and overstretched military of 15,000. These threats continue to spill over from neighboring Mali and Nigeria. There are 129,500 internally displaced Nigeriens and the country is host to some 167,000 refugees from neighboring Mali and Nigeria. These trends further add to political instability and create unique development challenges, making it increasingly difficult for development assistance implementers to work safely in the field. So long as Niger is vulnerable to debilitating attacks from terrorist threats, development efforts will face significant challenges. U.S. security assistance through AFRICOM helps meet these important challenges by seeking to improve Niger's ability to defend itself against threats from violent extremist organizations both within and outside its borders. If confirmed, I would look to continue this important cooperation and look for greater opportunities to bring development and governance assistance into newly secured areas.

*Question 5.* Do you believe that AFRICOM is effectively coordinated with the State Department and USAID?

Answer. While I would need to be confirmed and in the job before I can completely determine this, I understand that there is good coordination between AFRICOM and the State Department and USAID. At the policy level, discussions among the leaders of the three organizations set common policy that drives diplomatic engagement as well as development and security sector engagement. The AFRICOM Commander, Assistant Secretary for African Affairs, and USAID Assistant Administrator for African Affairs hold a yearly African Strategic Dialogue (ASD) to establish common goals and direction for their organizations. Beyond this, I understand that there are regular conversations between the Bureau leadership and AFRICOM to ensure consistency in strategic direction and messaging. At the country team level, where programs are enacted, I understand that strong relationships among the chiefs of mission, the USAID country directors, and the senior defense officials exist. Finally, my understanding is that each of these entities exchanges advisors to provide policy and technical advice.

*Question 6.* If confirmed, how do you plan to ensure that our military operations in the Sahel are coordinated with State Department and USAID?

Answer. I share your belief that diplomacy and development are essential components of a successful and sustainable strategy in the Sahel and that we must coordinate closely with our Defense Department counterparts. Chiefs of Mission, their staff, and AFRICOM routinely engage as required by Presidential directive and U.S. law with regard to AFRICOM activities. In support of our Chiefs of Mission, the State Department coordinates closely with the Department of Defense and participates in the interagency process to determine regional strategic priorities in the Sahel. If confirmed, I will ensure that our coordination with the Department of Defense is continuous and comprehensive, and I will pursue the resources necessary to advance our development and governance objectives in the Sahel.

*Question 7.* How will you make sure that President Kabila understands that he cannot run for a third term, and that the elections should happen before the end of the year?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government, including President Kabila, to make clear that we expect the DRC to hold elections in December and for President Kabila to abide by his commitment to refrain from running or changing the constitution. To this end, I would expect to employ the full range of foreign policy tools in support of our objectives. This approach includes targeted sanctions; international coordination and pressure, including with our European and African partners as well as the U.N.; public messaging; diplomatic engagement, including senior-level visits; and, technical assistance to support a transparent and credible process.

*Question 8.* Would you be in favor of sanctions on Kabila's family in the event he runs again or delays elections further?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government, including President Kabila, to make clear that we expect the DRC to hold elections in December and for President Kabila to abide by his commitment to refrain from running or changing the constitution. This would include consideration of further use of our sanctions authorities, as appropriate, both to press President Kabila to hold credible elections, as now scheduled for December 2018, and to step down from power as mandated by the DRC's constitution, as well as in response to steps that undermine a credible electoral process or respect for fundamental rights. To this end, if confirmed, I will work closely with the Department of the Treasury on possible further DRC sanctions designations.

*Question 9.* If confirmed, will you urge President Trump and Secretary Pompeo to appoint an Ambassador to DRC so that we have a confirmed Ambassador in place prior to the planned December elections?

Answer. Regarding the status of specific Presidential appointments, I would defer to the White House. If confirmed, I am committed to working closely with the Secretary and the White House to identify qualified candidates for key leadership positions. Pending the appointment and confirmation of a new Ambassador, we have a talented, capable, and experienced career diplomat in place as Chargé d'Affaires. Jennifer Haskell and her team have repeatedly pressed the DRC Government on the importance of holding credible elections in December 2018 and a subsequent peaceful, democratic transfer of power.

*Question 10.* How has the Gulf dispute affected the stability of the Horn of Africa?

Answer. The Gulf crisis has intensified competition between the Gulf States across the Horn, whether on political, commercial, or security issues.

In the case of Somalia, Gulf States have pressured the Federal Government of Somalia to take sides in the dispute. Some Gulf countries have also engaged directly with Somalia's Federal Member States on political and economic issues in a manner that has exacerbated tension between federal and regional authorities. This tension has distracted the Somali authorities significantly from efforts to advance the federalism process and make progress on security sector reform. Somalia's long-term stability depends heavily on Mogadishu and its Federal Member States reaching agreement on an appropriate delineation of authorities between national and regional levels.

*Question 11.* If confirmed, how will you tackle this issue?

Answer. If confirmed, I will work with my counterparts in the Bureau of Near Eastern Affairs and our Embassies in the region to emphasize to relevant Gulf partners that pressuring countries in the horn of Africa to take sides in the Gulf dispute runs counter to our shared goals of promoting peace and stability in the region. In Somalia, I will discourage partners from engaging with Somalia's Federal Member States in a manner that undermines Somali national unity and distracts from stabilization and reform efforts. These include efforts to combat al-Shabaab and promote progress on federalism and reconciliation between Mogadishu and its Federal Member States.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR ROBERT MENENDEZ**

In a June 10, 2018 article in the Wall Street Journal titled "U.S. Pushes to Avert 'Catastrophic' U.A.E. Attack on Yemen Port," an unnamed U.S. official characterized the administration as giving the U.A.E. a "blinking yellow light" for the operation.

In a June 11, 2018 Press Statement, Secretary Pompeo said “I have spoken with Emirati leaders and made clear our desire to address their security concerns while preserving the free flow of humanitarian aid and life-saving commercial imports.”

*Question 1.* Did any Senate-confirmed individual in the U.S. Government explicitly communicate U.S. opposition to military operations at the Hudaydah Port?

Answer. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access.

*Question 2.* What did the U.S. specifically offer to address Emirati security concerns in Hudaydah in order to dissuade the current military operations?

Answer. Acting Assistant Secretary David Satterfield has publicly testified that the United States has been consistently clear with Saudi, Emirati, and Yemeni officials at every level that the destruction of critical infrastructure or disruption of the delivery of vital humanitarian aid and commercial goods is unacceptable. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access.

*Question 3.* What is the U.S. recommendation for “preserving the free flow of humanitarian and commercial imports” at the port, and is the U.S. recommendation shared by the U.N. Special Envoy for Yemen?

Answer. The United Nations has said the port of Hudaydah receives as much as 70 percent of the imports arriving in Yemen. I understand the administration continues to stress, at the highest levels, to the United States’ foreign partners and Coalition leadership the need to avoid any action that disrupts the flow of humanitarian assistance and commercial goods through Hudaydah port. In his June 13 statement, the U.N. Special Envoy to Yemen Martin Griffiths expressed concerns about the serious consequences a military conflict in Hudaydah could have on the dire humanitarian situation in Yemen—asking the parties to constructively engage with his office. The Department of State has said it supports the efforts of the U.N. Special Envoy and believes that the conflict can only be resolved through a comprehensive political agreement. In the Secretary of State’s statement on June 11, he called on the parties to honor their commitments to the U.N. Special Envoy, support the political process, and ensure access for humanitarian aid and critical commercial goods.

*Question 4.* In a June 10, 2018 article in the Wall Street Journal titled “U.S. Pushes to Avert ‘Catastrophic’ U.A.E. Attack on Yemen Port,” an unnamed U.S. official characterized the administration as giving the U.A.E. a “blinking yellow light” for the operation. In a June 11, 2018 Press Statement, Secretary Pompeo said “I have spoken with Emirati leaders and made clear our desire to address their security concerns while preserving the free flow of humanitarian aid and life-saving commercial imports.” Is there a “red line” for the Emirati operations at Hodaydah, which if crossed would result in cessation of U.S. military support?

Answer. The administration has stated that it continues to provide limited support to the Coalition in support of the Republic of Yemen Government and that the support includes efforts to improve Coalition process and procedures, including regarding compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties. Acting Assistant Secretary David Satterfield has publicly testified that the United States has been consistently clear with Saudi, Emirati, and Yemeni officials, at every level, that destruction of critical infrastructure or disruption of the delivery of vital humanitarian aid and commercial goods is unacceptable. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access.

*Question 5.* In Secretary Pompeo’s April 12, 2018 responses to my Questions for the Record, he stated that if confirmed he would urge the UAE Government to conduct a thorough investigation of its detainee practices, to include allowing the International Committee of the Red Cross to have regular access to the centers.

- Can you now confirm that the State Department has indeed urged the UAE Government to conduct such an investigation?

Answer. I cannot speak to the commitments the Secretary made previously. However, if confirmed, I will work to follow through on the Secretary’s commitments and engagement with the Emirati Government.

*Question 6.* If not Secretary Pompeo, has any official representing the U.S. Government engaged in such a discussion with any official of the UAE Government?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on these important issues.

*Question 7.* Has the Statement Department, or any other agency of the U.S. Government, conducted an assessment regarding the allegations of fraud in the May 12, 2018 national elections in Iraq?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this issue in greater detail.

*Question 8.* If the U.S. Government has not conducted such an assessment regarding the credibility of these allegations, is the State Department aware of any other government or non-government effort?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this issue in greater detail.

*Question 9.* Is U.S. policy to (a) support continued negotiations by Iraq's political parties to form a government or (b) support a pause in government formation negotiations in order to assess the credibility, fairness, and security of Iraq's elections?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this issue in greater detail.

*Question 10.* What are the risks if the majority of Iraqi citizens believe that the allegations of electoral fraud are credible?

Answer. If a state fails to reassure its citizens that their votes count, it diminishes the legitimacy of the electoral process, weakens the credibility of democracy, and runs the risk of instability or social unrest. Iraq is particularly susceptible to these issues due to its history of sectarianism and the recent widespread violence associated with the fight against ISIS. All governments need to reassure their citizens that they are taking actions to protect the rule of law. The Iraqi Government has done this by demanding a recount of ballots from the May 12 election, to help ensure the credibility of its democratic institutions.

*Question 11.* Please provide specific examples of non-military programs and activities that the U.S. Government is currently implementing in Iraq that, directly or indirectly, counter-balance Iranian influence. What additional programs or engagement might contribute to these efforts?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this issue in greater detail.

*Question 12.* In our private meeting, you expressed support for some of UNRWA's work but also said the agency needed to reform. Please provide 3–5 specific examples of reform efforts that the U.S. should be seeking from UNRWA in order for to continue our funding?

Answer. It is my understanding that U.S. assistance to the Palestinians, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), remains under review by the administration. I know that the United States has long voiced the need for UNRWA both to seek out new voluntary funding streams and increase burden-sharing among its donors, as well as to undertake more fundamental reforms. I agree that the United States should not be asked to bear a disproportionate share of UNRWA's costs. If confirmed, I would be pleased to engage with you in greater detail on this important issue.

*Question 13.* In which areas of Syria has the State Department started a drawdown of stabilization assistance?

Answer. It is my understanding that the administration has decided to transition over the coming months certain U.S. assistance efforts from northwest Syria to enhance stabilization assistance in areas liberated from ISIS in northeast Syria.

*Question 14.* What specific programs and activities is the State Department no longer funding in these areas of Syria?

Answer. I understand that the President has asked that all stabilization assistance for Syria be reviewed in order to determine appropriate assistance needs.

*Question 15.* Does this drawdown include funding for support to the White Helmets?

Answer. It is my understanding that the President authorized USAID to release approximately \$6.25 million for the continuation of life-saving operations of the Syr-

ian Civil Defense, more commonly known as the “White Helmets”—an internationally renowned non-governmental organization composed of over 3,000 volunteer first-responders. These funds will provide the White Helmets with critical equipment, vehicles, and other assistance needed to continue their work to save lives.

*Question 16.* Please describe the process for transitioning these programs to other donors. What are the risks to the people and communities in these areas if other donors do not assume the funding responsibility?

Answer. Acting Assistant Secretary Satterfield testified that the United States is working with Coalition partners to encourage greater investment in immediate stabilization and early recovery efforts in areas liberated from ISIS control, including investment in removal of Explosive Remnants of War (ERW), the restoration of essential services, and the building local capacity to support longer-term sustainability to secure enduring liberation from ISIS.

*Question 17.* The de-escalation zone in southwest Syria, negotiated by Jordan, Russia and the United States, depend on Russian assurances. In a June 14, 2018 Press Statement, Heather Nauert said that the United States “will take firm and appropriate measures in response to Syrian Government violations in this area.” Please provide examples of “firm and appropriate” responses.

Answer. My understanding is that the administration is demanding that Russia fulfill its commitments to restrain the Syrian regime from committing any violations in the southwest de-escalation zone.

*Question 18.* For each country in the NEA Bureau over the past five calendar years, has the U.S. been unable to provide assistance to a particular unit due to Leahy vetting requirements?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this in further detail.

*Question 19.* For each example, please provide details on the unit, why they were denied assistance, when assistance was resumed and the reasoning for that resumption.

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter. If confirmed, I look forward to engaging with you and your staff on this in further detail.

*Question 20.* Can Bahrain be a stable, secure country in the medium to long term absent credible steps toward reconciliation and reform?

Answer. Credible steps toward reconciliation and reform will be an important factor in Bahrain’s medium-to-long term stability and security. Just as critical will be Bahrain’s ability to defend itself against Iranian interference and aggression. While that security threat is real, it should not be an excuse to restrict human and political rights. Bahrain also should continue to pursue economic reforms in the face of fiscal and economic challenges. If confirmed, I will work with the Bahraini Government to help in these areas that are key to Bahrain’s long-term stability and security.

*Question 21.* Do you personally believe that U.S. engagement with the Bahraini Government regarding its commitments to reconciliation and reform can help to move these processes forward?

Answer. Honest, consistent, and regular U.S. engagement with the Bahraini Government will be critical in promoting reconciliation and reform. If confirmed, I will work with Department of State and U.S. Government counterparts to promote such engagement with the Bahraini Government.

*Question 22.* In July 2017, Qatar signed a Memorandum of Understanding (MOU) on counterterrorism cooperation with the U.S. Has Qatari commitment to fulfilling its obligations in this MOU been satisfactory to date?

Answer. I understand that Qatar has worked diligently to improve its information sharing with the United States, and its capacity to identify, investigate, designate, and prosecute terrorists. If confirmed, I am committed to ensuring that you continue to receive comprehensive briefings on Qatar’s implementation of the counterterrorism MOU.

*Question 23.* What are the current priorities of administration in advancing U.S.-Qatar counterterror cooperation?

Answer. I understand that the administration is working with Qatar to improve its capacity in the two key areas of terrorist finance designations and prosecutions. On designations, Qatar is drafting new laws in order to be compliant with internationally recognized standards and has recently issued terrorism designations. On

prosecutions, Qatar is working closely with the U.S. Department of Justice on technical training and case-based mentoring.

*Question 24.* For each of the Governments involved in the Qatar dispute, what specific recommendations have been made to take steps toward ending the dispute with Qatar?

Answer. All countries involved in the dispute can reduce negative and provocative public rhetoric, use their public messaging to create the conditions for a productive dialogue, and begin good-faith negotiations to de-escalate and eventually resolve the dispute. Each of these countries is an important U.S. partner with an essential role to play in countering Iran's malign activity in the region and combating terrorism and violent extremist ideologies. If confirmed, I would recommend the parties in the dispute focus on these important priorities and the progress they can make if they resolve their differences and work together.

*Question 25.* Are these governments open to taking steps toward reconciliation?

Answer. I understand that the dispute remains in a stalemate. If confirmed, I will work with the countries involved and emphasize the importance of reconciliation.

*Question 26.* Please provide specific examples of how the ongoing dispute with Qatar undermines U.S. national security interests in the Middle East.

Answer. The dispute prevents some of the United States' most important allies in the region from cooperating to confront Iran. As a result of the dispute, Qatar's only open border is its maritime border with Iran, which leaves Qatar increasingly vulnerable to Iranian pressure at a time when the United States seeks a unified front against Iranian aggression. In addition, the dispute has degraded the GCC as an institution, hindered U.S. efforts to strengthen regional defense cooperation, and resulted in provocative rhetoric that is deepening resentment between governments and populations.

*Question 27.* What are the major challenges to implementing the agreement reached in Paris in May by certain Libyan leaders and stakeholders to hold elections in December?

Answer. The United States supports U.N.-facilitated Libyan efforts to organize credible and secure parliamentary and presidential elections as soon as possible. The administration has said these elections must be well-prepared, so we do not end up with further instability. As I understand it, much work remains to be done to ensure broad-based support across Libya for an agreed to constitutional and electoral process. The United States supports U.N. Special Representative Salamé's ongoing efforts to consult widely with Libya's leaders on how to move forward with a democratic and inclusive process and lay the necessary groundwork for successful elections to proceed.

*Question 28.* In your view, should the United States push for elections on this timeline?

Answer. The administration has made clear that the United States fully supports U.N. Special Representative of the Secretary-General for Libya Ghassan Salamé's efforts to help Libyans organize credible, secure, and well-prepared parliamentary and presidential elections as soon as possible. Credible and peaceful elections will provide the basis for a more stable and representative government, which will help address Libya's economic and humanitarian challenges. The administration has underscored that such elections must be well prepared, to avoid further instability. Special Representative Salamé must have the opportunity to consult with Libya's leaders on how to move forward with a democratic and inclusive process.

*Question 29.* Should the United States withhold funding to support Libya elections until a constitutional referendum is held?

Answer. I understand that the United Nations is consulting with the Libyans on the sequencing of their constitutional and electoral processes. It is also my understanding that the United States supports the United Nations' leadership of the Libyan political process and the goal of helping Libyans organize credible, secure, and well-prepared national elections. The political process must lead to a more stable, unified national government, but first the Libyans must lay the groundwork for elections to proceed, with support from the international community.

In the interim, I believe that we should continue to bolster Libya's electoral institutions and maintain flexibility in U.S. bilateral assistance in order to adjust programs according to progress on the political front.

*Question 30.* Is the U.S. Government aware of any credible evidence to supports the allegations against UNHCR?

Answer. I defer to the Department of State, which I understand stands ready to brief you or your staff, on this issue. However, to my knowledge, there is no credible evidence to support Lebanese Foreign Minister Gebran Bassil's allegations against the UNHCR. Much of Syria remains in conflict and insecure and at present the United Nations does not consider conditions to be suitable for mass returns.

*Question 31.* Do you believe that UNHCR's work in Lebanon should continue?

Answer. Lebanon hosts the highest per capita number of refugees in the world and the second highest number of Syrian refugees. The influx of refugees from Syria has presented significant challenges to Lebanon's public services and social cohesion, and UNHCR has a crucial role to play in providing humanitarian aid to meet the life-saving needs of Syrian refugees.

*Question 32.* What are the conditions necessary for returns to Syria? In your view, are there areas in Syria safe enough for returns?

Answer. Much of Syria remains in conflict and insecure. At present, the United Nations does not consider conditions to be suitable for mass returns. The United States should continue assistance to Syrian refugees until Syrians can return voluntarily in safety and dignity.

*Question 33.* Have new letters of instruction been issued to the Ambassador to Israel and the Consul General in Jerusalem?

Answer. I am not aware of the status of Presidential letters of instruction to the U.S. Ambassador to Israel and the U.S. Consul General in Jerusalem. If confirmed, I would be happy to provide an update on this issue.

*Question 34.* What are the differences between these letters of instruction and the previous letters of instruction?

Answer. I am not aware of the status of Presidential letters of instruction to the U.S. Ambassador to Israel and the U.S. Consul General in Jerusalem. If confirmed, I would be happy to provide an update on this issue.

*Question 35.* If confirmed, will you make ensuring Israel's QME is maintained a constant priority?

Answer. The United States has a long-standing commitment to Israel's security, one important component of which is substantial security assistance to preserve Israel's QME over potential regional threats. I look forward to consulting closely with Congress to continue the U.S. legacy of unwavering security commitment toward Israel.

*Question 36.* What type of U.S. assistance does the administration consider to not directly benefit the PA for the purposes of the Taylor Force Act?

Answer. The administration has stated that it strongly supports the Taylor Force Act. I believe implementation of the Act will take place in the context of a broader review of assistance to the Palestinians. If confirmed, I look forward to briefing Congress on the conclusions of that review when it is complete.

*Question 37.* Please describe the input provided by the State Department to the Department of Homeland Security.

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter.

*Question 38.* How do you plan to continue raising these cases?

Answer. I know that the safety and security of U.S. citizens is a top priority for the Trump administration. If confirmed, I plan to use all the diplomatic tools at my disposal to work for the release of U.S. citizens unjustly detained or missing in Iran and reunite them with their families. This includes working with the Swiss Government, our protecting power in Iran, advocacy within the United Nations, and coordination with other western nations that have unjustly detained citizens in Iran.

*Question 39.* What more do you propose that we ask of our partners in the Middle East in order to get the Iranians to fundamentally change their behavior?

Answer. Based on the Secretary's May 21 speech, I understand that the administration is seeking to build a global coalition of states that will join us in isolating the Iranian regime diplomatically and politically, while also applying an unprecedented level of financial sanctions. If confirmed, I look forward to working with countries in the Middle East to further contribute to these efforts.

*Question 40.* Please provide a list of weapons purchases that, if consummated by any government in the NEA Bureau with Russia, would constitute a "significant transaction" under Section 231.

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter.

*Question 41.* For each of these possible acquisitions, has the State Department taken action to discourage consummation of the sale?

Answer. I must defer to the Department of State, which I understand stands ready to brief you or your staff on this matter.

*Question 42.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Since 1998, I have written dozens of scholarly articles recommending how U.S. policymakers should support human rights and democracy promotion in the Middle East. In 2000, the Washington Institute for Near East Policy published a book I wrote titled "Palestinian Democracy and Governance: An Appraisal of the Legislative Council." It remains the only book in English about the Palestinian legislature. In this book, I described US-funded efforts to strengthen good governance in the Palestinian Authority, and argued for increased U.S. support for institution-building in the PA. I have also testified before the European Union Parliament about religious freedom in Egypt. I believe my work has raised awareness about human rights and democracy in the Arab world among U.S. policymakers.

*Question 43.* What issues are the most pressing challenges to democracy or democratic development in your region, in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The Middle East and North Africa region faces several pressing challenges to democracy and democratic development. Many countries lack adequate civic opportunity for all sectors of society, particularly minority and opposition groups, to operate. Corruption saps regional economies and provides an avenue for actors to bypass and undermine political structures and the rule of law. The jailing and sidelining of legitimate opposition figures prevents meaningful elections and suppresses the voice and will of the people. The region lacks legitimate and independent news sources and credible international news services where bad actions and misdeeds are honestly reported.

*Question 44.* What steps will you take—if confirmed—to support democracy in your region? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will do my utmost to support democracy in the Middle East and North Africa. Strengthening democratic institutions and processes are core tenants of American values, and support for an engaged civil society is a critical component of strengthening democracy in the Middle East. Impediments to democratization are present to varying degrees across the region, including a lack of civic space for opposition and minority groups to operate, corruption, and instability caused by ongoing conflict.

*Question 45.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I plan to leverage U.S. foreign assistance, along with other tools available to the U.S. Government, to advance our foreign policy goals and national security interests, including through support for democracy and governance. I will continue to ensure that U.S. foreign assistance resources and programs support civil society organizations, promote inclusive participatory governance, and further respect for human rights.

*Question 46.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Washington and in your region? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I would meet with civil society members, human rights advocates, and other non-governmental organizations in the United States and in the Middle East and North Africa.

*Question 47.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** If confirmed, I will meet with democratically oriented political opposition figures and parties. I also will advocate for access and inclusivity for women, minorities, and youth within political parties and civil society.

**Question 48.** Will you and your Bureau leadership team actively engage with regional leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in your region?

**Answer.** If confirmed, the Bureau of Near Eastern Affairs leadership team and I will actively engage with regional leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory, or other measures. I also will commit to meeting regularly with independent, local press in the Middle East and North Africa region.

**Question 49.** Will you and your Bureau leadership team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the region?

**Answer.** If confirmed, I would actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the Middle East and North Africa.

**Question 50.** Will you and your Bureau leadership team actively engage with regional interlocutors on the right of labor groups to organize, including for independent trade unions?

**Answer.** If confirmed, the Bureau of Near Eastern Affairs leadership team and I will actively engage with interlocutors across the Middle East and North Africa on the right of labor groups to organize, including independent trade unions.

**Question 51.** The United States has been a loud voice globally in the struggle against discrimination, and specifically against discrimination towards women and members of the LGBTI community. What kind of efforts do you envision undertaking to help move countries to uphold their international obligations to protect the rights of all of their citizens and oppose discrimination?

**Answer.** If confirmed, I will advocate against discrimination toward women and members of the LGBTI community across the Middle East and North Africa.

**Question 52.** A defense company owned by Elliot Broidy, Circinus, is currently implementing a large contract on behalf of the Government of the United Arab Emirates. Mr. Broidy has also reportedly pursued large contracts with other countries in the Middle East, while allegedly attempting to influence U.S. foreign policy to the benefit of the Governments from which he was pursuing business deals. These allegations have a potentially grave impact on matters that fall within the jurisdiction of the Senate Foreign Relations committee.

- If the committee requests information from your Bureau on these and related matters, do you commit to provide the information in a timely and responsive way?

**Answer.** Yes, I will coordinate with the Bureau of Legislative Affairs to respond in as timely and responsive manner as possible.

**FOLLOW-UP QUESTIONS SUBMITTED TO DAVID  
SCHENKER BY SENATOR ROBERT MENENDEZ**

**Question 1.** In your view, what are the greatest threats facing the United States in Yemen? Is Al Qaeda in the Arabian Peninsula (AQAP) still a threat? Should we continue to refuel partner aircraft if our partners in Yemen are no longer partnering with us to counter AQAP?

**Answer.** Developments in Yemen threaten U.S. interests on several fronts. First, the vacuum caused by the war in Yemen has seen a resurgence of AQAP in ungoverned spaces, which could enable the organization to conduct operational planning against American citizens and interests in and outside of CONUS. Second, the IRGC has manipulated the security vacuum in Yemen to expand Iranian regional influence via the Houthis. Iran's presence on Saudi Arabia's southern border constitutes a significant threat to an important U.S. ally. More than 10,000 American citizens reside in Saudi Arabia, which is currently under missile attack by the Iranian-backed Houthis. Third, the acute humanitarian crisis in Yemen could result in an outflow of refugees, destabilizing neighboring states. It is my understanding that at present, a small number of U.S. forces, in coordination with the Republic of Yemen Government, and the UAE, support ongoing kinetic operations to degrade AQAP's ability to coordinate external terrorist operations. Given this cooperation and the abiding interest of the U.S. in preventing the establishment of a permanent

IRGC presence in Yemen, continued U.S. support for its regional partners is warranted. If confirmed, I will ensure that our counterterrorism partnerships across the region remain strong.

#### *Yemen*

*Question 2.* You responded to my question regarding ICRC access to detention facilities by pledging to follow through on Secretary Pompeo's commitments and engaging with the UAE Government on its detention practices.

- Did you read the June 21, 2018 article published by the Associated Press titled "Detainees held without charges decry Emiratis' sexual abuses"?

Answer. Yes.

*Question 3.* Based on the evidence reported in this article, do you believe it should be the policy of the U.S. to urge that the ICRC be granted access to detention centers in Yemen?

Answer. I understand that the administration has raised concerns about these allegations with UAE Government and military officials. If confirmed, I would seek to better understand the situation and if appropriate, advocate for ICRC access to these facilities, per the Geneva Convention.

*Question 4.* Would it be appropriate for the Intelligence Community to conduct an assessment of the credibility of these reports?

Answer. I am not in a position to say. A Pentagon spokesman in the article said that DOD had "no substantiating information" about the reports, but nonetheless described the allegations as "disturbing." I agree that the allegations are indeed disturbing. If confirmed, I would seek further information regarding the credibility of these allegations, and make recommendations on future actions based on my findings.

*Question 5.* In your view, are non-military programs and activities in Iraq helpful in counter-balancing Iranian influence in Iraq? As a long-time scholar of the region, can you provide examples of U.S. assistance or engagement that, in your view, play a beneficial role in countering Iranian influence in Iraq?

Answer. U.S. initiatives to counter Iran include a variety of activities, just as malign Iranian influence in Iraq manifests in many forms. As an observer outside of government, I have seen how U.S. diplomacy has promoted Iraqi sovereignty, helped Iraq integrate in the region, and built stronger connections between Iraq and western institutions and principles. Thanks to U.S. Government support, for example, Iraq signed a \$5.4 billion Stand-by-Arrangement with the IMF that tied Baghdad closer to western financial institutions and put it on a much-needed path to economic reform. Likewise, U.S. Government support for the Iraq Reconstruction Conference hosted by Kuwait earlier this year led to nearly \$30 billion in financing assistance from international donors, institutions, and the private sector for Iraq's reconstruction efforts, making Iraq less susceptible to Iranian economic influence.

I believe that U.S. support has helped heal Iraqi communities devastated by terrorism and war, limiting some opportunities Tehran might otherwise exploit. U.S. Government support for stabilization, for instance, has brought basic services to communities destroyed by ISIS and allowed more than 3.8 million internally displaced Iraqis, mostly minorities, return to their homes. The United States has backed local reconciliation activities, as well as decentralization programming to bring decision-making authority closer to local communities. I believe that these efforts are helping to build a stronger, more resilient Iraqi society, which stands a better chance of resisting Iranian interference.

While helpful, this U.S. assistance is by no means a panacea. Iranian influence runs deep in many quarters in Iraq. Proximity, religious affinity, and its willingness to use coercion, give Tehran some advantage in this struggle for the development of an independent and democratic Iraq. Absent this engagement, however, the U.S. would essentially be ceding the field to Iran, an approach that would be both defeatist, and, I believe, a disservice to most Iraqis to want to chart their own destiny.

#### *Syria*

*Question 6.* You stated, "Much of Syria remains in conflict and insecure and at present the United Nations does not consider conditions to be suitable for mass returns."

- I want to understand YOUR view on the conditions in Syria and the suitability for mass returns; please provide them.

Answer. It is my view that the vast majority of Syrian refugees fled from the Assad regime—not ISIS. To wit, as a matter of policy, ISIS prevented its residents from escaping, routinely killing them for trying. From my vantage point outside of

government, I assess that Syria today is not yet suitable for the mass return of refugees. Returns should take place under conditions where refugees can be safe and can make an informed and voluntary choice about their return. Syria remains highly volatile with fighting and violence across the country and widespread unexploded ordinance. Basic services are currently very limited or non-existent in many potential areas of return and humanitarian access remains a challenge. Moreover, refugees have no guarantees that they will not be punished or retaliated against for fleeing the war. The refugees were not an ancillary element of this war; it is my assessment as an analyst that the Assad regime wanted to depopulate the country of Sunni Muslims to change the demography of Syria. It is unclear if the regime would even allow their return to a situation free from extreme religious bias and persecution.

*Question 7.* In your view, can U.S. funding for stabilization activities play a beneficial role in improving those conditions?

Answer. It is my understanding that U.S. stabilization assistance plays a critical role in removing explosive remnants of war and rehabilitating essential services to pave the way for the safe and voluntary return of Syrians to liberated communities and begin to re-introduce a sense of normalcy to these communities. Stabilizing communities—improving local governance, mitigating retributive violence, and ensuring equitable representation of marginalized groups—eliminates some of the key factors that ISIS can and has exploited to re-emerge in liberated communities currently outside of regime control. If confirmed, I would be happy to provide additional details on U.S.-funded stabilization activities and how they improve conditions on the ground for Syrians.

*Question 8.* You said, “Based on the Secretary’s May 21 speech, I understand that the administration is seeking to build a global coalition of states that will join us in isolating the Iranian regime diplomatically and politically, while also applying an unprecedented level of financial sanctions. If confirmed, I look forward to working with countries in the Middle East to further contribute to these efforts.”

- I would like YOUR views, as a long-time scholar of the region, as to specific areas where we can ask our partners in the Middle East to contribute.

Answer. As a long-time scholar of the region, I believe the United States’ partners in the Middle East can and should do more to isolate the Iranian regime diplomatically, politically, and economically, in support of the administration’s goals of deterring Iranian aggression in the region and ensuring freedom of navigation in the Persian Gulf. If confirmed, I would work with our partners to ensure that global oil markets remain stable—*i.e.*, keeping oil production output high—a necessary condition to prevent a spike in prices, and help keep other states on board in the global campaign against Iran. I would also encourage our partners to fully implement U.S. policy on economic relations with Iran. Among other things, I would explore whether our Gulf partners would cut their own direct trade with Iran and/or consider secondary sanctions, to encourage would-be sanction busting companies to get on board with the campaign. I might also seek out additional military and financial contributions from our partners to offset U.S. military deployments in the region. If confirmed, I will work to ensure our Middle East friends join us as full partners in the global coalition to counter Iran—a campaign which serves our common interests.

*Question 9.* There is public reporting on several proposed purchases by Middle East countries from Russia, that if consummated, would constitute a “significant transaction” in my view. You and I discussed this issue in our private meeting and I asked you about it in your nomination hearing.

*Question 10.* Please provide at least three examples of weapons purchases that, if consummated by any government in the NEA Bureau with Russia, would constitute a “significant transaction” under Section 231.

Answer. I understand that the Department examines all reports of transactions on a case-by-case basis using a multifactor approach to evaluate significance. These factors include but are not limited to the following: the nature and magnitude of the transaction, its impact on U.S. national security and foreign policy, and its significance for Russian defense or intelligence sectors. I understand that the Department does not prejudge the sanctionability of transactions.

Based on the precedent of Secretary Pompeo’s responses to similar questions (included here for reference), please work with the professional staff of the State Department to respond to questions regarding this important issue.

*Question 11.* When was the last time the U.S. was unable to provide security assistance to a particular unit within the NEA region or Turkey due to Leahy vetting?

Answer. I understand the last time the Department denied security assistance to a unit in the NEA region due to Leahy vetting was in February 2018. The Department denied a request for security assistance based on Leahy vetting concerns to a Turkish unit in 2015, according to Department records.

*Question 12.* Please provide details on the unit, why they were denied assistance, when assistance was resumed and the reasoning for that resumption.

Answer. I understand that the Department denied assistance training to a tribal militia unit in Iraq due to derogatory information pertaining to the unit's commander, and that the United States has not extended security assistance to the unit since then. While Turkey is outside of my AOR, State Department has informed me that it denied assistance to a Turkish police unit in 2015 due to a credible allegation that the Turkish unit's commander was involved in torture and extrajudicial killing. The United States has not resumed assistance to the Turkish police unit since that allegation.

*Question 13.* How has the State Department followed up with the unit and country in question to ensure compliance?

Answer. I understand the Department continues to support the efforts of Iraqi and Turkish authorities to enhance their security forces' respect for human rights and accountability for human rights violations. However, the United States has not resumed support for the Turkish police unit since the allegation in 2015.

*Question 14.* How has this Leahy determination influenced subsequent offers of assistance?

Answer. I understand that all units credibly implicated in gross violations of human rights are prohibited from receiving U.S. security assistance until they have been brought to account for those violations.

If confirmed, I will work with the State Department staff responsible for executing the Department's obligations under the Leahy laws to respond to Congressional questions relating to this important topic. I strongly believe—and my writings since 1998 available publicly—reflect a strong and consistent respect for human rights. The promotion of human rights is a core belief of mine, which, if confirmed, I intend to reflect in my policy recommendations.

**RESPONSE TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR JEFF FLAKE**

*Question 1.* I appreciate the State Department's recent action to enforce our Open Skies agreements with Qatar and the UAE. Ensuring a level playing field for America's aviation industry is of utmost importance. If confirmed, will you continue the State Department's work to enforce and monitor these agreements to prevent unfair subsidies?

Answer. Yes. I understand the Department of State has indicated that enforcing the United States' air transport agreements is a Department priority. If confirmed, I will keep you updated on the Department of State's efforts to enforce those agreements with countries in the Middle East.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Since 1998, I have written dozens of scholarly articles recommending how U.S. policymakers should support human rights and democracy promotion in the Middle East. In 2000, the Washington Institute for Near East Policy published a book I wrote titled "Palestinian Democracy and Governance: An Appraisal of the Legislative Council." It remains the only book in English about the Palestinian legislature. In this book, I described U.S.-funded efforts to strengthen good governance in the Palestinian Authority, and argued for increased U.S. support for institution-building in the PA. I have also testified before the European Union Parliament about religious freedom in Egypt. I believe my work has raised awareness about human rights and democracy in the Arab world among U.S. policymakers.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I would strive to make the work environment in the Bureau of Near Eastern Affairs friendly to all employees. I would explore career-ladder mentoring—assigning new employees a mentor to help them acclimate to the State Department environment and give them career advice. I would recognize various holidays and months that honor various groups. I would make sure that there are appropriate EEO procedures in place and annual trainings, as well as multiple avenues for employees to raise concerns.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Near Eastern Affairs are fostering an environment that is diverse and inclusive?

Answer. Part of being a leader is ensuring that the supervisors on your team are good leaders themselves. If confirmed, I would make sure that there are appropriate EEO procedures in place, annual trainings for supervisors, and that we routinely engage on the importance of diversity and inclusiveness.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO DAVID SCHENKER BY SENATOR JEANNE SHAHEEN

*Question 1.* Mr. Schenker, you asserted during your nomination hearing that the United States had advised the Saudi-led Coalition not to undertake an offensive to take the Yemeni port city of Hodeidah. My understanding is that Secretary Pompeo did not explicitly discourage the Coalition from undertaking the offensive, and in fact, the U.S. is reportedly providing targeting and intelligence support to the operation. Could you please provide the evidence that formed the basis for your assertion during the hearing that the U.S. discouraged the Hodeidah offensive?

Answer. Acting Assistant Secretary David Satterfield has publicly testified that the United States has been consistently clear with Saudi, Emirati, and Yemeni officials at every level that the destruction of critical infrastructure or disruption of the delivery of vital humanitarian aid and commercial goods is unacceptable. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access.

*Question 2.* Mr. Schenker, during your nomination hearing, you stated that the reason for the hold that the State Department has placed on stabilization funding for Syria is to assess whether or not the provision of that aid is "appropriate." I am struggling to see the logic in withholding this money after the U.S. has invested so much time and effort into pushing ISIS out of Syrian cities and towns. If confirmed, will you work to ensure that funding is disbursed?

Answer. It is my understanding that the United States is working with its Coalition partners to support immediate stabilization and early recovery efforts in areas liberated from ISIS control, including the removal of explosive remnants of war, the restoration of essential services, and building local capacity to support longer-term sustainability. The administration is committed to an enduring defeat of ISIS. If confirmed, I will work to ensure all of this assistance and the funding provided by our international allies is targeted, effective, and at the appropriate level to ensure the lasting defeat of ISIS.

*Question 3.* Mr. Schenker, the Lebanese Armed Forces is the most trusted public institution in Lebanon and has been hailed by the Defense Department as a critical counterterrorism partner in the region. That said, some have suggested that the LAF is guilty of transferring U.S. supplied military equipment to Hezbollah and that it collaborated with Hezbollah in counter-ISIS operations last year. I believe that these accusations are not well-founded, but I want to ask if you believe they are legitimate, and if so, should the U.S. continue to partner with the LAF?

*Answer.* The Lebanese Armed Forces (LAF) is one of the United States' strongest counter-terrorism partners in the region. Without a strong military, Lebanon's existence as an independent and democratic partner in the region would be jeopardized. This would enable Hezbollah to expand its influence even further and increase the risk of instability inside Lebanon and beyond.

I understand that the LAF places a high priority on maintaining its exemplary track record with U.S. Government-provided equipment and fully complies with end-use monitoring requirements that mitigate the risk of any assistance being diverted to Hezbollah. Prior to the provision of assistance, the United States vets all recipients for human rights violations and for affiliations with or support for terrorist organizations, including Hezbollah. If confirmed, I would continue to support the rigorous application of end-use monitoring and vetting as a core requirement for all LAF-related security assistance programs.

*Question 4.* Mr. Schenker, how can the U.S. work to lessen the influence of Hezbollah in Lebanese governing institutions?

*Answer.* I share your profound concern about Hezbollah's destabilizing role in Lebanon and in the region. To curb Hezbollah's influence, if confirmed, I will continue to support exercising existing sanctions authorities on Hezbollah to the fullest extent possible, and will encourage our partners around the world to enhance their own efforts to degrade Hezbollah's domestic and international capabilities and dismantle its global financial support network.

U.S. assistance that develops Lebanon's ability to provide basic services for its people, including security services, such as through the Lebanese Armed Forces, is the backbone of U.S. policy to reinforce Lebanon's sovereignty and assert the Lebanese Government's authority throughout all of its territory. Strengthening Lebanese state institutions undermines Hezbollah and its attempts to exploit a weak Lebanese central government.

*Question 5.* Mr. Schenker, UNIFIL, the United Nations peacekeeping force in Lebanon, has played a key role in facilitating regular dialogue between the Lebanese and Israeli militaries to help avoid flare-ups along the blue line, while also conducting joint operations with the LAF in southern Lebanon. Do you agree that it is important for the U.S. to continue to support the renewal of UNIFIL's mandate?

*Answer.* UNIFIL has a difficult mandate and operates in a difficult part of the world. The goal of the United States should be to ensure that UNIFIL is doing its job to the fullest extent possible, in line with the mission's robust mandate. U.N. Security Council resolution 1701 (2006), gives UNIFIL broad authority to support Lebanon's efforts to extend its state authority and ensure that UNIFIL's area of operations is not used for hostile activity.

UNIFIL should be more proactive in exercising its existing responsibilities. I understand that the most recent mandate renewal in 2017, which was adopted unanimously, called on UNIFIL to increase its patrols and inspections across southern Lebanon and adjust its operational activities to expand the mission's visible presence on the ground. Along these lines, UNIFIL should also expand observation posts and checkpoints and report more thoroughly on any obstacles it confronts. If confirmed, I believe the United States' position on the mandate renewal this year should be shaped by an assessment of the degree to which UNIFIL has met the goals set forth last August, particularly regarding increased patrols and improved reporting.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR CHRISTOPHER MURPHY**

*Question 1.* In a recent hearing before the Senate Foreign Relations committee, Acting Assistant Secretary David Satterfield was asked about conditioning U.S. support for the Saudi-led coalition in Yemen on the continued allowance of food, fuel, medical supplies, and other humanitarian assistance into the primary port of Yemen [Hudaydah port]. Ambassador Satterfield told the committee that if the Saudi-led coalition did not allow sustained access through Hudaydah and Saleef Ports, "it

would be exceedingly difficult to maintain the type of support for the coalition” that currently exists. Please detail any support the U.S. is providing to the United Arab Emirates (UAE), Saudi Arabia, and other coalition partners for military operations to seize the port city of Hudaydah in Yemen.

**Answer.** Acting Assistant Secretary David Satterfield has publicly testified that the United States has been consistently clear with Saudi, Emirati, and Yemeni officials, at every level, that destruction of critical infrastructure or disruption of the delivery of vital humanitarian aid and commercial goods is unacceptable. The administration has said it continues to provide limited support to the Coalition in support of the Republic of Yemen Government and that the support includes efforts to improve Coalition process and procedures, including compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties.

**Question 2.** In a recent hearing before the Senate Foreign Relations committee, Acting Assistant Secretary David Satterfield was asked about conditioning U.S. support for the Saudi-led coalition in Yemen on the continued allowance of food, fuel, medical supplies, and other humanitarian assistance into the primary port of Yemen [Hudaydah port]. Ambassador Satterfield told the committee that if the Saudi-led coalition did not allow sustained access through Hudaydah and Saleef Ports, “it would be exceedingly difficult to maintain the type of support for the coalition” that currently exists. Is it your understanding that the administration asked the United Arab Emirates to refrain from initiating operations to attack Hudaydah city and its port, and instead to engage in political negotiations under the auspices of U.N. Special Envoy Martin Griffiths?

**Answer.** Acting Assistant Secretary David Satterfield has publicly testified that the United States has been consistently clear with Saudi, Emirati, and Yemeni officials, at every level, that destruction of critical infrastructure or disruption of the delivery of vital humanitarian aid and commercial goods is unacceptable. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access, and that members of the administration remain in close contact with the U.N. Special Envoy to Yemen to ensure that this is accomplished.

**Question 3.** In a recent hearing before the Senate Foreign Relations committee, Acting Assistant Secretary David Satterfield was asked about conditioning U.S. support for the Saudi-led coalition in Yemen on the continued allowance of food, fuel, medical supplies, and other humanitarian assistance into the primary port of Yemen [Hudaydah port]. Ambassador Satterfield told the committee that if the Saudi-led coalition did not allow sustained access through Hudaydah and Saleef Ports, “it would be exceedingly difficult to maintain the type of support for the coalition” that currently exists. Do you believe the United States should use our military support as leverage to encourage Saudi Arabia and the UAE to engage in political negotiations to end the war in Yemen?

**Answer.** The administration has said it continues to provide limited support to the Coalition in support of the Republic of Yemen Government and that the support includes efforts to improve Coalition process and procedures, including compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties. I understand that the administration supports a political settlement negotiated through U.N. mediation, not a military solution, to resolve the conflict and to ensure the critical goal of continued humanitarian access. If confirmed, I would work to ensure Saudi Arabia, the UAE, and all parties to the Yemen conflict participate in the U.N.-led mediation process.

**Question 4.** Do you believe the United States should provide intelligence or military assistance to Saudi Arabia or the UAE to assist in operations to seize the port city of Hudaydah, which risks killing or displacing hundreds of thousands of people and worsening an already catastrophic humanitarian situation? If yes, please explain whether you believe it is possible to ensure the unimpeded flow of vitally needed humanitarian and commercial goods to major population centers, including in Sanaa, during these military operations.

**Answer.** The administration has said it continues to follow closely the developments in Hudaydah. I understand that the Secretary of State has said he has spoken to Emirati leaders—and made clear the administration’s desire to address their security concerns while preserving the free flow of humanitarian aid and commercial goods to reach the Yemeni people who desperately need it.

**Question 5.** Do you agree that the longer this war continues, the more damage Iran is able to do to Saudi Arabia via its support for the Houthis, and that ending

the war with a negotiated settlement is the best way to marginalize Iran's interference in Yemen?

Answer. I agree with the administration's position that the only possible solution to the conflict in Yemen is a negotiated political settlement under U.N. auspices. If confirmed, I will continue the administration's engagement with U.N. Special Envoy for Yemen Martin Griffiths and with key regional partners, including the Saudis and Emiratis, to revive political negotiations on an accelerated timeline. I understand Saudi and Emirati leadership have met with the Special Envoy and have consistently affirmed their support for his efforts.

With respect to Iran, I understand the administration is working closely with our international and regional partners to place diplomatic and political pressure on Iran and to expose its malign activity in Yemen and throughout the region. If confirmed I intend to continue working with our Gulf partners to push back against Iran's regionally destabilizing actions, including through efforts to prevent Iranian weapons shipments from going into Yemen.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR TIM KAIN**

*Question 1.* I have been requesting the administration's domestic and international legal justification for April 2017 U.S. airstrikes in Syria since these attacks occurred. This includes numerous requests to review the administration's legal memo that was prepared on these strikes. Despite commitments from Secretary of State Pompeo to provide me this information, including most recently during a May 24th hearing where he said, "I made a commitment to you that I would do it. I will turn to it this week," this information has still not been provided. This is especially disconcerting following the Department of Justice's public release of the legal justification for the April 2018 U.S. airstrikes on Syria. If confirmed to the position of Assistant Secretary, will you provide me and Members of Congress the administration's fulsome policy and legal rationales for its actions in your area of responsibility of the Near East? Will you ensure, as Secretary Pompeo has agreed to do, my review of the Syria legal memo justifying the 2017 airstrikes?

Answer. If confirmed, I pledge to work with the Congress and to establish an open and effective line of communication. I agree that it is important for the Executive Branch to provide members of Congress and the public with detailed information about the basis for U.S. military operations.

Regarding this specific request, I understand that this document is the subject of ongoing litigation and that there are substantial executive branch confidentiality interests implicated. If confirmed, I would want to be fully briefed by State Department staff on this matter.

*Question 1 (follow-up).* Do you share Secretary Pompeo's commitment to provide me access to the administration's legal memo on the 2017 U.S. airstrikes in Syria? Yes or no.

Answer. I have not had an opportunity to read the memo in question or speak to the Secretary about it. If confirmed, I look forward to reading it and working with Secretary Pompeo and others in the administration regarding this memo and what additional information the administration may be able to share with you regarding the legal justification for the 2017 U.S. airstrikes in Syria.

*Question 2.* What is the justification for not moving forward with funding to West Bank and Gaza that Congress has appropriated? Do you support funding for critical programs in the West Bank and Gaza to help the Palestinian people, including humanitarian assistance, support for schools, health, infrastructure and people-to-people? Will you commit to ensuring that funding for these critical programs will be released before the end of the fiscal year?

Answer. I understand that the administration routinely conducts reviews of U.S. foreign assistance in order to ensure it is meeting U.S. national security interests, achieving U.S. policy objectives, and providing value to U.S. taxpayers. It is my understanding that U.S. assistance to the Palestinians is under review, and that the administration has not yet reached a decision. If confirmed, I look forward to briefing you and your staff at the conclusion of that review.

*Question 2 (follow-up).* Again, do you support funding for critical programs in the West Bank and Gaza to help the Palestinian people, including humanitarian assistance, support for schools, health, infrastructure and people-to-people? Will you commit to ensuring that funding for these critical programs will

be released before the end of the fiscal year? If you can't make this commitment until confirmed, please tell me what your recommendation would be now to the administration regarding the release of this funding based on your current position.

Answer. I support the administration's goal of ensuring that all U.S. foreign assistance, including any U.S. assistance to the West Bank and Gaza, meets U.S. national security interests, achieves U.S. policy objectives, and provides value to U.S. taxpayers. I share your concern about the humanitarian situation in Gaza, but I have not participated in the ongoing administration review of our assistance to the West Bank and Gaza, and I am therefore not in a position today to say what advice I would offer if confirmed and apprised of the review's findings. If confirmed, I look forward to engaging you and your staff once I am briefed on the findings of our review of U.S. assistance to the Palestinians and have discussed the way ahead.

*Question 3.* In April 2018, the State Department approved the sale of 12 AH-1Z attack helicopters, worth approximately \$911 million, to Bahrain. This approval comes as the Bahraini Government has sharpened its crackdown on activists, lawyers, journalists, revoked a record number of citizenships of nationals, carried out unfair trials of civilians in military courts and harassed, intimidated, imprisoned and prosecuted rights defenders—such as Nabeel Rajab—and their family members. Last year, the U.N. High Commissioner for Human Rights said that the “democratic space in the country has essentially been shut down.”

- With this context in mind, what are the key points of U.S. leverage that could encourage the Bahraini Government to reverse course on some of its most recent restrictions, including the recent draconian sentencing of Nabeel Rajab? Do you believe selling weapons to the Bahraini Government as it continues to dramatically stifle dissent will result in Bahrain making progress on its commitments to reform?

Answer. I believe our key point of leverage with the Bahraini Government should be our continued regular engagement with the Government and other elements of Bahraini society. The security threats Bahrain faces from Iran are real, but should not be an excuse for restricting human and political rights. If confirmed, I will have this honest engagement with the Bahraini Government.

I believe that we should pair our U.S. military sales to the Bahraini Government with a clear understanding that Bahrain's own long-term stability and security depend on its achieving political reconciliation and upholding its commitments to universal human rights.

*Question 3 (follow-up).* Please describe what you mean by “pair.” Do you believe that U.S. military assistance to Bahrain should be conditioned on the Bahraini Government improving human and political rights? If not, please explain how regular engagement will provide leverage and why you believe such regular U.S. Government engagement has not led to these changes thus far. What would you do differently?

Answer. If confirmed, I will ensure our regular engagement with Bahrain underlines the importance of human and political rights, making the case for political inclusion as an essential component of Bahrain's stability, while ensuring it has the means to defend itself from regional threats and domestic terrorism.

*Question 4.* This year's Senate NDAA includes a provision that allows DoD to better support the State Department and USAID in their efforts to transition from military to stability operations following conflict. A key lesson learned from the Iraq War was that our military was not equipped to conduct post-conflict stability operations, which contributed to a resurgence of violence. This provision will authorize DoD to properly support State and USAID in their efforts to access hard to reach areas in Iraq, Syria, Afghanistan and Somalia to provide lasting stability.

- Do you agree that the State Department and USAID have the appropriate expertise to conduct stabilization operations in the post conflict environments of Iraq and Syria? Do you agree that a lack of embassy or State Department presence and a lack of security and logistics capability has inhibited the State Department from conducting stability operations in Iraq and Syria? Can you provide examples of where this stabilization authority could be useful in helping USAID and State gain access to areas in Iraq and Syria where security and logistics issues are currently preventing them from implementing post-conflict assistance?

Answer. I understand that the Department of State and USAID have the required technical expertise to provide stabilization assistance in areas liberated from ISIS in Iraq and Syria, working in close collaboration with Coalition military forces. How-

ever, I understand the Department of State would be happy to brief you in greater detail on this subject. If confirmed, I look forward to engaging with you and your staff on this matter in greater detail.

*Question 4 (follow-up).* Do the State Department and USAID currently have the presence, security, and logistical capability to apply their technical expertise in stabilization in areas liberated from ISIS in Iraq and Syria? How can the Department of Defense better enable State and USAID activities in recently liberated areas in Iraq and Syria? Please provide specific examples where you believe such assistance can be used.

Answer. I understand that the State Department and USAID have the ability to conduct stabilization programs; however, I have not been briefed on these programs yet and do not have all the details at this time. If confirmed, I look forward to receiving in depth briefings, including access to classified reporting, to better understand the programs. I look forward, if confirmed, to engaging you and your staff on this issue further.

*Question 5.* What do you believe are Russia's objectives in the region? What is Russia's strategy in the Middle East and how do these elements support Russia's global goals? What recommendations do you have to counter Russia's increased presence and influence in the Middle East and what policies would you pursue as Assistant Secretary to do so?

Answer. Russia's objectives in the Middle East are to reestablish its relevance as a great power and undermine U.S. alliances and influence. Russia seeks to achieve these goals in the region mainly through arms sales and energy deals and in Syria, specifically, through military intervention. In Syria, Russia seeks to keep the Assad regime in power in order to retain its historical influence and bolster its regional stature, while preserving its military and economic interests.

The United States can counter Russia's influence by showing allies the value of continued cooperation. Across the region, the United States can demonstrate that it recognizes the threat from terrorism and Iran's malign regional influence and work with partners to counter these threats. Sustained diplomatic engagement should play a central role in this approach.

*Question 5 (follow-up)* Do you support the use of Section 231 sanctions under the Countering America's Adversaries Through Sanctions Act (CAATSA) to reduce Middle Eastern countries dependence on the Russian defense sector for arms acquisitions? I agree with your assessment that sustained diplomatic engagement should play a central role in countering Russia in the Middle East. Have personnel cuts and unfulfilled positions at the State Department strained the Department's ability, agnostic of regional ally efforts, to sustain diplomatic engagement at a pace sufficient to counter Russia's influence?

Answer. If confirmed, I look forward to looking at the range of sanctions options available to reduce Middle Eastern countries dependence on the Russian defense sector. However, I understand that the administration has expressed its support for implementing sanctions under Section 231 of the Countering America's Adversaries Through Sanctions Act (CAATSA) with the necessary waiver authorities that both Secretary Pompeo and Secretary Mattis have raised with Congress.

On the topic of personnel matters, I must defer to the Department of State. However, I would note Secretary Pompeo's testimony to the SFRC in which he emphasized the need to "get the team back on the field." If confirmed, ensuring NEA has the personnel it needs to accomplish its mission will be one of my highest priorities.

*Question 6.* Do you commit that regime change should never be an acceptable policy goal of the United States, including in Iran?

Answer. Both Secretary Pompeo and National Security Advisor John Bolton have said the administration is not seeking regime change in Iran. The Secretary has been clear that the administration is seeking a change in the Iranian regime's behavior.

*Question 6 (follow-up).* Do you believe that regime change is ever an acceptable policy goal of the United States? Yes or no.

Answer. A question of this hypothetical nature cannot be answered without the necessary facts. In the case of Iran, Secretary Pompeo has been clear that the administration does not seek regime change.

*Question 7.* On September 3, 2015, then-DHS Secretary Jeh Johnson designated Yemen for TPS based on the ongoing armed conflict in the country that poses a serious threat to the safety of returning nationals. Secretary Johnson extended the designation for 18 months in January, 2017. Do you believe that country conditions and

threats to the safety of returning nationals in Yemen have improved since January 2017? In addition to the armed conflict, the United Nations has warned that Yemen is at risk of severe famine. Would you recommend to Secretary Nielsen that she take into account the famine's potential effects on returnees as she considers the redesignation of TPS for Yemeni nationals?

Answer. The Department's role in TPS decisions is advisory. Section 244 of the Immigration and Nationality Act provides the DHS Secretary with sole authority to designate a foreign state for TPS, or to extend or terminate its designation, after consultation with appropriate government agencies. DHS has traditionally consulted with the Department of State. As requested, the Department will continue to contribute its input to DHS for use by Secretary Nielsen as she makes her determinations. Any Department input would draw upon the State Department's unique country, regional, and humanitarian expertise to evaluate country conditions against the criteria set out in the TPS statute. As I understand the process, as the Department develops its TPS input to DHS, all relevant information received from different parts of the Department is considered.

*Question 7 (follow-up).* Based on what you know today would you recommend that Secretary Nielsen extend TPS designation for Yemeni nationals?

Answer. I have limited insight into this process in my current capacity, but I understand that in January of 2017 DHS found that Yemen met the criteria under the law and TPS for Yemeni nationals was extended through September 3, 2018. Based on what I understand of the process, the State Department contributes to the Department of Homeland Security's TPS decision process. The State Department examines a broad range of information and then makes a recommendation to the Secretary of State. After reviewing all the information, the Secretary of State makes a recommendation to the Secretary of Homeland Security, who ultimately decides.

If confirmed, I look forward to engaging you and your staff on this issue and the humanitarian situation in Yemen which is a concern to everyone.

*Question 8.* Tunisia has taken key steps toward democracy since the 2011 popular uprising that overthrew a longstanding authoritarian regime, and despite some internal political frictions, many observers describe it as the lone success story of the "Arab Spring" uprisings. What more can or should the U.S. Government do to ensure that Tunisia remains on the right track to consolidate its nascent democracy and improve its economic prospects?

Answer. My understanding is that the administration is fully committed to supporting Tunisia's democracy and its efforts to advance difficult, but necessary economic reforms.

The United States has provided Tunisia with over \$1.3 billion dollars in assistance since 2011 to help it meet an array of challenges, including a stagnant economy, marginalized provincial populations, and the threat of terrorism from home-grown extremists and ISIS's Libya branch. Continued support for programs that promote democracy, good governance, and human rights is vital to assist Tunisia as it consolidates its democratic gains. It is my understanding that U.S. officials regularly engage the Tunisian Government to encourage further economic and institutional reforms to deliver growth and jobs for the Tunisian people, create a more attractive environment for U.S. and other international investors, and combat corruption. U.S. economic assistance programs are geared towards supporting these reform efforts. If confirmed, I would review the levels of U.S. assistance to Tunisia, and advocate to adjust them if appropriate.

*Question 9.* What specific steps would you take as Assistant Secretary to help resolve the intra-GCC rift? What are the goals and objectives of the U.S.-GCC summit, now planned for September 2018?

Answer. The Gulf dispute is negatively affecting our interests and only benefits Iran. If confirmed, I would encourage all sides to address their concerns through negotiations and direct engagement. President Trump has publicly pressed GCC leaders to resolve the dispute. If confirmed, I will work with others in the administration to advance this goal.

*Question 9 (follow-up).* Again, what specific steps would you take as Assistant Secretary to help resolve the intra-GCC rift? What are the goals and objectives of the U.S.-GCC summit, now planned for September 2018?

Answer. If confirmed, I will prioritize direct engagement with the leadership of all the countries involved in the dispute to emphasize the President's message that the United States wants the dispute resolved. I will stress that the dispute prevents some of the United States' most important allies in the region from cooperating to confront Iran, and that the dispute has degraded the GCC

as an institution, hindered U.S. efforts to strengthen regional defense cooperation, and resulted in provocative rhetoric that could deepen resentment among governments and populations.

Regarding the U.S.-GCC summit, if confirmed, I commit to ensuring you are comprehensively briefed on the United States' goals and objectives.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR TODD YOUNG

*Question 1.* I have worked closely with Ambassador Satterfield on Yemen, and I would like to develop the same relationship with you once confirmed. Is the United States supporting in any way the Saudi and Emirati-led coalition's military operations to take Hodeidah?

Answer. I understand that the United States has not changed its level of support to the Saudi-led coalition in Yemen as a result of the Hudaydah operation. The non-combat support includes efforts to improve coalition processes and procedures, especially regarding compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties. It also includes coordinating with the coalition, United Nations, and NGOs to pass no-strike targets. The administration continues to stress, at the highest levels, to foreign partners the need to avoid any action that disrupts the flow of humanitarian assistance and commercial goods through Hudaydah port. If confirmed, I am committed to working with you closely on Yemen.

*Question 2.* If confirmed, do you commit to ensuring that you and your bureau provide timely and responsive answers to questions and requests from my office?

Answer. Yes. If confirmed, I will maintain the Department of State's efforts to brief your office on diplomatic events and policy in the Middle East and North Africa region, and work with the Bureau of Legislative Affairs to respond to your queries in a timely manner.

*Question 3.* Will you keep me updated on efforts to enforce Open Sky agreements in the Middle East?

Answer. Yes. I understand the Department of State has indicated that enforcing the United States' air transport agreements is a Department priority. If confirmed, I will work with the Bureau of Legislative Affairs to keep you updated on the Department of State's efforts to enforce those agreements with countries in the Middle East.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID SCHENKER BY SENATOR CORY A. BOOKER

*Syria*

*Question 1.* In March, the Trump administration announced that it would freeze \$200 million in funding for stabilization efforts in Syria. These stabilization funds are used to consolidate gains against ISIS through targeted programs to remove mines and explosive devices, deploy electricity, and provide basic services essential to getting displaced Syrians back to their homes. This funding was also used to support the White Helmets, which does lifesaving rescue work.

Senators Kaine and Cardin joined me in a letter to President Trump expressing our concern about the freeze on this funding and asked the President to report on how this would bolster Iranian and Russian influence in Syria. We have not yet received a response to our letter.

Furthermore, in Istanbul last month, I met with our START Forward team, which implements our Syria humanitarian programs, who said that they would have to start shutting down their programs and operations in Idlib (northwest Syria), where Al Qaeda is strengthening its base.

- Do you believe that withholding stabilization funding for Syria serves U.S. national security interests?

Answer. It is my understanding that the President has asked that all bilateral foreign assistance for Syria stabilization efforts be reviewed. I further understand that the administration will then determine appropriate assistance needs, and encourage our partners in the Global Coalition to Defeat ISIS to share the burden of consolidating the Coalition's military gains and preventing the resurgence of ISIS.

If confirmed, I will work to ensure all our assistance is in our national security interests and is targeted, effective, and at the appropriate level.

*Question 2.* In March, the Trump administration announced that it would freeze \$200 million in funding for stabilization efforts in Syria. These stabilization funds are used to consolidate gains against ISIS through targeted programs to remove mines and explosive devices, deploy electricity, and provide basic services essential to getting displaced Syrians back to their homes. This funding was also used to support the White Helmets, which does lifesaving rescue work.

- How does this funding freeze bolster Iranian and Russian influence in Syria? Has the administration completed an analysis of the impacts of our humanitarian withdrawal that is coordinated with State, USAID, and DoD?

Answer. It is my understanding that the administration is fully aware of Iran's destabilizing behavior in Syria, which includes providing arms, financing, and training to the Assad regime, as well as funneling Iraqi, Afghan, and Pakistani foreign fighters to support it. If confirmed, I will work with the administration to continue to strengthen its comprehensive strategy to address Iranian and Russian destabilizing actions in Syria.

It is my understanding that the \$200 million in question does not include humanitarian assistance, and no humanitarian assistance to Syria is on hold. The United States is the largest single country humanitarian aid donor to the Syria response since the start of the crisis.

*Question 3.* In March, the Trump administration announced that it would freeze \$200 million in funding for stabilization efforts in Syria. These stabilization funds are used to consolidate gains against ISIS through targeted programs to remove mines and explosive devices, deploy electricity, and provide basic services essential to getting displaced Syrians back to their homes. This funding was also used to support the White Helmets, which does lifesaving rescue work.

Senators Kaine and Cardin joined me in a letter to President Trump expressing our concern about the freeze on this funding and asked the President to report on how this would bolster Iranian and Russian influence in Syria. We have not yet received a response to our letter.

Furthermore, in Istanbul last month, I met with our START Forward team, which implements our Syria humanitarian programs, who said that they would have to start shutting down their programs and operations in Idlib (northwest Syria), where Al Qaeda is strengthening its base.

- If confirmed, would you advise the President to withdraw from Syria?

Answer. U.S. military forces are in Syria for the sole mission of ensuring the enduring defeat of ISIS. This mission is not over. As the President has stated, the United States remains committed to eliminating the small area of territory ISIS still holds in Syria. Premature withdrawal of U.S. forces would place these territories at risk of ISIS' return. If confirmed, it will be my job to support the diplomacy necessary to achieve the President's intent and our country's national security. My advice would be based on the conditions on the ground.

*Question 4.* Furthermore, in Istanbul last month, I met with our START Forward team, which implements our Syria humanitarian programs, who said that they would have to start shutting down their programs and operations in Idlib (northwest Syria), where Al Qaeda is strengthening its base.

- If confirmed, would you advise the President to deploy stabilization funds in northwest Syria?

Answer. It is my understanding that the administration has decided to transition certain U.S. assistance efforts in northwest Syria over the coming months to enhance our focus on efforts to the defeat ISIS campaign in the northeast, stabilizing areas liberated from ISIS. If confirmed, I will work to expedite our review of all bilateral foreign assistance for Syria stabilization efforts to ensure all our assistance is targeted, effective, and set at the appropriate level.

#### *Lebanon*

*Question 5.* There are some calls for cutting off funding to the LAF. Do you support that position?

Answer. The Lebanese Armed Forces (LAF) have been an important counterterrorism partner and led the defeat of ISIS in Lebanon.

If confirmed, I will continue to ensure that U.S. assistance to the LAF serves our objectives, enabling it to reinforce Lebanon's sovereignty and secure its borders, counter internal threats, build up legitimate state institutions, and undermine the false narrative that Hizballah is a guarantor of Lebanon's security.

*Question 6.* Up until recently, the Lebanese people have generously taken in Syrian refugees that have been displaced by the brutal conflict in the region. There are now some voices in the Government pushing for their return. Will you work to find ways to ensure Lebanon has what it needs to ensure that the goodwill that the international community has towards Lebanon remains intact?

Answer. Lebanon hosts the highest per capita number of refugees in the world, and the second highest number of Syrian refugees. The influx of refugees from Syria has presented significant challenges to Lebanon's public services and social cohesion. Since the start of the conflict in Syria, the United States has provided nearly \$1.8 billion in humanitarian aid to international and non-governmental organizations in Lebanon to meet the life-saving needs of Syrian refugees and vulnerable Lebanese. The United States also helps address extraordinary development needs in Lebanon arising from the Syria crisis, including education, water, and economic growth, with a focus on areas where refugees are having the greatest impact on host communities. If confirmed, I will support the continuation of assistance to Syrian refugees sheltering in Lebanon until such a time that Syrians can return voluntarily in safety and dignity.

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## NOMINATIONS

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THURSDAY, JUNE 21, 2018

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

The committee met, pursuant to notice, at 2:17 p.m., in Room SD-419, Dirksen Senate Office Building, Hon. Tim Johnson, presiding.

Present: Senators Johnson [presiding], Flake, Gardner, Young, Murphy, Markey, and Booker.

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

Senator JOHNSON. Good afternoon. This hearing of the Senate Foreign Relations committee will come to order.

Today, we gather to consider four nominations: The Honorable Brian Nichols, to be the U.S. Ambassador to Zimbabwe; Mr. Gordon Sondland, to be the U.S. Representative to the European Union, with the rank of Ambassador; Mr. Ronald Gidwitz, to be U.S. Ambassador to Belgium; and Ms. Cherith Norman Chalet, to be the U.S. Representative to the United Nations for U.N. Management and Reform, with the rank of Ambassador and Alternative U.S. Representative to the Sessions of the United Nations General Assembly. That is a mouthful. [Laughter.]

Senator JOHNSON. I want to welcome the nominees and their families. And, in your opening statements, I hope you will introduce your families and your friends to this committee. And I congratulate all of you on your selection by the President for these positions, and I want to thank you for your willingness to serve.

Before moving to opening statements, I would like to welcome several distinguished colleagues who will help introduce our nominees. Senator Tillis, Senator Wyden will introduce Mr. Sondland. And Senator Gardner and Senator Durbin will introduce Mr. Gidwitz.

Senator Tillis, if you would like to begin.

**STATEMENT OF HON. THOM TILLIS,  
U.S. SENATOR FROM NORTH CAROLINA**

Senator TILLIS. Thank you, Mr. Chair and members—I should say, members of the committee.

It is my great privilege to introduce Mr. Gordon Sondland, who has been nominated to serve as the United States Ambassador to the European Union. Mr. Sondland was born in Seattle, Washington, and, as a first-generation American, his family history is

both fascinating and instructive as to why he has the experience and understanding to serve as U.S. Ambassador to the EU.

His parents, Gunther and Frieda Sondland, were born in Berlin, Germany, and were married in 1937. They were forced to escape the Nazi regime in Germany. His mother was able to escape because her father was Russian, and those with Russian passports could leave. She ended up in Uruguay, where Mr. Sondland's sister was born.

His father was not so fortunate, and he had to be smuggled out of Germany. He actually wound up in France, where he joined the French Foreign Legion and fought in North Africa. He was put in a concentration camp in Africa, where he was rescued by British Army. He then joined the British Army, being fluent in German, assisted with decoding German ciphers. After 8 years, Mr. Sondland's parents were reunited and moved to Seattle in 1953, where Gordon was born, 4 years later.

Gordon went on to attend the University of Washington in Seattle, and began his business career in commercial real estate before managing The Aspen Group, an investment fund, for more than a decade. Mr. Sondland is currently the founder, chairman, and CEO of Provenance Hotels. He originally purchased the bankrupt hotel and transformed it into the enterprise he manages today, a national company, which now employs nearly 1,000 employees, and owns and manages hotels across a geographically diverse environment in the United States.

In addition to his great business experience, Mr. Sondland has been heavily involved in a number of philanthropic activities. He is cofounder of the Gordon Sondland and Katherine J. Durant Foundation, which strives to help families and boost communities. He has also served on a number of local, State, national boards, and advisory committees in the past, and he currently serves on several boards, including U.S. Bancorp, Washington State Advisory Board, Sanford School Board of Visitors at Duke University, Oregon Health and Science University Foundation, and the George W. Bush Center.

His family history and his contextual understanding that comes with it, combined with his extensive business experience in large enterprise and negotiations in markets and problem-solving, relationship-building, and managing competing interests ideally suit him for the task.

I would also tell you he is a man of great character and a great mentor to two of his kids, who had the good sense to go to a North Carolina school. They are at Duke University. I am sorry you did not have the grades to get into UNC Chapel Hill, but Duke is a good Plan B.

So, Mr. Chair, thank you so much for holding this hearing. I could not think of a better person to take the post as Ambassador to the EU: Mr. Gordon Sondland.

Senator JOHNSON. Thank you, Senator Tillis.  
Senator Wyden.

**STATEMENT OF HON. RON WYDEN,  
U.S. SENATOR FROM OREGON**

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

And let me make this a filibuster-free zone and perhaps just have my remarks put in the record and give you a sense of why I am here.

I have known Gordon Sondland, known in the Pacific Northwest as "Gordie," for well over a quarter of a century.

And I think Senator Murphy asked, "Well, how does that come about? Did he want to play in the NBA, too? You know, it was basketball that did it." Not really. There is a really small Jewish community in Oregon, and we pretty much know each other. So, the Zidells and the Rosenfelds and the Tanzers and the Sondlands, we are just people who get together and back good causes and try to stand up for our State, and, particularly, have an interest in global matters because of our family background.

We are both—Gordon Sondland and I—we are the children of German parents, and both of our families fled the Nazis in the '30s. Gordon's father used his foreign-language fluency to help the British Army during the war. My dad, who lived for a while in Ridgefield, Connecticut, wrote the propaganda pamphlets for our Army that we dropped on the Nazis. And I am telling you, those pamphlets smoked.

I mean, it basically told the Nazis they were going to freeze if they did not pack it in and give up to the red and white and blue. So, both Gordon's family and mine ended up in the United States as refugees. And I think we all know, America has always called to our shores from every nation on Earth the industrious and the creative, the steadfast and the devout. And, in effect, we had a constant infusion of individuals who share red, white, and blue values of hard work and love of country, the very core of our greatness.

And my sense is—and Gordon and I have kind of touched on this over the years—that families like ours, and kids like us, who were really first-generation kids of refugees, there is a word for it—it is called Tikkun Olam, where you try to perfect the world. But, I think what I would say is, Gordon and families like ours, we always thought it was our job to give back, "Always try to find a way to give back," was the way people talked about it in Jewish families in Oregon, whether it is the Sondlands or the Rosenfelds or the Wydens.

Gordon and his wife, Katy, have been supporters of so many causes. One of the things that I especially like about the family is, they have been very generous to the Portland Art Museum, and, as a result, now kids can go to this terrific museum in Oregon. You know, we are 3,000 miles away from some of what people think of as the museums of New York and Washington, D.C., but now, because of the Sondlands, kids get to go to an art museum free.

Gordie has also been involved in a number of other things that I feel very strongly about. I know both the Chair and the Ranking Minority Member care greatly about the Oregon—care greatly about healthcare. Gordon has been involved in the Oregon Health and Sciences University Foundation, where we are doing—with their good work, and Phil Knight, as well, who made a very gen-

erous donation recently—some cutting-edge work to deal with cancer.

So, I will just close by saying that I think if you look at the totality of the experience that the Sondlands bring to this post at a time when lots of politics is polarized and divisive, Gordon Sondland is going to be a really good fit.

And I will close with just one, kind of, comment about our State. What I have come to feel is, we sort of have an Oregon way about us. And it is not, like, written down somewhere. It is not, you know, in our Pioneer Square in downtown Portland, but it is all about—you will take a good idea wherever you can get it, caring about people, having a good heart. Our late colleague here in the Senate, Mark Hatfield, really practiced the Oregon way. Our late mayor in Portland, Vera Katz, practiced the Oregon way. I think when Gordon Sondland assumes this post—and I am going to say I really hope he is confirmed—he is going to speak with real impact, with an Oregon-way-type impact for problem solving, for values that we hold dear, particularly on issues like anti-Semitism, respect for human rights.

And it is a pleasure to be able to be, I guess, part of the Oregon Caucus on behalf of the nominee, Gordon D. Sondland.

Senator JOHNSON. Thanks, Senator Wyden.  
Senator Gardner.

**STATEMENT OF HON. CORY GARDNER,  
U.S. SENATOR FROM COLORADO**

Senator GARDNER. Thank you, Mr. Chairman. Thanks for holding this hearing.

Let me welcome, first, though, Christina Gidwitz to the committee hearing. Christina's love of Ron Gidwitz, our nominee, Ambassador to Belgium, the love of Ron's life. I do not know if I am supposed to say this, but I am going to say it anyway and ask for forgiveness afterwards. Ron did not get married until his 40s, because he spent all of the time before that trying to convince Christina to say yes. I think that is the story. Correct? But, I also want to welcome Scott, who is here today, his son, and new fiance—new fiance, as in the last week—and Alexander, his son who is in Australia. Welcome to the family for—and for being here today. Thank you.

The first time I met Ron, I knew immediately that I was going to get along great with him. Walking into his office in Chicago, there was a picture, a poster on his wall. It was a piece of farm equipment, a piece of farm equipment of a company called Calkins, I believe it was. And, as somebody who grew up in a very small town and who sold farm equipment, I knew a heck of a lot about a piece of equipment called a rod weeder, and did not think anybody else in America off of the farm would know about it, until I met Ron. And we had a long conversation about Midwest companies that have a legacy presence in Colorado and beyond. And here was Ron that morning, talking about all these household names that helped my community, my hometown, thrive, that he was a part of.

Of course, there is his resume, which we can talk about today. And it shows that he is more qualified to serve our great Nation

in this capacity as anyone else. He has decades of business experience leading nationally recognized brands and companies. He has been a national leader in Business Executives for National Security, a leader of the Boys and Girls Clubs across the Nation.

Did not take long for me to recognize, though, that Ron Gidwitz just was not a business leader or a political leader. His bio is filled with far more than job experience. He is a mentor, a philanthropist, community leader. He is deep into leadership of the arts and the incredible Field Museum in Chicago. Mr. Gidwitz lives up to that adage, "Of whom much is given much is expected."

There are few who lead, give, engage, champion, and inspire as much as Christina and Ron. The list of their generosity goes on and on, to healthcare, welfare of children, support for our military, national security, veterans, and, of course, education. Yet, none of it is done seeking recognition or asking anything of them in return. It truly is, to live up to that commitment, much is expected, and they have, indeed, lived up to this incredible standard.

The Gidwitz family has never stopped giving, leading, championing others. And today's new mission is just one more step in giving back to his country, to our country. I know that this is why some of those closest to him call him "Father Ron." He is one that serves everyone. People come to him for wisdom, guidance, and, when needed, some hard truth-telling. Peer-to-peer, CEO-to-CEO, or even young leaders and students, in the words of some of his closest friends, he serves as a source of strength and wisdom for all who seek him out. His greatest achievement is not how much he has given, but how he has impacted, influenced, and inspired all those around him.

The mission in Belgium is more important than ever. Whether it is addressing the challenges in Europe or the tri-mission opportunities in Brussels, he will be a beacon of American values and a point of pride and diplomacy that will give comfort to all of us who recognize the importance of this role, the leadership an Ambassador provides and the value of selfless leadership.

I am honored to be here today supporting Ron, his family. And I urge my colleagues to do the same.

Congratulations.

Senator JOHNSON. Thanks, Senator Gardner.

Senator Durbin.

**STATEMENT OF HON. RICHARD J. DURBIN,  
U.S. SENATOR FROM ILLINOIS**

Senator DURBIN. Thanks, Mr. Chairman. It is great to be back at the Senate Foreign Relations committee. I am on leave of absence. I promise, someday I will return, just like MacArthur.

But, I wanted to be here today especially because of the nomination of Ron Gidwitz to be our next Ambassador to Belgium. I will not replicate the remarks—kind remarks of Cory Gardner, of Colorado, on behalf of Ron and his family, but I will tell you that Ron and I share something in common, a life experience that goes back a few years. We were both interns in the United States Senate the same year, working for the same Senator. Morris Udall, a Congressman from Arizona, once said, "If you have politics in your bloodstream, only embalming fluid will replace it." During the

course of my internship in that Senate office, I got politics in my bloodstream, and I have never quite left Capitol Hill since.

Ron took a different path. He went back to Chicago, into the business world. Successful in that world, with private business as well as with his investments and other endeavors. Did well for himself. But, as Cory has reminded us, he did not just sit on that success and bank the money and walk away from his responsibilities to many others. And I have known that for a long time. We are in an area of—era, I should say, where there is arguments made about hyper-partisanship, but I know that, when it came to service for the public, Ron was stepping up to serve Chicago's Democratic mayors as much as his own Republican friends. He included chairing the city's Economic Development Commission under Mayor Harold Washington and Eugene Sawyer. He chaired the City Colleges of Chicago under Mayor Richard Daley. Then he chaired the Illinois State Board of Education and a—he served, as well, as Cory has mentioned, as chairman and chairman emeritus for the Boys and Girls Club of America, in which he played a leading role for nearly 30 years. Over and over again, he stepped up for public service. He will do it again.

Belgium is an important ally to the United States. The European Union's future is an important question for the United States. The future of the NATO alliance is one that we have to address on a regular basis, and should remind everyone it has meant peace in the world for a long period of time.

Ron Gidwitz is the right person to serve as America's face and America's voice in Belgium, and I am happy to endorse his nomination.

Senator JOHNSON. Well, thanks, Senator.

I want to thank all of our Senate colleagues for coming here and providing an introduction. I think the bipartisan support for these nominees speaks well of them and of this process. So, as Chairman Corker always says, "You are welcome to stay, just not sitting there." [Laughter.]

Senator JOHNSON. But, we really do appreciate you making those introductions.

I want to thank my other colleagues for attending, and I want to be respectful of their time. So, rather than reading an opening statement, I will just ask for consent to enter it into the record.

[Senator Johnson's prepared statement follows:]

#### OPENING STATEMENT OF SENATOR RON JOHNSON

Good afternoon and welcome.

The Senate Foreign Relations committee is meeting today to consider the nominations of ambassadorships to the EU, Belgium, and Zimbabwe, and an ambassador-rank representative to the U.N., dedicated to management and reform.

Our nominees today, if confirmed, will represent U.S. interests in four important relationships.

The immigration crisis, Brexit, and internal divisions over border policy and energy security have exposed fault lines in the European Union. Parties skeptical of the EU project have made gains across Europe, eroding confidence further. The EU's leaders need to bridge these gaps and forge a new consensus on these difficult issues, one that respects the concerns of all EU member states. The U.S. has supported the EU since its inception, viewing it as a stabilizing force on a continent ravished by two world wars in the 20th century. The EU needs our support now more than ever and sending an Ambassador to Brussels will reassure our EU partners of America's continued commitment.

Belgium is a close friend and ally of the United States. Belgium has participated in the International Security Assistance Force in Afghanistan, the EU mission in Mali, and the Counter-ISIS Coalition, and contributed to various NATO missions. Belgium provides significant humanitarian assistance to Afghanistan, Iraq, and Syria, and many countries in Africa. As host of EU and NATO headquarters, Brussels is a critical hub for transatlantic security and international diplomacy. It is important to reinforce with Belgium the importance we attach to our relationship by sending an Ambassador to Brussels.

On Tuesday, less than a year after the United States withdrew from UNESCO, Ambassador Haley and Secretary Pompeo announced the U.S. withdrawal from the U.N. Human Rights Council, citing systemic bias against Israel and a failure to hold human rights abusers accountable. These actions highlight the significant need for reform at the U.N. and, fittingly, Secretary General Guterres has made reform the central focus of his tenure. The Trump administration has strongly endorsed the Secretary General's efforts and tasked the U.S. Mission's Management and Reform Section with coordinating these efforts. Confirming an ambassador-rank representative to the U.N., dedicated to management and reform, will send a firm message and help maintain the current reform momentum.

Zimbabwe is at a potential turning point in its history. With the end of Robert Mugabe's brutal reign, Zimbabwe has the opportunity to chart a new course—one that respects the inalienable rights of its citizens, roots out pervasive government corruption, and nurtures the institutions necessary to establish a durable democracy in the heart of Africa. It is therefore critical that the U.S. has a strong voice in Harare that can help Zimbabwe grasp its tremendous potential.

Before moving to introductions, I would like to recognize the distinguished ranking member for his comments. Senator Murphy.

Senator JOHNSON. I will turn to Senator Murphy.

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

Senator MURPHY. I will take your cue, and we can get right to the nominees.

Senator JOHNSON. Well, good.

Well, so let me, again, begin by thanking our nominees, your families, for your willingness to serve in these very important capacities. These postings involve significant sacrifice, not only from just you, but—you know, for you personally, but also for your families. The positions you are in are going to be extremely important, from the standpoint of representing America to your countries, your institutions, but also representing those countries and institutions back to this body. And I am sure you will do a great job.

So, we would like to start with The Honorable Brian Nichols. Ambassador Nichols is the President's nominee to be U.S. Ambassador to Zimbabwe. He is a career member of the Foreign Service and served as U.S. Ambassador to Peru from 2014 to 2017. His prior postings include Principal Deputy Assistant Secretary of State for International Narcotics, Law Enforcement Affairs from 2011 to 2013, and Deputy Chief of Mission at the U.S. Embassy in Bogota from 2007 to 2010.

Ambassador Nichols.

**STATEMENT OF HON. BRIAN A. NICHOLS, OF RHODE ISLAND,  
A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE,  
CLASS OF CAREER MINISTER, NOMINEE TO BE AMBAS-  
SADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE  
UNITED STATES OF AMERICA TO THE REPUBLIC OF  
ZIMBABWE**

Ambassador NICHOLS. Chairman Johnson, Ranking Member Murphy, 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 Zimbabwe. I am profoundly grateful to have the confidence of the President and the Secretary of State.

As I approach 30 years in the Foreign Service serving at some of our most challenging missions, it is a humbling distinction to appear before the Senate for the second time as a nominee to serve the American people as Ambassador.

My professional achievements owe to the wonderful women who join me today, my beautiful wife, Geri, also a senior Foreign Service Officer, and my daughters, Alex and Sophie.

They have all pushed me to be a better person, sacrifice for my career, and nurtured me with their love and support.

I would also like to recognize my older brothers, David and Keith, for the powerful example that they have set for me. They could not be here today.

I have had the good fortune to represent the country that I love and fascinating countries around the world. I have advanced American values of respect for democracy, human rights, and the rule of law throughout my career. Those are values that my late father, Charles Nichols, a Fulbright Scholar and founder of Brown University's Africana Studies Program, instilled in me and my brothers. My mother, Mildred Nichols, has served the people of Rhode Island, promoting higher education, vocational training, and charitable programs to lift people out of poverty for 50 years.

Should I be confirmed, I will draw upon those values and my experience to strengthen our relations with Zimbabwe as it reforms, promote American principles, and help the people of Zimbabwe build a better future. As I have in all of my previous assignments, I will have no higher priority than the welfare and security of American citizens.

After 38 years of independence, Zimbabwe approaches a crossroads. The Government and people of Zimbabwe have the opportunity to follow a new path, to become a stable and democratic country while returning to the prosperity of the past. This is what the Zimbabwean people need and deserve.

To fulfill this goal, the Zimbabwean Government should intensify its efforts to carry out profound governance, electoral, human rights, and economic reforms. An absolute test will be the Zimbabwean authorities' ability to deliver, on July 30th, a free, fair, and credible national election in accordance with international standards. Given Zimbabwe's enormous potential, genuine reforms can, and will, yield great benefits for her people.

If confirmed, I look forward to close and continued collaboration with our Congress to help Zimbabwe along a path of positive change. As we continue to support Zimbabwe's democratic development, we must also continue to invest in the people of Zimbabwe in healthcare, people-to-people exchanges, humanitarian aid, and business development to preserve the human capital needed to grow and improve Zimbabwe in the future.

Today's Zimbabweans can look back across the centuries at a creative and complex civilization that built great Zimbabwe and influenced an entire continent. I have faith that, with our support, once given the opportunity to communicate, organize, and express their

will, the people of Zimbabwe will find the best path forward and pursue it successfully.

My recent Foreign Service assignments provide rich experience, should the Senate confirm me to serve as Ambassador to Zimbabwe. As Ambassador to Peru, I led a large mission that focused on improving the rule of law, fighting transnational crime and corruption, strengthening our host nation's institutions, and promoting respect for human rights, particularly of women, girls, and disadvantaged groups. In that role, I led a unified mission initiative to promote American businesses and grow American jobs, earning the Department's Cobb Award for those efforts.

Prior to that, I helped direct the State Department's rule of law, anti-crime, and counternarcotics programming around the world, including in Africa. As the Principal Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, I directed a team of nearly 7,000 professionals who work every day to expand access to justice, protect civilians, and combat crime around the world. I am especially proud of our efforts to expand our partnerships in Africa, to combat wildlife trafficking, and build more professional police and prosecutors.

In those positions, as well as Deputy Chief of Mission in Bogota, I shaped organizations that were more diverse than ever, in terms of background and expertise, improved morale, ensured tight management controls, and effectively advanced our Nation's policies and priorities. Should the Senate confirm me, I will aim to exemplify the highest standards of our great Nation while doing so.

I look forward to partnering with you to advance America's interests in Zimbabwe, and stand ready to answer your questions, now and in the future.

[Ambassador Nichols's prepared statement follows:]

#### PREPARED STATEMENT OF BRIAN A. NICHOLS

Chairman Johnson, Ranking Member Murphy, 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 Zimbabwe. I am profoundly grateful to have the confidence of the President and Secretary of State.

As I approach 30 years in the Foreign Service, serving at some of our most challenging missions, it is a humbling distinction to appear before the Senate for the second time as a nominee to serve the American people, as Ambassador. My professional achievements owe to the wonderful women who join me today. My beautiful wife Geri, also a career Senior Foreign Service Officer, my daughters Alex and Sophie. They have all pushed me to be a better person, sacrificed for my career, and nurtured me with their love and support. I would also like to recognize my older brothers David and Keith for the powerful example that they set for me, though they could not be here today.

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After 38 years of independence, Zimbabwe approaches a crossroads. The Government and people of Zimbabwe have an opportunity to follow a new path: to become

a stable and democratic country while returning to the prosperity of the past. This is what the Zimbabwean people need and deserve. To fulfill this goal, the Zimbabwean Government should intensify its efforts to carry out profound governance, electoral, human rights, and economic reforms. An absolutely critical test will be the Zimbabwean authorities' ability to deliver on July 30 a free, fair, and credible national election in accordance with international standards. Given Zimbabwe's enormous potential, genuine reforms can and will yield great dividends for her people. If confirmed, I look forward to close and continued collaboration with our Congress to help Zimbabwe along a path of positive change.

As we continue to support Zimbabwe's democratic development, we must also continue to invest in the people of Zimbabwe—in healthcare, people-to-people exchanges, humanitarian aid, and business development—to preserve the human capital needed to grow and improve Zimbabwe in the future. Today's Zimbabweans can look back across the centuries at a creative and complex civilization that built Great Zimbabwe and influenced an entire continent. I have faith that with our support, once given the opportunity to communicate, organize, and express their will, the people of Zimbabwe will find the best path forward and pursue it successfully.

My recent Foreign Service assignments provide rich experience, should the Senate confirm me to serve as Ambassador to Zimbabwe. As Ambassador to Peru, I led a large mission that focused on improving the rule of law, fighting transnational crime and corruption, strengthening our host nation's institutions, and promoting respect for human rights, particularly of women, girls, and disadvantaged groups. In that role, I led a unified mission initiative to promote American businesses and grow American jobs, earning the Department's Cobb Award for those efforts.

Prior to that, I helped to direct the State Department's rule of law, anticrime, and counter-narcotics programming around the world, including in Africa. As the Principal Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, I directed a team of nearly 7,000 professionals who work every day to expand access to justice, protect civilians, and combat crime around the world. I am especially proud of our efforts to expand our partnerships in Africa to combat wild-life trafficking and build more professional police and prosecutors.

In those positions, as well as Deputy Chief of Mission in Bogota, I shaped organizations that were more diverse than ever in terms of background and expertise, improved morale, ensured tight management controls, and effectively advanced our nation's policies and priorities. Should the Senate confirm me, I will aim to exemplify the highest standards of our great nation while doing so.

I look forward to partnering with you to advance America's interests in Zimbabwe and stand ready to answer any questions you might have now and in the future.

Senator JOHNSON. Thank you, Ambassador Nichols.

Our next nominee is Mr. Gordon Sondland, the President's nominee to be U.S. Representative to the European Union. I think, after the introductions by Senator Wyden and Senator Tillis, I do not think any further introduction is necessary.

So, Mr. Sondland.

**STATEMENT OF GORDON D. SONDLAND, OF WASHINGTON,  
NOMINEE TO BE REPRESENTATIVE OF THE UNITE3D  
STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE  
RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND  
PLENIPOTENTIARY**

Mr. SONDLAND. Before I begin, I want to thank both Senators Tillis and Wyden for an overly generous introduction. It was much appreciated.

Chairman Johnson, Ranking Member Murphy, and distinguished members of the Foreign Relations committee, good afternoon. It is an honor to appear before you as the President's nominee to serve as the United States Ambassador to the European Union. I am grateful to President Trump for the faith and confidence he has placed in me, and to Secretary Pompeo for his support. And I am very grateful to you for your consideration of my nomination.

Before we begin, please allow me to introduce the members of my family, all here in attendance with me. First, my wife, Katy, without whose intelligence, kindness, patience, and wit, I might have achieved very little, certainly not a place at this table. She is a formidable success in business as well as in our home, and she has been an enduring source of strength and humbling smart advice since the day I was fortunate to meet her, nearly 30 years ago.

Sitting next to Katy are our two proudest accomplishments, our children, Max and Lucy, both of whom are undergraduates at Duke, and both of whom departed very challenging summer internships so they could be here today.

Absent today, but with me in spirit this past decade, are my parents, Gunther and Frieda Sondland. Having immigrated here in 1953 after so many years of extreme travail, they adopted America, and America adopted them, with a passion unrivaled by anyone I have since encountered.

Theirs was a story of intense personal sacrifice, unshakeable spirit and faith, hard work, good luck, and a deep commitment devoted in equal parts to the United States and to each other.

Having met and married in Berlin in 1938, Gunther and Frieda and my sister, Lucy, unlike so many of their less fortunate relatives, were able to flee the scourge of Naziism. In 1939, Frieda and Lucy found safe haven in South America while Gunther promptly volunteered to take up arms against the murderous authoritarian regime from which they had just escaped, first with the French Foreign Legion in Africa, and later with the British Army in Burma.

World War II came to a close, and, 2 years later, so did Gunther and Frieda's 8-year separation, when they were reunited in Montevideo, Uruguay, in 1947. Along with tens of thousands of other Jews, Gunther's surviving family had sought shelter in Shanghai. Soon Gunther, Frieda, and my sister, Lucy, found fortunate permanent refuge in Seattle, Washington, on the northwestern edge of our great country.

Here, they raised two children, including me, the first of my family ever to claim natural-born citizenship in the United States. Here, they embarked on their own unique American Dream, American citizens eventually starting and running a small, successful dry-cleaning business for the next 30 years. Here, they labored, loved, made many friends, and had a positive impact on their community. Here, they never ceased to be grateful to the country that had given them hope, safety, and a new beginning. Gunther and Frieda fought hard for their American citizenship. They cherished it and nurtured it. They bequeathed to us neither riches nor property, but something much more treasured, an abiding respect for industry, determination, and self-sufficiency, a deep love of God, family, and country, faith in the rule of law, and finally, the certainty that self-governance is essential to happiness, prosperity, and true liberty.

Denied so many of these for so long, Gunther and Frieda embraced these American values with fervor. If confirmed, everything I say and do will be in advancement of American interests and these principles, first and foremost. They are certainly the principles that guide me throughout my life. Most of them, of course,

comprise the foundational Western principles that undergird the U.S.-EU relationship that has endured since 1951. Between us, the United States and the EU member nations wield the largest economic and military power in the world, they dominate global trade, and they lead in international political developments. It is why our unique relationship with Europe must only be strengthened and protected.

As President Trump said last year in his Warsaw speech establishing the preservation of the West as his primary foreign policy goal in Europe, quote, “There is nothing like this community of nations. The world has never known anything like it. We must have the desire and the courage to preserve it in the face of those who would subvert and destroy it,” close quote.

As you know better than most, there are many challenges that confront us. Trade, security, the migrant crisis, Brexit, and the disposition of JCPOA are very much at the forefront. But, no one should doubt that the EU has an essential role in perpetuating our shared values of freedom, peace, and prosperity across Europe and around the world. To the benefit of our European friends, but also to a vast swath of American people, the 5.5 trillion in annual commerce we share is just one compelling testament to that.

Finally, while much has been said about the tensions that currently exist within the U.S.-EU partnership, it is important to remember, historically, these ups and downs, these instances of public posturing, have been the norm. That is just the nature of complicated relationships. While it will not be always easy, our shared goals and values will triumph over our differences. I believe that my professional experience of the last several decades are instrumental in preparing me to lead the mission at the EU, should you confirm my nomination.

I am gratified to have launched a hospitality and real estate holding company larger than I would have ever imagined, and sustaining several thousand individuals and their families from all walks of life and places. I have also traveled extensively throughout the world, including across Europe, and have a knowledge and deep respect for European culture and politics. While I have been fortunate to visit the vast majority of the EU member countries, if confirmed, I look forward to visiting them all.

I am proud that the first language I spoke at home was German. And, if confirmed, I will look forward to once again conversing with our friends throughout Europe in English, but also in German, where spoken.

During the course of my life, I have had significant experience in policymaking, working with lawmakers from both parties and at every level of government in negotiating business deals across borders and in advising several large companies with both domestic and international operations. I have always been comfortable working on a bipartisan basis. If confirmed, I can assure you that I will bring my life's experiences and skills to represent the United States at the European Union.

Thank you for your consideration, and I would be pleased to answer your questions.

[Mr. Sondland's prepared statement follows:]

## PREPARED STATEMENT OF GORDON D. SONDLAND

Thank you, Senators Tillis and Wyden, for that kind introduction. Chairman Johnson, Ranking Member Murphy, and distinguished members of the Foreign Relations committee, good afternoon. It's an honor to appear before you as the President's nominee to serve as the United States Ambassador to the European Union. I'm grateful to President Trump for the faith and confidence he's placed in me, and to Secretary Pompeo for his support. And, I'm grateful to you for your consideration of my nomination.

Please allow me to introduce the members of my family, all here in attendance with me. First, my wife, Katy, without whose intelligence, kindness, patience, and wit, I might have achieved very little, and certainly not a place at this table. She's a formidable success in business, as well as in our home, and she's been an enduring source of strength—and humbling, smart advice—since the day I was fortunate to meet her nearly 30 years ago.

Sitting next to Katy are our two proudest accomplishments, our children Max and Lucy, both of whom are undergraduates at Duke, and both of whom departed challenging summer internships so they could be here by my side. I'm delighted they could be here today.

Absent today, but with me in spirit this past decade, are my parents, Gunther and Frieda Sondland. Having immigrated here in 1953 after so many years of extreme travail, they adopted America—and America adopted them—with a passion unrivaled by anyone I've since encountered.

Theirs was a story of intense personal sacrifice, unshakeable spirit and faith, hard work, good luck, and a deep commitment devoted in equal parts to the United States and to each other. Having met and married in Berlin in 1938, Gunther and Frieda, and my sister Lucy, unlike so many of their less fortunate relatives were able to flee the scourge of Nazism. In 1939, Frieda and Lucy found safe haven in South America, while Gunther promptly volunteered to take up arms against the murderous, authoritarian regime from which they'd just escaped. First, with the French Foreign Legion in Africa, and later with the British Army in Burma. World War II came to a close, and two years later so too did Gunther and Frieda's eight-year separation, when they were reunited in Montevideo, Uruguay, in 1947. Along with tens of thousands of other Jews, Gunther's surviving family had sought shelter in Shanghai. Soon, they and Gunther, Frieda, and my sister Lucy found fortunate, permanent refuge in Seattle, Washington, on the Northwestern edge of our great country.

Here, they raised their two children, including me, the first of my family ever to claim naturalborn citizenship in the United States. Here, they embarked on their own unique American dream, as proud American citizens, eventually starting and running a small successful drycleaning business for the next thirty years. Here, they labored, loved, made many friends and had a positive impact on their community. Here, they never ceased being grateful to the country that had given them hope, safety, and a new beginning. Gunther and Frieda fought hard for their American citizenship. They cherished it. They nurtured it. And, they marinated me and my sister Lucy in it. They bequeathed to us neither riches nor property, but something much more treasured: an abiding respect for industry, determination, and self-sufficiency; a deep love of God, family, and country—this country in particular; faith in the rule of law; and, finally, the certainty that self-governance is essential to happiness, prosperity and true liberty.

Denied so many of these for so long, Gunther and Frieda embraced these American values with fervor. If confirmed, everything I say and do will be in advancement of American interests, and these principles, first and foremost. They are certainly the principles that have guided me throughout my life. Most of them, of course, comprise the foundational Western principles that undergird the US/EU relationship that has endured since 1951.

Between us, the United States and the EU member nations wield the largest economic and military power in the world, dominate global trade, and lead the way in international political developments. It is why our unique relationship with Europe must only be strengthened and protected.

As President Trump said last year in his Warsaw speech establishing the preservation of the West as his primary foreign policy goal in Europe, "there is nothing like this community of nations. The world has never known anything like it. We must have the desire and the courage to preserve it in the face of those who would subvert and destroy it."

As you know better than most, there are many challenges that confront us—trade, security, the migrant crisis, Brexit, and the disposition of the JCPOA very much at the forefront—but no one should doubt that the EU has an essential role in perpet-

uating our shared values of freedom, peace and prosperity across Europe, and around the world. To the benefit of our European friends, but also to a vast swath of the American people, the \$5.5 trillion in annual commerce we share is just one compelling testament to that.

Finally, while much has been said about the tensions that currently exist within the U.S.-EU partnership, it's important to remember that historically, these ups and downs, these instances of public posturing, have been the norm. That's just the nature of complicated relationships. While it won't always be easy, our shared goals and values will triumph over our differences.

Beyond even my Frieda and Gunther education, I believe my professional experience of the last several decades has been instrumental in preparing me to lead the U.S. Mission at the EU, should you confirm my nomination.

I'm gratified to have launched a hospitality and real estate holding company, larger than I would have ever imagined, and sustaining several thousand individuals and their families from all walks of life and places.

I've also traveled extensively throughout the world, including across Europe, and have a knowledge and deep respect for European culture and politics. While I've been fortunate to visit the majority of the EU member countries, if confirmed, I will look forward to visiting them all.

I'm proud that the first language I spoke at home was German. If confirmed, I'll look forward to once again conversing with our friends throughout Europe in English, but also in German where spoken.

During the course of my life, I've had significant experience in policymaking, working with lawmakers from both parties, and at every level of government; in negotiating business deals across borders; and, in advising several large American companies with both domestic and international operations. I have always been comfortable working on a bipartisan basis. If confirmed, I can assure you that I will bring my life's experiences and skills to represent the United States at the European Union.

Thank you for your consideration and I would be pleased to answer any questions you may have.

Senator JOHNSON. Thank you, Mr. Sondland.

Our next nominee is Mr. Ronald Gidwitz, the nominee to be U.S. Ambassador to Belgium. And again, following the introductions by Senator Gardner and Durbin, I do not think we need any further introduction.

Mr. Gidwitz.

**STATEMENT OF RONALD GIDWITZ, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER**

Mr. GIDWITZ. Thank you, Mr. Chairman. Chairman Johnson, Ranking Member Murphy, distinguished members of the committee, it is a tremendous honor to appear before you today as President Trump's nominee to be the United States Ambassador to the Kingdom of Belgium.

For me, it is humbling that the President and Secretary Pompeo have the confidence in me, hopefully with your approval, to represent the American people in engaging with a critically important ally in the key center of Europe. I would particularly like to thank Senator Durbin and Senator Gardner for speaking on my behalf today.

I would also like to thank several members of my family who sit behind me. First and foremost is Christina, to whom I have been married for almost 43 years. We have two sons, Alexander, who lives in Australia, and Scott, who joins us here today. Alex is married to a lovely young lady, Marlene, and she recently gave birth to our first grandson, Christopher. Scott is accompanied by his

newly-minted fiance, Mallory DeHaven. My family's love and support has been a constant in every phase of my life.

During my career, I have had a multiplicity of experiences in government service, in the private sector, as well as extensive exposure to the not-for-profit arena. In the private sector, I had the privilege of serving as the president and CEO of Helene Curtis, a toiletry and cosmetic manufacturer and marketer. When I took over the company, it had sales of just over \$100 million. When the business was sold, 17 years later, the company was closing in on 1.5 billion and was on Fortune—the Fortune 300 list, with 40 percent of its sales coming from outside the U.S. I have also served on a number of private-sector boards of directors. One of note among them was American National Can, a subsidiary of the French aluminum company, Pechiney.

In the public sector, I was a founding executive committee member of the National committee for Employer Support of the Guard and Reserve, and served in that capacity for 10 years. In addition, I was the chairman of the Economic Development Commission of the City of Chicago at a time when the Midwest was under great stress. I also served as the chairman of the City Colleges of Chicago, the second-largest community college district in the country. As well, I served two terms as the chairman of the Illinois State Board of Education. I was appointed to these and other public-service positions by both Republicans and Democrats. I believe the record will show that I can work well and lead organizations, no matter their political stripe.

In the not-for-profit arena, I have worked in many kinds of establishments, from social service to cultural institutions to educational organizations. I have served as—in virtually every position over my 44-year tenure with Boys and Girls Clubs of America, including chairing the national organization. I served as the chairman of the Field Museum of Natural History, as well the Chicagoland Chamber of Commerce.

In short, I have led large organizations and small ones, public and private and not-for-profit. I feel confident my past experience in government, business, and philanthropy has prepared me for this important opportunity to lead the United States mission to the Kingdom of Belgium.

If confirmed to serve as U.S. Ambassador, I will work closely with the teams across the Government to strengthen our relationship and focus on the following areas of our alliance:

First and foremost, I will work with Belgian officials at all levels to advance American interests, protect American citizens, and promote American democratic values. The freedom of speech, the freedom of press, and the freedom of religion are values that cannot, and should not, be compromised.

If confirmed, I will work closely with the Belgian Government to address collective security concerns. I will encourage our Belgian partners to move aggressively to fulfill their Wales Declaration commitment to spending 2 percent of GDP on defense by the year 2024. Working together, we can further strengthen communication between our law enforcement and counterterrorism communities, enhance NATO, and further global security.

If confirmed, I hope to advance our economic interests.

More than 900 American companies are represented in Belgium. In 2017, U.S. exports of goods and services to Belgium were \$34—\$35.5 billion, imports from Belgium were 20.4, creating a trading surplus of \$15.1 billion. We are Belgium's largest trading partner outside the European Union. If confirmed, I will work with our Commerce Department and our embassy economics experts to further an already robust and successful partnership.

And finally, if confirmed, I will work diligently to lead our mission team and work closely with all agencies to deepen our historic alliance with the Belgian Government and the Belgian people.

Mr. Chairman, Ranking Member, and members of the committee, I thank you for the honor of appearing before you today, and I look forward to answering your questions.

[Mr. Gidwitz's prepared statement follows:]

**PREPARED STATEMENT OF RONALD J. GIDWITZ**

Chairman Johnson, Ranking Member Murphy, and distinguished members of the committee, it is a tremendous honor to appear before you today as President Trump's nominee to be the United States Ambassador to the Kingdom of Belgium. For me, it is humbling that the President and Secretary Pompeo have confidence in me, hopefully with your approval, to represent the American people in engaging with a critically important ally in the key center of Europe.

I would like to thank several members of my family who sit behind me today. First and foremost is Christina, to whom I have been married for almost 43 wonderful years. We have two boys, Alexander who lives in Australia and Scott who joins us here today. Alex is married to a lovely young lady, Marlien and she has recently given birth to our first grandson, Christopher. Scott is accompanied by his newly minted fiancé, Mallory DeHaven. My family's love and support has been a constant in every phase of my life.

During my career, I have had a multiplicity of experiences in government service, in the private sector as well as extensive exposure to the not for profit arena. In the private sector, I had the privilege of serving as the President and CEO of Helene Curtis, a toiletry and cosmetic manufacturer and marketer. When I took over, the company had sales of just over \$100 million. When the business was sold 17 years later, the company was closing in on \$1.5 billion and was a FORTUNE 300 company with forty percent of its sales coming from outside of the country. All of the growth was generated internally. I have also served on a number of private sector boards of directors. One of note among them was American National Can, a subsidiary of the French Aluminum company, Pechiney.

In the public sector I was a founding executive committee member of the National committee for Employer Support for the Guard and Reserve and served in that capacity for 10 years. In addition, I was the Chairman of the Economic Development Commission of the City of Chicago at a time when the Midwest was under great stress. I also served as Chairman of the City Colleges of Chicago, the second largest community college district in the country. As well, I served two terms as the Chairman of the Illinois State Board of Education. I was appointed to these and other public service positions by both Republicans and Democrats. I believe the record will show that I can work well with and lead organizations no matter their political stripe.

In the not for profit world I have worked with many kinds of organizations from social service to cultural institutions to educational establishments. I have served in virtually every position over my 44 year tenure with the Boys & Girls Clubs of America including chairing the national organization as well as its Government Relations committee. I have served as Chairman of the Field Museum of Natural History as well as the Chicagoland Chamber of Commerce. In short, I have led large organizations and small ones, public, private and not for profit.

I feel confident my past experience in government, business, and philanthropy has prepared me for this important opportunity to lead the United States Mission to the Kingdom of Belgium. If confirmed to serve as U.S. Ambassador, I will work closely with the teams from across the Government to strengthen our relationship and focus on the following key areas of our alliance.

First and foremost, I will work with Belgian officials at all levels of government to advance American interests, protect American citizens and to promote American

and democratic values; the freedom of speech, the freedom of press, and the freedom of religion are values that cannot and should not be compromised.

If confirmed, I will work closely with the Belgian Government to address collective security concerns. I will encourage our Belgian partners to move aggressively to fulfill their Wales Declaration commitment to spend 2 percent of GDP on defense by 2024. Working together, we can further strengthen communication between our law enforcement and counterterrorism communities, enhance NATO and further global security.

If confirmed, I hope to advance our economic interests in Belgium. More than 900 American companies are represented in Belgium. In 2017, U.S. exports of goods and services to Belgium were \$35.5 billion. Imports from Belgium were \$20.4 billion creating a trading surplus of \$15.1 billion. We are Belgium's largest trading partner outside the European Union. If confirmed, I would work with our Commerce Department and our embassy economic experts to further an already robust and successful partnership.

Finally, if confirmed, I will work diligently to lead our mission team and to work closely with all agencies to deepen our historic alliance with the Belgian Government and the Belgian people.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I thank you for the honor of appearing before you today and I look forward to answering your questions.

Senator JOHNSON. Thank you, Mr. Gidwitz.

Our last, but not least. Ms. Cherith Norman Chalet is our nominee to be U.S. Representative of the United Nations for U.N. Management and Reform and Alternate U.S. Representative to the Sessions of the United Nations General Assembly.

Ms. Chalet has served as the U.N. Management and Reform Counselor for the U.S. Mission to the U.N. since 2014, as the Deputy Counselor from 2012 to 2014. She also served as a Special Advisor to the U.S. Mission to the U.N. from 2008 to 2011, as a Senior Advisor in the State Department's Bureau of Legislative Affairs from 2003 to 2007.

Prior to working for the State Department, Ms. Chalet was a staffer for Congressman Jim DeMint, in Greenville, South Carolina.

Ms. Chalet.

**STATEMENT OF CHERITH NORMAN CHALET, OF NEW JERSEY,  
NOMINEE TO BE AN ALTERNATE REPRESENTATIVE OF THE  
UNITED STATES OF AMERICA TO THE SESSIONS OF THE  
GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING  
HER TENURE OF SERVICE AS REPRESENTATIVE OF THE  
UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR  
U.N. MANAGEMENT AND REFORM AND TO BE REPRESENTA-  
TIVE OF THE UNITED STATES OF AMERICA TO THE UNITED  
NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE  
RANK OF AMBASSADOR**

Ms. CHALET. Thank you, Chairman Johnson, Ranking Member Murphy, and distinguished members of the committee. I am honored to appear before you today as the President's nominee to serve as the Representative of the United States of America to the United Nations for U.N. Management and Reform.

I am grateful to President Trump and Ambassador Haley for their confidence and for this opportunity.

I am joined here today by my husband, George, whose love and support has been integral to me being a working mother and representing the United States at the U.N. for the last 10 years; and my oldest child, Nicolai, who is already a mini U.N. diplomat, hav-

ing participated in many U.N. meetings after missing Mom through—during marathon all-night negotiations. My other two children, my daughters, Cara and Madeline, unfortunately could not join me here, as I am not sure I could contain their enthusiasm during the hearing, as they are 3 and 1. I am also joined by my family, my parents, Scott and Marilee Norman, whose love and support provided the foundation that led me here today, as well as my sister, Peggy, and her daughters, Jaina and Annabelle, and my brother-in-law, Eli.

Enabling the United Nations to deliver on its mandate to maintain international peace and security, address human rights and development needs is no simple task. The United States continues to be a champion for greater effectiveness and efficiency by emphasizing the need for the United Nations to show tangible impact and results, and by encouraging better ways of working.

President Trump, Secretary Pompeo, and Ambassador Haley have all prioritized showing the value of the U.N. to the American taxpayer. This falls squarely on my shoulders, if confirmed, as the U.S. Representative to the United Nations for Management and Reform. Through my experience as the U.N. Management Reform Counselor for the United States Mission to the U.N., I have seen firsthand the value of positive reform and the good that can be achieved through an effectively managed U.N., but also the consequences when it is not effectively managed. For example, when we hold peacekeepers accountable for their performance, we see better results for the intended beneficiaries of peacekeeping operations.

I will assume the job, if confirmed, at an auspicious time, as Secretary General Guterres' plan to the—reform the U.N. system is underway. This presents real opportunities to align the U.N.'s work on peace and security, development, and internal management with U.S. values and priorities. I am honored to work alongside Ambassador Haley, and under her leadership, to expand our reform efforts, including greater accountability and transparency, strengthened whistleblower protections, fiscal discipline, and making the U.N. fit for purpose. If confirmed, I intend to work closely with other member states in the General Assembly to advance these priorities and other issues related to sound management and reform.

Thank you for this opportunity to appear before this committee today, and I look forward to taking your questions.

[Ms. Chalet's prepared statement follows:]

#### PREPARED STATEMENT OF CHERITH NORMAN CHALET

Thank you, Chairman Johnson, Ranking Member Murphy, and distinguished members of the committee. I am honored to appear before you today as the President's nominee to serve as the Representative of the United States of America to the United Nations for U.N. Management and Reform. I am grateful to President Trump and Ambassador Haley for their confidence and for this opportunity.

I am joined here today by my husband, George, whose love and support has been integral to me being a working mother and representing the United States at the U.N. for the last ten years, and my oldest child, Nicolai, who has already participated in many U.N. meetings after missing Mom during marathon all-night negotiations. My other two children—my daughters Cara and Madeline—unfortunately could not join me here as I am not sure I could contain their enthusiasm during the hearing as they are three and one. I am also joined by my parents, Scott and

Marilee Norman, whose love and support provided the foundation that led me here today.

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If confirmed, I intend to work closely with other Member States in the General Assembly to advance these priorities and other issues related to sound management and reform.

Thank you for the opportunity to appear before this committee today. I look forward to taking your questions.

Senator JOHNSON. Thank you, Ms. Chalet.

There has been a vote called. Senator Murphy has gone to vote. As soon as he gets back, I will leave and vote. But, for the time being, we will turn it over to Senator Flake for questions.

Senator FLAKE. Thank you.

I want to congratulate you all, and your families. I know it is a tremendous sacrifice for families to have you serve like this, but—and, Ron, it is good to see you here in this capacity.

Mr. GIDWITZ. Thank you, Senator.

Senator FLAKE. And I know of your good work in Chicago.

So, Ambassador Nichols, we had a good visit in my office yesterday. We all know, and if you do not, Zimbabwe is going through elections for the first time in about 40 years, a free and fair election after the departure of Robert Mugabe. So, it is an important time there. Can you talk about the importance? You are hoping to get there, I think, by the 17th of February—or, I am sorry, of July. What is—what—why is that important? Why is it important for us to have an Ambassador there for the election time?

Ambassador NICHOLS. Thank you, Senator Flake. And it is an honor to talk with someone who has such deep experience in the continent, and in Zimbabwe, in particular.

The voice of the United States, in calling for a free, fair, credible election that gives the Zimbabwean people greater confidence in their leaders and the forcefulness with which we consider democracy important in Zimbabwe, is a priority for me and for the United States Government. Having a person on the ground with the full force of the President of the United States, as his personal representative, is vitally important to advance our interests. And having had the honor to serve as an Ambassador in the past, it is something that someone who does not have that investiture cannot

match. And I certainly hope that I would be able to receive you and your colleagues in Zimbabwe in the future, if confirmed.

Senator FLAKE. Well, thank you. I spent time in 1980s in Zimbabwe, and I have looked forward to this day for a long time, when they would have free and fair elections, and maybe have a post-Robert Mugabe era. And it is important, as you say. We have a good team there, you will find when you get there, but we need an Ambassador. And so, I am glad that, hopefully, we can get this process done and have you there. And, as they say in Zimbabwe, in the Shona language, mokorokoto, or congratulations for this.

Ambassador NICHOLS. Thank you, Mr. Chairman.

Senator JOHNSON. Thank you, Senator Flake.

Let me just kind of ask a general question of all the nominees. I know you covered, to a certain extent, this in your opening statement, but I really want to hone in on each—what each one of you views as your top one, two, or three priorities. You do not have to have three, but, you know, maybe just the top one, but just give you a chance to expound on it a little bit more.

And I will start with you, Mr. Sonland.

Mr. SONDLAND. Thank you, Senator Johnson.

I think it is an understatement to say that the relationship currently between the United States and the European Union is tense. And one of my top priorities is to do a listening tour of all 28 member countries to bring the temperature down a little while these very delicate negotiations are going on over trade. Once I am through with that, one of my greatest priorities is to once again re-establish the close relationship that the EU and the U.S. have on a whole host of issues. When we work together, we are almost unstoppable as a team, and I would like to get us back to that place.

Senator JOHNSON. Ambassador Nichols.

Ambassador NICHOLS. Thank you, Mr. Chairman.

As alluded earlier, the July 30th elections will be a crucial moment in Zimbabwe's history. An opportunity to have free, fair, credible elections will be my earliest and top priority there. But, there are many other challenges that Zimbabwe faces: profound reform to its institutions, to ensure the rule of law, to promote a private-sector-led economy, to encourage transparency and respect for human rights in its governance, and to give the Zimbabwean people the opportunity to succeed through the work of their own labor. These are profound challenges. These are challenges that did not arise overnight, and they will not be solved immediately. But, we must work together. And I look forward to working with you, sir, and your colleagues, to advance American interests in Zimbabwe.

Senator JOHNSON. Ms. Chalet.

Ms. CHALET. Senator, I am looking forward to building on the reform efforts that have been underway for a few years, but particularly in right-sizing the organization and continuing to instill fiscal discipline, as well as increasing the accountability and transparency. I think it dovetails very nicely with the Secretary General's efforts underway now, and we need to ensure that that becomes a reality and that we do increase that accountability, be it through strengthened whistleblower protection or addressing the terrible scourge of SEA, sexual exploitation and abuse, that peace-

keepers and civilians have committed. I look forward to continuing those and ramping up those efforts.

Senator JOHNSON. Mr. Gidwitz.

Mr. GIDWITZ. Thank you, Senator.

Given the difficulties of the last couple of years with respect to attacks that have occurred in Belgium, one of my top priorities—in fact, my top priority—is to ensure the safety of the 23,000 Americans that are living in Belgium, plus the many tourists that come through the country on an annual basis.

Secondly, to work with the Belgian Government and the Belgian agencies to strengthen the relationship and the multilateral programs and organizations that we share together.

And then, thirdly, given the fact that there are 900-plus American corporations there, to find ways that we can build stronger—build on that strong relationship to bring jobs both to our country as well as to the country of Belgium.

Senator JOHNSON. Well, thank you much.

I will go vote. I will turn it over to Senator Murphy, and I will walk as fast as I can.

Senator MURPHY [presiding]. Thank you very much, Mr. Chairman.

Thank you, to all of you, for joining us here today.

Let me just get my bearings here, running back into the room.

I am not actually sure what Senator Johnson asked, so I will, hopefully, not cover the same territory that he did. But, let me start with you, Mr. Gidwitz. I do not know to what extent you talked about some of the work we have done with Belgium in our multilateral relationship on counterterrorism. This is a very, sort of, fractured country, from a governance standpoint, which makes it hard, often, to communicate with them about what they know regarding threats against their country and with the Visa Waiver Program. Those are obviously immediate threats against the United States. In prepping for this job, what have you learned about the ways that we can work with the Government to try to enhance counterterrorism cooperation?

Mr. GIDWITZ. Well, the good news—thank you, Senator, for the question—the good news, if confirmed, I will certainly work with our intelligence and military folks to strengthen what is already an ongoing program. Prime Minister Michel undertook a study several years ago, once after the—several of the attacks took place in Belgium. And, as a result, many programs are currently underway. We—if confirmed, I will work with the U.S. Government agencies—the DEA, the FBI, and others—to see if we cannot continue what is an ongoing program to make Belgium a safer place for all of us.

Senator MURPHY. Great.

Mr. Sondland, thank you very much for spending some time with me. We were able to talk privately about the mission that you are about to undertake. I am going to be very supportive of your nomination, and I thank you for taking up the job. But, as I mentioned privately, and I will just say it publicly, you are going to be asked to carry out a policy which seeks to dissolve the transatlantic alliance. And you may have different views, and, Mr. Gidwitz, you may have different views, and there have been many others that have gone to serve the United States in Europe, sitting exactly

where you are sitting, who have had different views than that, but you are going to find out that the only views that really matter are the President's.

And the President has carried out a pretty intentional and consistent policy of trying to undermine our alliance with Europe. He cheers countries that try to leave Europe. He uses his social media to publish really terrible, awful, nationalist, anti-Europe propaganda. He wants Russia to be back into the G7 without having done their part with respect to the Minsk agreement. And so, I appreciate everyone that goes into this administration, especially those parts that serve the U.S.-Europe alliance, thinking that they can change the President's mind. No one has been successful yet.

And so, let me ask you, Mr. Sondland, a little bit about this issue over Russia, because you have been preparing for this job, and no doubt you have begun to have been briefed about what the administration policy is. I assume, given the President's comments as he went to the G7, that the U.S. policy today is for Russia to be admitted back into the G7, and that you will be sent to Europe to work with our G7 European partners to get Russia back into the G7, given the President's comments from a week ago. Do you understand that to be the policy? And do you understand that to be your mission?

Mr. SONDLAND. I heard the President's comments in Canada, and I do not necessarily know if it is set U.S. policy. I have not discussed it with the President. If it were to be U.S. policy, then I would work to further it without minimizing the many, many other issues we have with Russia, including a lot of the activities over which we disapprove. So, you know, it is a walking-and-chewing-gum-at-the-same-time issue. And, again, I have not been briefed by the President on what his actual policy is, vis-a-vis the G7.

Senator MURPHY. Do you—obviously, you are not going to create distance with the President, but talk to the committee a little bit about how you plan to approach this question of the planned tariffs against the European Union and the retaliatory tariffs that they have announced and are putting together against the United States. How do you plan to approach what, right now, is an escalating trade war between the two countries? You said, I think, as I am reading, your top priority is to bring the temperature down.

How do you do that if the President is not committed to that—in fact, may be committed to the opposite?

Mr. SONDLAND. Well, I disagree with the premise that the President is trying to unwind the alliance. The President has a very unique negotiating style, and it is now becoming well known around the world how he does negotiate.

I think that the President is also mindful of the importance of the relationship and the many, many other things which we share with the EU. And I do not agree that the President's goal is to unwind the relationship. I think the President's goal is to bring about free, fair, and equitable trade.

Senator MURPHY. So, if his goal is not to unwind the relationship or the European Union, then what do you make of his very close association with those that led the Brexit campaign and his continued association with the elements inside Britain that were seeking to bring that country outside of the European Union? That, to me,

would seem a pretty deliberate attempt to use his power, both as a candidate and as a President, to try to cheer on countries that no longer want to be part of the European Union, and thus, be part of the organization to which you will be our representative.

Mr. SONDLAND. I think the people of the United Kingdom made their own determination as to where they wanted to go, vis-a-vis the EU relationship. I do not know that I would characterize the President's actions as cheerleading. And I also do not believe that the President is necessarily hellbent on dissolving the rest of the Union.

Senator MURPHY. I hear you taking issue with some of my opening comments to you. I will, in turn, take some issue with the way in which you framed your opening comments categorizing the President's relationship with the European Union and Europe over the last year and a half as being part of the normal give-and-take. I do not actually think that you can find a period of time that rivals the last year and a half with respect to the U.S. relationship with Europe in the post-World War II era, which I think fairly categorizes the modern relationship between the continent and our country. And I really worry about nominees that come before this committee and try to normalize what is not a normal time in American foreign policy. At the same time, I do agree that it would be great if you could take the temperature down a notch.

Let me ask you a question on a subject that I think we agree on, and that is the future of energy security in the region. Nord Stream 2 is a project that would allow for Russia to be able to push an enormous amount of fossil fuel product into Europe, bypassing Ukraine. It is bad news for Ukraine. It is, in the U.S.'s viewpoint, bad news for Europe to be more heavily reliant on Russian gas. What is your views on Nord Stream 2? And what do you understand is going to be your mission in representing the United States on this issue before the European Union?

Mr. SONDLAND. Well, my primary mission, Senator, is to make sure that—and it is, again, in our selfish interest to see that Europe is not heavily dependent on one source of energy. Putting Europe in the hands of one supplier of energy, who could, at will, disrupt that energy flow would not be in the United States interest. I also believe that are various member countries of the EU that want to participate with various other suppliers of energy, including the United States, and want to do it through contractual means rather than through political means, which give them some form of security if those contracts are breached.

Senator MURPHY. Thank you, Mr. Sondland.

Mr. Nichols, can you talk a little bit to us about the role of China in Zimbabwe? China has, you know, developed a very close relationship with Mugabe, and been a big investor in the country for a long time. It hosted Zimbabwe's new leadership for their, I think, first state visit. Obviously, China is playing a big role, you know, throughout the continent, but talk a little bit about this, this very big play that they have made, historically, and seek to continue in Zimbabwe.

Ambassador NICHOLS. Thank you, Senator. And that is, obviously, an excellent question and a crucial issue for us.

China has invested heavily in the extractive resources sector around the world. And Zimbabwe, with its extensive mineral wealth, is certainly no exception to that. I believe that private-sector-led growth for Zimbabwe is important, but I also think it is important that the people and Government of Zimbabwe receive fair and equitable treatment for their resources. And I hope that they are entering into a trade relationship with China with their eyes open and certainly insisting that all countries that invest in Zimbabwe respect the worker rights, respect environmental regulations, and do not allow the resources that they have to be taken without proper compensation. And I believe that it is incumbent upon the United States and our representatives around the world to insist on a level playing field for trade and engagement, and to make sure that we have an opportunity to succeed, as well.

Senator MURPHY. And the reason that China has been such a big player, at least part of the reason, has been because the United States and many other countries like us have had a series of sanctions on economic participation in Zimbabwe, and aid. And yet, many of those other donor governments are gradually scaling back their sanctions during this period of transition. And Congress is set to consider legislation that might modify conditions for assistance that were set out in the Zimbabwe Democracy and Economic Recovery Act, back in 2001. So, as we start to consider legislation that may scale back some of our restrictions, do—and as you are, sort of, learning about some of the ways in which we might better engage, do you have any thoughts or recommendations for how we might go about passing legislation or drafting legislation that would start to lighten up—start to modify those restrictions?

Ambassador NICHOLS. Thank you, Senator.

I think News ADARA sends an important signal that the United States remains committed to democracy, human rights, economic freedom, rule of law, and anticorruption efforts. The importance of our engagement is that we are doing so in a principled way. The specifics of the legislation, I do not think I can comment on, but I do believe that it sends a message of continued interest and prioritization of our relationship with Zimbabwe. I think it is very important, also, Senator, to note that we do not have comprehensive sanctions on Zimbabwe, and that the problems in attracting foreign investment from Zimbabwe are driven by the economic conditions there and the economic policies that their government has. We do not have restrictions on investments in Zimbabwe, but, rather, dealings with specific individuals and entities.

Senator MURPHY. Thank you very much.

Ms. Chalet, just a couple of questions for you, and then I will turn it over to Senator Markey as we await Chairman Johnson's return.

I wanted to talk to you about peacekeeping for a moment. The Trump administration has communicated its intent to reduce U.S. peacekeeping—our peacekeeping assessment—28 percent, 25 percent, depending on what legislation is operative, from the United States Congress. Really interesting report that GAO published earlier this year, in which they compared the cost of the current U.N. peacekeeping mission in the Central African Republic with a hypothetical undertaking that would be done by the United States mili-

tary. And overall, GAO found that it would cost the U.S. more than twice as much to carry out a comparable mission if it was us versus our participation in U.N. peacekeeping. So, how do you translate to us what the Trump administration's plans are on peacekeeping? And in their desire to reduce the American commitment, there was some suggestion that there might be peacekeeping operations that could be wrapped up without—or scaled back without any security detriment to the United States. Any clue as to what those operations may be? Have they been identified? And what do you make of that GAO report? You are nodding like you might be familiar with that report.

Ms. CHALET. Thank you, Senator.

I think you captured quite a number of initiatives that we are undertaking. I think that the commitment to U.N. peacekeeping, especially, is very much there by the United States, and we feel it is absolutely critical to our national security.

In terms of looking at our assessments, we have said, and the President has said, that we would like to see increased burden-sharing by other member states. You know, the U.N. should not be overly dependent on one single donor. And Congress, like you said, through whichever operative language is there, has established our assessment at 25 percent, and we feel that that is an adequate assessment rate for the U.S., and we still maintain the largest contribution.

I think, equally important to looking at the assessment rates and what the U.S. should pay is looking at the missions, themselves. And are they designed to promote political solutions? And Ambassador Haley outlined several principles in that regard. I think there are missions that are currently under review that fit that bill. Darfur is under review, and we are continuing to look at several missions with those lenses.

But, I think looking at efficiencies at the U.N. and making sure that the peacekeeping missions, themselves, are operating in the most effective manner, is critical. And I think the GAO did point out the value of U.N. peacekeeping to the U.S. and our national security interest.

Senator MURPHY. Thank you.

One final question, Mr. Chairman. And it is, again, to you, Ms. Chalet. The Bureau of International Organizational Affairs at State Department is obviously one that you will work very closely with as the liaison office between the State Department and the United Nations. Last week, Foreign Policy reported that a former food and beverage lobbyist who was appointed as a senior advisor there, Mari Stull, quote, “had been quietly vetting career diplomats and American employees of international institutions to determine whether they are loyal to President Donald Trump and his political agenda, according to nearly a dozen current and former U.S. officials.” According to this account, Ms. Stull is actively making lists and gathering intel. Reports are that the New York Times and the Washington Post are also working on filling in further details on this story.

Two questions. One, are you personally—have you been personally aware of Ms. Stull’s activities to apply what looked to be loyalty—political loyalty tests within the State Department and inter-

national organizations? And whether or not you have personal knowledge of that, what is your opinion of—what is your thoughts on these reports and whether this activity is appropriate?

Ms. CHALET. Senator, thank you for that.

I am not personally aware of those charges. And I would refer you back to the State Department for that. I—what I will say is that the United States has long looked—or promoted American citizens' employment at the U.N., and we feel that it is an absolute priority, given our investment, but also for the American values that we can bring to the U.N., and the ways of working. And so, if confirmed, I will continue to do that. I will also—I think these are serious concerns that have been voiced. I am aware of the articles and the content of them, and I will work with the International Organizations Bureau to ensure that we are promoting the most qualified. Because we are running up against countries who are putting their best forward, as well, and we want to assure that we are adequately represented.

Senator MURPHY. Yeah. I guess the question is, Do you believe it is appropriate for the administration to apply a political loyalty test to U.S. employees, either at the United Nations or within the State Department?

Ms. CHALET. Senator, no. I think it is—we should be looking at the most qualified candidates, regardless of party.

Senator MURPHY. Thank you.

Senator JOHNSON [presiding]. Senator Markey.

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

Mr. Sondland, North Korea is just now hoping that there will be a relaxation of sanctions upon them. You know, they are visiting China, and, ultimately, that will be their goal. How can we ensure that we work closely with the EU to make sure that not only the existing sanctions are, in fact, enforced, remain in place, but that we also put additional pressure on recalcitrant countries who have yet to participate in the—in that sanctions regime?

Mr. SONDLAND. Good afternoon, Senator Markey. Thank you.

Senator MARKEY. I think your microphone is not on.

Mr. SONDLAND. Yeah, it should be.

Senator MARKEY. Okay.

Mr. SONDLAND. That actually, Senator Markey, is one of my highest priorities. Working in concert with the EU, the United States has the ability to create an enormous amount of economic damage to the North Korean economy, which creates the leverage needed for the President to successfully negotiate the change in behavior that he is trying to negotiate. And one of the—one of my first priorities would be to enlist the cooperation, even more strongly, of the EU and its member countries in that regard.

Senator MARKEY. Okay. And, as you know, the EU's new privacy regime went into effect about 3 weeks ago, and they now, essentially, have a privacy bill of rights for everyone in the EU. And American companies doing business in Europe have to comply with that standard, which is, essentially, an opt-in standard that the data that is collected by companies in Europe not be compromised without getting permission from those consumers. If a company is requested—required to get a—to get consent in order to share European data, and also required to tell European consumers exactly

how their data is being used, should that company provide American consumers with those same protections?

Mr. SONDLAND. I believe it should.

Senator MARKEY. You believe it should.

Mr. SONDLAND. Yes.

Senator MARKEY. Yeah. And I agree with you, that that is where we are heading. Europeans, obviously, suffered through the German invasion, the Nazi occupation, and, subsequently, the Soviet Union occupying much of Europe, as well. And identity was very important during that time, which is why I think there is a heightened sensitivity, because, within the lifetimes of family members in each one of those European countries, they had to, basically, try to survive based upon identity. And that is why all of this online information is so absolutely essential.

Now, with regard to tariffs, Mr. Sondland, the EU remains deeply concerned about what it views as protectionist U.S. trade policies and President Trump's criticism of the \$150 billion goods trade deficit with the EU. In March, the Trump administration announced it would impose tariffs on imports of steel, 25 percent, and aluminum, 10 percent, from U.S. trading partners, following a Department of Commerce determination that current steel and aluminum imports threaten U.S. national security. And on June 1st, those tariffs went into effect. Could you talk about those tariffs, our relationships with the EU nations, and how you would suggest that we deal with this rift that is building based upon these tariffs?

Mr. SONDLAND. Senator, in my experience in the private sector, tough economic negotiation between two arm's-length parties can often create a rift. It does not mean that it is an irreparable rift. It just means that you are engaged in some high-stakes bargaining. And, again, I refer you back to my earlier comments, where I believe that the President values the EU relationship. I believe that the United States and the EU share a multitude of values and a multitude of other relationships unrelated to the tariffs, and that is one very discrete segment of our relationship that is not going to be easy to resolve, but that is one of the jobs, if I am confirmed, is to work on that.

Senator MARKEY. Agreed. And again, the litany is getting longer—climate change, the Iran deal, the European privacy initiative, tariffs. It is just building, issue by issue, into a situation. And, in my opinion, it is unnecessary, but, ultimately, it is a great cause for concern, because the Europeans are our closest allies, and we need them on other initiatives, as well.

So, thank you all for your willingness to serve our country.

And thank you, Mr. Chairman.

Senator JOHNSON. Thank you, Senator Markey.

And I know Senator Murphy does not have any further questions. I am just going to follow up on my partial first round. So, if you have any further questions—okay.

So, let me follow up on my first round. To remind you, I just asked what the top one, two, three priorities are for you in your new post.

I will start with Mr. Sondland. You talked about really visiting all the members, going on a listening tour, which I think is completely appropriate. It is vitally important to understand, you

know, other nations' perspective. Having listened, what will be your message, though? It will be a give-and-take. What is going to be your message to our EU partners?

Mr. SONDLAND. Our message, Senator, is that, while we value the relationship, there are problems with the relationship that need to be resolved. And we can be respectful of the relationship, we can appreciate those areas in which we agree, but the relationship, in its totality, is not hunky-dory. And there are some tough conversations that need to be had in order to advance America's interests. So, that is part of the discussion.

Senator JOHNSON. I know, for my part, and, I think, Senator Murphy, as well, we meet with an awful lot of representatives from individual companies as well as from the EU, and we certainly are reinforcing the fact that, you know, the relationship, the alliances, are strong, they will remain strong as far as the eye can see from our standpoint.

And that is extremely part of that message.

Ambassador Nichols, you talked about, obviously, the importance of the July 30th election, but then talked about the importance of reform, rule of law, which, you know, we see repeatedly, you know, in our dealings, you know, particularly in Eastern Europe. Overcoming the legacy of—in Europe, it is, you know, the corruption of Soviet era, that type of thing. It is very difficult to do. What do you think is the greatest risk to Zimbabwe in establishing the rule of law? What is going to be the greatest impediment?

Ambassador NICHOLS. Thank you, Mr. Chairman.

President Mnangagwa has talked about the need for profound reform in his country. And he is absolutely right.

In terms of the challenges, they are many. It is hard to signal just one. Clearly, the professionalization and transparency of the security forces is very important, and insisting upon the rule of law, looking at the past corruption in the country, dealing with the human rights abuses of the past through a truth and reconciliation process, are just some of the issues that need to be addressed for Zimbabwe to be able to move forward. And I know that, across Zimbabwe in society, people understand and are talking about those issues, and moving in that direction. Both President Mnangagwa as well as opposition alliance candidate Chamisa have signaled those issues as priority ones. And we look forward to working with Zimbabwe, after a free, fair, and transparent election, to address those challenges.

Senator JOHNSON. It is really an optimistic time period. How optimistic are you?

Ambassador NICHOLS. The Government of Zimbabwe has said many of the right things, and done some of the right things. I believe that we have to be clear-eyed in our approach and hold them to their own commitments and standards: the 2013 constitution, their commitments regionally with SADC, in terms of their commitments to respect human rights and democracy, as well as their commitments within the African Union, and obviously the broader international community. I believe that this is a great opportunity, and I hope that the Government of Zimbabwe will live up to its commitments.

Senator JOHNSON. Ms. Chalet, as long as I have been reading a newspaper, we have been talking about U.N. reforms. Obviously, that is your top priority. What do you think is the single biggest impediment to reform of the U.N.?

Ms. CHALET. I—

Senator JOHNSON. Or impediments. You—I mean, you talked about whistleblower protections, but, I mean, what are the main problems?

Ms. CHALET. To say the single most impediment, I think it is the political will of other countries in reaching that common understanding and agreement on those reforms. I think there are cultural impediments within the U.N. bureaucracy, in just changing mindsets and showing that business has to be done differently. And I think those are primarily the impediments that I face on a day-to-day basis.

Senator JOHNSON. In a short period of time, how do you overcome that?

Ms. CHALET. It is through constant engagement and promoting our position and our values, and the priorities that we place on the U.N. I think that, interestingly, the rising rates of contributions of member states have changed that mindset, in a sense. I have seen more countries that are more attuned to budget discipline than they have been in the past. There will be differences of opinion, and there are, but, if confirmed, I will continue to work to promoting those, on human rights and other areas that we will—that fundamentally and philosophically face differences with some countries.

Senator JOHNSON. So, as we discussed in my office, I think, you know, the power of an anecdote, of examples, is powerful. And so, I certainly want to work with you, whether it is in this committee or as Chairman of Homeland Security, to highlight those examples of corruption or, you know, waste, fraud, and abuse that need to be reformed, because I think that is probably the best way to try and overcome those impediments.

Finally, Mr. Gidwitz, you said that your top priority is safety of Americans, which I agree with. And then Senator Murphy apparently talked to you about CT—counterterrorism programs, and just cooperation. I would kind of like to hear your answer. I am going to listen—I am going to read the record, because I was out, but just, you know, talk about how important it is for us to cooperate with Belgium. They are in a unique situation. I know Brussels actually shut down, not because of terrorist acts, but because of a threat of terror.

Mr. GIDWITZ. Well, not only that, Senator—and thank you very much—but, they have had, since 2014, troops on the street to augment the police force that—because of the concern that they have had. The good news is that they have taken significant numbers of those police—those military forces off the street in the last few months. But, it remains to be a problem, but it is a problem in which—it is diminishing, in the sense that the working of the intelligence organizations together seems to be bearing some fruit. I mean, there is a couple of short-term—I should not say “short-term”—some serious problems. We have got an Embassy, for example, both the U.S. bilateral Embassy as well as the EU Embassy

is on a busy street. And so, from a relatively tactical issue, we need to better protect our diplomats and people that are working directly for the State Department and other agencies. That is a short-term issue that needs to be addressed.

The longer-term problem, of course, is, as Senator Murphy had suggested, How do we get the various intelligence agencies to work together at several levels of government? Because the Belgian Government is relatively complex, with security decisions being made both at the national level, at the regional level, and some community levels. And to get that coordinated takes a lot of engagement by a lot of people. And that is one of the things, should I have the privilege of representing the United States, I will work very hard to get done.

Senator JOHNSON. Okay. Well, we will certainly want to support your efforts.

Again, I want to thank all the nominees for your testimony, but your willingness to serve. Thank you your families for their sacrifice, too, in these—you know, as you work in these very important positions.

With that, the hearing record will remain open for statements or questions for the record until the close of business on Friday, June 22nd.

This hearing is adjourned.

[Whereupon, at 3:35 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO BRIAN NICHOLS BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have worked to promote democracy, the rule of law and human rights throughout my nearly 30-year Foreign Service career. Earlier this year in Honduras, as Charge, I successfully advocated for the arrest of the alleged mastermind in the murder of human rights activist Berta Cáceres, raising the case repeatedly with the President and Attorney General. I met with Ms. Cáceres' family and publicly urged action in the case. I also traveled some four hours overland to attend a memorial service in her honor; again urging action in the case. In Peru, when I was Ambassador, we worked tirelessly to support the investigation into the 2015 murder of Ashéninka leader Edwin Chota and three other indigenous community leaders seeking to prevent illegal logging on their land. We provided helicopter support to the investigation and I met with Chota's widow and daughter. My colleagues and I regularly raised the case at the highest levels of Peru's Government. Our efforts have led to stricter enforcement of Peruvian laws against illegal logging.

As a Political Officer in El Salvador in 1992, I reported on the peace process, cease fire, and truth and reconciliation process, and served as a U.N. election monitor for El Salvador's 1994 election. In Mexico, as Deputy Political Counselor, I took the lead in the U.S. contacts with Mexico's Federal Electoral Institute (IFE) during the historic 2000 election which saw the end of 71 years of one party rule. My close cooperation with IFE officials provided valuable insights into the reforms carried out to make the process free and fair. I helped to frame our messaging to the Mexican Government at the highest level that insisted on the importance of a transparent election. In Indonesia, as Political Counselor, I directed our efforts to promote comprehensive respect for human rights in the face of serious violations in Aceh, Sulawesi, and Irian Jaya (West Papua). Our efforts led to significant reforms in the

security forces, as well as renewed peace talks between the Government and the Free Aceh Movement (GAM).

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Zimbabwe in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Zimbabwe is at a crucial moment. We are hopeful the new government will improve the human rights situation in Zimbabwe. We strongly believe that all Zimbabweans should enjoy constitutionally guaranteed fundamental freedoms, including freedoms of expression and peaceful assembly, consistent with Zimbabwe's international human rights obligations, and that no person should suffer from harassment or intimidation for exercising these freedoms.

The principal human rights abuses committed during the Mugabe era, and most recently documented in the State Department's 2017 Country Report on Human Rights Practices, included the following:

- ◆ The Government targeted members of political parties and civil society activists for abduction, arrest, torture, abuse, and harassment.
- ◆ Security forces and the judiciary applied the rule of law in a partisan manner and the Government generally failed to investigate or prosecute state security or ZANU-PF supporters responsible for violence.
- ◆ The Government arrested, detained, prosecuted, and harassed members of civil society, including members of nongovernmental organizations (NGOs) and further restricted freedoms of expression, press, assembly, association, and movement.
- ◆ Although there were no reports the Government or its agents committed extrajudicial killings in 2017, in contrast with past years, impunity continued to be a problem, and the Government only took limited steps to investigate or punish security-sector officials and ruling party supporters believed to have committed crimes.

We have been encouraged by the positive language of President Mnangagwa, including his calls for free and fair elections, and by some increase in freedoms of speech and assembly in the lead-up to the July 30 election. However, we will be looking for the Government to implement tangible and sustained reforms on human rights and governance issues moving forward, including aligning Zimbabwe's laws with the 2013 Constitution and implementing a process of national peace and reconciliation.

*Question 3.* What steps will you take—if confirmed—to support democracy in Zimbabwe? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Zimbabwe's 2013 constitution guarantees human rights and fundamental freedoms to all, including the rights to freedom of expression, association and peaceful assembly. However there are still laws in effect in Zimbabwe which contradict these protections. Similarly, Zimbabwe's constitution guarantees its citizens the right to choose their leaders through free and fair elections, to form, join, and participate in political parties or organizations of their choice, and to campaign freely and peacefully for a political party or cause. Yet, the country's past several elections have instead been marked by widespread state-sponsored violence and intimidation. If confirmed, I would seek to hold the Government of Zimbabwe to the requirements of its constitution, and support those in Zimbabwe who are doing the same.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Throughout my career, I have worked to ensure that we use our assistance programs as effectively and efficiently as possible for the benefit of our partners and the American people. During my first assignment as a political officer in El Salvador in the early 1990s, I quickly learned of the value of USAID's democracy and governance programming in building a stronger, more resilient democracy—particularly in post conflict societies. In several of my previous posts, we deployed democracy, governance, and public diplomacy programming to support civil society, political parties, and parliamentary institutions. As Principal Deputy Assistant Secretary in the Bureau of International Narcotics and Law Enforcement, I helped lead efforts to build stronger rule of law and administration of justice institutions, often partnering with civil society around the world.

In Zimbabwe, I understand that our assistance aims to improve accountable and democratic governance that serves an engaged citizenry. If confirmed, the direction I will give to our programming depends on a range of reforms—economic, human rights, and good governance, which includes free, fair and credible elections—and the resources available. If Zimbabwe makes significant progress on all of these reforms, and if I am confirmed, I hope to broaden the scope for citizen-state engagement to elevate citizen action and influence. This would include engagement with targeted independent government commissions, including those that respond to human rights and transitional justice initiatives.

If confirmed, I will continue the critical programming that supports the Zimbabwean people by expanding assistance to civil society in order to prevent deterioration and closing of social and political space.

In addition, if confirmed, I will instruct our Public Affairs office to utilize the full arsenal of exchange and outreach programs to strengthen democratic institutions and build the professional capacity of state-run media and others who can influence good governance.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Zimbabwe? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes I will, if confirmed, as I have done throughout my career. As a Political Officer in El Salvador in the 1990s, I met with human rights organizations from El Salvador and the United States and advocated for the respect for human rights with the Salvadoran Government. In Mexico as Deputy Political Counselor, I traveled to Chiapas regularly to meet with human rights groups, indigenous organizations and the Catholic Church as well as the Mexican Government to advocate for a resolution to the Zapatista conflict as well as respect for the human rights of the people of Chiapas. I look forward to continuing such outreach in Zimbabwe if I am confirmed.

Regarding measures that restrict or penalize NGOs and civil society via legal or regulatory measures, if confirmed, I will urge the Zimbabwean Government to increase political space for all stakeholders. I will seek ways to strengthen judicial independence and capacity to uphold Zimbabwe's constitution, which enshrines democratic rights. I will also continue the Mission's work to provide institutional and individual support for democratic rights through a number of civil society and human rights organizations that advocate for legal and regulatory reforms. At the same time, I will continue to ensure that through our programming, individual psycho-social, medical and legal support is provided to victims of violence, and support is given to communities to help rebuild social cohesion after decades of state-sponsored violence.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes I will, if confirmed, as I have done throughout my career. In Peru, as Ambassador, I met with parties from across the political spectrum throughout my assignment. As Political Counselor in Indonesia, I joined Ambassador Boyce as the two U.S. representatives at renewed peace talks in Tokyo. We guided democratic strengthening efforts for Indonesia's political parties and its parliament. I directed electoral observation efforts for the United States that included participation by Embassy officers as well as partnerships with U.S. civil society including former President Jimmy Carter as head of Carter Center delegation. The elections were generally considered free and fair.

In Zimbabwe, the most immediate test of the Government's openness to genuine political competition is the upcoming July 30 election. However, even after that election I will, if confirmed, continue to direct our Embassy to engage with all democratic parties in Zimbabwe and advocate for inclusivity and democracy within party structures.

*Question 7.* Will you and your Bureau leadership team actively engage with Zimbabwe leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Zimbabwe?

Answer. Yes, our founders knew that freedom of the press is essential to democracy. If confirmed, I will urge the Zimbabwean Government to uphold the tenets of

its 2013 constitution, which enshrines freedom of express and the press. As Ambassador to Peru, I met with press frequently and expect to continue to do so, if confirmed as Ambassador to Zimbabwe.

In Zimbabwe, if confirmed, my embassy team and I will actively engage on a regular basis with state-run and independent media while vigorously addressing any attempts to undermine or limit press freedom or control media content. I will also instruct the embassy team to utilize all methods at its disposal to build professional capacity within media institutions and to raise awareness therein of how a free media should perform.

I will also, if confirmed, advocate for increasing media freedom in Zimbabwe and, the eradication of violence and harassment against journalists, and encourage the Government of Zimbabwe to be more open and accommodating for international media looking to cover stories in the country.

*Question 8.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. Misinformation and disinformation challenges have already arisen in the context of the Zimbabwe elections, though likely from domestic sources. If confirmed, I will continue our Mission's support for digital and information security, which has already proven valuable in preparing civil society partners to respond by correcting the record and to safeguard systems.

*Question 9.* Will you and your Bureau leadership team actively engage with Zimbabwean interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, if confirmed, we will. I was honored to meet with trade union leaders regularly in my previous assignments. This issue is especially important in Zimbabwe, where labor unions have historically played a key role in advocating for broader fundamental human rights in addition to worker rights. As documented in the 2017 Country Report on Human Rights, the Government of Zimbabwe—during the Mugabe era—failed to respect the workers' right to form or join unions, strike, and bargain collectively. The Government's interference with trade union activity was common, with police and state intelligence services regularly attending and monitoring trade union activities and authorities frequently withholding or delaying the registration certificate for a number of unions. Given this history and the concerning treatment of health practitioners by the Government during a health workers' strike in April, I will, if confirmed, continue to direct our Embassy to actively engage with Zimbabwe on the right of labor groups to organize.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Zimbabwe, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTI) people face in Zimbabwe? What specifically will you commit to do to help LGBTI people in Zimbabwe?

Answer. Yes, I have advocated for the human rights and dignity of all persons, including the LGBTI community throughout my career. As Ambassador to Peru, I attended and hosted events that highlighted the importance of inclusion and human rights for the LGBTI community. In Zimbabwe, hostility toward LGBTI people was famously reflected in former President Mugabe's statements that homosexuality is "un-African" and that homosexuals are "worse than dogs and pigs." While President Mnangagwa has not engaged in such rhetoric since coming to power, discrimination against LGBTI people remains widespread in Zimbabwe. As detailed in the State Department's 2017 Country Report on Human Rights Practices, the Zimbabwean police have reportedly detained and held persons suspected of being gay for up to 48 hours before releasing them. LGBTI advocacy groups have reported that police used extortion and threats to intimidate persons based on their sexual orientation, and an organization dedicated to advancing the rights of LGBTI persons, experienced harassment and discrimination.

If confirmed, I will ensure that support for the rights of LGBTI persons continues to be incorporated into the Embassy's support for human rights more broadly.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN NICHOLS BY SENATOR BENJAMIN L. CARDIN**

*U.S. Commitment to Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have worked to promote democracy, the rule of law and human rights throughout my nearly 30-year Foreign Service career. Earlier this year in Honduras, as Charge, I successfully advocated for the arrest of the alleged mastermind in the murder of human rights activist Berta Cáceres, raising the case repeatedly with the President and Attorney General. I met with Ms. Cáceres' family and publicly urged action in the case. I also traveled some four hours overland to attend a memorial service in her honor; again urging action in the case. In Peru, when I was Ambassador, we worked tirelessly to support the investigation into the 2015 murder of Ashéninka leader Edwin Chota and three other indigenous community leaders seeking to prevent illegal logging on their land. We provided helicopter support to the investigation and I met with Chota's widow and daughter. My colleagues and I regularly raised the case at the highest levels of Peru's Government. Our efforts have led to stricter enforcement of Peruvian laws against illegal logging.

As a Political Officer in El Salvador in 1992, I reported on the peace process, cease fire, and truth and reconciliation process. I met with human rights organizations from El Salvador and the United States and advocated for the respect for human rights with the Salvadoran Government. In Mexico, as Deputy Political Counselor, I traveled to Chiapas regularly to meet with human rights groups, indigenous organizations and the Catholic church as well as the Mexican Government to advocate for a resolution to the Zapatista conflict as well as respect for the human rights of the people of Chiapas. I took the lead in the U.S. contacts with Mexico's Federal Electoral Institute (IFE) during the historic 2000 election which saw the end of 71 years of one party rule. My close cooperation with IFE officials provided valuable insights into the reforms carried out to make the process free and fair. I helped to frame our messaging to the Mexican Government at the highest level that insisted on the importance of a transparent election. In Indonesia, as Political Counselor, I directed our efforts to promote comprehensive respect for human rights in the face of serious violations in Aceh, Sulawesi, and Irian Jaya (West Papua). Our efforts led to significant reforms in the security forces, as well as renewed peace talks between the Government and the Free Aceh Movement (GAM).

*Question 2.* What are the most pressing human rights issues in Zimbabwe? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Zimbabwe? What do you hope to accomplish through these actions?

Answer. Zimbabwe is at a crucial moment. We are hopeful the new government will improve the human rights situation in Zimbabwe. We strongly believe that all Zimbabweans should enjoy constitutionally guaranteed fundamental freedoms, including freedoms of expression and peaceful assembly, consistent with Zimbabwe's international human rights obligations, and that no person should suffer from harassment or intimidation for exercising these freedoms.

The principal human rights abuses committed during the Mugabe era and most recently documented in the 2017 Country Report on Human Rights included the following:

- ◆ The Government targeted members of political parties and civil society activists for abduction, arrest, torture, abuse, and harassment.
- ◆ Security forces and the judiciary applied the rule of law in a partisan manner and the Government generally failed to investigate or prosecute state security or ZANU-PF supporters responsible for violence.
- ◆ The Government arrested, detained, prosecuted, and harassed members of civil society, including members of nongovernmental organizations (NGOs) and further restricted freedoms of expression, press, assembly, association, and movement.
- ◆ Although there were no reports the Government or its agents committed extrajudicial killings in 2017, in contrast with past years, impunity continued to be a problem, and the Government only took limited steps to investigate or punish security-sector officials and ruling party supporters believed to have committed crimes.

The Zimbabwe Democracy and Economic Recovery Act of 2001 and the executive orders that lay the groundwork for our targeted sanctions are useful tools of foreign policy, particularly as Zimbabwe is currently particularly focused on gaining legit-

imacy, rejoining the international community, acquiring new lending and debt relief from the international financial institutions. If confirmed, I will use these tools to push for needed reforms. I will urge the Zimbabwean Government to fulfill its obligations under the nation's 2013 constitution as well as its commitments as a member of the Southern African Development Community (SADC) and the African Union. Finally, I look forward to robust engagement with the full range of Zimbabwean society, particularly civil society. I will continue our efforts to support civil society, build more accountable institutions, and help Zimbabweans realize their democratic aspirations.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Zimbabwe in advancing human rights, civil society and democracy in general?

Answer. Zimbabwe's 2013 constitution guarantees human rights and fundamental freedoms to all, including the rights to freedom of expression, association and peaceful assembly. However there are still laws in effect in Zimbabwe which contradict these protections. Similarly, Zimbabwe's constitution guarantees its citizens the right to choose their leaders through free and fair elections, to form, join, and participate in political parties or organizations of their choice, and to campaign freely and peacefully for a political party or cause. Yet the country's past several elections have instead been marked by widespread state-sponsored violence and intimidation. If confirmed, I would seek to hold the Government of Zimbabwe to the requirements of its constitution, and support those in Zimbabwe who are doing the same.

In addition, Zimbabwe has significant episodes in its history of state-sponsored violence and human rights abuses, including the Gukurahundi massacres of the 1980s and the "Operation Restore Order" slum clearances of the 2000s, for which there has never been a full accounting. If confirmed, I would support efforts to advance a national peace and reconciliation process to enable the country to fully address and come to terms with past episodes of violence.

*Question 4.* Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the United States and with local human rights NGOs in Zimbabwe? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I have engaged with human rights, civil society, religious and other NGO organizations at home and abroad and look forward to doing so in Zimbabwe. I am committed to supporting the Leahy Law fully, as I have done in all my previous assignments. If confirmed, as Ambassador, I will direct my staff to ensure all security assistance and security cooperation activities receive Leahy and other vetting to reinforce human rights. The Government of Zimbabwe, however, would need to implement meaningful human rights, economic, governance, and electoral reforms, before full military-to-military relations were restored.

*Question 5.* Will you and your embassy team actively engage with Zimbabwe to address cases of key political prisoners or persons otherwise unjustly targeted by Zimbabwe?

Answer. Yes. If confirmed, my team and I will work hard to ensure that the rule of law is respected in Zimbabwe. I will ensure my team actively engages with the Government of Zimbabwe regarding political prisoners and others unjustly targeted. I will continue to advocate for the respect of fundamental human rights, and advocate for all persons to receive timely, fair, equitable access to justice.

*Question 6.* Will you engage with Zimbabwe on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. I have done so throughout my career and if confirmed will continue to do so in Zimbabwe.

#### *Conflicts of Interest*

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9. Do you or do any members of your immediate family have any financial interests in Zimbabwe?*

Answer. No.

*Question 10. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?*

Answer. Diversity and inclusion are priorities for the Secretary of State and the Department. As an Ambassador, Deputy Chief of Mission, and Principal Deputy Assistant Secretary (PDAS), I have worked actively to recruit, hire, and mentor a diverse group of people both U.S. Direct Hire employees and Locally Engaged Staff. I am proud to have led efforts to include gender and diversity goals as a component of justice sector development as PDAS in the Bureau of International Narcotics and Law Enforcement. In Colombia and Peru, I led efforts to hire more diverse local staff and recruit from Afro-descendant and indigenous organizations. As a mid-level officer, I went to underrepresented organizations to recruit more diverse candidates for the Foreign Service. As one of the most senior African Americans in the Foreign Service, I consider it a duty and a privilege to recruit and mentor a broad range of officers, as well as serving on promotion boards (which I am doing right now).

*Question 11. What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?*

Answer. As called for in the Department's precepts, I will cultivate an environment that values diversity and respect for EEO and merit principles. I will model those behaviors and insist that all those under my direction hold themselves to the highest standard in accordance with Department regulations and the law.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN NICHOLS BY SENATOR CORY A. BOOKER

*What Does State Need To See for Credible Elections?*

*Question 1. The July 30th elections are an historic moment for Zimbabwe. Robert Mugabe, who ruled the country for 37 years, will not be on the ballot.*

But these elections are fraught with concerns over technical issues like the quality of the voter roll and the looming threat of military interventions to protect long-held interests.

- What, in your view, are the most important actions the Government of Zimbabwe should take to ensure fair and credible elections on July 30th?

Answer. Some of the steps that the Government of Zimbabwe has already taken have been positive ones. For example, President Mnangagwa's public commitment to free, fair and peaceful elections is welcome, as is his invitation of international observers for the first time in over a decade, and the opening of political space for free speech and assembly that has been observed. However, the United States continues to have concerns in many areas, including:

- ♦ a lack of transparency of the voters' roll and ballot papers,
- ♦ the lack of precise rules for tallying votes and transmitting results,
- ♦ credible reports of voter intimidation by traditional leaders and government officials, including security officials,
- ♦ the need for fair and equal state media access—particularly radio—for all parties,
- ♦ the independence of the Zimbabwe Electoral Commission,
- ♦ an electoral law that falls short of ensuring the rights enshrined in Zimbabwe's own constitution, and
- ♦ the lack of public assurances from the Government, especially the military, that they will accept the outcome.

The credibility of the election will depend upon how the Zimbabwean Government addresses these concerns, among others.

*What Do You Need To Do Your Job?*

*Question 2. If confirmed, you face a daunting task—you will likely be arriving just a couple weeks before the election and will have to get up to speed quickly, meet*

with the relevant stakeholders, and ensure that the U.S. is able to assess the credibility of the upcoming elections.

- What tools or resources do you believe you need to be able to be effective in short order?

**Answer.** We have a very strong team at the U.S. Embassy in Harare. I look forward to joining them if confirmed. The Government of Zimbabwe has indicated that, if confirmed, I will be able to present my credentials shortly after arrival, which will allow me to meet with all the relevant stakeholders.

The U.S. Embassy in Zimbabwe is already deeply engaged in the preparations for the elections, and will be directly involved in several ways. If confirmed, I will continue the important work already underway to support the credibility of upcoming elections. This includes supporting the embassy staff in Zimbabwe who will be serving as observers on Election Day, and who have already been monitoring and reporting on the pre-electoral environment and communicating our concerns to the Government of Zimbabwe. In addition, if confirmed, I will continue to support the work of an independent observation mission jointly led by respected, experienced NGOs. An advance team from this mission recently visited Zimbabwe and has reported on the election preparations and environment to date, and will send additional observers for the election itself. The Mission is working closely with the Bureau of Diplomatic Security to ensure that it has the necessary security and resources to observe around the country.

Most importantly, if confirmed, I will continue to support the growth and capacity of Zimbabwean civil society organizations, which ultimately play the greatest role in building Zimbabwe's democratic institutions. Even after Election Day, the United States will continue to facilitate Zimbabwe's transition to a true democracy by continuing to support such groups.

#### *Normalizing Relations with the UK*

**Question 3.** In multiple conversations during a recent CODEL to Zimbabwe, there were several indications that the British Government is more than ready to look past President Mnangagwa's human rights record and normalize relations with Zimbabwe.

- How do you intend to work with our allies to continue pressure on President Mnangagwa if the election is not credible?

**Answer.** The United States works closely with the United Kingdom, Australia, the European Union, and other partners in Harare and in our respective capitals to coordinate our responses to developments on the ground. If confirmed, I will continue these consultations, and seek to sustain broad agreement that any changes in the international community's engagement with the Government of Zimbabwe should be linked to concrete, specific progress on democratic governance, human rights, rule of law, and economic reforms.

Ultimately, however, the United States will make its own decisions about our relationship with the Government of Zimbabwe. That will include assessing the elections based on Zimbabwe's international obligations as well as the requirements set out in Zimbabwe's own constitution, and clearly communicating our views.

#### *Reconciliation for Past Atrocities*

**Question 4.** Perpetrators of the brutal cleansing of political opposition in Matabeleland region in the 1980s—in which 20,000 people were killed—still have not been held accountable.

President Mnangagwa was formerly the Director of the Central Intelligence Organization in the 1980s, and is accused by many, including opposition parties and human rights groups, of directing brutal violence.

- What do you think the Government of Zimbabwe should do to advance truth-telling, reconciliation and justice?

**Answer.** Zimbabwe's 2013 constitution established the National Peace and Reconciliation Commission, which has become more active since President Mnangagwa came to power last year. In January, President Mnangagwa signed the National Peace and Reconciliation Act, which operationalized the Commission. In February, he appointed a new chairperson to the Commission, a position that had been vacant for more than a year. The commissioners then conducted consultations across Zimbabwe in February and March. Beyond these positive steps, tremendous work still lies ahead, including investigation and prosecution where warranted of those responsible for human rights abuses, compensation for victims of past political violence, and protection of survivors of political violence.

If confirmed, I would support the efforts that the National Peace and Reconciliation Commission is currently leading, to enable the country to fully address and come to terms with episodes in its past.

*Question 5.* What can the United States do to encourage the Government of Zimbabwe to make genuine strides in a national discussion or reckoning on a painful and violent political history?

Answer. I am well aware of, and deeply concerned by, the Government of Zimbabwe's record on human rights. In addition to the events of the 1980s, there were the "Operation Restore Order" slum clearances of the 2000s, for which there has never been a full accounting, and the fact that the country's past several elections have been marked by widespread state-sponsored violence and intimidation. While the United States cannot, and should not, forget the past, we can remain open to engaging with those Zimbabweans who are willing to work towards a better future. Ultimately, we will judge President Mnangagwa by his actions, not just his words.

In addition to supporting Zimbabwe's National Peace and Reconciliation Commission, I will, if confirmed, press the Government of Zimbabwe to bring its current laws into compliance with Zimbabwe's 2013 constitution, which enshrines democratic rights. I will seek ways to strengthen judicial independence and the judiciary's capacity to uphold Zimbabwe's constitution, and continue the Mission's work to provide institutional and individual support for democratic rights through a number of civil society and human rights organizations that advocate for legal and regulatory reforms. More broadly, I will continue to ensure that, through our foreign assistance programs, individual psycho-social, medical and legal support is provided to victims of violence, and support is given to communities to help rebuild social cohesion after decades of state-sponsored violence.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GORDON D. SONDLAND BY SENATOR ROBERT MENENDEZ

*Question 1.* If confirmed, how will you seek to curb democratic backsliding and support respect for human rights in EU member states?

Answer. It is in both the United States' and the European Union's (EU) interests for democracy to thrive within the EU and the region. The reliability of rule of law is essential to economic activity, trade, and investment. U.S. officials regularly speak with allies about our shared commitment to Western values. If confirmed, I will pay close attention to developments across the EU in areas such as democracy, human rights, and rule of law, and will be prepared to speak privately—and publicly if necessary—on the importance of maintaining shared commitments to Western values.

*Question 2.* How will you work with EU partners to strengthen efforts on the continent, and cooperation with U.S. Government agencies, to address corruption and illicit financial activity?

Answer. Both the United States and the European Union (EU) believe that transparency is a fundamental pillar of democracy. If confirmed, I will lead the inter-agency teams at the United States Mission to the EU in continuing to support our efforts to combat corruption and illicit financial activities. I would work closely with the EU to expand our efforts to tackle corruption by addressing the root causes in Europe and around the world.

*Question 3.* How will you engage in Brussels to help ensure that core human rights and democratic principals are upheld as the EU grapples with terrorism, migrant flows, and rising xenophobia within the bloc?

Answer. The rise of terrorist attacks and the large influx of migrants and asylum seekers to Europe over the past several years helped fuel the rise of populist and extremist political parties across the continent. Many of these parties share xenophobic, anti-Muslim, anti-Semitic, and anti-Roma policies and rhetoric, undermining efforts to build inter-ethnic and inter-religious tolerance. The United States works with the European Union (EU) to advance common goals; engage in bilateral democracy and rule of law dialogues; actively support human rights defenders and civil society; combat anti-Semitism and other forms of intolerance; foster inclusion; and promote the human rights of vulnerable minorities, including the Roma population.

If confirmed, I will lead the United States Mission to the EU in continuing to support our longstanding efforts to ensure the rights of all people are protected, and

promote values of freedom, democracy, individual liberty, and human dignity. I would work closely with the EU to advance democracy and human rights in the European Union and around the world in places such as Cuba, Burma, and Venezuela.

*Question 4.* What role do you see for yourself, if confirmed, and the U.S. Mission to the EU, to support these efforts and encourage the prospective member countries to undertake difficult reforms?

Answer. The United States continues to work closely with the European Union (EU) to assist Balkan Governments accelerate much needed economic and political reforms, especially those that strengthen democratic institutions, rule of law, which will build resilience against malign influence. The U.S. Government welcomes the emphasis of the European Commission's Western Balkans Strategy that all six countries have a future in the EU, should they meet the requirements. The United States remains convinced that a Turkey that meets EU accession criteria would benefit the EU, Turkey, and the region as a whole. If confirmed, I am ready to support U.S. policies in any way I can.

*Question 5.* How will you work to foster continued support with the EU for maintaining its existing sanctions regime against the Russian Government? How will you engage EU counterparts to build support for new or expanded sanctions against Kremlin bad actors, particularly in the cyber realm?

Answer. Since 2014, the United States and the European Union have imposed sanctions on Russia in response to its aggression in Ukraine, and this unity has been essential in turning up the pressure on Russia to change its behavior. If confirmed, I will work closely with the EU to ensure it maintains its existing sanctions regime against the Russian Government and ensure coordination with the EU on the implementation of U.S. sanctions to mitigate unintended consequences. U.S. and EU sanctions have reduced Russia's ability to access funding in the financial, energy, and defense sectors, and have limited its access to certain technologies. As a result of these sanctions, foreign investment in Russia is down and has depressed Russia's economic growth.

The cornerstone of sanctions against Russia remains unity between the United States and its allies, especially U.S.-EU unity, and the chief goal is to impose costs on Russia's Government and on institutions and individuals that enable sanctionable malign activities, which is an objective shared by our European partners. The United States has recently imposed sanctions in response to Russian malicious cyber activities that threaten our national security. If confirmed, I will work with the EU to increase cooperation and coordination on cyber issues, including ways to address the Russian threat.

*Question 6.* How will you engage counterparts in EU mechanisms established to counter Kremlin disinformation and cyber interference, such as the EU East StratCom Task Force, to promote transatlantic sharing of best practices and coordination of efforts?

Answer. Russia is engaged in an aggressive and coordinated campaign to undermine core Western institutions, including the EU and NATO, and weaken faith in the democratic and free-market system. Such efforts aim to disrupt democratic processes and weaken unity directly and have the potential to harm U.S. interests and security, the cornerstone of which is the Transatlantic relationship. In Europe, the United States is seeking to reduce vulnerabilities, strengthen democratic institutions, eliminate corruption, and diversify energy supplies. If confirmed, I will work closely and coordinate with the EU to counter disinformation, including by working with the East Stratcom task force.

I understand that the Department of State is in regular contact with EU cyber counterparts on countering destabilizing Russian behavior in cyberspace. If confirmed, I will work with my EU counterparts to strengthen international cyber norms on responsible state behavior, and work with like-minded member states to impose significant consequences on Russia for its continuing acts of aggression.

*Question 7.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have long believed in the importance of being active in my community through civic engagement and charitable endeavors, including serving as President of the Sondland/Durant Foundation and serving as the volunteer chairman of the executive committee of the Portland Art Museum.

Over the course of my time participating in these various efforts, one experience in particular stands out to me. About six years ago I joined a group of CEOs on a tour of a number of African countries. In Zambia, we visited the Simonga Village School in order to help renovate their classrooms. Working alongside some of the

younger students, I noticed that they were smart, ambitious, but lacking in focus. We met with the headmaster to discuss our observations. He told us that the lack of focus was due to hunger. Few of these students had more than one meal per day, and it was generally after school. They did not eat breakfast or lunch.

After some further consultation, my wife and I decided to have our private charity, The Sondland/Durant Foundation develop a free breakfast program for ALL Simonga students, Monday through Friday. Word has spread and Sondland/Durant is now feeding about 500 students per day. The impact from this has been hugely positive, according to the school staff. Grades have risen significantly and the students are much more focused and happy.

When we originally planned our visit to the Simonga Village School, our intent was to spend the day, help remodel some buildings and depart. Instead, we discovered an opportunity to make a long term difference in the lives of these students and help them not only with nutrition but also to focus on their education—a foundation for democracy and human rights. We have now served nearly one million meals and counting, and we plan to continue this program indefinitely.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the European Union? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. The European Union (EU) has a vibrant and robust civil society that represents a wide range of viewpoints. If confirmed, I will lead the United States Mission to the EU in continuing to support our longstanding efforts to ensure the rights of all people are protected, and promote values of freedom, democracy, individual liberty, and human dignity. I would sustain the United States' engagement with a broad spectrum of civil society in the EU, including human rights activists and religious groups, and the organizations that represent them. I also believe that it would be beneficial to work with non-governmental organizations to develop and foster a climate of philanthropy that would broaden their sources of funding and enable them to have greater financial independence. If confirmed, I will work closely with the EU to advance democracy and human rights in Europe and around the world in places such as Cuba, Burma, and Venezuela.

*Question 9.* Will you and your leadership team actively engage with European Union leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the European Union?

Answer. If confirmed, I will support throughout the European Union (EU) public diplomacy and other programs that allow for exchanges of ideas through press briefings, dialogue with reporters, social media, and face-to-face interaction with Europeans. The U.S. Mission to the EU runs a wide-ranging public diplomacy operation, including exchange programs. If confirmed, I commit to meeting regularly with independent, local press in the European Union.

*Question 10.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will work closely and coordinate with the EU and civil society to counter disinformation. In particular, Russia is engaged in an aggressive and coordinated campaign to undermine core Western institutions, including the EU and NATO, and weaken faith in the democratic and free-market system. Such efforts aim to disrupt democratic processes and weaken unity directly and have the potential to harm U.S. interests and security, the cornerstone of which is the Transatlantic relationship. In Europe, the United States is seeking to reduce vulnerabilities, strengthen democratic institutions, eliminate corruption, and diversify energy supplies.

*Question 11.* Will you and your leadership team actively engage with European Union interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. Civil society is an important part of the democratic process in Europe and has a role to play in public awareness and public discourse. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society and labor groups within the European Union. If confirmed, I will ensure the Department continues to engage with labor groups in Europe and support their right to organize.

*Question 12.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the European Union, no matter their sex-

ual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTI) people face in the European Union? What specifically will you commit to do to help LGBTI people in the European Union?

Answer. I am committed to upholding the rights of individuals, including LGBTI persons, in the European Union (EU) and elsewhere. If confirmed, I will work with the EU and other partners to continue to call on governments around the world to uphold international obligations to promote and protect human rights and fundamental freedoms. Together with the EU, I will stand in solidarity with civil society organizations and journalists working on these issues. I believe the Department of State's mission is at all times guided by longstanding American values of freedom, democracy, individual liberty, and human dignity.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GORDON D. SONDLAND BY SENATOR MARCO RUBIO**

**JCPOA**

*Question 1.* After President Trump's decision to withdraw the United States from the Joint Comprehensive Program of Action (JCPOA) in May 2018, the United States is now focusing on re-imposing and enforcing Iran sanctions passed by Congress unanimously or near-unanimously in recent years—including secondary sanctions related to significant transactions with the Central Bank of Iran (CBI) and other designated Iranian banks as well as the significant oil reduction requirement (Section 1245 of the FY 2012 National Defense Authorization Act), and the authorization of sanctions related to specialized financial messaging services to the Central Bank of Iran and other designated Iranian banks (Section 220 of the Iran Threat Reduction and Syria Human Rights Act of 2012).

We, in the Congress, fully expect all countries—especially our allies and partners—to comply with all U.S. sanctions against Iran. These sanctions are not just related to stopping Iran's nuclear threat, but also aimed at comprehensively addressing the full array of threats posed by Iran, including its ballistic missile program, destabilizing regional activities, and egregious abuses of human rights.

- If confirmed, do you commit to consistently raising with European governments the concerns of the United States about the Iranian nuclear and ballistic missile programs, Iran's destabilizing activities throughout the broader Middle East, and the Iranian regime's egregious abuses of human rights?

Answer. If confirmed, I commit to consistently raising with European governments the concerns of the United States about the Iranian nuclear and ballistic missile programs, Iran's destabilizing activities throughout the broader Middle East, and the Iranian regime's egregious abuses of human rights. President Trump, in his decision to withdraw from the JCPOA, made clear the United States' commitment to ensuring Iran has no possible path to a nuclear weapon and to addressing the threats posed by the regime's malign activities.

*Question 2.* If confirmed, do you commit to emphasizing to our European allies our expectation that all governments will comply with sanctions against Iran, including CBI secondary sanctions, the significant oil reduction requirement, and de-SWIFTing CBI and other designated Iranian banks?

Answer. If confirmed, I commit to explaining and emphasizing to our European allies our expectation that all governments will comply with the full spectrum of sanctions against Iran, including CBI secondary sanctions and de-SWIFTing CBI and other designated Iranian banks. Further, I will make clear that we expect all countries currently purchasing Iranian crude oil to end those purchases as quickly as possible. As Secretary Pompeo has stated, the United States will hold those doing prohibited business in Iran to account. The United States will apply unprecedented financial pressure on the Iranian regime and the leaders in Tehran will have no doubt about our seriousness.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GORDON D. SONDLAND BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What do you think the purpose of the European Union is today? How do you see that purpose in relation to the interests of the United States? Do you support a strong European Union?

**Answer.** A strong transatlantic partnership remains central to U.S. foreign and security policy. With 28 member states representing over half a billion people, the European Union (EU) is one of our closest, most capable partners in the world on a host of international security, economic, diplomatic, and humanitarian efforts. The United States routinely engages with the EU at multiple levels on the most pressing global issues to advance a range of U.S. priorities across political, economic, and security areas. The EU leverages economic tools and the prospect of membership to promote reform and pro-Western policies in its neighborhoods. No other political bloc in the world carries the economic weight or combined political will to push back on malign actors globally in alignment with U.S. interests. The EU leverages the capacities of all 28 member states to address terrorism and security challenges around the world. It is able to lead and conduct missions to secure its borders and project stability outside of Europe. For all of these reasons, if confirmed, I will continue the longstanding U.S. policy of supporting a strong EU and strong Transatlantic relations.

**Question 2.** The United States has supported the aspirations of Western Balkans countries to join the EU. How do you see the partnership of the United States and the EU regarding the Western Balkans where we have invested so much over the past 25 years?

**Answer.** The United States continues to work closely with the European Union (EU) to help Balkan Governments accelerate economic and political reforms, especially those that strengthen institutions, rule of law, and resilience against Russian malign influence. The United States welcomes the emphasis of the Commission's Western Balkans Strategy that all six countries have a future in the EU, should they meet the requirements. I understand the U.S. Government continues to support Bosnia and Herzegovina (BiH) as it works to achieve official candidate status following the completion of its questionnaire process. The State Department notes the Commission's recognition of Montenegro and Serbia as frontrunners and commends both on their significant progress on their respective EU paths. The United States supports Albania and Macedonia formally opening EU accession negotiations in the very near future. Finally, I understand the United States continues to support strongly the EU-facilitated dialogue between Kosovo and Serbia, and encourages both sides to accelerate their efforts to normalize their relations fully.

**Question 3.** What are the shared goals and values in the U.S.-EU partnership to which you referred in your written testimony?

**Answer.** The United States and the European Union (EU) share common values of peace, liberty, stability, and prosperity. Our world has enjoyed all of these things since World War II in large part because of strong U.S. ties to Europe. Together, the United States and the EU have chosen a future defined by democracy, ordered liberty, separation of powers, and individual freedom over the old path of corruption and authoritarianism. The United States and the EU are working to advance our shared goals with respect to security, human rights, and prosperity. While we may have our differences, the United States and the EU agree far more than we disagree, as evidenced in our continuing close cooperation around the world, including addressing conflicts in the Middle East, confronting malign state actors, countering terrorism, and improving European security.

**Question 4.** The governments of some European Union countries, notably Hungary and Poland, have openly challenged basic norms that were considered necessary for joining the EU, even while their populations remain strongly in favor of the EU. Does the weakening of EU norms affect U.S. economic interests in Europe?

**Answer.** The United States relies on our allies to be strong partners for us on a wide range of issues. A strong EU is a strong economic partner for the United States. The U.S. engages with all of our allies and partners to promote our shared Transatlantic principles and values, as well as to foster bilateral cooperation that serves all of our interests. If confirmed, I will work with the EU to promote our shared Transatlantic values and advance U.S. economic interests.

**Question 5.** Do you think Russia prefers a strong EU or a weak EU? What impact on the EU does Russia's efforts to build relations with individual EU countries such as Austria and Italy have?

**Answer.** Russia is engaged in an aggressive and coordinated campaign to undermine core Western institutions, including the EU and NATO, and weaken faith in the democratic and free-market system. Such efforts aim to disrupt democratic processes and weaken unity directly and have the potential to harm U.S. interests and security, the cornerstone of which is the Transatlantic relationship.

In April 2018 the EU's Foreign Affairs Council reaffirmed the EU's five guiding principles covering EU engagement towards Russia : 1) full implementation of the

Minsk agreements; 2) strengthening the Eastern Partnership (Ukraine, Georgia, Moldova, Armenia, Azerbaijan and Belarus) and relations with other neighbors in Central Asia; 3) strengthening EU resilience in energy, facing hybrid threats, and strategic communications; 4) selective engagement with Russia on issues such as Iran or Syria; 5) and support for Russian civil society. The EU has been a strong U.S. ally on Russia, and an increasingly effective partner in promoting Transatlantic values and resisting Russian pressures. The United States and the EU have imposed sanctions on Russia since February 2014 in response to its aggression in Ukraine.

In Europe, the United States is seeking to reduce vulnerabilities, strengthen democratic institutions, eliminate corruption, and diversify energy supplies. If confirmed, I will continue to work with the EU to hold Russia accountable for its actions and counter its malign activities.

*Question 6.* In November 2017, Hungary hosted a “16+1” summit with China, giving China a platform with a sub-set of EU countries and several non-EU Balkan countries (Hungary, Bulgaria, Romania, Poland, Bosnia and Herzegovina, Serbia, Croatia, Slovenia, Slovakia, Albania, Macedonia, Montenegro, Czech Republic, Lithuania, Latvia and Estonia). The meeting rattled some EU countries as the summit dealt with economic competencies they saw as reserved to the EU. What are China’s interests in the European Union as an institution?

Answer. China’s primary interest in the European Union (EU) is industrial as it seeks to expand into higher value export manufacturing sectors, including new materials, aerospace, new-energy vehicles and advanced information technology. The EU’s strength in advanced manufacturing capabilities, coupled with open investment climates and varying member state investment screening mechanisms, has allowed China to acquire some of the advanced manufacturing capability it seeks through mergers and acquisitions. Chinese Government subsidies, industrial policies, and its economic development strategy known as the Belt and Road Initiative (BRI) incentivize Chinese foreign direct investments (FDI) in Europe, which in turn can have political, economic, and cultural effects. If confirmed, I will work with the EU to increase awareness of the impact of China’s activities and safeguard fairness, transparency, and accountability when it comes to Chinese investments, and when necessary to protect U.S. interests, will encourage the EU or member countries to modify or block Chinese investments.

*Question 7.* How do you think the introduction of U.S. tariffs will impact the European Union? U.S.-EU relations?

Answer. The U.S. goal has been to promote fair and reciprocal trade and we should not let these tariffs define the Transatlantic relationship. The United States is committed to working with the EU to narrow the gaps between us and work on issues of common concern. The President has stated that he would like to see a situation where both U.S. and EU tariffs are reduced to zero.

As an economic matter, the impact will be minimal. According to the European Union, the U.S. trade enforcement measures on steel and aluminum under Section 232 affect \$7.2 billion of U.S. imports of the relevant steel and aluminum products from the EU, representing 1.43 percent of total imports of goods from the EU in 2017.

However, the EU imposed its own set of tariffs in retaliation, targeting a list of U.S. exports to the EU such as steel, agriculture, textiles, spirits, and motorcycles worth ?2.8 billion. The EU has said it may choose to impose retaliatory tariffs on an additional ?3.6 billion of U.S. goods either in three years, or after a positive finding in the EU’s WTO dispute of U.S. tariffs.

*Question 8.* In recent years, Germany has helped promote economic stability in the EU. How do you see the U.S. relationship with Germany impacting the EU?

Answer. Germany is one of America’s closest partners and is a key leader within the European Union (EU). Our interests are aligned in promoting economic and political stability in the EU, as well as in strengthening U.S.-EU ties. Germany continues to be an engine for growth and stability within the European Union, which makes the EU a reliable partner for the United States.

EU member states are collectively our biggest trading partner, and Germany, as Europe’s largest economy and the world’s fourth largest overall, is at the heart of that relationship. The United States and Germany have a deep trade and investment relationship. Despite the large trade imbalance in goods that we look to address, the United States and Germany conducted over \$237 billion in total trade in goods and services. German investment in the United States is important to our economic growth and is responsible for over 670,000 U.S. jobs.

*Question 9.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have long believed in the importance of being active in my community through civic engagement and charitable endeavors, including serving as President of the Sondland/Durant Foundation and serving as the volunteer chairman of the executive committee of the Portland Art Museum.

Over the course of my time participating in these various efforts, one experience in particular stands out to me. About six years ago I joined a group of CEOs on a tour of a number of African countries. In Zambia, we visited the Simonga Village School in order to help renovate their classrooms. Working alongside some of the younger students, I noticed that they were smart, ambitious, but lacking in focus. We met with the headmaster to discuss our observations. He told us that the lack of focus was due to hunger. Few of these students had more than one meal per day, and it was generally after school. They did not eat breakfast or lunch.

After some further consultation, my wife and I decided to have our private charity, The Sondland/Durant Foundation develop a free breakfast program for ALL Simonga students, Monday through Friday. Word has spread and Sondland/Durant is now feeding about 500 students per day. The impact from this has been hugely positive, according to the school staff. Grades have risen significantly and the students are much more focused and happy.

When we originally planned our visit to the Simonga Village School, our intent was to spend the day, help remodel some buildings and depart. Instead, we discovered an opportunity to make a long term difference in the lives of these students and help them not only with nutrition but also to focus on their education—a foundation for democracy and human rights. We have now served nearly one million meals and counting, and we plan to continue this program indefinitely.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 12.* Do you or do any members of your immediate family have any financial interests in the European Union?

Answer. My investment portfolio includes companies that have a presence in the European Union, but I have worked closely with the State Department Ethics Office and the Office of Government Ethics and will divest my interests in those companies the State Department Ethics Office deems necessary to avoid a conflict of interest. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations.

*Question 13.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As the child of parents who fled persecution and near-certain death because of their Jewish faith, I am extremely cognizant of the importance of diversity and ensuring that people's differences are embraced, celebrated, and supported. In my current business, diversity is in its DNA. Our customers are represented by every race, gender, religion and sexual orientation. Our associates who serve them reflect that diversity. This creates a successful business and a joyful working environment. Our company's policy regarding diversity is as follows:

#### *Diversity Statement*

The Hotel strives to create a workforce as diverse, inclusive and multi-faceted as its customer base. It is our desire to respect culture and ethnic diversity by hiring and nurturing individuals with an array of talent, experience, perspective, and backgrounds that will recognize the needs of, and provide exceptional service to our guests.

If confirmed, I intend to bring this same passion for diversity to the U.S. Mission at the EU and will actively encourage, promote, mentor, and support my staff, including those who come from diverse backgrounds and underrepresented groups in the Foreign Service.

*Question 14.* What steps will you take to ensure each of the supervisors at the Mission are fostering an environment that is diverse and inclusive?

Answer. If confirmed, the U.S. Mission to the EU under my leadership will reflect our whole-of-mission commitment to promoting diversity and inclusion. First and foremost, I believe that it is important to lead by example. Diversity has been incredibly important to me in my own career and business, and, if confirmed, I will ensure that the leaders and supervisors at the Mission understand that it is something that I value deeply. Moreover, I will make certain each of the supervisors at the U.S. Mission has the opportunity to receive proper formal training and regular guidance to ensure that he or she is helping to foster a work environment that is diverse and inclusive.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
GORDON D. SONDLAND BY SENATOR CORY A. BOOKER**

**JCPOA**

*Question 1.* As you mentioned in your testimony, the relationship between our European allies and the United States was strained after the U.S. unilaterally exited the JCPOA.

Since then, the European Union started to activate measures to preserve the Iran nuclear agreement and to protect EU companies operating in the country.

- How do you view the prospects for European compliance with re-imposed U.S. sanctions on Iran?

Answer. I understand that many large European companies have already demonstrated a willingness to comply with re-imposed U.S. sanctions. Since the President's announcement of U.S. withdrawal from the JCPOA, several European companies have announced the termination tens of billions of dollars in contracts with Iran. In addition, European banks and insurance providers have made announcements of their intentions to suspend services in response to U.S. sanctions. I understand that Secretary Pompeo and interagency teams are meeting with European partners to explain the implementation of the President's Iran strategy. If confirmed, I look forward to continuing discussions on Iran with our European allies and partners and determining how we can best move forward together to address the full threat Iran poses.

*Question 2.* Even if many European companies choose to cut business ties with Iran, how might opposition to U.S. policy from the EU (and other international actors including Russia and China) affect the U.S. ability to exert "maximum pressure" on Iran through sanctions?

Answer. In announcing the U.S. withdrawal from the JCPOA on May 8, President Trump noted the U.S. intention to continue working with European allies to counter the Iranian regime's destabilizing activities in the region, block its financing of terror, and address Iran's proliferation of missiles and other advanced weapons systems that threaten peace and stability. The President was clear—Iran must have no path to a nuclear weapon. Our European partners and allies share our concerns and are equally threatened by the Iranian regime.

Additionally, I understand that U.S. interagency teams are engaging with China and Russia to build support for fulsome discussions of Iranian behavior that go beyond the scope of the JCPOA and remove the threat posed by Iran.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RONALD GIDWITZ BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Civic engagement is something that I have long believed to be of utmost importance. Our communities and institutions are strongest when we participate in and nurture them. Some examples of my work include the following:

- ♦ *American Jewish committee:* I served for ten years as the Campaign Chair for the Chicago Chapter of the American Jewish Committee one of the nation's pre-eminent human rights organizations. AJC describes its mission as is the leading global Jewish advocacy organization, with unparalleled access to government officials, diplomats, and other world leaders. Through these relationships and our international presence, AJC is able to impact opinion and policy on the issues that matter most: combating rising anti-Semitism and extremism, defending Israel's place in the world, and safeguarding the rights and freedoms of all people.
- ♦ *Big Shoulders:* I was a founding board member of the Cardinal's Big Shoulders fund of the Archdiocese of Chicago. I served from 1986 to 1999. The mission of the Big Shoulders Fund is to provide assistance to Catholic elementary and high schools in Chicago's low-income communities. The funds raised by Big Shoulders are given to its schools to support a variety of educational mediums including scholarships, special education programming, instructional equipment, facility improvements, faculty development and operating grants. Most importantly, the efforts make a real difference. High schools have a 95 percent graduation rate and effectively prepare students for college and career. Since Big Shoulders began tracking in 2009, 85 percent of all graduating scholars have enrolled in college during the year following high school graduation. Even more significant, a recent survey of a sample of alumni of Big Shoulders Fund schools showed African-American alumni graduated from college at a rate more than twice the national average and Hispanic alumni graduated at a rate more than three times the national average.
- ♦ *Boys & Girls Clubs of America:* I have served on the Boys & Girls Clubs of America board for 44 years. Serving children from age 6 to 18 years of age, BGCA has at its mission to enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens. There are more than four million youngsters in our programs in more than 4,400 locations. Most importantly, we know that our efforts are successful here as well. BGCA research shows that young people who attend a Club regularly tend to do better than their peers nationally, and are more likely to volunteer, abstain from alcohol, abstain from drug use, be physically active, obtain good grades, and express an interest in a STEM career. Additionally, when surveyed by a third party polling source, 57 percent of BGCA alumni say that these clubs saved their life.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Belgium in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Although Belgium enjoys a thriving democracy, one challenge in Belgium is the fracturing of governance along linguistic lines. The lack of integration and even interaction between Belgium's two largest linguistic communities means there are no national political parties and often a lack of a cohesive national policy. Among other things, this can also lead to complications with information sharing and law enforcement cooperation between the linguistic communities. This division has real repercussions; Belgium famously went without a central government for 589 days when its political parties were unable to form a successful coalition in 2010–11, a record for a democracy.

*Question 3.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Belgium? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. There are no known cases of efforts to restrict or penalize NGOs in Belgium. Belgium has a robust record on protecting human rights at home and abroad, supported by a dynamic civil society, and established partnerships with American organizations. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society actors from the U.S. and Belgium.

*Question 4.* Will you and your leadership team actively engage with Belgian leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Belgium?

Answer. There are no known cases of government efforts to undermine press freedom in Belgium. Belgium enjoys strong media pluralism, which is reflected in its

number seven ranking on the 2018 World Press Freedom Index. While media ownership is fairly concentrated, if confirmed, I am also committed to maintaining strong relationships with independent and local press.

*Question 5.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Like the United States, Belgium takes the growing threat of disinformation seriously, whether perpetrated by foreign state or non-state actors. If confirmed, I will support the cooperation that is already ongoing between our two countries and work to further strengthen efforts on this issue.

*Question 6.* Will you and your leadership team actively engage with Belgian interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. Belgium has a strong labor movement and there are no bars on the right of labor groups to organize. Belgium's three major trade union confederations continue to enjoy large and active membership. If confirmed, I look forward to engaging the leadership of these trade unions as part of my outreach to key elements of Belgian society.

*Question 7.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Belgium, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTI) people face in Belgium? What specifically will you commit to do to help LGBTI people in Belgium?

Answer. Belgium was the second country in the world both to legalize same-sex marriage (2003) and to have an openly gay head of government. Same-sex couples have the same rights regarding adoption as do opposite-sex couples and LGBTI rights are included in the country's antidiscrimination laws. In May 2017, Belgium approved a law removing the requirement for people to undergo gender reassignment surgery before they are allowed to change their gender legally. Some challenges remain, such as the underreporting of crimes against the LGBTI community. If confirmed, I am committed to working with the Belgian Government and civil society to address these challenges and to supporting the ideals of tolerance and inclusion already so evident in Belgium.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RONALD GIDWITZ BY SENATOR MARCO RUBIO

**JCPOA**

*Question 1.* After President Trump's decision to withdraw the United States from the Joint Comprehensive Program of Action (JCPOA) in May 2018, the United States is now focusing on re-imposing and enforcing Iran sanctions passed by Congress unanimously or near-unanimously in recent years—including secondary sanctions related to significant transactions with the Central Bank of Iran (CBI) and other designated Iranian banks as well as the significant oil reduction requirement (Section 1245 of the FY 2012 National Defense Authorization Act), and the authorization of sanctions related to specialized financial messaging services to the Central Bank of Iran and other designated Iranian banks (Section 220 of the Iran Threat Reduction and Syria Human Rights Act of 2012).

We, in the Congress, fully expect all countries—especially our allies and partners—to comply with all U.S. sanctions against Iran. These sanctions are not just related to stopping Iran's nuclear threat, but also aimed at comprehensively addressing the full array of threats posed by Iran, including its ballistic missile program, destabilizing regional activities, and egregious abuses of human rights.

- If confirmed, do you commit to consistently raising with European governments the concerns of the United States about the Iranian nuclear and ballistic missile programs, Iran's destabilizing activities throughout the broader Middle East, and the Iranian regime's egregious abuses of human rights?

Answer. If confirmed, I commit to consistently raising with European governments the concerns of the United States about the Iranian nuclear and ballistic missile programs, Iran's destabilizing activities throughout the broader Middle East, and the Iranian regime's egregious abuses of human rights. President Trump, in his decision to withdraw from the JCPOA, made clear the United States' commitment to ensuring Iran has no possible path to a nuclear weapon and to addressing the threats posed by the regime's malign activities.

*Question 2.* If confirmed, do you commit to emphasizing to our European allies our expectation that all governments will comply with sanctions against Iran, including CBI secondary sanctions, the significant oil reduction requirement, and de-SWIFTing CBI and other designated Iranian banks?

Answer. If confirmed, I commit to explaining and emphasizing to our European allies our expectation that all governments will comply with the full spectrum of sanctions against Iran, including CBI secondary sanctions and de-SWIFTing CBI and other designated Iranian banks. Further, I will make clear that we expect all countries currently purchasing Iranian crude oil to end those purchases as quickly as possible. As Secretary Pompeo has stated, the United States will hold those doing prohibited business in Iran to account. The United States will apply unprecedented financial pressure on the Iranian regime and the leaders in Tehran will have no doubt about our seriousness.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RONALD GIDWITZ BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Do you believe that there are parts of Belgium that would be unsafe for you to visit?

Answer. Belgium has a low crime rate and strong law enforcement institutions. The State Department has issued a Level 2 Travel Advisory due to the threat of terrorism. The Department advises U.S. citizens to exercise caution when planning travel to Belgium. In this vein, if confirmed, I will rely on the expertise and advice of our security officers and local Belgian authorities when planning my travel.

*Question 2.* How do you assess Belgian efforts to advance diversity and promote integration of all segments of its population, including religious and racial minorities? What more needs to be done? How do you assess U.S.-Belgian partnership on those issues?

Answer. Belgium has a strong overall record of promoting integration and diversity. However, challenges remain. The most pressing of these is discrimination motivated by anti-Semitism and anti-Muslim sentiment.

As reported in the State Department's 2017 Country Report on Human Rights Practices, there has been a rise in anti-Semitic acts, including online hate speech, Holocaust denial, and vandalism. The Belgian Government has taken these issues seriously, investigating and prosecuting such as appropriate under Belgian law. The Government has also increased security around synagogues and within Jewish neighborhoods.

Discrimination against ethnic minorities, particularly of African or Middle Eastern descent, has also increased, especially since the March 2016 attacks in Brussels. However, Belgian civil society has acted as a strong bulwark against Islamophobia, and the judicial system has prosecuted perpetrators of anti-Muslim hate crimes.

If confirmed, I will seek ways to cooperate with the Government of Belgium and Belgian civil society as they continue to address these challenges and work with them to promote tolerance and inclusivity.

*Question 3.* Brexit has the potential to harm UK-Belgian trade and economic relations. What are your views on the impact of Brexit on EU countries such as Belgium?

Answer. Strong Belgium-UK trade links mean Belgium seeks a Brexit outcome that yields economic stability. Belgian FM Reynders has said he seeks, "the best possible relations" with the United Kingdom. Belgium also recognizes opportunities in Brexit, such as the ability to welcome businesses considering relocation from the UK to other EU member states. Two major financial services companies, Euroclear, one of the world's largest securities depositories, and Moneygram, the U.S. money transfer company, are moving their European headquarters to Brussels in anticipation of Brexit. Brexit remains a matter for the EU and UK to resolve. If confirmed, I stand ready to offer U.S. support as appropriate for an orderly, predictable withdrawal and transition period. I will have a particular focus on protecting U.S. economic and security interests, including U.S. companies' ability to continue thriving.

*Question 4.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Civic engagement is something that I have long believed to be of utmost importance. Our communities and institutions are strongest when we participate in and nurture them. Some examples of my work include the following:

- ♦ *American Jewish committee:* I served for ten years as the Campaign Chair for the Chicago Chapter of the American Jewish Committee one of the nation's pre-eminent human rights organizations. AJC describes its mission as is the leading global Jewish advocacy organization, with unparalleled access to government officials, diplomats, and other world leaders. Through these relationships and our international presence, AJC is able to impact opinion and policy on the issues that matter most: combating rising anti-Semitism and extremism, defending Israel's place in the world, and safeguarding the rights and freedoms of all people.
- ♦ *Big Shoulders:* I was a founding board member of the Cardinal's Big Shoulders fund of the Archdiocese of Chicago. I served from 1986 to 1999. The mission of the Big Shoulders Fund is to provide assistance to Catholic elementary and high schools in Chicago's low-income communities. The funds raised by Big Shoulders are given to its schools to support a variety of educational mediums including scholarships, special education programming, instructional equipment, facility improvements, faculty development and operating grants. Most importantly, the efforts make a real difference. High schools have a 95 percent graduation rate and effectively prepare students for college and career. Since Big Shoulders began tracking in 2009, 85 percent of all graduating scholars have enrolled in college during the year following high school graduation. Even more significant, a recent survey of a sample of alumni of Big Shoulders Fund schools showed African-American alumni graduated from college at a rate more than twice the national average and Hispanic alumni graduated at a rate more than three times the national average.
- ♦ *Boys & Girls Clubs of America:* I have served on the Boys & Girls Clubs of America board for 44 years. Serving children from age 6 to 18 years of age, BGCA has at its mission to enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens. There are more than four million youngsters in our programs in more than 4,400 locations. Most importantly, we know that our efforts are successful here as well. BGCA research shows that young people who attend a Club regularly tend to do better than their peers nationally, and are more likely to volunteer, abstain from alcohol, abstain from drug use, be physically active, obtain good grades, and express an interest in a STEM career. Additionally, when surveyed by a third party polling source, 57 percent of BGCA alumni say that these clubs saved their life.

*Question 5.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 7.* Do you or do any members of your immediate family have any financial interests in The Kingdom of Belgium?

Answer. My investment portfolio includes companies that have a presence in the Kingdom of Belgium, but I have worked closely with the State Department Ethics Office and the Office of Government Ethics and will divest my interests in those companies the State Department Ethics Office deems necessary to avoid a conflict of interest. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations.

*Question 8.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As a native son and still current resident of the city of Chicago, I am consistently struck by the rich, vibrant, and exciting community we have. The backbone of our community and the lifeblood of our city's culture is diversity-of people, cultures, neighborhoods, and experiences. It is with this in mind that I have,

throughout my career, worked to ensure that the business, government, and civic organizations I led and served reflected the diversity of our country and upheld the principles of equal opportunity. To me, this has meant ensuring that I hired, promoted, mentored, and supported employees of different races, genders, religions, ages, national origins, disabilities, and other protected categories. When able, it has also meant that I sought out employees who might not fall into a protected category and are often left behind entirely—people who have been convicted of crimes, served their sentences, and were released back into our community.

If confirmed, I would bring with me a passion for diversity and a keen understanding of how the differences amongst team members would strengthen our work on behalf of the United States at our Mission to Belgium.

*Question 9.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I believe in leading by example and, if confirmed, I will foster a diverse and inclusive team at Embassy Brussels and communicate this is a priority for me as the Ambassador. If confirmed, I will urge the Embassy to reflect our whole-of-mission commitment to promoting diversity and inclusion. I will ensure all supervisors at the Embassy have access to and avail themselves of opportunities to receive regular formal training and regular guidance on EEO principles, diversity, and inclusion to sensitize them to these important issues and maximize diverse talents in our workforce.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CERITH NORMAN CHALET BY SENATOR ROBERT MENENDEZ**

*Aligning Policy and U.N. Assessments Rate by end of 2018*

*Question 1.* Every three years, the U.S. joins other nations in negotiations over the rate at which it pays its share of the United Nations budget and for U.N. peacekeeping operations. For U.N. peacekeeping, this is the rate each country agrees to pay, as its share, after the U.N. Security Council votes for a mission or its continuation. Those negotiations are this year. The current U.S. share of the peacekeeping budget is 28.4 percent—so we pay a little over the quarter of the total. The Trump administration wants to pay 25 percent, which is the same amount Congress provided last year.

Aligning the negotiated rate and the amount we will pay makes sense, to prevent further arrears, which is growing gap between the legal U.S. rate of 28.4 percent and what we're paying. The United States needs a strong, interagency strategy—led by U.N. Ambassador Haley—in order to have any chance to convince other countries to pay more.

- What is the U.S. strategy for these negotiations? What has been done so far? Please be specific.
- How is the U.S. laying the groundwork to align our declared policy and the negotiated rate? How can Congress help?
- Without a strong, coordinated strategy led by senior leadership, how will we avoid new arrears and undercutting peacekeeping and reforms?

Answer. Negotiations on the U.N. Scales of Assessment for both the U.N.'s regular and peacekeeping budgets covering the period of 2019–21 are scheduled to get underway later this year. U.S. goals for those negotiations are to preserve the current 22 percent ceiling on the regular budget and secure agreement to a 25 percent ceiling on the peacekeeping budget. U.S. strategy is to encourage the willingness of key U.N. member state partners to defend the regular budget ceiling and more equitably share the burden of the peacekeeping budget through agreement on a 25 percent ceiling. We have underscored the need for the U.N. peacekeeping budget not to be over reliant on a single donor as well as the full spectrum of bilateral support the United States provides to countries around the world to enable better and more effective peacekeeping.

We have conducted substantial outreach on this issue. The topic has been featured in dozens of meetings our Mission in New York has held with counterparts. A diplomatic demarche to a select group of influential countries in February underscored our determination to achieve the ceiling and interest in working with key partners. A Department delegation traveled to Europe and Asia during the spring to seek cooperation and agreement with our goals. We will be continuing this outreach with further diplomatic demarches, inclusion of the topic in senior-level engagements with foreign counterparts and further focused New York-based meetings.

Congress can assist in this process by raising the issue and its importance in meetings with foreign counterparts and emphasizing that a ceiling on the peacekeeping rate is a longstanding and bipartisan U.S. goal.

Success in this endeavor will require sustained and focused senior-level attention. That has and continues to be an integral element of our effort. Reform of the peacekeeping budget to ensure its effectiveness and efficiency remains a high priority and success on securing a 25 percent ceiling on the peacekeeping assessment rate will complement and reinforce that goal.

*Question 2.* FY 2017 and FY 2018 appropriations laws enforced the arbitrary 25 percent cap on U.S. contributions to U.N. peacekeeping operations. As a result, the U.S. is on track to accrue more than \$500 million of arrears on its peacekeeping assessments for those two fiscal years alone. This mounting U.S. debt threatens to negatively impact the effectiveness of critical missions in the field; reduces reimbursement payments to U.S. partners and allies—such as Jordan, Tanzania, Bangladesh, and Ghana—who contribute the bulk of troops and police that serve on these missions; and, by alienating likeminded countries at the U.N., makes your job advocating for U.S. reform priorities more difficult.

- Does the administration have a plan for dealing with the effects of these arrearages?

Answer. Given that the current U.S. peacekeeping assessment rate adopted by the U.N. General Assembly is 28.5 percent, paying only 25 percent will result in arrears. The amount of arrears will be approximately \$250 million this year. The arrears will be distributed proportionally across all U.N. peacekeeping missions.

The financial impact on peacekeeping operations will occur toward the end of the U.N. peacekeeping financial year, which ends on June 30. The impact will vary by individual mission, depending on cash-flow needs. At those missions where cash-flow problems do occur, the U.N. Secretariat is likely to delay reimbursements to troop contributing countries.

If confirmed, I will work to ensure that arrears do not negatively affect the Department's and USUN's ability to advance U.S. interests at the United Nations.

*Question 3.* FY 2017 and FY 2018 appropriations laws enforced the arbitrary 25 percent cap on U.S. contributions to U.N. peacekeeping operations. As a result, the U.S. is on track to accrue more than \$500 million of arrears on its peacekeeping assessments for those two fiscal years alone. This mounting U.S. debt threatens to negatively impact the effectiveness of critical missions in the field; reduces reimbursement payments to U.S. partners and allies—such as Jordan, Tanzania, Bangladesh, and Ghana—who contribute the bulk of troops and police that serve on these missions; and, by alienating likeminded countries at the U.N., makes your job advocating for U.S. reform priorities more difficult.

- Do you think it is responsible policy for the U.S. to vote in favor of peacekeeping missions on the Security Council only to fail to live up to its financial obligations to those same missions?

Answer. The 25 percent cap reflects the principle that other countries should assume more of the financial responsibility for U.N. peacekeeping operations, and the United Nations should not be overly dependent on a single major contributor. The President's budget proposal for FY 2019 reflects the U.S. commitment to spur long-needed reforms and more equitable burden-sharing among U.N. member states. As President Trump told U.N. Security Council Ambassadors on April 24, 2017 “the United Nations has tremendous potential,” but “for the United Nations to play an effective role in solving . challenges, big reforms will be required.” By demanding fiscal discipline, the United States is leading the United Nations to become more effective and efficient in achieving its mission and reducing conflict and violence around the world.

*Question 4.* You were nominated to serve as the U.N. Management and Reform Counselor for the U.S. Mission to the U.N.. I was alarmed by a recent report about serious mismanagement by senior political appointees at the State Department Bureau of International Operations, which handles our relationship with many U.N. bodies and agencies, and which you will need to work with daily. One senior political employee continues to engage in prohibited personnel practices. These include vetting career State Department officials and American employees of international organizations to determine whether they are sufficiently loyal to President Donald Trump. If you confirmed, you will be working on behalf of the U.S. Government to push the U.N. to engage in significant management reform, and yet our own house may not be in order.

- How do you believe the serious mismanagement issues in the Bureau of International Operations should be addressed?

**Answer.** While I am aware of the accusations made in recent media reporting, I am not cognizant of any such efforts or actions. If confirmed, it would be my intent to advance the longstanding U.S. objective of identifying the strongest possible American candidates for positions across the U.N. system. Our citizens remain underrepresented in this system, and it is my firm belief that qualified Americans, regardless of political perspectives or affiliations, bring important workplace attributes that can only benefit the United Nations and serve to promote U.S. national interests.

**Question 5.** Earlier this year, the administration announced that it is withholding the bulk—approximately 83 percent or \$300 million—of the U.S.’s annual contribution to the U.N. Relief and Works Agency for Palestine Refugees (UNRWA). The administration has repeatedly stated that it may restore funding to UNRWA if the organization completes certain “reforms.” Nevertheless, to my understanding, no information has been provided to UNRWA about what reform measures the United States would like the agency to implement.

- Could you clarify the administration’s position on that issue?

**Answer.** It is my understanding that U.S. assistance to the Palestinians, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), remains under review. I know that the United States has long voiced the need for UNRWA both to seek out new voluntary funding streams and increase burden-sharing among its donors, as well as to undertake more fundamental reforms. The United States should not be asked to bear a disproportionate share of UNRWA’s costs.

**Question 6.** Earlier this year, the administration announced that it is withholding the bulk—approximately 83 percent or \$300 million—of the U.S.’s annual contribution to the U.N. Relief and Works Agency for Palestine Refugees (UNRWA). The administration has repeatedly stated that it may restore funding to UNRWA if the organization completes certain “reforms.” Nevertheless, to my understanding, no information has been provided to UNRWA about what reform measures the United States would like the agency to implement.

- Has the administration provided anything in writing outlining what reform it is demanding? Can you provide that to the committee?

**Answer.** The State Department said in January that there was a need to undertake a fundamental reexamination of UNRWA’s funding and operations; I understand that review is ongoing. The administration regularly reviews its foreign assistance to identify how to leverage it to achieve U.S. objectives, including global and regional security, and to ensure that it is providing value to the U.S. taxpayer. I believe the current review of U.S. assistance to the Palestinians, including UNRWA, is no different.

#### *U.N. Reform*

**Question 7.** A key plank of the Secretary-General’s reform agenda advanced when the U.N. General Assembly agreed to a package of measures aimed at improving the U.N. development system to more effectively deliver progress on the Sustainable Development Goals. An important part of this new approach is transforming the role of the resident coordinator—the senior-most U.N. official in the field. Resident coordinators are responsible for heading up the U.N.’s development work on the ground in individual countries, often also encompassing humanitarian and security responsibilities. Underpinning these reforms will be a stronger team in New York, with the resident coordinators reporting directly to leadership at the top of the U.N.—creating a direct accountability link between the U.N. in New York and leadership on the ground, where most U.N. staff working on development issues are located.

- Can you talk about the role of U.S. leadership in pushing forward these reforms?

**Answer.** The United States is a strong advocate for U.N. reform, and we support the Secretary-General’s vision to make the U.N. work more efficiently and effectively. We played a leading role in the U.N. General Assembly (UNGA) negotiations of the U.N. Development System reform resolution, which established an independent resident coordinator system to help U.N. development agencies coordinate better in the field. We reduced the financial burden of the reform on the U.N.’s regular budget (to which we contribute 22 percent) by advocating for voluntary funding and greater cost-sharing among U.N. funds and programmes.

**Question 8.** How does the administration plan to build on these measures to ensure that the U.N. is properly positioned to achieve the 2030 Goals?

**Answer.** The passage of the UNGA reform resolution is the first important step in the reform process. We share the Secretary General's overarching goal to make the U.N. more efficient and effective. We will work to ensure the resolution is implemented to reach that goal while avoiding unintended negative consequences. We believe the Resident Coordinator system should promote coordination, while empowering individual agencies to make decisions that deliver assistance effectively on the ground. We will be watching this closely in the coming months and years.

**Question 9.** UN peacekeeping operations have been shown to be more cost-effective than other forms of military intervention. A report published by the Government Accountability Office (GAO) in February 2018 compared the cost of the current U.N. peacekeeping mission in the Central African Republic (MINUSCA) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Are you familiar with the conclusions of the GAO report?

**Answer.** Yes, I am familiar with the conclusions of the GAO report. U.N. peacekeeping operations can be an effective mechanisms of burden-sharing to address the global challenges to international peace and security. However, the underlying premise of the report assumes that United Nations peacekeeping operations and United States military operations are comparable, when in fact the two are very different. While this placed limitations on analysis, GAO was able to demonstrate the important contributions U.N. peacekeeping provides to international peace and security.

**Question 10.** U.N. peacekeeping operations have been shown to be more cost-effective than other forms of military intervention. A report published by the Government Accountability Office (GAO) in February 2018 compared the cost of the current U.N. peacekeeping mission in the Central African Republic (MINUSCA) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Do you think it is important to maintain some perspective about the relative cost of these missions when making decisions about continued U.S. support for peacekeeping?

**Answer.** Beyond cost, as Ambassador Haley stated during a March 2018 Security Council event, when given an appropriate mandate, and when properly managed and equipped, peacekeeping missions can play a role supporting peace and saving lives. That is why peacekeeping reform remains a top priority for the United States. If confirmed, I will continue to work tirelessly to advance peacekeeping reform, and to make peacekeeping operations more effective and efficient.

The peacekeeping principles continue to guide the United States' approach to reform and mission-by-mission evaluation. Peacekeeping missions need to support political solutions. They need host country cooperation. Mandates must be realistic and achievable. Missions need to have an exit strategy. Mandates should be adjusted according to evolving situations.

The United States is also developing a "culture of performance" when it comes to the peacekeeping operations at the U.N.. As Ambassador Haley stated, the people the U.N. serves deserve to know that when blue helmets arrive, they are qualified, appropriately equipped, and ready to perform their duty.

I agree with the President's statement during the 2017 U.N. General Assembly: if we work together and champion truly bold reforms, the U.N. will emerge as a stronger, more effective, more just, and greater force for peace and harmony in the world.

#### *U.N. Voting Practices*

**Question 11.** The administration has proposed using a country's voting record on U.N. General Assembly resolutions to determine how much bilateral aid that country receives. This idea has been considered in the past and viewed as bad policy and counter-productive for a variety of reasons. Firstly, General Assembly resolutions are legally non-binding, so cutting aid to countries with whom we have important security or business ties-take Egypt, Jordan, or India, for example-because of such votes seems petty and disproportionate at a minimum. Moreover, much like our own Senate, the vast majority of General Assembly resolutions are approved by consensus, meaning no vote is actually taken. According to the State Department's 2016 report on voting practices in the U.N., when consensus measures are factored in, the average concurrence rate of other countries with the U.S. position was 84.1 percent. As a result, while individual General Assembly members do oppose the U.S. position in some cases, they are in agreement the vast majority of the time. The

State Department's most recent voting practices report also takes note of this pattern, acknowledging that of 323 resolutions adopted by the General Assembly in 2017, 230 (71 percent) were done by consensus. Nevertheless, the Department changed its methodology this year, and does not include consensus decisions in its calculation of a country's concurrence with U.S. positions.

- Do you think this omits a critical piece of context regarding member state voting practices?
- Since the White House wants to use these reports to help make decisions regarding foreign aid and bilateral relations, why do they put so much weight on a relatively small number of non-binding resolutions? Please be specific in your answer.

*Answer.* The 2017 Report on Voting Practices in the United Nations utilizes updated methodology to ensure that abstentions are reflected and to emphasize the votes taken on final resolutions over those taken on preliminary texts.<sup>1</sup> These updates are intended to capture more accurately the voting conduct of U.N. member states. Including consensus actions, while useful in demonstrating overall voting conduct in the General Assembly, does little to reveal voting trends on matters of key importance to the United States.

Member state voting records are one element, but not the sole factor, considered when decisions are made about foreign assistance. Bilateral and regional economic, strategic, and political issues are important to U.S. interests. So is a country's voting record at the United Nations. The Security Council and the General Assembly are arguably the most important multilateral bodies in the world, dealing with vital issues such as threats to peace and security, disarmament, development, humanitarian relief, human rights, the environment, and narcotics—all of which directly affect major U.S. interests. The American people pay 22 percent of the U.N. regular budget and the assessed budgets of major U.N. agencies—more than twice as much as the next highest donor country. It is crucial that our investment serve American interests.

*Question 12.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

*Answer.* There are a few key points in my career that I can point to. In my role as the State Department liaison with the House Appropriations committee, I facilitated key discussions and provided justifications that enabled Congress to provide full funding for MEPI programs and other key country programs and NGOs such as in Egypt and Burma to name a couple.

Most recently, I have led the U.S. delegation in the U.N.'s Administrative and Budgetary committee to secure critical funding for human rights officers in peace-keeping missions against fighting back against stiff cuts to these functions from China and Russia.

The impact of these efforts has been to strengthen U.S. leadership and grow civil society and democracy in the countries we provide assistance. In the United Nations, the impact has been to strengthen the U.N.'s abilities to ensure protection of human rights is ensured in the various places where the U.N. operates.

*Question 13.* How will you utilize U.S. Government assistance resources at your disposal to support democracy and governance, and what will you prioritize in processes to administer such assistance?

*Answer.* I will continue to coordinate closely with the State Department and its bureaus and offices to ensure we can communicate clearly what the U.S. is doing to promote democracy and good governance, but also ensure coordination with U.N. efforts in this area.

*Question 14.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S.? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

*Answer.* Yes. And I will work closely with my fellow Ambassadors here at USUN to roll back any restrictions of NGOS participating at the U.N.

*Question 15.* Will you and your leadership team actively engage with U.N. leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press?

*Answer.* Yes.

*Question 16.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes.

*Question 17.* Will you and your leadership team actively engage with U.N. interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. Yes.

*Question 18.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face? What specifically will you commit to do to help LGBTI people?

Answer. Yes. The challenges LGBTI face in my area of influence are having the same benefits and administrative rules apply to them as other heterosexual couples/partners. The U.N. has sought to level this playing field with regards to U.N. staff benefits, access to healthcare, etc and the U.S. has been a strong supporter in protecting the Secretary General's authority to make these changes against stiff opposition including through a vote in the Fifth committee, led by Russia. I will continue to ensure the SG's authority is protected and there is equal treatment.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CERITH NORMAN CHALET BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Last year I asked the Government Accountability Office (GAO) to conduct a study on the cost effectiveness of the current U.N. peacekeeping mission (MINUSCA) in the Central African Republic (CAR) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Do you agree with the conclusions of the GAO report?

Answer. U.N. peacekeeping operations can be an effective mechanisms of burden-sharing to address the global challenges to international peace and security. When given an appropriate mandate, and when properly managed and equipped, no one doubts that peacekeeping missions can play an essential role supporting peace and saving lives. The GAO report notes the various relative strengths of both U.N. and U.S. operations, and is valuable in helping to inform the choices that policymakers must make when analyzing options to confront challenges.

*Question 2.* Last year I asked the Government Accountability Office (GAO) to conduct a study on the cost effectiveness of the current U.N. peacekeeping mission (MINUSCA) in the Central African Republic (CAR) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Is financially supporting peacekeeping in the strategic national security interests of the United States?

Answer. I believe that it is in the United States' national interest to support U.N. peacekeeping operations that have an appropriate mandate, support political solutions, and are properly managed and equipped. Peacekeeping reform is critical, and if confirmed, I will work to advance our reform agenda in order to make U.N. peacekeeping more effective. I agree with the President's statement during the U.N. General Assembly: if we work together and champion truly bold reforms, the U.N. will emerge as a stronger, more effective, more just, and greater force for peace and harmony in the world.

*Question 3.* Last year I asked the Government Accountability Office (GAO) to conduct a study on the cost effectiveness of the current U.N. peacekeeping mission (MINUSCA) in the Central African Republic (CAR) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- What is the administration doing to ensure that the reduction in U.S. contributions to U.N. peacekeeping—from 28.5 to 25 percent—does not impact the effectiveness of current and future missions?

**Answer.** There is an effort underway to obtain General Assembly agreement to reduce the actual U.S. peacekeeping assessment rate to 25 percent. I believe that is the best way to avoid the potential problems that arrears can cause. If confirmed, I will work energetically to persuade other member states to reduce the U.S. assessment rate and to ensure that the arrears do not negatively affect the ability of the U.S. to advance our peacekeeping and broader national interests at the United Nations.

Further, as Ambassador Haley stated during a March 2018 Security Council event, when given an appropriate mandate, and when properly managed and equipped, no one doubts that peacekeeping missions can play an essential role supporting peace and saving lives. That is why peacekeeping reform remains a top priority for the United States. If confirmed, I will continue to work tirelessly to advance peacekeeping reform, and to make peacekeeping operations more effective and efficient.

**Question 4.** Last year I asked the Government Accountability Office (GAO) to conduct a study on the cost effectiveness of the current U.N. peacekeeping mission (MINUSCA) in the Central African Republic (CAR) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Are you concerned about the growing amount of arrears the U.S. now finds itself in related to peacekeeping?

**Answer.** The United States is accumulating peacekeeping arrears as the result of not exceeding payment of 25 percent of total assessments for a U.N. peacekeeping operation. This rate reflects both U.S. law and the principle that no one country should pay more than one quarter of U.S. peacekeeping assessments. The 25 percent statutory cap for peacekeeping assessments is not new, having been first imposed by U.S. law in 1994. As long as the actual U.S. peacekeeping assessment rate exceeds 25 percent, there will be arrears.

**Question 5.** Last year I asked the Government Accountability Office (GAO) to conduct a study on the cost effectiveness of the current U.N. peacekeeping mission (MINUSCA) in the Central African Republic (CAR) with a hypothetical operation undertaken by the U.S. military. Overall, the GAO analysis found that supporting MINUSCA is eight times less expensive for U.S. taxpayers than the deployment of U.S. forces to CAR.

- Are you concerned that the administration's reduction in financial support for U.N. peacekeeping sends mixed signals to other donor countries and/or countries who supply forces to various missions, regarding U.S. priorities?

**Answer.** It is essential for the United States to share the burden for protecting international peace and security with other countries. U.N. peacekeeping is a critical tool for leveraging international support to address such challenges. The United States believes, however, the shared responsibility of peacekeeping also means shared burdens and shared costs. One country should not shoulder more than one quarter of the U.N. peacekeeping budget, and I am committed to a more equitable distribution of the budget among member states. If confirmed, I will work closely with Ambassador Haley and U.N. member states to make this adjustment in a fair and sensible manner that protects U.S. interests as well as U.N. peacekeeping.

**Question 6.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** There are a few key points in my career that I can point to. In my role as the State Department liaison with the House Appropriations committee, I facilitated key discussions and provided justifications that enabled Congress to provide full funding for MEPI programs and other key country programs and NGOs such as in Egypt and Burma to name a couple.

Most recently, I have led the U.S. delegation in the U.N.'s Administrative and Budgetary committee to secure critical funding for human rights officers in peacekeeping missions against fighting back against stiff cuts to these functions from China and Russia.

The impact of these efforts has been to strengthen U.S. leadership and grow civil society and democracy in the countries we provide assistance. In the United Nations, the impact has been to strengthen the U.N.'s abilities to ensure protection of human rights is ensured in the various places where the U.N. operates.

**Question 7.** What are the most pressing human rights issues at the United Nations? What are the most important steps you expect to take—if confirmed—to pro-

mote human rights and democracy at the U.N.? What do you hope to accomplish through these actions?

**Answer.** The most pressing human rights issues at the United Nations is the farcical inclusion of countries who not respect or promote human rights serving on U.N. bodies created to promote and protect human rights. Additionally, certain countries consistently try to reduce the staff and resources related to promotion of human rights in peacekeeping operations as well as mainstreaming a proactive human rights agenda. If confirmed, I will continue to work key allies to push back against funding reductions to the human rights component, but also build a broader country coalition that includes countries in the Group of 77 and China, a major grouping of developing countries at the U.N., to proactively promote the U.N.'s role in highlighting and defending human rights. Through these actions, the United States can provide the funding and support the U.N. needs to support affected communities and increase engagement with governments to see change.

**Question 8.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face at the U.N. in advancing human rights, civil society and democracy in general?

**Answer.** The obstacles in supporting and strengthening the U.N.'s capacity to address human rights is the political will and philosophical differences held by various countries. They make use of the U.N.'s Administrative and Budgetary committee to reduce funding of U.N. offices and personnel dedicated to these issues and thus try to undermine and weaken the U.N.'s ability to address these issues. These challenges will continue to exist until all countries are able to come to agreement, ensuring full support of the U.N.'s efforts, both politically and financially, by all countries.

**Question 9.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** If confirmed, I will continue to ensure equal opportunities for all staff both in professional duties, be it representing the United States at the U.N., in negotiations, or internal coordination within the U.S. Mission and the State Department. I will also continue to ensure there is equal training opportunities and career development through various avenues be it higher education, conferences, or workshops on the specific issue area related to management and reform.

**Question 10.** What steps will you take to ensure each of the supervisors at the U.S. Mission to the U.N. are fostering an environment that is diverse and inclusive?

**Answer.** If confirmed, I would engage supervisors on how they are providing opportunities for their staff and ways of collaborating such as through internal working groups on various issues. I would also engage them in ensuring they are establishing work/life balance for all.

**Question 11.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 12.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CHERITH NORMAN CHALET BY SENATOR CORY A. BOOKER**

**Question 1.** Earlier this year, the administration announced that it is withholding the bulk—approximately 83 percent or \$300 million—of the U.S.'s annual contribution to the U.N. Relief and Works Agency for Palestine Refugees (UNRWA).

As you know, UNRWA provides an array of critical services to Palestinian refugees in the West Bank, Gaza, Jordan, Lebanon, and Syria.

If there is no change in funding in the next two months, UNRWA will need to close its more than 700 schools and stop education for more than 525,000 girls and boys.

UNRWA would also close its 142 health clinics (which absorbed 9 million individual visits in 2017) and stop food distribution and cash assistance for 1.3 million people. The loss of U.S. funding would leave a vacuum that could fuel instability and boost extremist groups like Hamas.

- How do you assess the impact of withholding funding for UNRWA on our closest allies such as Jordan and Lebanon who are struggling under the weight of delivering services to Palestinian refugees and Syrian refugees?
- Do you believe the administration has adequately weighed the impact of cutting off this funding and the stability of Jordan and Lebanon?
- Is UNRWA aware of the specific reforms that are being requested by the administration? Can you provide those in writing to the committee?

Answer. The administration is committed to promoting security and stability in the Middle East, including the security of our partners Israel, Jordan, and Lebanon. In addition, the administration regularly reviews its foreign assistance to identify how to leverage it to achieve U.S. objectives, including global and regional security, and to ensure that it is providing value to the U.S. taxpayer. I believe the ongoing review of our assistance to the Palestinians, including UNRWA, is no different.

My understanding is that the United States provided a voluntary contribution of \$60 million to UNRWA. At the same time, I believe the United States has long voiced the need for UNRWA both to seek out new voluntary funding streams and increase burden-sharing among its donors, as well as to undertake more fundamental reforms. I agree that the United States should not be asked to bear a disproportionate share of UNRWA's costs.

Jordan remains one of our closest allies. Former Secretary Tillerson underscored the enduring value of that partnership during his February 2018 visit to Jordan when he signed a new five-year, \$6.375 billion Memorandum of Understanding (MOU) with Foreign Minister Safadi. I believe that MOU, along with U.S. partnership on a range of issues, demonstrates the depth and breadth of the U.S. bilateral relationship with Jordan. In addition, since the start of the Syrian crisis, the United States, through the Bureau for Population, Refugees, and Migration as well as USAID/Food for Peace, has provided more than \$1.1 billion in humanitarian aid for programs to the Syrian response in Jordan to meet the life-saving needs of refugees, including food, shelter, and health care, in addition to humanitarian assistance at the regional level to support Iraqi, Palestinian, and other refugees in Jordan.

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## NOMINATIONS

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THURSDAY, JUNE 28, 2018

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

The committee met, pursuant to notice, at 10:35 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. James Risch, presiding.

Present: Senators Risch [presiding], Gardner, Young, and Kaine.

**OPENING STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. The meeting will come to order.

Thanks, everyone who is in attendance, and thank you to our three nominees for agreeing to do this. It is a pleasure to welcome you here today.

I want to thank each of you for being here and for your willingness to serve. The countries you are nominated to serve in are not the easiest posts that we have to offer. So I would like to thank not only you but also your families for the sacrifices they make in allowing you to pursue your role as an ambassador.

The President's National Security Strategy talks about the re-emergence of great power rivalry, and over the next few decades, competition between the United States, China, and Russia will have to be a factor in many U.S. policy decisions. All three posts represent some aspect of those challenges.

China is quickly trying to make the Indian Ocean part of their near abroad, and they are working to exert influence on Sri Lanka and the Maldives. China used a debt crisis in Sri Lanka to seize control of a port in the country and has thereby guaranteed access for over 100 years. Meanwhile, infrastructure projects in the Maldives are increasingly funded by the Chinese.

At the same time, the United States has its own interest in these countries. The United States is the largest export market for Sri Lanka, and ethnic reconciliation remains a key issue to seeing Sri Lanka prosper economically.

In the Maldives, foreign fighters from there have posed a significant challenge in Iraq and Syria. With the erosion of democratic values and the rule of law in the Maldives, our ability to cooperate on counterterrorism issues and security in the Indian Ocean could shrink substantially.

In Nepal, they have experienced a lot more diplomatic and economic engagement from both India and China. China has made significant inroads about pledging heavy infrastructure investment,

as they have in several places in the world. I hope this investment does not corrupt the conduct of business and the rule of law. The new MCC compact between the United States and Nepal could help them continue to improve their governance. There is a moment of opportunity in Nepal and I hope we can seize it.

While Nepal certainly faces challenges, it also has many potential opportunities. Mr. Berry, you will have the important job of helping to foster some of those opportunities.

In the Kyrgyz Republic, U.S. interests have waxed and waned over the past decades. It was a key country during the hardest fighting in Afghanistan, but with the closure of Manas Air Base and the rejection of the bilateral cooperation agreement, the Kyrgyz Republic made a choice to move even closer to Russia. At the same time, Chinese influence is rising. China owns half the debt in the country and continues to invest in infrastructure projects as part of its One Belt, One Road initiative.

I am concerned that Russia's efforts could limit our engagement options providing Moscow with more opportunities to increase their influence. Similarly, China is increasingly testing Russia's dominance in Central Asia, posing challenges to U.S. influence.

Still, with new leadership in Bishkek and the president's anti-corruption initiative, it may be time for the United States to re-engage. The recent contract with a U.S. company to modernize their hydropower turbines is a positive indicator of wanting to balance Russian and Chinese influence. In addition, there remain places for cooperation, especially on counterterrorism.

Mr. Lu, you will have the challenging job of fostering progress in the republic's fight against corruption, as well as finding a balance between Russian, Chinese, and U.S. interests.

Again, these are challenged posts, and we look forward to hearing your thoughts on how the United States can move forward with these countries.

Senator Kaine?

**STATEMENT OF HON. TIM KAINE,  
U.S. SENATOR FROM VIRGINIA**

Senator KAINE. Thank you to my chair. I appreciate him calling this hearing.

And I just want, at the outset, to congratulate you for these nominations and thank you for your long careers of service at the State Department.

Mr. Berry, I will say I have been to Lindsborg, Kansas. I know you went to Bethany College. My parents were from Wamego and El Dorado, Kansas. When I saw somebody who had spent some quality time in Bethany, I was particularly glad that you were going to be here today.

Your careers are real tributes to you and to the wonderful people who work at the State Department. As I travel—and I know my chair feels the same way—we reach out to our Foreign Service professionals all over the globe. And we are very, very proud of the work they do and the work that you do.

The subcommittee that Chairman Risch is over and that I am the ranking on has a long name, and I just call it Marrakesh to Bangladesh. It covers a lot of ground. And your three countries are

three countries that we maybe do not hear as much about in sub-committee meetings or even the work of the full committee, and that is another important reason to have this hearing today. All three countries are open to partnerships with the United States. All three countries are increasingly looking to Russia and China. They need to do what is best for them, but we need to seize opportunities to create partnerships that are meaningful.

Kyrgyzstan faces a lot of challenging economic issues and weak governmental institutions, and they are having an increased proclivity to move toward Russia. They were a very, very important ally of ours with an air base there as we worked during the thick of the war in Afghanistan. They now have an air base from Russia and Russia is looking to do a second base there.

Nepal has longstanding historic ties with India, obviously, but is also seeking to expand its ties with China through the infrastructure investments that are being made as part of the One Belt, One Road initiative.

And then finally, Sri Lanka and the Maldives are both important in geostrategic relations in the area. Senator Risch talked a little bit about this recent news about the port operation in Sri Lanka, and that is just an indication of the increasing Chinese presence in Sri Lanka and other countries as well.

I will also be asking you some questions about what you can do consistent with building partnerships to press for a continued up-tick in human rights reforms in the nations where you will serve. But I again congratulate you for the nomination and look forward to hearing your testimony and asking you questions.

Thanks, Mr. Chair.

Senator RISCH. Thank you.

We are now going to hear from each of the nominees, and we will start with Donald Lu of California, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kyrgyz Republic. So, Mr. Lu, the floor is yours for 5 minutes.

**STATEMENT OF HON. DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC**

Ambassador LU. Thank you, Senator Risch.

Mr. Chairman, Mr. Ranking Minority Member, I am honored to be here today as President Trump's nominee to be the next Ambassador to the Kyrgyz Republic. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me, and if confirmed, I pledge to work closely with the Congress to advance our nation's interests in the Kyrgyz Republic.

Mr. Chairman, I want to say my family could not be with me here today. They are in Albania where they are finishing the school year and getting ready for this next adventure. My wife assures me, though, that the kids are not playing video games and they are watching us on TV right now.

Senator RISCH. What time is it there?

Ambassador LU. It is 6 hours ahead, sir, 4:30.

So if you will allow me, I would like to say a shout-out to my daughter Aliya and my son Kip, and my beautiful wife Ariel.

As a son of an immigrant to the United States, I am particularly blessed to have served my country in the U.S. Foreign Service and the Peace Corps. I have seen the importance of American leadership in the world. For most of my 27 years in the State Department, I have worked in the emerging democracies of Eastern Europe and the former Soviet Union, including 3 years as Deputy Chief of Mission in the Kyrgyz Republic. It would be my honor to return there as our Ambassador, a country renowned for its incredibly beautiful mountains, hospitable people, and rich cultural heritage.

Mr. Chairman, for centuries, Central Asia has been at the cross-roads of civilizations. Its strategic position has brought both tremendous opportunities and daunting challenges. If you will allow me, I will mention three.

First, all of Central Asia, including the Kyrgyz Republic, faces the difficult challenge of the risk of radicalism at home and the spread of extremism from terrorist organizations operating from Afghanistan. The Kyrgyz Government reports 800 of its citizens leaving to become foreign terrorist fighters. Consistent with the President's Afghanistan and South Asia strategy, we should be looking for new ways to support the Kyrgyz people in preventing violent extremism at home but also in enlisting their support in countering terrorist organizations operating from Afghanistan. We are already working to identify at-risk populations and working with the Kyrgyz people to create opportunity and jobs that deter the growth of extremism. We can and we should do more to defend both of our societies from terrorism.

Second, in supporting entrepreneurship and economic prosperity, we as Americans have a lot to offer. Both bilaterally and as part of the C5 plus 1 process, the United States is working with all of the Central Asian countries to support greater interconnectedness of their economies with the global marketplace. For example, we are working with the Kyrgyz Republic to facilitate the sale of its surplus hydroelectric power during summer months to support the growing energy needs of Afghanistan and Pakistan. We support the development of a positive business climate that will enable American investors and American traders to compete fairly with business people from all over the world to develop a robust Kyrgyz economy.

And third, I believe we can have an open and honest dialogue with the new Kyrgyz Government about how we can support stability and security while promoting our common values of democracy and support for human rights. This dialogue should be built on trust, respect, and confidence and not one country lecturing another. We should work together to find ways to promote civil society, media freedom, an independent judiciary, and the rule of law.

Finally, Mr. Chairman, if you will allow me, I would like to tell a story about the courage of the Kyrgyz and American people when faced with a common peril. In 2004, a Soviet-built MI-8 Kyrgyz helicopter crashed in a snowstorm in the remote Tien-Shan mountain range. The military believed there were survivors but weather conditions prevented an air rescue. By chance, some of our embassy

staff, including a former U.S. Army Ranger, were conducting a snowmobile training exercise in the area for the Kyrgyz border patrol. The American trainers, with the support of the Kyrgyz border guard, set off in the night to find the survivors. They drove in dangerous conditions with sub-zero temperatures and in near zero visibility conditions. They, with some difficulty, found the passengers and crew. Some of them were very seriously injured. They loaded them onto makeshift sleds and they pulled them behind the snowmobiles through the night to safety. That night they rescued every one of the survivors. This is what Americans and the Kyrgyz people can do together.

If confirmed, I will take seriously my role as Chief of Mission to manage and safeguard our most precious resources, our people, including our local staff who take great risks to fulfill their duties on behalf of our mission, our embassy, and the strong reputation of the United States abroad. If confirmed, I look forward to building the relations between our two great nations and defending and promoting the interests of the United States in the Kyrgyz Republic.

Thank you.

[Ambassador Lu's prepared statement follows:]

PREPARED STATEMENT OF DONALD LU

Mr. Chairman, Mr. Ranking Member, members of the committee, I am honored to appear here today as President Trump's nominee to be the next U.S. Ambassador to the Kyrgyz Republic. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with the Congress to advance our nation's interests in the Kyrgyz Republic.

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**Senator RISCH.** Thank you, Mr. Lu. That is an inspiring story of the cooperation between the Kyrgyz and the United States. So thank you for sharing that with us.

We now have two nominees from the great State of Colorado. So I would like to yield to my good friend, Senator Gardner, who will introduce, first of all, Mr. Berry.

**Senator GARDNER.** Thank you, Senator Risch. Thank you for this opportunity. And congratulations to all three of our nominees this morning, and thank you very much for your public service. And to your families who are here, thank you very much for the public service that you have been a part of these years.

It is a great honor to be able to introduce two Coloradans on the same panel. Colorado has a great legacy and history of Foreign Service officers, Senator Risch. So thank you.

I would like to introduce real quick Randy Berry, of course, of Colorado, a career member of the Senior Foreign Service, class of minister-counselor to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal, a fifth generation Coloradan, if I recall, from Custer County. And your neighbor there to the right has got a place in Penrose. So this is pretty incredible that—this is an amazing coincidence here.

The Honorable Alaina B. Teplitz, as well from Colorado, a career member of the Senior Foreign Service, class of minister-counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka and to serve concurrently and without additional compensation—sorry about that—[Laughter.]

**Senator GARDNER** [continued]. As Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Maldives.

Welcome to you both.

Thank you for the opportunity of introducing.

Congratulations.

**Senator RISCH.** Thank you.

Mr. Berry, the floor is yours.

**STATEMENT OF RANDY W. BERRY, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL**

Mr. BERRY. Thank you, Mr. Chairman, Ranking Minority Member, members of the committee. It is an honor for me to be here today as the President's nominee for U.S. Ambassador to Nepal.

I would like to take a moment to acknowledge my family without whom I would have some difficulty getting up in the morning. I am very, very pleased to be enthusiastically supported here by my spouse, Pravesh Singh; by my sister, Rita Wilson, who is representing the family out in Colorado; and my two most important foreign policy advisors, my 6-year-daughter Aria who just graduated from kindergarten, I should note, and my 5-year-old son Xander.

Though I was educated in Kansas, as you noted, Senator, indeed, we were comparing notes, and I am in fact a six generation Coloradan my sister has informed me. I grew up by learning the value of a strong work ethic and commitment to responsibility by watching and working alongside my parents who are still at the helm of our legacy family-run cattle ranch, as you noted, down in Custer County, now nearly 120 years since it was founded by my family. Though I was raised in the shadow of the great Sangre de Cristo range of the southern Rockies, my life as a Foreign Service officer since then over the last 25 years has taken me around the world and back. Nepal, much like my home State and America itself, is a place defined by great diversity of landscapes and people and is home to another of the world's great mountain ranges, the Himalaya.

South Asia has figured prominently in my career, from my very first assignment in the Foreign Service in Bangladesh in 1993 to my current role as Deputy Assistant Secretary in the Bureau of Democracy, Human Rights, and Labor where I have worked hard to advocate for the principles of human rights and religious freedom across South and Central Asia specifically. A decade ago, I had the privilege of serving at our embassy in Nepal as the Deputy Chief of Mission. And back when I arrived in Kathmandu in 2007, the country was a monarchy and had just emerged from a 10-year conflict that claimed nearly 20,000 lives. But today Nepal has embarked on an ambitious peace process, promulgated a new constitution, and is making a remarkable and long-awaited transition to stability.

Years of U.S. diplomatic engagement, development assistance, military cooperation, and disaster preparedness have advanced American interests while helping open the way as well for Nepal to become a more peaceful, stable democracy. With the successful conclusion of historic elections in 2017, Nepal now stands at a turning point. The new government has prioritized reforms to unleash economic growth and development and has announced a zero tolerance stance on corruption.

Mr. Chairman, my vision for the bilateral relationship between Nepal and the United States builds on the substantial progress and also sets out a few key priorities. And if confirmed, I look forward

to leading our dynamic and talented team of American and Nepali staff at the U.S. mission in Kathmandu to deepen our partnership and further our shared interests and values.

First, we will work to promote American security by supporting a stable, secure, democratic, and sovereign Nepal. We will encourage transparent and accountable governance, highlight the importance of respect for human rights and religious freedom, urge the full implementation of a credible transitional justice process, and advocate for political inclusion of Nepalis of every background. By supporting Nepal's own priorities, we will position ourselves to work together more effectively to counter transnational organized crime, bolster border security, and strengthen the rule of law in Nepal.

Second, we will work to increase American prosperity by supporting Nepal's development as a reliable economic partner. Though modest in overall volume, American exports to Nepal have doubled over the last 5 years. Nepal's commitment to reform and our embassy's efforts to promote a transparent investment climate provide American firms even great opportunity in this growing market. USAID support for a more productive agricultural sector and a better business environment showcases the best of American innovation while also helping Nepal realize its own economic potential. The jointly funded \$630 million Millennium Challenge Corporation compact signed last September will develop and sustain key parts of the country's electricity and transportation infrastructure, better integrating it into the regional economy.

Third, we will support Nepal's efforts to transform itself into a self-reliant, independent, and resilient partner for the United States. If confirmed, I will continue U.S. efforts to empower civil society, women, the media, and the public to become more active participants in the country's future. As U.S. assistance continues to support the Nepali Government's reconstruction program in the wake of the devastating 2015 earthquake, we will also work to help enable Nepal to engage within the South Asian region and in international fora in a manner consistent with its sovereignty. In so doing, we aim to support the administration's Indo-Pacific strategy which seeks to build strong inter-regional economic and security links.

Mr. Chairman, none of this would be possible without the strong and continued support of Congress for the United States' efforts in Nepal. I thank this committee and others in Congress for that continuing support, and if confirmed, I look forward to working with you and the other members over the coming years.

Thank you and I look forward to your questions.

[Mr. Berry's prepared statement follows:]

#### PREPARED STATEMENT OF RANDY BERRY

Mr. Chairman, Mr. Ranking Member, members of the committee, it is an honor to appear before you today as the President's nominee for U.S. Ambassador to Nepal. I am very grateful to President Trump and Secretary Pompeo for their confidence in me.

I am a proud fifth-generation Coloradan, and grew up learning the value of a strong work ethic and commitment to responsibility by watching my parents, still at the helm of our legacy family-run cattle ranch in Custer County, now nearly 120 years since its founding. Raised in the shadow of the Sangre de Cristo range of the

southern Rockies, my life as a Foreign Service Officer over the last 25 years has taken me around the world and back. Nepal, like my home state and America itself, is a place defined by diversity of landscapes and people, and is home to another of the world's great mountain ranges—the Himalaya.

South Asia has figured prominently in my career, from my very first assignment in Bangladesh in 1993 to my current role as Deputy Assistant Secretary in the Bureau of Democracy, Human Rights, and Labor, where I have worked hard to advocate the principles of human rights and religious freedom across South and Central Asia. A decade ago, I had the privilege of serving at our Embassy in Nepal as Deputy Chief of Mission. When I first arrived in Kathmandu in 2007, the country was still a monarchy and had just emerged from a ten-year conflict that claimed nearly 20,000 lives. Today, Nepal has embarked on an ambitious peace process, promulgated a new constitution, and is making a remarkable and long-awaited transition to stability.

Years of U.S. diplomatic engagement, development assistance, military cooperation, and disaster preparedness and risk reduction have advanced our interests while helping open the way for Nepal to become a more peaceful, stable democracy. With the successful conclusion of historic elections in 2017, Nepal now stands at a turning point. The new government has prioritized reforms to unleash economic growth and development and announced a zero-tolerance stance on corruption.

Mr. Chairman, my vision for the bilateral relationship between Nepal and the United States builds on this progress and sets out some key priorities. If confirmed, I look forward to leading our dynamic team of American and Nepali staff at the U.S. Embassy to deepen our partnership and further our shared interests and values.

First, we will work to promote American security by supporting a stable, secure, democratic, and sovereign Nepal. We will encourage transparent and accountable governance, highlight the importance of respect for human rights and religious freedom, urge the full implementation of a credible transitional justice process, and advocate political inclusion of Nepalis of all backgrounds. By supporting Nepal's own priorities, we will position ourselves to work together more effectively to counter transnational organized crime, bolster border security, and strengthen the rule of law.

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Third, we will support Nepal's efforts to transform itself into a more self-reliant, independent, and resilient partner. If confirmed, I will continue U.S. efforts to empower civil society, women, the media, and the public to become more active participants in the country's future. As U.S. assistance continues to support the Nepali Government's reconstruction program in the wake of the devastating 2015 earthquake, we will also work to help enable Nepal to engage within the South Asian region and in international fora in a manner consistent with its sovereignty. In so doing, we will support the administration's Indo-Pacific strategy, which seeks to build strong inter-regional economic and security links.

Mr. Chairman, none of this will be possible without the strong and continued support of Congress for the United States' efforts in Nepal. I thank this committee and others in Congress for that support and, if confirmed, look forward to working with you and other members over the coming years.

Thank you and I look forward to your questions.

**Senator RISCH.** Thank you very much.

Ms. Teplitz, you are no stranger to this process. We welcome you again. Please, the floor is yours.

**STATEMENT OF HON. ALAINA B. TEPLITZ, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES**

Ambassador TEPLITZ. Thank you, Mr. Chairman, Mr. Ranking Member, Senator Gardner, I am honored to be here before you as the President's nominee for U.S. Ambassador to Sri Lanka and concurrently to Maldives, with no extra pay. [Laughter.]

Ambassador TEPLITZ. I am also very pleased that members of my family could join me today. Their support and encouragement is what has put me in this chair. My mother Marsha and now her partner Ron have visited me no matter how remote the location in every country in which I have served in the Foreign Service, except for Afghanistan. My husband Robert, a former marine, has kept me grounded. His love and loyalty really buoy me during challenging times. I am also very fortunate to have support from my extended family, and my brother-in-law Frank and sister-in-law Sarah were able to join us today coming from Virginia.

Other family and friends, including my two college-aged sons, were unable to be present. My son Max is studying abroad in Kosovo this summer, while his brother Miles is attending a summer course in physics and taking emergency medical technician training. My father Jack and my stepmother Marcella are at their home in Peoria, Illinois where they are deeply involved in their community, reminding me of what is best about Americans and the democratic values that we nurture.

And as the present U.S. Ambassador to Nepal, I have really relied on two previous tours in the region in Bangladesh and Afghanistan, as well as a South and Central Asia Bureau assignment to provide a foundation of understanding about the culture, history, and unique geopolitics of South Asia. I am going to continue to build on this experience to carry out my duties as Ambassador to Sri Lanka and Maldives, if confirmed.

Mr. Chairman, Sri Lanka and the Maldives are important to the wider security and prosperity of the Indo-Pacific region. Both nations are positioned astride key shipping lanes that connect the Straits of Hormuz and Malacca, the free navigation of which is vital to U.S. economic and security interests. We must also be mindful of the economic and commercial opportunities each country affords, and the importance of working with them to maintain a rules-based international order.

Sri Lanka has come a long way since voters in 2015 rejected the corruption, strife, and repression of the past and threw their support behind a reform, reconciliation, and accountability agenda. However, the pace of progress on reform and justice has been slow, and as anti-Muslim riots in March so painfully demonstrated, the work of mending inter-ethnic and inter-religious fissures remains incomplete. We continue to support Sri Lanka's efforts to make good on its commitments to its people to come to terms with its

past, to implement justice and accountability measures, and to secure a peaceful, prosperous future. We also support growth of Sri Lanka's capacity to make greater contributions to regional stability while protecting its own sovereignty and national interests. Sri Lanka's success in this endeavor will make it a stronger partner to the United States and contribute to our shared vision of a free and open Indo-Pacific.

Mr. Chairman, the Maldives is a nation of atolls that faces serious challenges, from the spread of extremism and environmental threats such as encroaching seas, coastal degradation, and natural disasters, to the curtailment of freedom of expression and other democratic rights under the current government. The February suspension of the constitution, imprisonment of supreme court justices prompted condemnation from around the international community and from the United States. We remain concerned about this situation and urge Maldives' leadership to abide by the rule of law and to allow democratic institutions to function.

In areas where our interests intersect, such as countering violent extremism, we continue to engage the Maldives. It is possible that a return to the democratic path would make a wider array of cooperation possible.

Mr. Chairman, if confirmed, I will work in both Sri Lanka and Maldives to advance U.S. values and a shared vision of good governance, transparent economic development, free navigation and commerce, fair and open investment environments and a stable rules-based regional order. And I will look forward to leading a mission committed to these goals.

I would like to express my appreciation to this committee and its members for your support of U.S. engagement in Sri Lanka and Maldives and to thank you for considering my nomination.

[Ambassador Teplitz's prepared statement follows:]

#### PREPARED STATEMENT OF ALAINA TEPLITZ

Mr. Chairman, members of the committee, I am honored to appear before you today as the President's nominee for U.S. Ambassador to Sri Lanka and, concurrently, to Maldives. I am very grateful to President Trump and Secretary Pompeo for their confidence in me.

I am very pleased that members of my family could join me today. Their support—and encouragement—have put me in this chair. My mother Marsha, and now her partner Ron, have visited me, no matter how remote the location, in every country I've served in the Foreign Service, except for Afghanistan. My husband, Robert, a former Marine, keeps me grounded; his love and loyalty buoy me during challenging times. I am also fortunate to have support from my extended family—my brother-in-law Frank and sister-in-law Sarah are able to join today.

Other family and friends, including my two college-aged sons, were unable to be present. My son Max is studying abroad in Kosovo this summer while his brother Miles is attending a summer course in physics and participating in Emergency Medical Technician training. My father, Jack, and stepmother, Marcella, remain at their home in Peoria, Illinois, where they are deeply involved in their community, reminding me of what is best about Americans and the democratic values we nurture.

As the present U.S. Ambassador to Nepal, I have relied on two previous tours in the region, in Bangladesh and Afghanistan, as well as a South and Central Asia Bureau assignment to provide a foundation of understanding about the culture, history, and unique geopolitics of South Asia. I will continue to build on this experience to carry out my duties as Ambassador to Sri Lanka and Maldives, if confirmed.

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the economic and commercial opportunities each country affords, and the importance of working with them to maintain a rules-based international order.

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Mr. Chairman, Maldives is a nation of atolls that faces serious challenges, from the spread of extremism and environmental threats such as encroaching seas, coastal degradation, and natural disasters, to the curtailment of freedom of expression and other democratic rights under the current government. The February suspension of the constitution, imprisonment of supreme court justices and opposition politicians, and attacks on fundamental liberties prompted condemnation from across the international community and from the United States. We remain concerned about this situation and urge Maldives' leadership to abide by the rule of law and to allow democratic institutions to function.

In areas where our interests intersect, such as countering violent extremism, we continue to engage Maldives. Its return to the democratic path would make a wider array of cooperation possible.

Mr. Chairman, if confirmed, I will work in both Sri Lanka and Maldives to advance U.S. values and a shared vision of good governance, transparent economic development, free navigation and commerce, fair and open investment environments, and a stable, rules-based regional order. I would like to express my appreciation to this committee and its members for your support of U.S. engagement in Sri Lanka and Maldives and to thank you for considering my nomination.

**Senator RISCH.** Thank you so very much. Again, thanks to all of you for being willing to take on these posts.

We are going to go to a round of questions now. I am going to start with you, Mr. Lu.

The Kyrgyz Republic has a deep relationship with Russia, as we all know, and often aligns itself with Russian policy like the Eurasian Economic Union or Russian calls to kick the U.S. out of Manas Air Base. At the same time, China owns half the country's debt and continues to invest in critical infrastructure as well.

What are you views on the prospects of U.S. policy in the republic given those serious challenges?

**Ambassador LU.** Thank you, Mr. Chairman.

Very true that Russia has over the past several years been increasing its leverage on the Kyrgyz Republic, economic, political, military leverage that takes a form, as you suggested, sir, of the Eurasian Economic Union, also the Collective Security Treaty Organization. You mentioned earlier flying military aircraft out of the Kant Air Base near Bishkek. There is also the dependence on remittances now of Kyrgyz workers working in Russia.

If confirmed, sir, I will try to articulate a positive forward-looking agenda with the Kyrgyz Republic. I will not shrink from recognizing when the Russian Government is introducing disinformation about our interests, and I will not allow our relations to be defined by Russian provocation.

Concerning China, China is aggressively pushing an economic agenda throughout Central Asia but particularly the Kyrgyz Republic. This includes purchasing of large amounts of infrastructure, roads, hydroelectric power, heating systems for major cities. As you

mentioned, they are the owners of half of the Kyrgyz external debt, about \$1.7 billion in debt. I think many economists would argue that is not commercially reasonable for one creditor to provide that much debt exposure to one country. If confirmed, I will be steadfast in recommending to the Kyrgyz Government that they be mindful of the risks of overdependence on one creditor.

And lastly, I would say the real way to boost the economy of the Kyrgyz Republic is not by taking out loans from China. It is about fixing the business climate to attract investors and traders from all over the world, including the United States.

Senator RISCH. Thank you very much.

I have always observed that when you have a substantial flow of remittances, it really binds the two countries, as we have seen in many other examples. Can you give us some kind of sense of the volume we are talking about here?

Ambassador LU. Sir, the last estimate I saw was 30 percent of its gross domestic product of the Kyrgyz Republic. So very substantial.

Senator RISCH. Very significant.

Senator Kaine?

Senator KAINES. Thank you.

Ambassador Lu, first a question for you about the Kyrgyz Republic, just to continue on the theme that we are on. This is a country that has had significant challenges with corruption. Transparency International has indicated that it has one of the worst records in the world. Talk a little bit about the current government's effort to tackle corruption and how the United States can be helpful.

Ambassador LU. Thank you, Senator.

The Kyrgyz Republic ranks 135 out of 180 countries according to Transparency International on the rankings on corruption.

President Jeenbekov, the new president who was elected in October, has said that fighting corruption is one of his top priorities, and he is regarded as a national security threat. And he adopted several anti-corruption measures in February, to include continuation of e-government platforms to help reduce the amount of instances in which citizens must interact with government officials at a working level.

We have been working in this space for a long through USAID and our public affairs platforms to promote good governance and anti-corruption. I think there is more we can do. This was a focus of my time as Ambassador in Albania, and if confirmed, this will be a focus of my attention in the Kyrgyz Republic.

Senator KAINES. Excellent.

The republic ranks as a tier 2 nation with respect to trafficking in persons in the State Department's report for the last 8 years. They have made some progress. Notably, in May of 2016, the republic created the Coordination Council on Migration to direct efforts both on migration issues but including focusing on human trafficking and improving their record. What do you think we might be able to do to assist them in that work?

Ambassador LU. Absolutely. There has been important progress, as you suggest, Senator, but also a number of setbacks. In terms of the setbacks, I would note over the last 3 years, every year a

decline in the number of investigations and prosecutions of traffickers.

The progress—you started talking about that. There is also the approval of a national action plan and the piloting of a victim identification program and national referral mechanism. These are really important starts, but we would like to see more than just plans and legislation. Real differences made on the ground.

Again, when I was Ambassador in Albania, we worked quite a bit on anti-trafficking. I, if confirmed, will make that a priority of my time in the Kyrgyz Republic.

Senator Kaine. Thank you, Ambassador Lu.

Mr. Berry, I hate to follow a really competent person in a job.  
[Laughter.]

Senator Kaine. I like to follow like a really incompetent person into a job. And so you are sitting next to this person and you are going to be following her in the position. I do not envy you.

Nepal is a very poor nation, and yet it has a number of underutilized assets, and one is hydropower. What is being done to harness that energy to help the country, and what might the United States or U.S. firms do to help Nepal with that opportunity?

Mr. BERRY. Well, thank you for that question, Senator, and also for addressing certainly one of my greatest anxieties as I prepare for this assignment. The good thing is I know where to find Ambassador Teplitz pretty much at any time.

Indeed, Nepal is a place of great potential, and it is one of the reasons I am so excited about the potential of heading out there, if confirmed. One of those is really the ability to develop, to benefit from, and to, where it is possible, export energy as well.

The United States is doing a lot I think to help Nepal realize that. In order to really develop those basic capacities, the great need is infrastructure. Through this new compact that has been signed and will sometime in the middle of next year go live, the U.S. will be committing \$500 million, supplemented by \$130 million devoted by the Government of Nepal, to take on two significant components. The vast majority of that money, in excess of \$500 million, will go towards the development of transmission lines, high voltage transmission lines, to the Indian border, which will help disseminate that power resource, and another residual amount that will go the maintenance and construction of roads. So I believe again that this is a great potential for Nepal, and I look forward to seeing what I could do, if confirmed, in helping develop them.

Senator Kaine. Nepal is a very poor country. A quarter of the population lives below the poverty level. These projects can be helpful.

Nepal is also still recovering from a very damaging April 2015 earthquake. How is that recovery going and what are the remaining steps that should be taken? And talk a little bit about the role of USAID and other institutions of the American Government in helping Nepal advance people out of poverty?

Mr. BERRY. Of course, thank you.

Well, I think the short answer is that much has been done but much still remains to be done. You know that I am proud that the United States was there with a presence and helping in the immediate aftermath of the quake, but importantly has remained there

throughout that period that my esteemed colleague to my right has overseen a very strategic and smart engagement and commitment of resources from USAID where we have helped the Nepalis stand up what is now the world's largest owner-driven housing program where our devotion of approximately \$190 million to help that effort has really been supplemented by funds that the Nepali Government has also devoted to this cause.

I believe that there is some concern about the speed of some of that home construction. I think one of the critical things at least I have learned, as we look at this issue, is that ensuring that the types of structures that replace those that were destroyed in the quake are, in fact, resistant to the type of disaster that is potentially going to happen again in the future.

Senator Kaine. Thank you.

Well, before I move and ask Ambassador Teplitz a question or two, I will just also acknowledge that the trafficking report for Nepal in 2017 said, quote, Nepal does not fully meet the minimum standards for the elimination of trafficking. So this is also an effort that I know you and your team will be focused on, should you be confirmed.

Ambassador Teplitz, I just want to read the lead in an article that I just saw, an extensive article in the "New York Times" from a couple of days back, how China got Sri Lanka to cough up a port. And it refers to the comments that the chairman was making in his opening.

Every time Sri Lanka's President Mahinda Rajapaksa—forgive me if I have got it wrong on the pronunciation—turned to his Chinese allies for loans and assistance with an ambitious port project, the answer was yes. Yes, though feasibility studies said the port would not work. Yes, though other frequent lenders like India had refused. Yes, though Sri Lanka's debt was ballooning rapidly.

Over years of construction and renegotiation with China Harbor Engineering Company, one of Beijing's largest state-owned enterprise, the Hambantota Port development project distinguished itself mostly by failing, as predicted. With tens of thousands of ships passing by one of the world's busiest shipping lanes, the port drew only 34 ships in 2012.

And then the port became China's.

Mr. Rajapaksa was voted out of office in 2015, but Sri Lanka's new government struggled to make payments on the debt he had taken on. Under heavy pressure and after months of negotiations with the Chinese, the Government handed over the port and 15,000 acres of land around it for 99 years last December. The transfer gave China control of the territory just a few hundred miles off the shores of a rival India and the strategic foothold along the critical commercial and military waterway. The case is one of the most vivid examples of China's ambitious use of loans and aid to gain influence around the world and its willingness to play hardball to collect.

What is the Sri Lankans' public reaction to this deal with China and this new state of affairs where they have control over this operation for 99 years?

Ambassador TEPLITZ. Senator, thank you for that really important question. As I noted in my opening statement, Sri Lanka occu-

pies a very geostrategically important location, and of course, that location and its importance has not been lost on others.

As I have seen in the research I have been doing prior to this hearing, the Government of Sri Lanka has walked into these deals. In response to that article, it further went on to discuss the corrupt practices that were engaged in to try and influence that 2015 election.

Senator Kaine. Chinese to the losing candidate, the candidate that they had been able to negotiate and get everything they wanted from.

Ambassador Teplitz. Indeed. And that has caught the attention of the Sri Lankan public.

And I think we must be clear-eyed about China's practices, and we must be frank and open with our partners about the dangers of those practices. We have to have no illusions that this is not a transparent or accountable offering that China is making.

And if confirmed, there are four areas that I would like to try and address to engage and strengthen our partnership with Sri Lanka.

The first is looking at economic and commercial ties that can provide a much more viable and economically realistic alternative to some of the projects that you mentioned from that article. Sri Lanka, as the chairman noted, provides to the United States, its largest export destination. We can also look at imports to Sri Lanka, other opportunities for investment.

Secondly, I think that we need to increase the number of professional and people-to-people exchanges in order to shape and influence the environment and the understanding about some of the practices that are out there that are not beneficial to Sri Lanka's sovereignty in the long run.

Thirdly, I think we also need to be quite clear about the quality of the assistance that we deliver, and that is transparent, accountable assistance that is done in concert with our partner, Sri Lanka, and that is delivering genuine value to the people at the conclusion of the projects. There is a Millennium Challenge Corporation compact that is being worked through currently, not yet signed. This would be a prime example of a project that will meet very specific needs for the people of Sri Lanka and will deliver value on into the future.

Lastly, I think we do have likeminded partners to address some of these practices that are of great concern, and we should be working with them. India, Australia, the United Kingdom, many others are equally concerned about these influences, and we need to be working with them to come up with a concerted alternative.

Senator Kaine. I am on the Armed Services committee as well. What is the current state of U.S.-Sri Lankan military exercises and cooperation?

Ambassador Teplitz. Senator, that is a good question. We have been slowly renewing our relationship on a mil-to-mil level. As you know, in the aftermath of the 30-year conflict in Sri Lanka, we have been very concerned about gross violations of human rights and progress made to address those atrocities. So our engagement has grown very gradually in proportion to progress on reforms in this area. And the overall scope remains modest, but we have en-

gaged in military exchange. We have some limited engagement with discrete, carefully vetted units and individuals around maritime security. And we hope to build on those areas, again commensurate with progress and the limits established by Congress to strengthen that military relationship in order to address broader issues of national security in the region around maritime domain awareness and transnational crime.

Senator KAINES. And my last question for the panel—and I thank my chairman for indulging me by letting me go over, which he always does, and I always go over. [Laughter.]

Senator KAINES. Talk about the reconciliation prospects between the Tamil and the Sinhalese communities in the aftermath of this long civil strife.

Ambassador TEPLITZ. There remain significant differences. The Tamil community is very concerned about progress made toward reconciliation, accountability, justice, and specifically commitments made by the current government to the international community in that regard. The Government has established an office of missing persons. It has just gazetted, in fact last night our time, a bill on an office of reparations. And we hope that this progress is going to continue apace. However, I do not think that is fully satisfactory to a community that is looking for constitutional reform and some political solutions to this, in addition to the efforts to address the past.

If I am confirmed, I am committed to helping the Government to achieve their commitments to the people of Sri Lanka but also to helping address openly, transparently the hard issues in the room, which are the inter-ethnic and inter-religious strife. I think there are many ways to go about that. We have had some programs and we can build on that foundation, but open dialogue about tough issues, talking about the values of democracy and how people can use democratic institutions to engage—I think these are some of the things that we can continue to use to help smooth that over.

Senator KAINES. Thanks to each of you. I look forward to supporting all of your nominations.

Thanks, Mr. Chair.

Senator RISCH. Thank you.

Let me close up with a couple of questions here. Mr. Berry, we have all observed over the last 24 years the political instability in Nepal. Some people I have read believe that that is changing or on the cusp of changing. What is your view on that?

Mr. BERRY. Thank you, Senator.

I believe there is an opportunity. There is a potential change here that could be significant. I think one of the aspects of Nepali political history, as you have noted, is that the succession of governments have left very little room for governance to actually occur, that with the new constitutional arrangement and the swearing in of the new government under Prime Minister Oli, that we now have a 2-year period where challenges to the Government's stability are much less likely. So I am quite hopeful and I think that there is an opportunity here to present in a consistent way U.S. views and to help Nepal make some progress towards some key goals and key commitments that this government has stated as priorities.

Senator RISCH. I appreciate that.

Ms. Teplitz, you covered a number of areas with Senator Kaine that I was going to ask about. I think those of us who watched what happened with the port are just stunned by this, and it is really a good poster child for the world to recognize what China is doing. Their initiative in that regard—it was so obvious and so striking that countries who were tempted by the dollar or by the Chinese investment of currency really need to take a look at that and see what they are facing and what the consequences can be. And being as close to this as you are, I hope you will continue to repeat that story regularly so that countries that are sorely tempted will have a realization of that. So thank you for that.

The ethnic strife in Sri Lanka is just stunning. I mean, it is about as obvious as anywhere in the world and really acts as a story for humanity about conflict between ethnicities. And I appreciated your comments in that regard.

Are you optimistic that they are going to get through this? When I talk to either side, it is stunning to me how far apart they are. Yet, they occupy the same ground and have for so long. Your thoughts.

Ambassador TEPLITZ. Mr. Chairman, not having had the benefit of being on the ground, I am sure I will be more fully informed, if confirmed, and then present at post.

But I would say at this point that there is room for some optimism. There is dialogue the Tamil opposition has supported the current government on its reform agenda, and there is always opportunity there. I think, though, much does remain to be done, and this clearly extends from the political levels all the way down to the grassroots levels and involves very complicated issues such as the return of land seized during the conflict era, restoration of livelihoods and economic growth that even is across the island, a host of issues that can contribute to mending that strife. That is a big lift for any government to attempt, including the current government. I suspect that progress will continue to be uneven and probably be much slower than anybody would like, but I do not think that we should give up hope that that can be achieved.

Senator RISCH. I appreciate that.

Finally, you know, the Maldives—we here are always concerned about foreign fighters traveling to other countries for terrorism. And as we all know, the Maldives has been a contributor to that problem substantially, and we are disheartened by the Government being less than enthusiastic about doing something about this. What are your thoughts in that regard and what kind of message are you going to carry?

Ambassador TEPLITZ. Senator, thanks for that question.

I think counterterrorism is one area where we do have some overlapping interests with the Government of the Maldives, and clearly more could be done to address very specifically the issue of foreign return fighters, reintegration programs, better tracking of these individuals, again a host of options there. That is something that, if confirmed, I am absolutely going to prioritize in our relationship with the Maldives looking for ways to find that mutual interest.

However, we, I think, have to continue to be clear about the disrespect for the democratic process and institutions that the current government has shown. And perhaps that overlapping mutual interest can lead to other beneficial aspects of a partnership. But certainly we have that CT area to focus on.

Senator RISCH. Thank you so much.

Senator Kaine, anything else for the good of the order?

Well, again, on behalf of Senator Kaine and myself, I thank all of you and your families for your willingness to do this.

We are going to keep the record open until 5 o'clock tomorrow night in case some of our colleagues have some deep, probing, and difficult questions for you. I think you will be able to get through them, however.

So thank you, all of you, for your participation.

And the hearing is adjourned.

[Whereupon, at 11:20 a.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### **RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO DONALD LU BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. My experience working on human rights and democracy began in 1995 at the U.S. Embassy in Tbilisi, Georgia where I served as the human rights and refugee officer. In that capacity, I traveled to the separatist controlled Gali District of Abkhazia, where I was able to document torture centers used by Russian-supported separatists to commit human rights abuses against returning ethnic Georgian refugees. I also drafted the human rights report for Georgia in 1995. While serving as Ambassador to Albania, I worked with our Ambassador to the U.N. Human Rights Council to visit the Roma community in Albania to highlight their lack of safe housing. As a result, the city of Tirana built 60 new homes for this community. Finally, also in Albania, I led our team's work to support the strengthening of democratic institutions through our advocacy for a sweeping judicial reform to root out corrupt and incompetent judges and prosecutors.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Kyrgyzstan? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The United States is committed to supporting the Kyrgyz Republic's continued democratic development. While the Kyrgyz Republic has held six peaceful and orderly national elections since the 2010 revolution, both the Organization for Security and Cooperation in Europe (OSCE) and local civil society election monitors noted that the otherwise competitive and well-administered presidential elections in 2017 were marred by instances of the misuse of public resources in election campaigns and vote buying. We continue to support Kyrgyz Government initiatives to improve the electoral legal framework to prevent the use of administrative resources in elections and effectively deter vote buying. If confirmed, I am committed to further strengthening the protection of press freedoms, civil society, and the rule of law.

*Question 3.* What steps will you take—if confirmed—to support democracy in Kyrgyzstan? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The Kyrgyz Republic has a vibrant civil society, whose active participation helps reinforce the country's young democracy—and it will be important to ensure our support for an independent civil society does not falter. In previous elec-

tions, the national NGO Coalition for Democracy and Civil Society, which the United States has supported, has played an exceptional role monitoring the voting process. There remain, however, significant challenges in the Kyrgyz Republic's ability to manage elections, particularly in combatting the tactic of vote buying and the misuse of administrative resources. Further, official corruption and a lack of accountability by the Government and elected officials serve as obstacles to the establishment and consolidation of the Kyrgyz democracy. If confirmed, I plan to work closely with members of civil society and the Kyrgyz Government to assist the nation in strengthening its democratic institutions.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, under my leadership the Embassy will continue to use the full-range of available resources to support democracy and governance with our partners in the Kyrgyz Republic, including through the utilization of the Democracy Commission Small Grants program, USAID's Democracy, Human Rights, and Governance funding, and other State Department funding sources. Central to these efforts will be support to the Kyrgyz Republic's traditionally robust civil society along with support for independent media.

If confirmed, I will continue U.S. Embassy Bishkek's administration of the Democracy Commission Small Grants program, USAID, and State Department assistance programming in accordance with relevant U.S. laws and regulations to support more accountable and inclusive democratic institutions that can deliver tangible benefits to all citizens. Rule of law and anti-corruption will be prominent themes across all programming.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Kyrgyzstan? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to developing and maintaining regular contact with civil society leaders, human rights activists, and other representatives of non-governmental organizations and Kyrgyz civil society. I further commit to advocating for the protection of human rights and against anti-democratic legislation that could further deteriorate the development of the country's democratic values and institutions. By meeting with and publicly supporting local NGOs and members of civil society, I plan to support robust cooperation between civil society and government, including through assistance programming, that creates the basis for effective political parties, elected officials, election administrators, non-governmental organizations, religious freedom, and a transparent media. Ultimately, these efforts aim to reach a mature political dialogue and the de-politicization of government operations that contribute to long-term political stability.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meeting regularly with democratically oriented political opposition figures and parties and advocating for access and inclusivity for women, members of minority groups and youth within political parties. I further commit to highlighting the importance of genuine political competition in my discussions with the Kyrgyz Government, in public appearances, and by working with my colleagues in the Department of State and USAID on appropriate assistance programs designed to strengthen the Kyrgyz Republic's democratic institutions.

*Question 7.* Will you and your embassy team actively engage with Kyrgyzstan on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Kyrgyzstan?

Answer. If confirmed, I pledge to actively engage with the Government and people of the Kyrgyz Republic on press freedom and to strongly address any government efforts designed to control or undermine press freedom through legal regulatory or other measures. I further commit to meeting regularly with members of the independent, local press in the Kyrgyz Republic.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Kyrgyzstan?

**Answer.** If confirmed, I am committed to actively engaging with civil society and my government counterparts to counter disinformation and propaganda disseminated by foreign states or non-state actors in the Kyrgyz Republic. I further commit to leading Public Affairs and USAID programming to strengthen independent media and to increase access to accurate information about the United States in the Kyrgyz Republic, countering the impact of state sponsored disinformation.

*Question 9.* Will you and your embassy teams actively engage with Kyrgyzstan on the right of labor groups to organize, including for independent trade unions?

**Answer.** If confirmed, my embassy team and I will actively engage with the Kyrgyz Republic on the right of labor groups, including for independent trade unions, to organize. Ensuring respect for internationally recognized workers' rights and high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States. Independent trade unions are one of the fundamental building blocks for any democratic society and are important partners for the State Department in many countries. If confirmed, I will continue to support workers' ability to form and join independent trade unions of their choice.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Kyrgyzstan, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Kyrgyzstan? What specifically will you commit to do to help LGBTI people in Kyrgyzstan?

**Answer.** I pledge to defend the human rights and dignity of all people in the Kyrgyz Republic, no matter their sexual orientation or gender identity. The LGBTI community in the Kyrgyz Republic is particularly vulnerable. LGBTI persons whose sexual orientation or gender identity is publicly known risk physical and verbal abuse, possible loss of jobs, and unwanted attention from police and other authorities. If confirmed, I commit to working with civil society and NGO's that address LGBTI issues and to have a frank dialogue with the Kyrgyz Government on the obligation of governments to respect the human rights for everyone in their countries.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD LU BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** My experience working on human rights and democracy began in 1995 at the U.S. Embassy in Tbilisi, Georgia where I served as the human rights and refugee officer. In that capacity, I traveled to the separatist controlled Gali District of Abkhazia, where I was able to document torture centers used by Russian-supported separatists to commit human rights abuses against returning ethnic Georgian refugees. I also drafted the human rights report for Georgia in 1995. While serving as Ambassador to Albania, I worked with our Ambassador to the U.N. Human Rights Council to visit the Roma community in Albania to highlight their lack of safe housing. As a result, the city of Tirana built 60 new homes for this community. Finally, also in Albania, I led the Embassy team's work to support the strengthening of democratic institutions through our advocacy for a sweeping judicial reform to root out corrupt and incompetent judges and prosecutors.

*Question 2.* What are the most pressing human rights issues in Kyrgyzstan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Kyrgyzstan? What do you hope to accomplish through these actions?

**Answer.** The most significant human rights issues in the Kyrgyz Republic include allegations of law enforcement and security services officers' use of torture and arbitrary arrest; pressure on independent media; harassment of journalists; selective, arbitrary, and politically motivated prosecutions; pervasive corruption; forced labor; and attacks, threats, and systematic police-driven extortion of members of sexual and ethnic minority groups. We remain committed to the Kyrgyz Republic's success as a democratic, prosperous, and stable country. Our continued support for human rights in the Kyrgyz Republic is an essential part of promoting regional peace and stability. If confirmed, I will engage in a frank and open discussion with the Kyrgyz Government on the importance of political diversity and urge the Government to protect the space for civil society, independent media, and human rights for all individuals.

viduals. In any democracy, it is fundamental that legal proceedings be transparent, fair, and provide appropriate procedural and substantive protections and guarantees for the accused.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Kyrgyzstan in advancing human rights, civil society and democracy in general?

Answer. While the existing legislation established to protect the rights of all individuals in the Kyrgyz Republic is significant, especially in comparison to neighboring states, the rule of law in the Kyrgyz Republic remains weak and corruption undermines judicial independence. If confirmed, I will ensure our programming redoubles its focus on rule of law, judicial independence and transparency. On the issue of torture, I will lead the Embassy's efforts to eliminate unlawful detention and torture in the law enforcement sector through legal education, training programs, and exchanges, in compliance with international obligations against torture.

While the Kyrgyz Republic enjoys greater press freedom than its Central Asian neighbors, I will continue encouraging the protection of press freedom and, if confirmed, will aim to further strengthen the development of the country's media outlets including through our assistance programming.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Kyrgyzstan? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. The Kyrgyz Republic has a vibrant civil society, whose active participation helps reinforce the country's young democracy. If confirmed, I commit to developing and maintaining regular contact with civil society leaders, human rights activists, and other representatives of non-governmental organizations and Kyrgyz civil society, as well as with interested U.S. NGOs. I further commit to advocating for the protection of human rights and against anti-democratic legislation that could thwart the development of the country's democratic values and institutions. All recipients of U.S. security assistance undergo Leahy vetting and, if confirmed, I will ensure that all provisions of U.S. security assistance and security cooperation activities continue to reinforce the importance of human rights.

*Question 5.* Will you and your embassy team actively engage with Kyrgyzstan to address cases of key political prisoners or persons otherwise unjustly targeted by Kyrgyzstan?

Answer. If confirmed, I will reiterate the importance of political plurality and urge the Kyrgyz Government to uphold the constitutionally protected freedoms of all peaceful political actors, including the freedoms of those who oppose the Government. If the Kyrgyz Government unjustly targets individuals, the Embassy would actively engage with Kyrgyz officials consistent with traditional American objectives of supporting justice, fair legal process, the rule of law, and representative democracy in the Kyrgyz Republic.

*Question 6.* Will you engage with Kyrgyzstan on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. The Kyrgyz Republic has long been a leader in developing democratic institutions in Central Asia, and any measures that limit this progress cast a shadow on that reputation.

If confirmed, I will seek out every opportunity to engage with the Kyrgyz Government on human rights, including civil rights, and governance in order to strengthen civil society and solidify its democratic institutions.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 8.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Kyrgyzstan?

Answer. My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in the Kyrgyz Republic. The diversified mutual funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will make a priority of encouraging the recruitment and professional development of a diverse staff that represents the face of America. Specific steps include reaching out to excellent colleagues from diverse backgrounds to invite them to apply for jobs and expanding our mentoring program for junior officers to include entry-level specialists and eligible family member employees.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will communicate to our senior staff from the start that I will have zero tolerance for discrimination and sexual harassment. In addition, ahead of our annual personnel selection season, I will communicate my expectation that we invite applications from the broadest possible slate of qualified candidates to ensure that we build a diverse and inclusive community. Finally, I will ask our supervisors to reinforce these principles with their American and Kyrgyz staff to ensure we set appropriate expectations.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RANDY W. BERRY BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. The promotion and protection of human rights and democracy has been a core element of my 25-year career as a Foreign Service Officer. As a human rights officer at the U.S. Embassy in Kampala, Uganda, I drafted the State Department's annual report on human rights challenges in that country and pressed the Government for greater accountability. As the Regional Refugee Officer for the African Great Lakes region, I worked with governments, international organizations, and non-governmental organizations to secure protection of human rights and subsistence for hundreds of thousands of refugees.

As Deputy Chief of Mission in Kathmandu, Nepal, I engaged with a broad range of contacts to focus on human rights violations during the 1996–2006 civil conflict there. As Special Envoy for the Human Rights of LGBTI Persons, I travelled to more than 50 countries worldwide to share best practices, build coalitions, and engage in constructive discussion in order to end violence and extreme discrimination against persons based on their identity. And finally, as Deputy Assistant Secretary of State for Democracy, Human Rights and Labor, I led teams responsible for our advocacy and protection of human rights and fundamental freedoms across the African continent and South/Central Asia. Most recently, in that capacity, I worked closely with leaders in the U.S. Government and the Government of Uzbekistan to realize substantial progress on civil society space and human rights and fundamental freedoms in that country's journey to reform.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Nepal? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The key challenge to democratic development in Nepal is the historical absence of a politically stable environment in which democratic institutions could grow and flourish. The marginalization of women and members of certain caste and ethnic groups has traditionally excluded them from the political process. The prevalence of corruption and impunity has also presented a challenge to clean governance and effective rule of law as has the slow pace of implementing a credible transi-

tional justice process to address conflict-era abuses. The new government offers opportunities to make progress on these fronts.

*Question 3.* What steps will you take—if confirmed—to support democracy in Nepal? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will support a stable, democratic, and sovereign Nepal. I will advocate for political and social inclusion of Nepalis of all backgrounds. I will support assistance programming for, and robust engagement with, Nepali civil society. Overcoming its history of political instability will not be easy, but by helping Nepal to do so, we will advance a shared interest in stronger bilateral ties, improved conditions for sustained economic growth and development, and a secure and sovereign Nepal.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will endeavor to maximize the impact of assistance resources to support democracy and good governance in Nepal by focusing on efforts to combat corruption, counter trafficking in persons, and increase the capacity of government to serve the Nepali people. I will take a whole of mission approach and strive to ensure that assistance programming targets U.S. and mission objectives, maximizes efficiencies, and contributes to long-term and sustainable change that results in a more capable and self-reliant Nepal.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Nepal? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will continue to strengthen the Embassy's strong and productive relationships with Nepal's human rights activists, non-governmental organizations, and other members of civil society. I will press the Government of Nepal to allow NGOs to function without hindrance and to permit civil society activity to flourish.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will actively seek opportunities to engage representative from the political opposition and to advocate a healthy exchange of views among representatives of different parts of the political spectrum. I will publicly and vocally support including all Nepalis in the political process, particularly women, members of minority groups, and young people.

*Question 7.* Will you and your embassy team actively engage with Nepal on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Nepal?

Answer. If confirmed, I will champion freedom of expression, including for the media, in Nepal and oppose efforts to control or otherwise undermine it. I will further commit to meeting with press representatives, including representatives of the independent local press.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Nepal?

Answer. If confirmed, I will join the Embassy team to pursue all appropriate measures to counter disinformation and propaganda from all foreign state and non-state actors in Nepal.

*Question 9.* Will you and your embassy teams actively engage with Nepal on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will direct the Embassy team to engage Nepali interlocutors on labor issues, including the right of workers to organize and form independent trade unions.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Nepal, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and

intersex (LGBTI) people face in Nepal? What specifically will you commit to do to help LGBTI people in Nepal?

**Answer.** If confirmed, I will defend the human rights and dignity of all individuals in Nepal, regardless of sexual orientation and gender identity. I will support efforts to protect the rights of LGBTI people in Nepal, who continue to face discrimination.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RANDY W. BERRY BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** The promotion and protection of human rights and democracy has been a core element of my 25-year career as a Foreign Service Officer. As a human rights officer at the U.S. Embassy in Kampala, Uganda, I drafted the State Department's annual report on human rights challenges in that country and pressed the Government for greater accountability. As the Regional Refugee Officer for the African Great Lakes region, I worked with governments, international organizations, and non-governmental organizations to secure protection of human rights and subsistence for hundreds of thousands of refugees.

As Deputy Chief of Mission in Kathmandu, Nepal, I engaged with a broad range of contacts to focus on human rights violations during the 1996–2006 civil conflict there. As Special Envoy for the Human Rights of LGBTI Persons, I travelled to more than 50 countries worldwide to share best practices, build coalitions, and engage in constructive discussion in order to end violence and extreme discrimination against persons based on their identity. And finally, as Deputy Assistant Secretary of State for Democracy, Human Rights and Labor, I led teams responsible for our advocacy and protection of human rights and fundamental freedoms across the African continent and South and Central Asia. Most recently, in that capacity, I worked closely with leaders in the U.S. Government and the Government of Uzbekistan to realize substantial progress on civil society space and human rights and fundamental freedoms in that country's journey to reform.

*Question 2.* What are the most pressing human rights issues in Nepal? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Nepal? What do you hope to accomplish through these actions?

**Answer.** Key human rights issues in Nepal include the protection of religious freedom, empowerment of women in all sectors of society, understanding and carefully considering how Nepal's unique and complex social structure marginalizes members of certain caste and ethnic groups, progress on addressing conflict-era abuses, and promotion of transparent and effective governance at all levels. If confirmed, I intend to incorporate messages in all of these areas in my engagements with the Nepali Government.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Nepal in advancing human rights, civil society and democracy in general?

**Answer.** There are countless obstacles to promoting human rights, including the potential lack of political will, general political instability as a result of turnover of officials, and recent concerning trends around the space for civil society to function freely and effectively to advance human rights. However, in the wake of last year's elections, Nepal is now poised for several years of political stability, and I believe there is a commitment to protecting and advancing human rights. Nepal's civil society also is robust and active, and if confirmed, I will work with its representatives regularly to strengthen the role of civil society.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Nepal? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** If confirmed, I will continue to strengthen the Embassy's strong and productive relationships with Nepal's human rights, civil society, and non-governmental organizations. In addition, I will maintain strong relationships with the Gov-

ernment and military to ensure we appropriately apply Leahy Law requirements while advancing the full spectrum of our bilateral security assistance interests.

*Question 5.* Will you and your embassy team actively engage with Nepal to address cases of key political prisoners or persons otherwise unjustly targeted by Nepal?

Answer. If confirmed, I will work tirelessly to ensure the Nepali Government respects human rights and fundamental freedoms, including providing substantive protection in its criminal procedures.

*Question 6.* Will you engage with Nepal on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, human rights and governance will be cornerstones of the Embassy's engagement with the Nepali Government and Nepalis across all sectors of society. Inclusive governance will be a particular focus of my efforts as it represents one of the keys to advancing economic growth and solidifying development gains in Nepal.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Nepal?

Answer. My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in Nepal. The diversified mutual funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I firmly believe that as Americans, our greatest strength draws from our ability to value and promote diversity in our ranks. Most importantly, if confirmed, I will lead our Mission in Kathmandu on inclusive management by communicating expectations and modeling inclusive practices in hiring, promotion, and skills and professional development of staff. For many years I have actively mentored rising Foreign Service personnel with a special focus on those coming from underrepresented groups and backgrounds, and if confirmed I would intend to do the same.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Most importantly, I will lead by example, and also communicate expectations of inclusive management and leadership among American and Nepali staff. As a manager with a reputation for collaborative leadership and responsibility, I will work with our entire team in Kathmandu, and those offices in the Department of State, to ensure our teams have access to the most recent and useful information on resources available to boost awareness, training, and other tools intended to ensure that opportunity is equally available to all.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ALAINA TEPLITZ BY SENATOR ROBERT MENENDEZ

*Question 1.* Do you commit to regularly engaging with the Sri Lankan Government and military and explaining the conditionality requirements laid out in U.S.

appropriations law with respect to the provision of U.S. security assistance to Sri Lanka?

*Answer.* If confirmed, I will meet regularly with representatives of the Sri Lankan Government and military. I will explain all requirements in U.S. appropriations law for provision of security and other assistance to Sri Lanka and urge the Government to take steps to comply with all of these conditions.

*Question 2.* If confirmed, how will you promote the establishment of credible justice and accountability mechanisms, in line with past UNHRC resolutions, in Sri Lanka? What specific tools will you leverage?

*Answer.* If confirmed, I will stress the importance of Sri Lanka's obligations to fulfill the commitments articulated and reaffirmed in the U.N. Human Rights Council resolutions it co-sponsored in 2015 and 2017 to implement reconciliation and accountability mechanisms that contribute to a peaceful and prosperous future for all of Sri Lanka's people. I will underscore U.S. interest in providing assistance and building capacity that assists Sri Lanka in following through on its obligations. I will encourage dialogue with all stakeholders that fosters progress on difficult issues. I will press the Government to build on the steps that it has taken thus far, such as the establishment of the Office of Missing Persons, and to accelerate its efforts toward the establishment of a reparations office, truth seeking commission and a meaningful transitional justice process, including a judicial mechanism that includes international participation. I will stress that expansion of relations with the United States will be possible as Sri Lanka fulfills its commitments.

*Question 3.* How will you address ongoing reports of torture, sexual violence, and other abuses by Sri Lankan security forces, particularly in former conflict zones?

*Answer.* If confirmed, I will amplify U.S. condemnation of torture, sexual violence, and human rights violations and abuses wherever they occur. I will press the Sri Lankan Government to fully investigate all credible allegations of human rights violations and abuses and to hold those responsible to account. I will support the important role of independent investigative bodies within Sri Lanka, notably the Human Rights Commission of Sri Lanka, in monitoring and investigating all such allegations. I will explore ways in which U.S. assistance for these institutions can further build their capacity and technical capabilities.

*Question 4.* How will you work with the Government of Sri Lanka and Sri Lankan civil society to ensure that offices set up to address missing persons, reparations and other transitional justice issues are functioning effectively to adequately serve conflict victims? Will you urge the Sri Lankan Government to publish a list of missing persons disappeared by security forces during the conflict?

*Answer.* If confirmed, I will urge the Sri Lankan Government to accelerate its efforts to enact and implement legislation establishing an office of reparations, advance legislation creating a truth commission, and initiate action to put in place a judicial mechanism to investigate and pursue prosecution, where appropriate, of alleged abuses and crimes. I also will urge government consultation with all stakeholders. In my engagements with Sri Lankan leadership, I will make clear that we expect the Government to live up to its obligations and commitments to its people and their future. I will highlight that Sri Lanka's progress on these commitments will make further growth in our bilateral relationship possible.

I will also take the opportunity to meet with victims and families of missing persons to emphasize the importance of their concerns, and genuinely understand the answers and solutions they seek.

Since their appointment in February 2018, I understand that the commissioners of the Office of Missing Persons have begun meeting with families of missing individuals. The Government has confirmed its readiness to share data with the Office of Missing Persons, including that collected during previous efforts to catalogue missing persons and through excavations and research by the International Committee of the Red Cross. The Ministry of Foreign Affairs has called publicly for anyone with information on missing persons or lists thereof to provide details to the Office of Missing Persons. If confirmed, I will press the Government, including the military, to continue these efforts toward providing answers to families of missing persons. I will welcome the publication of information gleaned from any lists that may exist in order to advance these goals, provided adequate measures to protect the privacy of individuals on such lists are in place.

*Question 5.* How will you urge an end to the use of laws to detain alleged terrorism suspects that do not comply with international standards, and ensure that any replacement legislation meets such standards?

*Answer.* Sri Lanka's cabinet has approved draft legislation to replace the Prevention of Terrorism Act. The legislation is currently with the Sri Lankan attorney gen-

eral for legal certification. If confirmed, I will press the Sri Lankan leadership to follow through with the country's commitment to repeal and replace the Prevention of Terrorism Act without further delay. I will stress the need for the replacement legislation to conform to Sri Lanka's international obligations and commitments and offer to facilitate consultations with U.S. and international legal experts as needed.

*Question 6.* If confirmed, how specifically will you urge Sri Lanka to undertake credible military reforms, namely to reduce its size overall and presence in former conflict zones, improve professionalism, and reduce involvement in commercial activity? How will the U.S. Government incentivize such reforms?

Answer. I understand that the number of Sri Lankan military personnel in former conflict zones is currently at 60 percent of the wartime deployment level in those regions. Nationwide, the military is working to right-size its forces, and is making significant progress toward this goal. If confirmed, I will urge the Sri Lankan Government to move ahead with these plans and maintain the current downward trajectory in military presence. I will remind the military that progress on accountability will make growth in bilateral cooperation possible. I also will support bilateral military-to-military engagement that provides Sri Lankan military officers with opportunities to interact with counterparts in the U.S. military and receive professional military education in the United States, for example, through International Military Education and Training (IMET) programming. Such opportunities allow us to promote U.S. priorities and values and provide a model for principles such as respect for human rights and civilian control of the military. I will also insist on full and appropriate application of Leahy Law requirements to ensure that our security assistance and cooperation is consistent with human rights priorities. As part of broader engagement on economic and commercial issues, I will underscore that military involvement in what would customarily be considered civilian commercial activity only hinders private sector growth that Sri Lanka needs for its economic prospects to improve.

*Question 7.* How will you engage Sri Lankan military and government counterparts to return military-occupied land in former conflict zones to its rightful owners, or compensate them accordingly?

Answer. Since 2009, the Government of Sri Lanka has released approximately 65,000 acres of the 84,000 acres occupied at the end of the war in the country's Northern and Eastern Provinces, or about 77 percent. The current government has returned more than 6,000 acres since it came into office in 2015, as well as removed all of the wartime checkpoints and reopened key routes, such as the road traversing the Palaly High Security Zone. If confirmed, I will press the Government and the military to accelerate efforts to return land, or compensate the rightful owners, so that people in these areas can rebuild their lives. I also will support U.S. assistance for Sri Lanka's demining efforts as these help make land available for resettlement.

*Question 8.* How specifically will you work with government and civil society to promote anti-corruption and transparency efforts in Sri Lanka?

Answer. To tackle corruption, the Sri Lankan Government has established bodies that conduct independent investigation of allegations of malfeasance, work to recover misappropriated state assets, investigate financial crimes, and promote transparency. Parliament has approved the establishment of special courts for bribery and corruption cases. These efforts started slowly, but are beginning to show promise. If confirmed, I will encourage the Government to move quickly on prosecuting financial crimes, and I will work to continue expanded U.S. technical assistance in this important area. I will also leverage public diplomacy resources to engage in public dialogue about the benefits of a transparent and accountable government.

*Question 9.* How will you engage to counter sectarian violence and violent extremist attacks on minorities and other vulnerable communities?

Answer. If confirmed, I will call on Sri Lankan leaders to swiftly and unequivocally condemn and investigate violence and incitement to violence based on religion or ethnicity, and to hold all those responsible accountable. I will regularly engage government and civil society leaders to promote religious freedom, tolerance, and pluralism. I will explore ways to build the capacity of local authorities so they can address incidents of violence and discrimination more effectively.

*Question 10.* What will your approach be to issues of decentralization and constitutional reform, and what priority will these issues take in your overall work?

Answer. There is broad agreement on the outlines of constitutional reform, as laid out in the Sri Lankan constitutional assembly steering committee's interim report released in September 2017. The parliamentary debate on the subject that followed in November 2017 also was welcome. I understand drafting of the text of the con-

stitution, based on the interim report and the parliamentary debate, is underway. If confirmed, I will encourage the Government to move forward with this process as a high priority for Sri Lanka's future and emphasize the need for an effective communication strategy for the reform effort.

*Question 11.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Human rights and democratic principles are core American values. Throughout my career, I have engaged in tough conversations with foreign leaders on the topics of human rights, transitional justice, and freedom of expression, religion, and peaceful assembly in an effort to promote these rights where they are being abridged. In addition, I have shown my commitment to these values through social media postings, in speeches, in op-eds, and in leading Embassy activities. For example, I have pressed the Government of Nepal to establish a credible transitional justice process, to respect media freedoms and the role of an unfettered civil society, and to ensure women and members of marginalized ethnic groups receive fair and equal treatment. If confirmed, I will add to this track record of promoting human rights through continuous advocacy in Sri Lanka and Maldives.

*Question 12.* What issues are the most pressing challenges to democracy or democratic development in Sri Lanka? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. In Sri Lanka, the most significant human rights issues include unlawful killings; torture; sexual abuse; arbitrary arrest; unreasonably prolonged detention; lack of property restitution by the military; and surveillance and harassment of civil society activists and journalists, discrimination and violence against religious minorities, and impunity for crimes committed during the country's civil war. The Sri Lankan Government has committed to a reform agenda to address challenges to democratic development. The agenda includes elements of good governance, anti-corruption, judicial reform, and constitutional revision. The Government also has relaxed constraints on freedom of expression, association, and peaceful assembly. If confirmed, I will press the Sri Lankan Government to fully implement its commitments to good governance and advocate freedom of expression, including by the media.

*Question 13.* What steps will you take—if confirmed—to support democracy in Sri Lanka? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will support efforts to protect freedom of expression and citizens' rights to participate in government and the conduct of public affairs and to encourage the Sri Lankan Government to make good on its commitments to tackle corruption, promote good governance, uphold human rights, and conclude the constitutional reform process. Progress in these areas will help to sustain and expand the advances Sri Lanka has made on governance and representative democracy. It is important that the United States help Sri Lanka address these challenges now while a reform-minded government remains in power.

*Question 14.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will strive to ensure that assistance programming directly supports mission objectives, maximizes efficiencies, and contributes to long-term and sustainable progress in the advancement of U.S. interests. In Sri Lanka, I will endeavor to maximize the impact of assistance resources to support democracy and good governance by ensuring tight coordination of, and collaboration among, U.S. Government agencies engaged there and focusing on countering corruption, strengthening democratic institutions and justice processes, and improving transparency and accountability in public financial management and the business climate. In Maldives, I will support utilization of U.S. assistance to advance engagement in areas of mutual interest.

*Question 15.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Sri Lanka? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** If confirmed, I will seek out opportunities to meet with representatives of human rights organizations, civil society, and non-governmental organizations in the United States and Sri Lanka. I will press the Governments of Sri Lanka to allow NGOs to function without hindrance and to permit civil society activity to flourish.

**Question 16.** If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** If confirmed, I will engage with members of the political opposition and advocate a healthy exchange of views among representatives of different parts of the political spectrum. I will speak out against politically motivated repression against opposition figures and parties. I will publicly and vocally support inclusivity, particularly of women, members of minority groups, and young people.

**Question 17.** Will you and your embassy team actively engage with Sri Lanka on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Sri Lanka?

**Answer.** If confirmed, I will champion freedom of expression, including for the media, in Sri Lanka and oppose efforts to control or otherwise undermine it. I will further commit to meeting with press representatives, including members of the local press.

**Question 18.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Sri Lanka?

**Answer.** If confirmed, I will lead the Embassy team in working to counter disinformation and propaganda from all foreign state and non-state actors in Sri Lanka and Maldives.

**Question 19.** Will you and your embassy teams actively engage with Sri Lanka on the right of labor groups to organize, including for independent trade unions?

**Answer.** If confirmed, I will direct the Embassy team to engage Sri Lanka interlocutors on labor issues, including the right of workers to organize and form independent trade unions.

**Question 20.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Sri Lanka, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Sri Lanka? What specifically will you commit to do to help LGBTI people in Sri Lanka?

**Answer.** I will defend the human rights and dignity of all people in Sri Lanka, regardless of sexual orientation and gender identity. Sri Lankan anti-discrimination laws do not prohibit discrimination based on sexual orientation and gender identity. I will support efforts to protect the rights of LGBTI individuals, who face both discrimination and criminal penalties.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ALAINA TEPLITZ BY SENATOR BENJAMIN L. CARDIN**

**Question 1.** Sri Lanka has so far made limited progress on key commitments required to further reconciliation efforts, particularly between the Tamil and the Sinhala communities. However, impunity for war crimes and crimes against humanity remains unaddressed. As ambassador, how do you intend to ensure that the Government is aware that this remains a priority for U.S. engagement with Sri Lanka?

**Answer.** If confirmed, I will press Sri Lanka to fully implement its commitments to reconciliation, justice, and accountability. I will urge the Government to establish a truth commission, reparations office, and a judicial mechanism to investigate and pursue prosecution, where appropriate, of alleged abuses and violations as well as crimes. In my engagements with Sri Lankan leadership, I will make it clear that we expect the Government to live up to its obligations to its people and their future. I will highlight that Sri Lanka's progress on these issues will make further growth in bilateral relations possible. I will support assistance programming that helps the Sri Lankan Government and civil society move toward reconciliation and non-recurrence of conflict.

*Question 2.* If confirmed, what specific actions will you take to convince the Government of Sri Lanka to deliver on the commitments made to the international community on: Establishing a judicial mechanism (in line with its commitments to the U.N. Human Rights Council) that includes international participation in a meaningful transitional justice process? Establishing a Truth, Justice, Reconciliation and Non-Recurrence Commission? Supporting the Office on Missing Persons to continue their work efficiently and independently?

Answer. If confirmed, I will stress the importance of Sri Lanka's obligations to fulfill the commitments articulated and reaffirmed in the U.N. Human Rights Council resolutions it co-sponsored in 2015 and 2017 to implement reconciliation and accountability mechanisms that contribute to a peaceful and prosperous future for all of Sri Lanka's people. I will underscore U.S. interest in providing assistance and building capacity that enables Sri Lanka to follow through on its obligations and commitments. I will encourage dialogue that fosters progress on difficult but necessary issues. I will press the Government to build on the steps that it has taken thus far, such as the establishment of the Office of Missing Persons, and to accelerate its efforts toward the establishment of a truth commission and a meaningful transitional justice process, including a judicial mechanism with international participation. I will stress that further expansion of relations with the United States will be possible if Sri Lanka fulfills its commitments.

*Question 3.* Last year, President Sirisena promised the families of those disappeared during Sri Lanka's civil war that the lists of detainees being held by the Government would be published, so that family members of those who surrendered at the end of the war and then "disappeared" could learn whether their loved ones are in custody. The Senate's FY 2018 appropriations bill also include report language conditioning assistance to Sri Lanka partially on the publication of the lists. However, the lists have still not been made public. If confirmed, will you make a public list of detainees a priority for U.S. engagement? Some of the families have been protesting and demanding justice for the disappeared and have been continuously doing so since February 2017. Will you meet with those families of the disappeared and confirm to them that the United States plans to make their concerns a priority?

Answer. The families of those who have disappeared deserve answers about the fates of their missing loved ones. Moreover, a thorough accounting for past disappearances, especially during the last phases of the civil war, is critical to ensuring non-recurrence of ethnic violence. For this reason, implementation of Sri Lanka's commitments to accountability and a credible transitional justice process is extremely important. If confirmed, I will press the Government to fulfill these commitments. I also will seek opportunities to meet with the families of missing persons and confirm to them the importance with which we view their concerns.

Since their appointment in February 2018, I understand that the commissioners of the Office of Missing Persons have begun meeting with families of the missing. The Government has confirmed its readiness to share data with the Office of Missing Persons, including data collected during previous efforts to catalogue missing persons and through excavations and research by the International Committee of the Red Cross. The Ministry of Foreign Affairs has called publicly for anyone with information on missing persons or lists thereof to provide details to the Office of Missing Persons. If confirmed, I will press the Government, including the military, to continue these efforts toward providing answers to the families of missing persons and an accounting of the war's final days to the people of Sri Lanka. I will welcome the publication of information gleaned from any lists that may exist in order to advance these goals, provided adequate measures to protect the privacy of individuals on such lists are in place.

*Question 4.* Sri Lanka is in the midst of a constitutional reform process, announced by the president in October 2017. What do you make of the reform process so far? What steps do you believe the Government should take to signal to the international community they are serious about reforms to include issues like decentralizing authority in the Government, anti-corruption measures, and human and civil rights?

Answer. The Sri Lankan Government has made important strides on its reform agenda, but it still has much to do. There is broad agreement on the outlines of constitutional reform, as laid out in the constitutional assembly steering committee's interim report released in September 2017. The parliamentary debate on the subject that followed in November 2017 also was welcome. I understand drafting of the text of the constitution, based on the interim report and the parliamentary debate, is underway, and, if confirmed, I will encourage the Government to move forward actively with this process.

To tackle corruption, the Government has established bodies that conduct independent investigation of allegations of malfeasance, work to recover misappropriated state assets, investigate financial crimes, and promote transparency. Parliament has approved the establishment of special courts for bribery and corruption cases. These efforts started slowly, but are beginning to show promise. If confirmed, I will encourage the Government to move quickly on prosecuting financial crimes, and I will work to continue expanded U.S. technical assistance in this important area.

Whether on constitutional reform, anti-corruption, or protection of human rights and fundamental freedoms, acceleration of the Sri Lankan Government's implementation of its commitments would underscore its seriousness. Consultation with all stakeholders remains an important component of Sri Lanka's progress. Where the organizational structure is in place to take on these challenges, the Government of Sri Lanka needs to ensure that these bodies are functioning properly, achieving meaningful progress, and producing tangible results.

*Question 5.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Human rights and democratic principles are core American values. Throughout my career, I have engaged in tough conversations with foreign leaders on the topics of human rights, transitional justice, and freedom of expression, religion, and peaceful assembly in an effort to promote these rights where they are being abridged. In addition, I have shown my commitment to these values through social media postings, in speeches, in op-eds, and in leading Embassy activities. For example, I have pressed the Government of Nepal to establish a credible transitional justice process, to respect media freedoms and the role of an unfettered civil society, and to ensure women and members of marginalized ethnic groups receive fair and equal treatment. If confirmed, I will add to this track record of promoting human rights through continuous advocacy in Sri Lanka and Maldives.

*Question 6.* What are the most pressing human rights issues in Sri Lanka? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Sri Lanka and The Maldives? What do you hope to accomplish through these actions?

Answer. In Sri Lanka, the most significant human rights issues include unlawful killings; torture; sexual abuse; arbitrary arrest; unreasonably prolonged detention; lack of property restitution by the military; surveillance and harassment of civil society activists and journalists; discrimination and violence against members of religious minorities; and impunity for crimes committed during the country's civil war. If confirmed, I will press the Sri Lankan Government to fulfill its commitments to good governance, accountability, justice, and reconciliation for the sake of a peaceful and prosperous future for its people by working with the Government, civil society, victims' groups, and other stakeholders.

The current leadership of Maldives has weakened democratic institutions, undermined the independence of the legislature and judiciary, had political opponents arrested and imprisoned on specious charges, unduly restricted freedom of expression and peaceful assembly, and cracked down on dissent. If confirmed, I will press Maldives to uphold the rule of law and respect human rights and fundamental freedoms. I will support efforts to encourage genuinely free and fair elections that reflect the will of Maldivian voters.

*Question 7.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Sri Lanka in advancing human rights, civil society and democracy in general?

Answer. Both Sri Lanka and Maldives have constituencies that benefit from the status quo and either portray calls to respect human rights as interference in internal affairs contrary to Sri Lankan or Maldivian national sovereignty or deny the existence of human rights problems altogether. In Sri Lanka, the challenge is to engage in a manner that encourages the Government to follow through on its human rights commitments and obligations without giving credence to such misperceptions. In Maldives, the situation is much more daunting as the current leadership shows no inclination to govern in accordance with its obligations and commitments on human rights and fundamental freedoms or to engage productively with diplomatic partners. Despite these challenges, if confirmed I will actively pursue efforts to support human rights, civil society, and democracy in Sri Lanka and Maldives.

*Question 8.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Sri Lanka and The Maldives? If confirmed, what steps will you take to

pro-actively support the Leahy Law and similar efforts where applicable, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

*Answer.* If confirmed, I will seek out opportunities to meet with representatives of human rights organizations, civil society, and non-governmental organizations in the United States, Sri Lanka, and Maldives. I will insist on and support full and robust application of Leahy Law requirements so that our security assistance and cooperation is consistent with human rights priorities. In addition, I will encourage military-to-military engagements and participation in U.S. military training programs, including through the International Military Education and Training (IMET) program, that expose Sri Lankan security forces to principles of democracy, human rights, and civilian-military cooperation.

*Question 9.* Will you and your embassy team actively engage with Sri Lanka and The Maldives to address cases of key political prisoners or persons otherwise unjustly targeted by Sri Lanka and The Maldives?

*Answer.* If confirmed, I will be a staunch advocate for human rights and the rule of law. I will call for the release of political prisoners in Maldives and the repeal of Sri Lanka's Prevention of Terrorism Act and its replacement with a law that adheres to Sri Lanka's international obligations and commitments. I will call on leaders in both countries to promote tolerance for all faiths and to promptly condemn and investigate instances of discrimination and violence against members of religious minorities.

*Question 10.* Will you engage with Sri Lanka and The Maldives on matters of human rights, civil rights and governance as part of your bilateral mission?

*Answer.* If confirmed, under my leadership, human rights, fundamental freedoms, and good governance will constitute core elements of the Embassy's engagement with the Governments of Sri Lanka and Maldives.

*Question 11.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 12.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 13.* Do you or do any members of your immediate family have any financial interests in Sri Lanka or The Maldives?

*Answer.* My investment portfolio includes companies that may have a presence in Sri Lanka or the Maldives; however, my holdings are below the \$15,000 de minimis threshold in the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations. I have consulted with the State Department Ethics Office and will continue to do so, and I will divest my interests in any companies they deem necessary to avoid a conflict of interest.

*Question 14.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Answer.* I am committed to fostering an inclusive work environment that benefits from a diversity of perspectives and empowers all team members to contribute fully to our mission. As a leader, I believe that a workplace that welcomes and values a wide variety of experiences, viewpoints, and skill sets is not only productive, but is also innovative. If confirmed, I will make clear to Embassy supervisors and team members my belief in the benefits of workplace diversity and my expectation that all employees will be treated with respect and supported in their professional development. Supervisors will have this specific obligation written into their work requirements so they can be held directly accountable for the professional development of employees and for fostering an environment in which fresh perspectives and the contributions of all team members are solicited equally.

*Question 15.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I am committed to recruiting and fostering the professional development of people from diverse backgrounds and under-represented groups into the Foreign Service and, if confirmed, within Embassy Colombo. Our diversity is a strength and an important American value. I will make clear my expectations for a supportive, empowering work environment so that Embassy Colombo can provide a model of this behavior. Supervisors will also have a specific obligation written into their work requirements so they can be held directly accountable for the professional development of employees and for fostering an environment in which fresh perspectives and the contributions of all team members are solicited equally.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ALAINA TEPLITZ BY SENATOR EDWARD J. MARKEY**

*Question 1.* Based on your experience in Nepal and elsewhere, how important is constitutional change for addressing geographically-based ethnic issues? Sri Lanka's process to change her constitution, an effort to provide a stronger federal arrangement for her provinces to address an issue that in part led to the civil war between the Government and the LTTE, is stalled. Is this a crisis and what role will the U.S. play in assisting the island toward a more stable political arrangement for her diverse inhabitants?

Answer. Based on my experience in Nepal and elsewhere, I agree that political solutions that incorporate the views and perspectives of all stakeholders are necessary to address longstanding ethnic issues and to promote the rights and aspirations of all individuals. In Sri Lanka, there is broad consensus on the outlines of constitutional reform, as laid out in the constitutional assembly steering committee's interim report released in September 2017. The parliamentary debate on the subject that followed in November 2017 was welcome progress. I understand that the drafting of the text of constitutional revisions, based on the interim report and the parliamentary debate, is underway, and, if confirmed, I will encourage the Government to move forward with this process.

*Question 2.* Sinhalese Buddhist nationalism and the belief that other communities—the Tamils, Muslims, Christians, etc.—must bend to their imperatives has only strengthened since the end of the war: Should the majority population be accommodated, Sinhalese accepted as the language of government, colonization and demographic engineering understood as the Government's prerogative and the military's rapacious activities in the North and East put down as the spoils of war? What alternatives do we have to push the Sinhalese to accept that they live in a diverse nation and that it is in their interests to give other communities the same rights that they claim themselves?

Answer. Sri Lanka is a diverse nation where different communities and groups have interacted for thousands of years. The current government has taken significant efforts to embrace this historic diversity: the national anthem is now regularly sung in both Sinhalese and Tamil; thousands of military and police officers have been trained in the Tamil language; and expanded resources have been given to teaching Tamil and Sinhalese as second languages in schools. If confirmed, I will urge the Government of Sri Lanka to expand on these measures to promote the rights and aspirations of all Sri Lankans.

*Question 3.* International atrocity crimes—the first of the 21st century—were committed during Sri Lanka's 26 year war, especially in the last years. Sri Lanka will have a hard time healing if these crimes are not dealt with and impunity for war crimes and crimes against humanity ended. There has been no accountability for what took place during and after the war and little reform of the legal and military structures that allowed those crimes, so serious human rights violations such as torture and sexual violence continue:

The U.S. has led on urging reform, accountability and transitional justice since the war. What prospects are there to achieve progress on this agenda?

Answer. If confirmed, I will press Sri Lanka to fully implement its commitments to justice, accountability, and reconciliation. I will call on the Government to establish a truth commission, reparations office, and a judicial mechanism to investigate and pursue prosecution, where appropriate, of alleged abuses and crimes. In my engagements with Sri Lankan leadership I will make it clear that we expect the Government to live up to its commitments to its people and their future. I will highlight

that Sri Lanka's progress on these issues will facilitate expansion of bilateral relations and will support assistance programming that helps the Sri Lankan Government and civil society move toward reconciliation and non-recurrence of conflict.

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## NOMINATIONS

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**WEDNESDAY, JULY 18, 2018**

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

The committee met, pursuant to notice, at 10:05 a.m., in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Flake, Gardner, Young, Menendez, Cardin, Shaheen, Kaine, Markey, and Booker.

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

The CHAIRMAN. Foreign Relations committee will come to order.

And we want to thank our nominees for being here, and look forward to a very productive hearing on their behalf and our country's behalf.

But, on the front end, I want to welcome Senator Cornyn, who has been here once before. We thank him for his leadership and his service to our country, and we are always honored to have people like you here before us. And I know you want to say more about the nominees than we are even going to say about them. We are glad that you are going to do that and inform us.

I also want to welcome Ms. Pompeo, the wife of our Secretary of State, for being here. And we are happy about the fact that her husband is also going to be here next Wednesday to testify before us at 2:30. We thank you for all that is involved in his service. Thank you for being here.

With that, Senator Cornyn.

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Well, thank you, Chairman Corker, Ranking Member Menendez.

It is my pleasure to be back here with the Foreign Relations committee, this time to introduce Brian Bulatao, who has been nominated to serve as Under Secretary of State for Management.

Brian previously served as Chief Operating Officer at the CIA, working with his longtime friend, Mike Pompeo. And now he aspires to move on to help Secretary Pompeo at the Department of State, where I understand they still have quite a few vacancies that they need to fill and I know the committee is hard at work on.

Brian has an impressive resume that reflects his commitment to our country. He is a distinguished graduate from the United States Military Academy at West Point, and he served as a paratrooper in the Army Rangers. As a member of the Special Rapid Deployment Force, he deployed on several contingency operations, which included the capture of General Noriega, in Panama, and the liberation of Kuwait during Desert Shield.

Following his honorable discharge, he attended Harvard Business School and went on to serve as an executive for several successful companies. He founded Thayer Aerospace, in Kansas, with his former classmate, our Secretary of State, and moved on to serve as the president of a packaging company in the Dallas-Fort Worth region. He left our State last year to help run the CIA, for which we forgive him, but—Texas was sorry to see him go—but our loss is the State Department's gain.

Brian cut his teeth in government as the Chief Operating Officer at the CIA. As the number-three officer, Brian brought his broad private-sector experience to the world's premier intelligence organization. While there, he streamlined processes and helped empower the CIA's workforce. For his notable accomplishments there, Brian received the CIA Director's Award for Distinguished Service.

As a member of the Senate Select Committee on Intelligence, I had the opportunity to meet with Brian during his tenure at the CIA, and I was impressed then, as I am now, with his professionalism and his commitment to the mission of the agency and our country.

His experience in the CIA and in business will serve him well in his new role as Under Secretary of Management at the State Department. This position plays an important role, as the committee knows, in our Nation's diplomacy by managing one of our government's largest agencies and implementing key initiatives to make government more citizen-centered, effective, and efficient. The State Department has more than 75,000 employees, I am told, in 276 posts around the world, and maintains diplomatic relations with 191 countries. That is a tough job to manage. And Brian will have direct oversight over the Department's 12 bureaus and offices.

Of course, it will be his role to run the agent—the organization smoothly while Secretary Pompeo conducts his diplomatic—our diplomatic efforts around the world. So, we are fortunate to have such an adept and accomplished professional fill this position.

And I thank you, Mr. Chairman and the entire committee, for your consideration of this excellent nominee. I know he is eager and excited to serve his country again in this new role.

Thank you.

The CHAIRMAN. Well, thank you. And thanks for coming to speak on his behalf. And I know you have other business, and you are welcome to depart, although you are welcome to stay.

Today, we will consider the nominations of individuals to serve our Nation as Under Secretary of State for Management and Assistant Secretary of State for Conflict and Stabilization Operations. We welcome both of you and thank you for your willingness to serve.

First, we have Brian Bulatao. Mr. Bulatao serves as the Chief Operating Officer at the Central Intelligence Agency and also

brings to this position extensive management experience in the private sector. After graduating from West Point and serving his country for 7 years in the military, Mr. Bulatao also earned an MBA from Harvard Business School.

The position of Under Secretary for Management is vitally important for the State Department because, in addition to making the trains run on time, the Under Secretary is responsible for taking care of the Department's most important asset, its people. The Under Secretary for Management oversees more personnel and more resources than any other position at the Department. Given the State Department's many ongoing management challenges, including the costs of embassy construction, the need to modernize the Department's cybersecurity, and the morale of the workforce, it is critically important that this position be filled quickly by someone who can hit the ground running.

Brian Bulatao currently plays an almost identical role at the Central Intelligence Agency and had an accomplished career managing complex organizations in the private sector. So, I look forward to hearing his views on how to make the State Department more successful.

Next, we have Dr. Denise Natali—did I pronounce it correctly? Thank you. I had the benefit of Cornyn pronouncing the other name well—to serve as Assistant Secretary of State for Conflict and Stabilization Operations. Dr. Natali has a combination of scholarship and field experience that is likely to serve her well in this role.

This history of this bureau and the office that preceded it has not always been straightforward, and its mission has changed and evolved. Dr. Natali's greatest challenge will be to define and solidify the value in the minds of the rest of the Department and the interagency of a functional bureau with a keen focus on conflict prevention, crisis response, and stabilization. We appreciate her service at the National Defense University, and we wish her well in this endeavor.

Our thanks to all of you being here. I know you will want to introduce your families at the appropriate time. We thank them for being here.

And, with that, I will turn to our distinguished Ranking Member, my friend Bob Menendez.

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

Senator MENENDEZ. Thank you, Mr. Chairman.  
Congratulations to the nominees.

But, before I turn to them, let me just make some prefatory remarks.

I want to reiterate publicly that this committee and the Senate must hold hearings on pressing topics with witnesses from the administration. The surreal images of a U.S. President undermining his intelligence agencies and capitulating and fawning over a dictator who attacked, and is attacking, our democratic system must not only be forever burned in our collective memory, it is also a call to action.

The President took an oath of office to serve the American people and preserve, protect, and defend the Constitution. His behavior Monday in Helsinki, from my view, is an abdication of that oath. But, Mr. Chairman, we also took an oath when we were elected to serve the American people. We cannot abdicate our duties. Senators on both sides of the aisle must immediately demand upon open hearings from President Trump's national security team. Pro-Kremlin media, at this moment, are putting out more information supposedly about agreements that were arrived by President Trump with President Putin than anything that I know, as the senior-most Democrat on this committee, that—as far as I know, that any member of the committee knows, and that the American people know.

So, I am pleased that Secretary Pompeo will be up here next week. But, let us be clear. We originally requested his presence to discuss the President's summit with the North Korean dictator. In the wake of his most recent unsuccessful trip to North Korea, we still need to know what is going on there. It has been quite some time now. Is America any safer from the threat of North Korea? We have no idea. And now we have what may seem as unlimited questions about the summit in Helsinki. And we need the time for the Secretary to cover these two critical topics. There are many other topics in the world, but certainly these two critical topics. And I hope he will afford us that time.

Americans and the members of this committee deserve to know what the President and foreign autocrats are agreeing to behind closed doors. And if the administration is unwilling to consult with this committee in a meaningful fashion on vital national security issues, then we must consider all appropriate responses with regards to nominees before this committee. I hope it does not come to that, but I certainly will consider it if we cannot make progress.

Let me turn to the nominees.

The CHAIRMAN. May I say something?

Senator MENENDEZ. Yes.

The CHAIRMAN. So, look, I will take backseat to no one in the United States Senate on challenging what happened at NATO, what happened at Helsinki. I will take a backseat to no one in this body. Pompeo is coming up here next Wednesday. We are going to have a full hearing. And every member of this committee is going to have a chance to take whatever issue they wish to take up. So, it is almost as if we cannot take yes for an answer. He is coming in. Every committee member will have a chance to grill him to find out what happened in that meeting. I look forward to doing the same.

I do not know what happened. I do not know if anything occurred in North Korea, other than a press conference. So, I have got the same questions. But, the fact is, they are coming in next Wednesday. It is going to be a fulsome hearing. And I thank you for your cooperation in allowing that to happen.

And I agree, State Department has been remiss in getting us witnesses on numbers of topics. I will agree to that. Secondly, though, there are a lot of positions that are not filled. So, you know, it is a Catch 22, is it not? I mean, we want to have hearings. In some cases, we do not have people to have hearings with. So,

I look forward to working with you in putting whatever pressure we need to put on the administration to make sure we find out. The first step is getting him up here, like we have both pushed for, and it is now happening.

So, you know, I take a backseat to no one on pressing this administration on some of the worst things that I have seen happen in public as it relates to our country. Not to you or not to anyone else on this committee.

Senator MENENDEZ. Well, Mr. Chairman, let me say, I am sorry if you took the comments personally. I am just simply saying what is obvious. We do not get administration witnesses here very easily. And yes, there are not, sometimes, witnesses to call up. But, that is not the fault of this committee. There are not even nominations, in many cases, until recently. And then we get nominations who—people file questionnaires, and they lie or they have incredible loss of memory. You cannot say that you never had—were part of a legal process, and then there are 25 cases that you were involved in. How do you forget that in your questionnaire? You can forget one. You cannot forget 25. You cannot say that, in your business pursuits, you only had one company, when you had 20. That is just an example of what we are getting with some of these nominees.

So, I told the Secretary that I will work with him to pursue and fill the positions that we critically need and that I want to see happen. By the same token, I am not going to rubberstamp nominees who, in the process of their simple presentation to the committee, cannot be forthcoming and transparent, and that a simple LexisNexis search will show you all of these things. Something is wrong with that. Because if you cannot be truthful for me when you are trying to be considered by the committee, what am I to believe once you are confirmed? So, that is part of our challenge, Mr. Chairman.

But, I am glad the Secretary is going to be here. I said that. But, we also need time. We have been trying to get him here since North Korea. Now we have two major issues. We need the time to ask those questions. And I appreciate that the Chairman worked very hard to get the Secretary to come, despite his travel schedule.

The CHAIRMAN. Well, let me say this. And I am glad we are having this discussion in front of the person that is going to be managing so many people. It is too difficult to get him up here. It is. I agree with that, 100 percent. They are pressing us too hard trying to negotiate over nominations if we do this. I could not agree with you more. And just know, I stand shoulder to shoulder with you to put whatever pressure we need to put on them to get the right—

Senator MENENDEZ. And I know—

The CHAIRMAN [continuing]. People up here. And—

Senator MENENDEZ [continuing]. That to be true.

The CHAIRMAN [continuing]. Right now, it has been too hard. It has been frustrating. I am glad that he is coming. But, I would say, likely it may be the last time he comes up here. But, who knows. So, it has been a pain in the backside to get witnesses up here. I agree with you, 100 percent. And I am glad that our nominee is hearing this today. And hopefully, he is going to straighten that out.

Senator MENENDEZ. And so, it is a worthwhile discussion, Mr. Chairman.

Mr. Bulatao, you served for years in the Army and as the Chief—most recently—as the Chief Operating Officer of the CIA. So, let me start by thanking you for your service to our country.

You have been nominated to a position in the Department that is of great trust and importance. It is not a job that often generates any headlines, which is probably a good thing, but it is critically important to successfully executing the implementation of our foreign policy.

You and I had an opportunity to meet. I appreciate that opportunity. I told you that I have serious concerns of understanding the management philosophy, particularly that took place prior to Secretary Pompeo, from a disastrous hiring freeze, to an ill-conceived reorganization proposal, to concerns that have been raised that have been referred to the Inspector General of politicalization of personnel, budget issues, so much more. So, as I told you, I do not ascribe those to you or even to the Secretary, as he inherited this, but I do want to know where you are coming from, if you are to be confirmed, on these critical issues.

I would like to have a sense of what it is that your thinking is with terms of how you will come across to the job, how you intend to bring your experience to institute effective management and processes for the Department, where you think course corrections are needed. And I will look forward to your testimony.

For more than 17 months into the administration, we finally have a nominee for the Assistant Secretary for the Bureau of Conflict and Stabilization Operations. So, I want to welcome Ms. Natali, who has a demonstrated record of service, particularly with regard to Iraq, and also has a great asset, in that she is originally from the great State of New Jersey.

At a time of—it always helps—most of the time, it always helps—a time of proliferating crises across the globe, from Burma, Yemen, and South Sudan to Afghanistan and the Ukraine, a global record of 68 million people have been forced from their homes as a result of persecution, conflict, and violence. Our national security apparatus must evolve and have the right tools to effectively promote conflict prevention and post-conflict stabilization. Appropriately investing in conflict prevention has the potential to save precious human lives and resources down the line. Prevention and stabilization tools are a vital complement to our military and intelligence tools. If confirmed to be the Assistant Secretary for Conflict and Stabilization Operations, you will not only have the responsibility to analyze and craft operational solutions to conflict and stabilization, but will also need to energetically lead and elevate a bureau that is demoralized, neglected, and misunderstood.

I think some of us are concerned that the administration does not have a grasp and a commitment to the hard and complex work of conflict prevention and stabilization. I am pleased to see that you have a background in post-conflict relief, reconstruction, and stabilization, at least as it regards to Iraq. I look forward to hearing from you how you intend to be prepared to tackle these responsibilities on a much grander scale, as well as your priorities, plans, and intentions for the bureaus.

Thank you, Mr. Chairman.

The CHAIRMAN. All right. We will now turn to the nominees.

Mr. Brian Bulatao, we thank you for your willingness to take on this critical role. I will have to say, I certainly look forward to what happens in this hearing. I do not know that we could find anyone more qualified for this position, nor committed, nor one who has a better relationship with the person he is going to be serving with after many years of you guys working together. So, I am glad for you to be here. I thank you, look forward to your 5-minute summary of your testimony. Any written documents you want to enter into the record will be done, without objection.

Please go ahead.

**STATEMENT OF BRIAN J. BULATAO, OF TEXAS, NOMINEE TO BE AN UNDER SECRETARY OF STATE FOR MANAGEMENT**

Mr. BULATAO. Good morning, Chairman Corker and Ranking Member Menendez and distinguished members of the committee. Thank you for the privilege to speak with you today.

With me this morning is my family: my fiance, April, my daughter, Tristan, my son, Connor. I am grateful for all their love and support throughout my years of service. They are my compass, they are my inspiration to reach new heights, and my comfort when I sometimes fall short. They keep me going, they keep me humble.

I would be remiss if I did not also mention the support of my mother, Brenda, and my father, who is no longer with us. My dad was an immigrant from the Philippines. As a teenager during World War II, he witnessed firsthand the tragedies of armed conflict and when diplomacy fails. That defining experience compelled him on a lifelong mission to heal, and he became the first surgeon and family physician in the small town I grew up in, in north-central Pennsylvania. He was always up early in the morning, surgeries at the hospital, then driving over to his family medicine practice, where he would see every patient that was waiting for him in the waiting room, then back to the hospital to make further rounds. He taught me by his example the true meaning of selfless service.

My mother's parents were immigrants from Greece. They came to this country in search of the American Dream. And I am forever thankful for my parents for their unwavering encouragement to live a life of integrity, to work hard every day, and to pursue the unlimited opportunities and freedoms our great country offers to every one of its citizens.

I would also like to thank the President and Secretary Pompeo for their confidence in me and for nominating me to serve in this capacity. It is a high calling and an honor. And, if confirmed, I will spare no effort to faithfully execute the mission entrusted to me alongside our State Department team.

Let me briefly highlight what this mission looks like from my perspective as the nominee for Under Secretary of Management. It starts with our culture. It starts with our swagger. It starts with the relentless pursuit of excellence in everything we do. If confirmed, I will work with the Secretary to foster a culture that encourages innovation and continuous learning. We need to empower people to lead. We need to harness the tremendous talent and ex-

pertise that resides in the Department. We need to unlock this potential by removing barriers, providing the team with the right tools, and streamlining administrative functions so we stay focused on our highest priorities and our core mission. So, for me, this is about driving a high-performance organization, and I want to do that by getting the basics right.

If confirmed, I will focus on three basic building blocks for my initial 90 days. Number one, it is the right people. Number two, it is the right strategy. And, number three, it is the right execution with the right tools and foundation to pursue excellence.

Let me explore number one, the right people. It is a multilayered question. Do we have the right quantity of people in the right location, with the right diversity, with the right skills and training? Do not mistake, this is a team effort. This includes our Foreign Service, our Civil Service, our locally employed staff. As of last month, we had 40-percent vacancies with our Under Secretaries, Assistant Secretaries, Deputy Assistant Secretaries, and our critical Ambassadors. If confirmed, I will support Secretary Pompeo's commitment to get our team on the field and engaged in competing on behalf of America.

We need to be onboarding the right number of new hires to meet our core mission requirements. Hiring the best of the best with diverse backgrounds and experiences is critical to our global mission, and it will be a top priority for me.

We need to have the right diversity, enriching our workforce by targeting diverse communities across the U.S. to meet our talent needs.

And we need to be in the right locations. In essence, as the Director of the CIA reminds me, we are a field-forward organization, and we need to make sure we align our presence with our strategic priorities.

Regarding the right skills and training, we have a tremendous asset in the Foreign Service Institute, and I am excited about the Foreign Area Specialized Training Center coming online next year. And we need to clearly articulate career paths and professional development model that enhances our bench strength for future enterprise leaders.

Let me shift to basic building block number two, the right strategy and resource alignment. If confirmed, I look forward to working with each bureau across the Department to identify their strategic priorities. Really, what are we trying to achieve? How are we aligning our existing resource to that? What does success look like? And what are the measures of effectiveness we should be monitoring?

I am committed to advocating for a budget that fully funds the Department's requirements, putting in place the appropriate oversight and metrics to ensure the Department meets its obligation to use taxpayer dollars wisely and effectively. I will support Secretary Pompeo in requesting funding that serves the national interest and implement the appropriation laws, as passed by Congress. I have never been shy to end a program that was no longer adding value, and I have never been shy to ask for additional resources if we need them for—to successfully execute the mission.

And lastly, number three, right execution with the right systems, tools, and infrastructure to support excellence. I want to focus on

three subcategories there. I want to make sure we get security, safety, and smart risktaking. I want to make—(b) I want to make sure we have the right things going on with our overseas building operations. And third, cybersecurity and a modernized IT infrastructure.

Regarding (a), there is no question the safety and security of our personnel and their families remains a significant priority. Secretary Pompeo cares deeply about, and works hard to protect, the people of the State Department. If confirmed, I will assure the Bureau of Diplomatic Security has the resources, the tools, the technology, and fully integrate it into Department decisionmaking to most effectively reform this critical task. We do not get paid to take risks, we get paid to know which risks are worth taking.

Regarding overseas building operations, I am all for good design, but I will take on-time and on-budget every day of the week. If confirmed, I will work hard to ensure our people have secure new buildings, where required, and that they are completed in the best time, at the best cost and the best value to support the critical mission we have.

Finally, if confirmed, I will help bring the Department operations into the 21st century by modernizing our systems and programs. That includes rapid cloud adoption and upgrading our IT architecture, increasing bandwidth overseas, moving data from silos, so we have an enterprise perspective, so we can better collaborate, enhance big-data analytics, and ultimately make better decisions on behalf of the American people.

The women and men of the State Department serve our country in some of the most challenging places around the world, and they risk their lives daily. Whether serving in a war zone, an expeditionary location under the threat of terrorist attack, where diseases or criminal violence is prevalent, they work long hours, and they are often separated from their families, but they are passionate to advance our Nation's foreign policy and support the work of diplomacy.

With so many challenges facing the United States around the world, our diplomacy and foreign affairs demands every technical, informational, logistical advantage we can muster. We must be aggressive in protecting our security, enhancing our prosperity, and advancing America's interest. And having a State Department team that is empowered and equipped with the right tools to achieve this mission is integral to making that happen.

If confirmed, it will be my goal to do all this, and more, on behalf of the American people. Thank you for your time, and I look forward to your questions.

[Mr. Bulatao's prepared statement follows:]

#### PREPARED STATEMENT OF BRIAN BULATAO

Good morning, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee. Thank you for the privilege to speak with you today.

With me this morning are my fiancé April and my daughter Tristan and my son Connor. I'm grateful for all of their love and support throughout my years of service.

I would be remiss if I didn't also mention the support of my mother Brenda and my father Agapito. My Dad was an immigrant from the Philippines and my Mother's parents immigrated from Greece and from Poland. They came to this country

in search of the American dream. I am forever thankful for my parents unwavering encouragement to me to pursue all the opportunity this country affords.

I'd also like to thank President Trump and Secretary Pompeo for their confidence in me and for nominating me to serve in this capacity. This is a high calling and an honor. If confirmed, I will spare no effort to faithfully execute the mission that is entrusted to me, alongside our State Department team.

I can point back to my upbringing in a small rural town in north central Pennsylvania and my years at West Point as sparking my enthusiasm for public service. It was during my freshman year at West Point that I first met a hard-charging yet affable fellow cadet named Mike Pompeo. I can tell you first-hand, Secretary Pompeo's sharp intellect and heart for service was as evident then as it is today.

After West Point, I was proud to serve as an active-duty Infantry officer for seven years, with deployments during Operation Just Cause in Panama, and Operations Desert Storm and Desert Shield in Iraq. I can tell you with certainty any warrior who has looked into the glazed eyes of a soldier dying on the battlefield understands and internalizes the value of diplomacy.

After serving as an airborne Ranger, I enrolled in Harvard Business School. It was there that I became passionate about creating value and driving transformational change within large organizations. That newfound passion and my business school knowledge was put to use after Harvard during my time at the consulting firm McKinsey and Company.

An even greater application of these operating principles came when Secretary Pompeo, a few other trusted West Point friends, and I founded Thayer Aerospace in Wichita, Kansas. Thayer was a machine shop with CNC mills & lathes. We made structural components of aircraft for manufacturers such as Boeing, Cessna, Gulfstream, Lockheed-Martin, Raytheon, and others. Eventually we grew it from scratch to one of the largest machine shops in the Mid-west.

My experience at Thayer taught me how to build a high-performing organization from the ground up through a constant assessment of our operations, tools, personnel, and culture. After Thayer, I spent a number of years applying lessons learned there in executive-level positions at several private sector companies and non-profit boards.

When Secretary Pompeo asked me to join him at the CIA, I was energized by the idea of applying my experiences in public service. As the Chief Operating Officer at Langley, it was my job to figure out how we could utilize every single one of our competitive advantages over our adversaries.

At that time, CIA was emerging from a reorganization of its own and we believed there was ample opportunity to improve how one of America's crown jewel agencies functioned. We focused on empowering the workforce and driving excellence across every process, even the most bureaucratic. We developed innovative technologies to better support our officers in the field and to modernize and strengthen our cyber security across the organization.

We developed a new framework for strategy to ensure the Agency was driving toward a shared aspiration and mission priorities for today and tomorrow. This included aligning our resources to the highest strategic priorities; and building a deep bench of enterprise leaders through training, career development, and deliberate succession plans.

One of the areas where we saw incredible results was with our recruitment of new and diverse talent. Through collaborative teamwork, we rethought how we generate new applications, reframed our recruitment messaging, utilized data science to drive yield, and modernized our onboarding and security clearance process.

The culture of empowerment created greater organizational agility and a workforce that was unleashed to take on problem sets in new ways. I certainly didn't come up with every idea, instead I empowered our team to consider how we could do it better, fail faster, and take smarter risks. Across the board, we embraced a spirit of innovation in order to boost the speed and precision of a large organization operating in a dangerous and competitive environment.

If confirmed as the Under Secretary for Management, this is the same approach I intend to bring to the U.S. Department of State. The Department's hard-working, patriotic, and dedicated teams deserve to have an organization that optimally utilizes their talents. And the American people must have confidence that the State Department makes the best use of their resources and provides the best practical support for our diplomatic initiatives that rely on the strength of our alliances, partnerships, and engagement.

If confirmed, I appreciate the broad management responsibility I will have for the Department's more than 76,000 personnel—Civil Service, Foreign Service, and Locally Employed Staff—and my direct supervision over 12 bureaus and offices. These women and men serve our country in some of the most challenging places around

the world, and risk their lives daily, whether serving in war zones, amidst criminal violence and disease outbreaks, and with the threat of terrorist attack. They work long hours, often separated from their families, to advance our nation's foreign policy and support the work of diplomacy.

There is no question that the safety and security of our personnel and their families must be the highest priority. I know Secretary Pompeo cares deeply about and works hard to protect his people.

I will ensure that the Bureau of Diplomatic Security has the resources, tools, and technology and is fully integrated into Department decision-making, to most effectively perform this critical task.

I will work hard to ensure our people have secure new buildings where required, that are completed on time, on budget, and incorporate cutting-edge IT infrastructure to support the critical missions they execute globally.

If confirmed, I will seek more creative ways to staff the Department to meet today's mission and be well positioned to meet the challenges of the future. This will include hiring the full range of expertise, from our diplomats and subject-matter experts, to our specialists in the field like medical services and facilities management, to our security personnel. Hiring the best of the best with diverse backgrounds and experiences is critical to our global mission and will be a top priority for me.

I am committed to advocating for a budget that fully funds the Department's requirements and putting in place the appropriate oversight and metrics to ensure the Department meets its obligation to use taxpayer dollars wisely and effectively. I will support Secretary Pompeo in requesting funding that serves the national interest and will implement the appropriations law as passed by Congress.

Finally, if confirmed, I will help bring Department operations into the 21st century by modernizing its systems and programs. With so many challenges facing the United States around the world, our diplomacy demands every logistical, technological, and informational advantage we can muster. We must be aggressive in protecting our security, generating prosperity, and advancing our values. Having a State Department team that is empowered and equipped with the right tools to achieve the mission is an integral part of making that happen.

If confirmed, it will be my goal to do all this and more on behalf of the American people. Thank you for your time, and I look forward to your questions.

The CHAIRMAN. Thank you. Thank you very much.

Dr. Natali.

**STATEMENT OF DENISE NATALI, OF NEW JERSEY, NOMINEE  
TO BE AN ASSISTANT SECRETARY OF STATE FOR CONFLICT  
AND STABILIZATION OPERATIONS**

Dr. NATALI. Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, it is an honor to appear before you today as President Trump's nominee to be Assistant Secretary of the Bureau on Conflict—of the Bureau of Conflict and Stabilization Operations. If confirmed, I look forward to working with you and members of the committee, the White House, Secretary Pompeo, and the Department of State.

I would like to take a moment to thank my family, particularly my parents and my daughter, Heline, who is with me today, for their unconditional support and love, which has not only shaped who I am, but gives you an idea of how I am going to approach this job. I grew up in a small ethnic working-class neighborhood in New Jersey, where my nuclear family, grandparents, aunt, uncle, and cousins all lived on the same side of the street. My parents did not go to college, although my mother, at 54 years old, got her Ph.D. in theology, but they made sure that their five children would. And my father, who is now 84, gave us wonderful life lessons. But, the one that stands out the most is this one. He would say, "Be whatever you want to be, just do not be content with life."

I spent the last 30 years doing just that. From my time working for a healthcare NGO in Peshawar, Pakistan, to serving as a DART

team member in northern Iraq in support of Operation Provide Comfort right after the first Gulf War, to many years in Iraq—in post-Saddam Iraq, teaching, building universities, and doing my independent research, I learned the important triggers of conflict, the dynamics on the ground, how they interact with regional actors and supernational interests, and, most importantly, the very messiness of transitioning from war to peace, from authoritarianism to democracy.

The past 7 and a half years, I have had the opportunity to work with some of the greatest minds, strategic thinkers, and colleagues at the National Defense University, where I also have been able to channel all of this local experience to the strategic level, not just on Iraq, but in support of our senior leaders so that they can make their strategic decisions, as well as other U.S. policymakers, particularly in our countering-ISIS campaign effort.

In preparing for the future in this position, I see one overarching problem or challenge, and that is this. How do we respond—the balance between the pressing need to provide stabilization assistance and the concomitant need to be judicious with our resources and also to be more efficient in our outcomes—or more effective in our outcomes? Here are some examples. The trends in global conflict are alarming. There has been an uptick in major civil war and high-intensity conflicts since 2010. More than half of the conflicts that have ended since 2000 have returned to violence within an average of 7 years. And the consequences are no less critical: proliferation of militias, the emergence of terrorist groups such as ISIS, al Qaeda, economic loss, and, worse still, massive refugee flows and the atrocities against civilians. All of these consequences have critical impact on our national security interests.

While the United States certainly has strong interest in promoting stability, we simply cannot respond to all conflicts. So, this is where I ask, How do we move forward? And I would turn to the 2018 Stabilization Assistance Act, which is an important document that was coauthored by CSO, the Office of Foreign Assistance Resources, in conjunction with USAID and DOD. And it lays out important guidelines on how to strategically determine how, when, and where we provide our stabilization assistance so that we can best leverage our diplomatic engagement, military and economic support, and to assure greater impact and effectiveness.

I turn to this review because, if confirmed, I would like to implement some of the key recommendations of this guideline. And here are my three top:

To clarify, as we—as has been indicated, the CSO mission and its value added into the Department of State. I understand that CSO does remarkable work, and I would like to further integrate that and increase the connectivity between CSO and other—and the State Department as a functional bureau.

Secondly, to streamline stabilization. I would like to translate the roles of the State Department and the Department of Defense into an—as agreed upon in the SAR—into a practical day-to-day division of labor that just gets the job done efficiently. Secondly, within this, greater collaboration within the interagency and burden-sharing with our international partners.

Third is to institutionalize a process where we can prioritize aid. And I would like to use the word “strategic triage.” How do we align our stabilization priorities—and I would, with the 2017 White House National Security Strategy—as well as where we can have an impact, and continuously measure how effective we are? Are our programs working? Are we being successful along the way?

By addressing these issues, I hope to ensure more realistic, effective, and cost-efficient stabilization operations that provide invaluable to—support to U.S. policy and our national security interests.

Mr. Chairman, Ranking Member, members of the committee, thank you for the opportunity to appear before you today. I look forward to your questions and comments.

[Dr. Natali's prepared statement follows:]

PREPARED STATEMENT OF DR. DENISE NATALI

Chairman Corker, Ranking Member Menendez, and members of the committee, it is an honor to appear before you today as President Trump's nominee to be Assistant Secretary for the Bureau of Conflict and Stabilization Operations (CSO) and Coordinator for Reconstruction and Stabilization. I am grateful for this opportunity, and if confirmed, I look forward to serving in the administration and working with you and other members of the committee, the White House, Secretary Pompeo, and the Department of State.

I would like to take a moment to thank my family, and particularly my parents and daughter, for their unconditional love and support which has shaped who I am and how I will approach this position. I grew up in an ethnic working-class neighborhood in New Jersey where my nuclear family, grandparents, aunt, uncle and cousins all lived on the same street. My parents did not go to college (although my mom got her Ph.D. in theology at 54 years old) but made sure their 5 children did. Of the numerous life lessons that my father, now 84-years old, gave me and my siblings one has stood out the most: be whatever you want to be, but just don't be content with life.

I have spent much of the past 30 years doing just that. Having worked for a non-governmental organization (NGO) in Peshawar, Pakistan, served as a USAID DART team member in support of Operation Provide Comfort II in northern Iraq, and spent years teaching and researching in post-Saddam Iraq and the neighboring region, I have gained a deep understanding of the triggers of conflict and instability, complexities of local dynamics, and the interaction of these dynamics with regional, national, and inter-agency operations and interests. I have seen the human, institutional, and economic costs of conflict and its aftermath. I realize the messiness of transitions from war to peace, and the tradeoffs involved.

During the past seven and a half years while at the National Defense University, I collaborated with some of the nation's brightest strategic thinkers and regional experts and channeled my expertise into strategic level analyses for senior leaders in DOD and other U.S. Government stakeholders, to include support for the counter ISIS effort.

Looking ahead, one overarching challenge (and objective) is evident: balancing pressing demands for stabilization assistance with the need to be more judicious with our resources and realize more effective stabilization outcomes. Trends in global armed conflict are alarming. They reveal 1) an up-tick in major civil wars and high-intensity conflicts, particularly since 2010; 2) that more than one half of conflicts that have ended since the early 2000s have fallen back into violence within 7 years and; 3) by 2030, according to World Bank data, half of the world's population will live in countries affected by violence and instability.

The causes and consequences of these conflicts today are no less consequential. State breakdown and failed governance have resulted in ungoverned spaces, proliferation of militias, and emergence of terrorist and violent extremist groups such as the Islamic State of Iraq and Syria (ISIS) and al-Qaeda offshoots, as well as economic loss, mass refugee flows, and atrocities against civilians—consequences that directly undermine U.S. national security interests.

Yet while the U.S. has strong national interests in reducing violent conflict and promoting stability it cannot respond to all conflicts. How should the U.S., and CSO in particular, move forward in addressing this issue?

The 2018 Stabilization Assistance Review (SAR), co-authored by CSO and the Office of Foreign Assistance Resources, USAID, and DOD, offers an important road map for future stabilization operations and policy. It lays out guidelines in how to more strategically determine where, how, and when we engage in stabilization operations and best leverage U.S. diplomatic engagement, military, and economic support to assure impact and effectiveness.

If confirmed my priorities will be to follow the guidelines and implement key recommendations of the SAR. First, I will clarify the CSO mission and its value-added in the Department of State. I understand that CSO does remarkable work and I would like to better integrate CSO into State Department as a functional bureau, while honing in on CSO's unique expertise in providing timely data-driven analyses that are integral to effectively planning and executing operations and influencing stabilization policy.

Second, I will streamline stabilization. This effort entails translating the roles for State and DOD as agreed upon in the SAR, into a practical day to day division of labor that will get the job done and assure greater collaboration and burden sharing. It starts with strengthening the ability of CSO to help State fulfil its role as the lead agency for stabilization within the U.S. Government. It means CSO will do more the help State's senior leadership organize and facilitate the planning process for determining desired political outcomes that the SAR rightly points out is the essential starting point for effective stabilization.

Third, I will institutionalize a process of "strategic triage" that aligns our stabilization priorities with U.S. national security interests as indicated in the 2017 White House National Security Strategy (NSS). Selectively targeting where, when, and how the U.S. engages in stabilization should also be based on where the U.S. can have an impact. In doing so, I would also implement regular assessments of projects to measure their impact (alongside monies spent) on national security and policy objectives. This effort can help readjust operations where needed, regularly modify assumptions and approaches when needed to determine effectiveness and policy recommendations.

By addressing these issues, I hope to ensure a more streamlined, realistic, effective, and cost-efficient stabilization operations that provide invaluable support to U.S. policy and help achieve our national strategic interests.

Mr. Chairman, Mr. Ranking Member, and members of the committee, thank you for the opportunity to appear before you today. I welcome your comments and questions.

The CHAIRMAN. Thank you so much. Thank you.

Senator Menendez.

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

Thank you both for your testimony.

Mr. Bulatao, let me just start off by saying you are a great example of what immigration has meant for our country. As I listened to your opening statement—a Filipino father, a Greek mother, served your country as a Ranger, got to be the CIA Operations Officer, management, and now nominated for one of the most significant positions in the State Department—it is an extraordinary history, one that we should be, collectively, proud of and be reminded of.

I have two questions before I get to management questions. Do you agree with the intelligence community's assessment that Russia interfered in the 2016 elections and with the intent to harm Secretary Clinton's candidacy and help elect President Trump?

Mr. BULATAO. Senator, I have reviewed the ICA report and concur with its findings.

Senator MENENDEZ. And will you trust and rely on intelligence from agencies that will be working alongside you as you think about what are the needs of the Department?

Mr. BULATAO. Senator, I implicitly trust the professionalism, the objectivity, and the great skill and courage of our members of our intelligence community, and look forward to working with them in my potential new role, if confirmed.

Senator MENENDEZ. Thank you very much.

If confirmed, will you commit to making sure the Department responds promptly to our letters and requests for information?

Mr. BULATAO. Yes, sir.

Senator MENENDEZ. I am troubled that political appointees at the Department of State have sought to sideline career officials based on political loyalty. You and I talked about this a little bit, and I appreciate your answer, but I want to hear it for the record. And I have asked the Inspector General to look into these practices. Do you think such efforts, if they are true, have any place in the Federal Government?

Mr. BULATAO. Senator, I look forward to seeing the results of the Inspector General report and that of the Special Counsel. I know the Secretary truly values the professionalism of both our Civil Service and Foreign Service. And I, myself, have reached out to all former Under Secretaries of Management, no matter what administration, for the last 20 years—there has only been four, by the way—and appreciate their input. I think the Secretary believes the Department will be successful by surrounding itself with successful people. The kinds of things we need to be looking for are intellect, expertise, judgment, teamwork. And that is how we should be selecting our people. And if any of that is occurring, I would encourage, if I am confirmed, that everyone reports to the appropriate channels so they can be looked at.

Senator MENENDEZ. And if that was the case, how would you respond—if you found that—those allegations to be true?

Mr. BULATAO. Well, Senator, again, the important thing for the Department to succeed is have the best people in the best roles. I do not believe it—that using that criteria is a way we should be selecting or determining people's roles in the Department.

Senator MENENDEZ. What is your current view on the number of vacancies in critical State Department leadership positions? And how soon, if you are confirmed, do you expect to see nominees for open Under Secretary and Assistant Secretary as well as Ambassadorial posts?

Mr. BULATAO. Senator, that is a critical question. And, if I am confirmed, I know I will support the Secretary's goal of getting our team in place. There is a critical shortage now. There is a lot of work being done to get those nominees before the committee. There is a lot of work being done to make sure that they are vetted and ready to go. And so, we can start engaging on behalf of the American people. I will—

Senator MENENDEZ. And—

Mr. BULATAO. If confirmed, I will commit to helping in that regard.

Senator MENENDEZ. And I hope that you will take the discussion that the Chairman and I had, back—reaffirming to the Secretary what I told him personally. We want to work with you to fill positions, but we need honest—somebody needs to do some vetting, here, before they get to us. And if they get to us, which—fine—whether they be a political or career appointee, I have no problem with that, but they need to be transparent. Otherwise, we fall—we come into roadblocks, and we do not get positions filled. So, I hope

that you, particularly in this position, will, hopefully, help us execute it in a better way.

Mr. BULATAO. I will, Senator.

Senator MENENDEZ. Will you come before the committee for full public hearings on the—any restructuring of State or USAID, if major changes are proposed, prior to make those changes?

Mr. BULATAO. Yes, Senator.

Senator MENENDEZ. I appreciate that. You and I talked about the difference between consultation and notification. Notification is when you tell me something you are going to do. Consultation is when we talk about it before it happens. And not just me, but the committee. And we may not always agree. And that is—that will probably happen. But, at least we will have an opportunity to give you input. So, I appreciate your commitment to that.

Let me turn to—I have other questions, but I will save those for the record—let me turn to Dr. Natali.

I appreciated very much your statements. And I just have a caveat, though, of a concern of what you said. We all want efficiencies in whatever it is that we are doing. But, sometimes, you know, I look for individuals who are going to be Assistant Secretaries within their field who will be strong advocates within their field. As I said to Mr. Bulatao, are you going to have a sharp elbow—as a Ranger, I am pretty sure he does, but—you know, but are you going to have a sharp elbow when you are internally in the process of advocating for the mission of your bureau? And so, while we want to be effective and efficient and cost-effective, sometimes we have to make the case as to why the mission of the bureau can actually save us, not only money, but lives, at the end of the day. If we have more conflicts and stabilization efforts, sometimes we do not have to send our sons and daughters abroad.

And so, do you understand what I am getting at? I am a little concerned about your remarks in the—that are very focused on efficiency, but I also want to know that you are going to be an advocate when it is—particularly when it is appropriate for the bureau to have the resources necessary to accomplish a mission.

Dr. NATALI. Thank you, Senator.

Senator MENENDEZ. If you would put your microphone on.

Dr. NATALI. Thank you, Senator. I fully agree with you.

The one part—I am trying to—keeping to my 5 minutes—I fully advocate for preventative action so that we can obviate kinetic action. So, that includes engagement fully in the Atrocity Prevention Board. For example, making sure—and enforcing or supporting much of the data analytics that the Department does. That tries to forecast where we see conflicts or potential conflicts so that we can get involved. This is not about moving back from engagement. It is about probably spending more time beforehand so that we can mitigate some of the negative. And, as we know, human tolls of atrocities also make reconciliation and conflict stabilization much more difficult on the back end. So, I—again, I have—I fully agree with you, and I look forward to working with you on this issue, if confirmed.

Senator MENENDEZ. I have a few other questions, Mr. Chairman, but I will save it for a second round.

The CHAIRMAN. Yes, sir.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations, Mr. Bulatao and Dr. Natali, on your nominations. And I look forward to working with you both if you are confirmed.

I want to start with you, Mr. Bulatao, and follow up a little bit on some of the questions that Senator Menendez started to raise. As you may be aware, earlier this month, the Senate Appropriations committee unanimously approved its State foreign operations bill, which provides \$54.2 billion in funding for the State Department and USAID. This is a stark contrast to the proposal that was submitted by the administration, which would have slashed the international affairs budget by over 22 percent from the previous year's enacted level. If confirmed, will you work, and will you commit to this committee that you will work, to protect the budget that Congress passes for the State Department?

Mr. BULATAO. Senator, if confirmed, I commit to using any additional funding to advance the administration's priorities in line with congressional directives and consistent with the applicable law.

Senator SHAHEEN. Thank you. And are you also willing to publicly commit to the committee to forswear impoundment, which you know is illegal under the Budget and Impoundment Control Act of 1974, which is the way that some administrations have tried not to spend the money that Congress has appropriated?

Mr. BULATAO. Senator, again, I look forward to working with the committee, working with Congress, to understand our priorities for funding, and will spend the funding applicable with consistent law.

Senator SHAHEEN. Thank you.

Again, to follow up on Senator Menendez's questions, I share the concerns about staffing levels at the State Department. I was very pleased to hear you talk about that being a priority. According to the nonpartisan American Foreign Service Association, funding for core diplomatic capabilities has fallen by almost 25 percent over the last decade. And, during the same period of time, diplomatic spending by China has increased over 40 percent.

So, Mr. Chairman, I would ask if we could include an article on this subject from the American Foreign Service Association in the record.

The CHAIRMAN. Without objection.

Senator SHAHEEN. Thank you.

[The information referred to is located at the end of this transcript.]

Senator SHAHEEN. Also, I have read some of those disturbing reports about administration appointees at the State Department who have gone through personal social media pages of career State Department employees to determine their personal leanings, and have called them to task. And the suggestion is that some people have been dismissed because of that. Again, I heard you say to Senator Menendez that you will take very active measures to address those kinds of activities at the State Department. Did I hear that correctly?

Mr. BULATAO. Yes, Senator.

Senator SHAHEEN. Thank you.

Dr. Natali, you talked about the importance of our stabilization efforts to be prioritized where they can really make a difference. Did I understand that correctly?

Dr. NATALI. Where we can have—yes.

Senator SHAHEEN. I just got back, a little over 2 weeks ago, from Syria and Iraq. And I was very impressed, much more so than I had expected to be, by progress in Iraq, where they have almost succeeded in working with us to defeat ISIS in Iraq, where they have dramatically reduced terrorist attacks there, where we have seen an election that went almost without attacks, that, while we did not have as many people as I would have liked participate in that, it got—it was viewed as being pretty fair and pretty free. So, I was pleased by what I saw. It was a very different environment than the last time I had visited Iraq.

But, I was concerned, because I heard, there and in Syria—we were in northeastern Syria, along the Turkish border—we visited in Manbij, flew over Kobani, visited some other small towns in that area—where reconstruction has started, where stabilization efforts have been very successful, where we are working very closely with the SDF, the Syrian Defense Forces, who were much more professional than I had expected them to be. So, I was really optimistic and pleased with the progress that I saw there.

What I was concerned about was that what we heard from our people on the ground is that the stabilization funding that is so desperately needed to maintain the progress that has occurred in both Iraq and Syria is being held up by the administration. And, while it is a lot of money, relatively speaking, it is not a lot of money. And if we do not provide that funding soon, we are going to see those gains undermined, and we are going to see Russia and Iran and the Assad regime come back into those areas in Syria. We are going to see the Iranian influence in Iraq undermine the progress there.

So, can I ask you if you think we need to provide those stabilization funds? And will you commit to working to do that if you are confirmed?

Dr. NATALI. Thank you, Senator.

I agree with you. And, again, having spent so much time in Iraq before ISIS, during, and speaking to some of the NGOs—I was just in Iraq in April—one of the most important things is to be there so that we can consolidate those gains so that ISIS does not come back. We are fortunate to have local legitimate authorities on the ground to work with. The same in Syria. My concern I share with you is, if we just are not there, we are just opening up the opportunities for ISIS to return.

So, yes, if confirmed, I do look forward to working with you on this issue so that we can continue, not to stay there ourselves, but to work with locally—

Senator SHAHEEN. Right.

Dr. NATALI [continued]. Legitimate authorities so that they can provide security to their regions. And we have seen that in Iraq. I agree with you. Thank you.

Senator SHAHEEN. Absolutely. Would you also agree that the threat is not just from ISIS, it is also from Iranian and Russian influences in those regions?

Dr. NATALI. Yes, I do.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Kaine. Excuse me. Senator Young. Thanks for coming back, and the floor is yours.

Senator YOUNG. Thank you, Chairman.

Well, I thank our nominees for your interest in serving our country.

Dr. Natali, in your prepared statement, you suggest that the Department of State sometimes struggles in its practice to fulfill its role as the lead agency for stabilization within the U.S. Government. Is that a fair characterization of your view?

Dr. NATALI. I would say—thank you, Senator—I would look to, again, the SAR, the Stabilization Assistance Review, which addresses that issue by trying to—by saying we are going to clarify the role of what stabilization is and who does what. So, taking from the SAR, stabilization is inherently a political endeavor, which is nested in the State Department, with CSO as the lead, and then with delineated responsibilities between USAID and DOD. So, based on some of the roadmap projected in the SAR, I would say yes, that State Department would be the lead in stabilization as a political endeavor.

Senator YOUNG. Why do you believe a strengthening of the CSO is necessary to assist with the goal of stabilization?

Dr. NATALI. Thank you.

Because the mission of CSO is to anticipate, prevent, and respond to violent conflict that undermines U.S. national security interests. CSO has remarkable talents in not only anticipating through its data analytics, but its expeditionary forces that go and embed with U.S. Special Forces, where they can, support to U.S. embassies overseas, and diplomatic missions, and then taking that, this very strong analytical toolkit that does not apply just to one region, but that can be used across regions in a very efficient way for our policymakers so that we can look at this and say, “What are the tradeoffs? How can we make this decision more effectively?”—as a pattern to be used. So, this is why I think that it should be embedded and enhanced within CSO.

Senator YOUNG. I see. Thank you.

So, you have extensively researched stabilization and conflict and—I know you have been preparing for this nomination. Why do you believe we have not seen more progress in Afghanistan in our stabilization efforts after such enormous investment over 17 years?

Dr. NATALI. Thank you, Senator.

I have read the recent SIGAR report on Afghanistan, and one of the findings that they made was quite harsh, that, basically, stabilization has been a failure.

Senator YOUNG. Do you agree with those findings?

Dr. NATALI. I have not been in Afghanistan for years, but I would say that it was a very sound report, yes. I think it was—

Senator YOUNG. Okay.

Dr. NATALI [continued]. It was very analytically rigorous. Nonetheless, that they also tried to stabilize in areas where there was not enough security. You cannot engage in a region where it is still unstable; secondly, where you do not have local partners or local legitimate authorities with which you can transfer that stabilization assistance. So, there is other aspects of it. But, nonetheless, engaging in stabilization where you do not have the requisites on the ground will not allow you to have sustained success.

Senator YOUNG. So, you have indicated you believe the report was rigorous and—

Dr. NATALI. I think it was—

Senator YOUNG [continued]. Impossible—

Dr. NATALI [continued]. Yes, I—

Senator YOUNG [continued]. Those are my words—but, I think they fairly represent—

Dr. NATALI [continued]. Yes, Senator.

Senator YOUNG [continued]. And so, what are your thoughts on the recommendations for stabilization efforts, going forward, that are provided in that SIGAR report?

Dr. NATALI. And some of this is also replicated in the SAR report, which is making sure that—again, that you have an—the conditions in place where you can make an impact, in my understanding, means that you have enough—sufficient security, because the safety and security of our personnel is the utmost priority. Secondly, where you have locally legitimate authorities and assistance in place, that can peaceably manage this conflict and prevent violence from returning. If we do not have those partners on the ground, it is going to be difficult to do. Third, in addition to enhancing governance, addressing grievances, providing services, there is also a local level to this. And that is, Do you have the political bargains and the local agreements that can be made between the local actors on the ground? And I go back a lot to the local-actors part, because I have—in my past, being on the ground, if you do not have that component to it, if you do not have local buy-in, it just will not work.

Senator YOUNG. You referenced the SAR report. And there are, no doubt, some overlap—there is no doubt some overlap between the SAR report and the SIGAR recommendations. To your knowledge, has a decision been made by the administration to adopt the SAR's recommendations?

Dr. NATALI. Thank you, Senator.

To my understanding, I do not—I am not aware that it has been, of yet. The SAR just was—came out a couple of months ago. Thank you.

Senator YOUNG. Once confirmed, do you commit to reporting back to me, to other members of this committee, in providing an update on implementation of the SAR?

Dr. NATALI. Yes, Senator, I do. I commit to that.

Senator YOUNG. Okay.

Dr. NATALI. Thank you.

Senator YOUNG. Much appreciated.

Thank you.

The CHAIRMAN. Thank you, sir.

Senator Kaine.

Senator Kaine. Thank you, Mr. Chair.  
And thank you, to the witnesses.

Mr. Bulatao, a couple of thoughts. You talked, in your testimony, about, in your management capacity, should you be confirmed, trying to deal with personnel and understand if there are obstacles in their way. One thing that I have found very helpful to do when I have traveled for this committee is to meet with first- and second-tour FSOs, and without the Ambassador present. And I usually say, "Congratulations, you have gotten a job that is really hard to get. What will be the determinant about whether you stay and make this a career or whether you exit early?" And that is a good opening question that usually then leads to quite a long discussion. And some of the things—you know, there is all kinds of issues that might make people to make a decision about whether to stay, or not. But, there are frequently a number of, sort of, I would call them, kind of, picayune administrative frustrations that people will put on the table as—you know, "I passed the most intense security vetting ever to get this job, but I have to sign a—in triplicate, a requisition form if I am going to get a pencil out of the supply room. I mean, can they not trust me on this?" So, I would encourage you to have those kinds of discussions, especially with people new or at different points in their career in the Foreign Service, because I think you can learn some good things about those kinds of obstacles that you can clear out of folks' way.

Second thing I would just like to bring to your attention is—I have worked very much with committee members here on an ongoing project being constructed in Virginia, the Foreign Affairs Security Training Center, at Fort Pickett, in Virginia. That is scheduled to open in 2019. And I would like your commitment, at some point, to visit that facility as it is under construction. It is to train our Foreign Security Officers and others to make sure that they can deal with enhanced security challenges around the world. And after you have had a chance to visit, I would like to dialogue about the progress of that particular project.

Mr. BULATAO. Senator, if confirmed, I will make it a priority to get down there and see that. I have seen the video of what that is going to look like. I am very excited that we are going to be able to consolidate our training there and offer every Foreign Service Officer heading downrange the ability to get the right training and skills, that that is going to be a fantastic facility.

Senator Kaine. And with your own background, coming from a military background, I think you will have a high sensitivity to those security needs.

Dr. Natali, good to see you again.

Dr. NATALI. Thank you, Senator.

Senator Kaine. I appreciated having you as a witness when we did a hearing on minority—the treatment of minorities in Iraq, a while back. And I want to ask you about—you talked briefly about some of the CVE tools that CSO has developed. You have a Countering Violent Extremism Assessment Framework, which identifies high-risk areas and communities, sort of to give us some advance notice of places where there may be problems. CSO also has developed a Monitoring and Evaluation Guide, which supports integration of high-quality monitoring into State Department pro-

grams. If confirmed, what priority would you place on the development, improvement, refinement of these analytical tools? And how could we use those analytical tools to better inform our decision-making?

Dr. NATALI. Thank you, Senator. It is good to see you again, as well.

Again—and I would like to focus on the—the analytical toolbox that CSO has developed is quite sophisticated, but what I think is missing is, again, that integrative tool. So, how does it feed back into the policymaking and the programming, as well? Because CSO also adds this—you know, this forecasting capability or its ability to conduct spatial analysis of where conflict is occurring, in realtime data. It is quite useful. But, again, how does that get back into the programming, the policy decisions, so that—and continuously updating this information, as well? That is where I have found I would like to, you know, focus on or provide greater support to.

Senator KAINES. Thank you for that. And one hope that I have: Issues dealing with migration are not, I do not think, within the CSO side of the State Department, the global migration issue; but, if you are going to be looking at analytical tools that would predict risk, conflict, challenges, the reality of migration patterns is certainly a significant one. Tens of millions of people. I think we realize now, migration is not an episodic thing, it is permanent condition, might be driven by disease, poverty, civil war, weather-related droughts, wildfires, catastrophes, water shortages.

The U.S. alone pulled out of the U.N. Global Compact on Migration in December of 2017. The—I think last week, they completed, sort of, a framework of best practices for nations to try to deal with the new reality, the new reality of migration patterns in—as a source of instability. I do not see it being good for either the U.S. or the world for the U.S. to be the sole nonparticipant in these discussions.

If you believe, as I do, that migration poses security challenges and stability challenges, it would be my hope that that would be advocated within the State Department, and that there might be a way for the U.S. to rejoin. My understanding of the decision is, it was made by the administration. It was communicated by the U.N.—the Ambassador to the United Nations, but there was some significant disagreement within the State Department about whether it would be a good idea for the U.S. to pull out of a best-practices dialogue with the nations of the world to deal with one of the fundamental stability and security challenges we are dealing with now.

So, I know you will be focusing on that as you use these analytical tools, the reality and the security threat that migration can pose, but I hope that the U.S. would get back into being part of the solution rather than a nonparticipant.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Flake.

Senator FLAKE. Thank you, Mr. Chairman. Thank you for holding the hearing.

Mr. Bulatao, thank you for coming to my office yesterday. We had a good discussion. I wanted to follow up on a couple of things.

We had an unfortunate incident in Cuba, about a year and a half ago to start, and some since then, of an unexplained—it was first called the “sonic attack” or some kind of “acoustic attack.” My understanding is that FBI and others have pulled back from that, saying that they cannot be sure that it was. In fact, we do not know what it was, how it was, who it was, why it was, but still something occurred. And I think State Department took what it felt was appropriate action to reduce a number of personnel there.

On May 23rd, Secretary Pompeo talked about an incident that happened in China, quote, “abnormal sensation of sound and pressure.” Medical indications were very similar and, quote, “entirely consistent with those experienced by American diplomats posted in Havana.” What has been done in China in term—in response to that?

Mr. BULATAO. Senator, thank you.

If confirmed, I can commit to you to be extremely aggressive in finding the culpability—the who, the how, and the what—of these incidents, whether they are in Havana or China. As far as I know, in China, it is my understanding the Department is working with local officials to try and further investigate it. And we have taken the precautions, in terms of medical and security with our personnel there, to make sure that we mitigate and are doing everything we can to make sure that their safety is paramount.

Senator FLAKE. All right. If confirmed, if we do not find out, if we have no more—additional information as to who, the what, the why, the how, will we take the same precautions that we have taken in Cuba, in China, in terms of personnel? What would be your recommendation?

Mr. BULATAO. Senator, I think we have to—if I am confirmed, I think we have to look at each of those specific to the context and the situation that—occurring there. And if we feel that same threat or the same conditions exist for our workforce, for any U.S. Government workforce, I think we have to take very similar precautions. But, I think we need to evaluate and investigate that, and make sure we understand what exactly the extent and the scope of these incidents that are occurring—and take the appropriate precautions.

Senator FLAKE. Okay. I think that is exactly right. I think that is what you should do. Unfortunately, I believe that the policy that you will be going into does not allow for that. The policy right now requires that the State Department, if they downgrade or make our diplomatic presence an unaccompanied post, for example, where spouses and children do not go, then that automatically requires that an advisory be issued, in terms of the general public and their travel, as has been done in Cuba. And it has had—and I think that you would acknowledge, and everybody who has traveled to Cuba would, that it has had a very detrimental effect, in terms of Americans traveling who assist. And our policy in Cuba is to help those entrepreneurs and others who have achieved some modicum of independence, economic and political, from their government by opening up Airbnbs—or bed and breakfasts, private restaurants, and others, who now—American groups looking to travel look at that travel advisory and think, “We might have liability issues. We

cannot do it." So, it has diminished travel significantly. I know. I have been traveling down there.

And the problem is, when you look at—as you mentioned, you have to look at these things individually. There have been more than a million American travelers to Cuba, I think, over the past year. There has not been one corroborated case of any attack by anybody—or of the nature that it is being discussed, on an American traveler. Yet, still, our policy right now—and it is not statute, it can be changed—requires that, if you have a certain designation for the diplomatic post, then you also issue a type of warning. I trust that that is going to be looked at, because I do not think that we want—or should issue, with regard to China, regardless of what comes out of this investigation, an overall blanket advisory for Americans to travel to China. It is a big country. Americans can make those assessments themselves. But, anyway, what will be your commitment when you get there, if you are nominated—or confirmed?

Mr. BULATAO. Senator, first, let me say, having a new generation of entrepreneurs in Cuba is a great long-term benefit for them understanding how freedom and opportunity and the rule of law works. And that will be great to see that evolve to—with our neighbor to the south.

Having said that, I know the Secretary committed, and committed to you, to look at that policy specifically and evaluate if it makes sense to continue to issue the kind of travel advisories that have been produced by State. And I am aware that there is ongoing active dialogue within the Department to produce those set of recommendations that will look at that criteria and figure out if that policy makes sense to change.

And you are correct that is within the policy at the State Department, not law. And if I am confirmed, I am committed to sitting down with my team, the head of diplomatic security, our bureau chiefs, and to figure out what should be the right way forward, balancing all those interests that you have outlined.

Senator FLAKE. Well, the commitment made to me that—is that this would not take months, it would take a matter of a couple of weeks to make this assessment. And it is still going on, months and months later. So, I think it is a—well past time for this assessment to be completed.

And thank you for your testimony.

The CHAIRMAN. Thank you. Thank you very much for pressing that issue. And I—have you gotten any written responses at all, relative to this policy? I know you have been pushing for it for some time.

Senator FLAKE. Back in May, I did, that something was being reviewed. This was back in May, when I was told, at that time, verbal assurances that it would not be months, it would be a matter of a couple of weeks. Now I am told there was a group going to go to Cuba to do an additional review, but that has been delayed. I do not know how in the world we can move forward with additional nominations or confirmations until that is done and completed and we have a recommendation.

The CHAIRMAN. What I think I hear being said—and I know we have people from the State Department in the audience, and some

tuning in—is—my guess is, before these noms will be confirmed on the floor, you want an answer.

Senator FLAKE. That is correct.

Mr. BULATAO. And, Senator, it is my understanding that that trip, with the right leadership, is scheduled to occur shortly. And I am—if I am confirmed, I am committed to—

The CHAIRMAN. Yeah.

Mr. BULATAO.—to taking this question for the record and getting back to you on, kind of, where we are on those recommendations, and if they are under review, and how we are thinking about that. [Information follows:]

The CHAIRMAN. But, I think, you know, people should be listening to what is being said here, and it is unfortunate that we get in a place where leverage has to be—occur. You are obviously an outstanding choice for this position, but I think the other people in the State Department listening should take note that I think what is being said is, in spite of your tremendous credentials, this is an unanswered request that needs to be answered prior to you advancing. And I would say, on the stabilization funds that the White House is holding up, the same would be the case for our other nominee. So, it appears to be stuck, specifically with the President, with no response whatsoever as to why it is being held up. And I would just make notice that that needs to be fixed before these advance.

Senator Booker.

Senator BOOKER. Thank you very much, Mr. Chairman. “Bullatows”—am I pronouncing that right, sir? “Bullatayo”?

Mr. BULATAO. “Bullatow.”

Senator BOOKER. “Bullatayo.”

Mr. BULATAO. “Bullatow.”

Senator BOOKER. “Bullatow.” Thank you, sir. And it is “Booker,” by the way. “Booker,” you pronounce it. [Laughter.]

Senator BOOKER. So, I have a lot of concerns, especially as I travel, on the lack of diversity within the State Department. And the numbers are kind of stunning. Are you aware of the numbers of diversity within the State Department as a whole?

Mr. BULATAO. Senator, I have had a—seen a brief highlight of what those numbers look like. If confirmed, I am committed to having a diverse and inclusive State Department. We should be leading that effort amongst U.S. Government. We are lagging that effort now. And we have to make sure we weave diversity into the whole lifecycle of our talent, whether that is from the recruiting, whether we look at promotions, whether we look at the training we provide. Foreign policy excellence requires breadth and depth of perspective. And you get that perspective by having diversity of background, diversity of ethnicity, diversity of thought, diversity of experience. And I look forward to working with the team to make the progress that we need to on that front.

Senator BOOKER. I am really grateful to hear that. Diversity is not just about having a rainbow of people and different shades of melanin. It actually contributes substantially to the mission of the State Department, correct?

Mr. BULATAO. I mean, diversity is not my mission, it is everybody's mission at the State Department. And having that di-

versity of thought usually allows us to make better insights, better decisions, and better perspectives on the challenges and the complexity that we face.

Senator BOOKER. I really appreciate that. And in study after study, business studies, business teams do better when they are diverse teams. And that is really important.

I had a good give-and-take with our Secretary of State, in his confirmation hearings, about a lot of his rhetoric, particularly towards Muslim Americans and gay and lesbian Americans. And my concern was that it is hard to have a leader, sometimes, who has said openly, "I will do whatever I can to end the ability for people to marry that are same-sex couples," and some of his rhetoric on Muslim Americans. And when I am out in the field and talking to people, I often ask folks, when I am in different countries, about the diversity, and hear very significant concerns about the lack of diversity, some of which you have expressed, understanding the difference it makes. Especially when you are abroad, you want the face of America really to reflect America.

But, I just—I am concerned now as I talk to folks about pipelines coming into the State Department, that we still keep robust pipelines from religious diversities, racial diversities, as well as straight and LGBTQ Americans. Can you just give me some assurances that you are focused on how do you create robust pipelines, especially leading up into senior leadership positions in the State Department, which is even woefully less diverse?

Mr. BULATAO. Well, thank you, Senator.

As you know, this diversity question is a question that takes time, because you have got to start with the hiring and getting that pipeline right from the beginning. I am very excited that our Rangel and our Pickering scholarships and fellowships are back on track, and that, when I look at, again, the snapshot that I saw from a recruiting and hiring within our Foreign Service and Civil Service, that the pipeline looks good. There is always more opportunity we can do. We cannot lay down on this. We have got to keep a very vigilant focus on it. And I look forward, if confirmed, to making sure that we are doing that.

Senator BOOKER. I appreciate that. If you look at the private sector, I hope you will look at some ideas from there, not only in pipeline-creating, but also in mentoring, to help people make career paths up into the higher ranks and echelons. But, I appreciate that response.

Ms. Natali, thank you very much. It is an honor to be able to sit with you.

I have a concern that I have expressed to every rank of—within the State Department about the fact that I travel around, and I see us dialing up military engagement, which is justified, in many cases, but dialing down the kind of things we are doing to—for stabilization efforts, whether—what I saw in Lebanon was stunning to me. Again, our partnership with the LAF is incredibly essential. But, what they are dealing with, in terms of refugee and the refugee crisis there, could be a hotbed for radicalization. The same thing with southern Turkey. When I have my own—we have our own members of the State Department bemoaning to me how we

are ratcheting down our investments in areas that, ultimately, in the future, cause us severe crises, in terms of a radicalization.

I look at the budget priorities coming from this administration, and it is stunning. I hear, from the highest ranks—even our Secretary of Defense has said that, “If you cut the State Department, I am going to have—you better buy me more bullets.” And I am wondering just what you think in—your perspective is, and how are you going to meet what we see is an increasingly complicated world, as my colleague said, from greater internally displaced people, greater refugees? It just seems like a time that we are going in the wrong direction and causing us a situation where we are going to have to pay for it in the longrun through continued crises.

Dr. NATALI. Thank you, Senator.

I agree with you that, if we do not embed—I would even start with—military planning should have a stabilization from the beginning so that, when you finish or you are nearing the end of kinetic actions, that we are starting with the stabilization component of it. If we do not, as you indicated, we will be there again, so that I would, at least at minimum, have our people on the ground, but also what I would emphasize is, where we can have local partners, and where we can enable those legitimate local authorities on the ground to assume some of the security components, whether that is law enforcement, whether that is developing their own security components, services, governance, that is the part of it that has—it has to be part of the component after military, or we just will be back and doing what we are doing again and again. So, I agree with you. And again, if confirmed, I am committed to working on this with—this issue with you.

Senator BOOKER. Well, I wish we could talk more. My time is expired. The CSO is designed to be a civilian-led policy group. If your resources are being cut, and that resources at the State Department be cut from our diplomatic corps towards stabilization efforts, I really do worry about the long-term impact.

But, I am going to tread upon the generosity of the Chairman and just ask this last question. I know you love the United States of America, but I hope that you love New Jersey the most. Is that true?

Dr. NATALI. I absolutely love New Jersey the most.

Senator BOOKER. Thank you very much. [Laughter.]

Dr. NATALI. And the United States.

Senator BOOKER. Yes. [Laughter.]

The CHAIRMAN. Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

And thank my colleague from New Jersey for establishing that, and the fact that New Jersey is in the United States, so we—it is—there is no difference between loving one and loving the other. So.

Let me just—since the Chairman raised the concern about moving nominations ahead despite—or in the face of not having some responses, there is a series of responses. I am ready to lift my hold on the Assistant Secretary for the Western Hemisphere, but I said that we need some responses. We need some responses on the Cuba sonic attack briefing that I have asked for. We need some responses on the Cuba PAHO doctors, Cuban doctors that are sent abroad, and basically, it is almost forced labor. They get sent

abroad to places like Venezuela. They send their salaries back, largely, should be a consideration in our TIP report, that somehow incomprehensibly keeps them at a standard they should not.

So, you know, one would hope that you could get these responses without having to use the, quote/unquote, “leverage” of holding up a nominee, regardless of who that nominee is. And so, it is my hope that we can get to a point where there is a flow—in a reasonable time but, nonetheless, a flow—of getting answers to these questions. So, I will add those as part of the concerns that members of this committee have.

And I just want to add one other question—one other point to my colleague, on diversity, which is something I have pursued for 26 years, and you and I discuss. You know, if you recruit only at certain institutions that are known for foreign policy, you are going to ultimately have a very small pool. If you recruit from a broader universe, where there are more diverse students—you know, in New Jersey, Seton Hall University, for example, has a great school of foreign diplomacy. Others do, as well. But, they do not largely recruit there. So, that is just one of many examples across the country. We always go to some of those institutions—fine institutions right here in the Nation capital and vicinity, but that gives you a small universe.

And the second thing is the oral examination. You know, I asked you, once you are confirmed, to look at the whole process of the oral examination, because it is very subjective. I am not sure some of the people in the highest offices in our land could pass the oral exam that the State Department subjectively puts out. And so, looking at how that exam takes place is a way that is very often subjectively disqualifying individuals because they supposedly cannot orally communicate, is a real question that I have had for some time. So, I commend those to your attention.

Let me just finalize with Dr. Natali on one or two other things to better understand. Could you discuss, in some detail, how you—the bureau that you would lead, Conflict and Stabilization, would contribute to supporting democracy and advancing human rights, particularly in post-conflict societies?

Dr. NATALI. Thank you. Thank you, Senator.

Before we can get part of the democratization process—and by that, in some of these areas, I look at, How do you move from authoritarianism to democracies, having certain requisites in place, whether that be socioeconomic, whether that be security, whether that be political—CSO, as a stabilization organization, my understanding, is to set the conditions so that organizations such as USAID and those that work on construction can effectively conduct their work. So, first is to do—conduct—or continue with the work that they do, such as identifying where there are trigger points, where there is potential areas of conflict, engaging in peace processes so that we do not slide back into authoritarianism, and, at the same time, work on some of the socioeconomic and governance issues, engaging some of the political negotiations on the ground so that local administrations that can be decentralized and inclusive of all of the groups on the ground. That is where I see it is—in some of these areas in detail.

These states have broken down. They have not broken up, they have broken down, so that now targeting, more at a local level, administrative capacity, inclusiveness of groups and minority groups that have not had a voice before, identifying where atrocity is going to be, and calling out people on human rights abuses, and holding our partners accountable. We have a tendency to sink, in my view, when we go in and we have our partners, that we kind of let them get away with a little bit too much. That does not mean everything is going to be perfect, but I think that we can or—and should do a better job in holding our partners accountable, and being frank with them, as well. So—

Senator MENENDEZ. Let us take an—let me give you a real-life example that is going on right now. Venezuela. Venezuela civilians are suffering, they face acute shortages just to stay alive, severe shortages of food and medicine, deep political crisis, human rights abuses, using security forces to crush opposition. In your view, what are some of the ways the United States and the international community can help address this crisis?

Dr. NATALI. Thank you, Senator.

First, there is the humanitarian assistance, where we can—that is working with our diplomatic embassies—and helping those individuals that are the victims of this—what is going on in Venezuela. I understand that there is a million Venezuelans that have left the country, and possibly that will double in the next year. Where are those regional neighbors or regional actors that can provide support to that?

Also, taking measures against those who are—government officials who are engaging in these human rights abuses—targeted sanctions, visa restrictions, whatever that we may can to hold the perpetrators of these atrocities accountable. And then, of course, to continue to work with, at a diplomatic level, ways that we can empower the Civil Society Organizations. I understand the CSO is providing support to the Western Hemispheres Affairs Unit so that they can work with those civil activists who are still trying to establish or enhance their institutions at a local level.

Senator MENENDEZ. One last question, if I may, Mr. Chairman.

The bureau transitioned previously from a mission focused on helping to drive integrated efforts to prevent, respond to, and stabilize crises to one that is more focused on leveraging its analytical capabilities to help other bureaus and agencies understand and stabilize conflicts. If you are confirmed, is that something that you intend to maintain the focus under as? And, if not, how would you recommend altering its mission?

Dr. NATALI. Thank you, Senator.

I am—my understanding—and I am aware of the background of CSO, and I have spoken to the previous Assistant Secretary and others involved—that there has been some moving back between operations and analytical, and lack of clarity on what exactly CSO is focusing on. I would see—I see tremendous value in the data analytics that CSO has developed. I would, and will, if confirmed, more clearly hone in on those data analytics so it can be applied. Analytics for the sake of analytics do not get us very far. But, if we can apply that into the programming by looking at this and saying, “We understand, in real, live time, what is happening here in

eastern Ukraine, and we should now develop programs or CVE programs that reflect this," and then feed this into, also, policy recommendations.

But, throughout CSO would be—it is very important that CSO works integrally with regional bureaus as well as those other relevant organizations.

Senator MENENDEZ. Well, thank you.

Dr. NATALI. Thank you, Senator.

Senator MENENDEZ. Thank you both.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Just a couple of questions, in closing. I know that our staff has met extensively with both of you, and had numbers of questions. Just to highlight a couple of—Mr. Bulatao, the 2017 State Department Authorization Act created a pilot program for lateral entry into the Foreign Service so that people who are distinguished—who have distinguished themselves in their careers and done exemplary things could move in at a—as a Foreign Service Officer, not unlike what you are doing here. I just would like to have your commitment and a—I know you will give it, but I want to highlight in this public meeting that you all will pursue this pilot program so that we can continue to enhance the talent that we have at the State Department.

Mr. BULATAO. Senator, if confirmed, I support that pilot program. I think we need to look at where we can get talent, and grow that talent within the Department.

The CHAIRMAN. Yeah.

There is also a lot of discussion—you mentioned it in your opening comments—about some of the building of embassies around the country. And, on one hand, you know, when we travel, we see these, you know, fantastically new embassies that are built a long way away from the populations that we are dealing with. And that may be appropriate way for us to go forward. I am not—but, I would just ask you to look at that and make sure that the decision we made years ago to build in that capacity is still the sound route to go. And, obviously, the most preeminent issue for us is making sure that our State Department employees are safe. And we understand that.

But, secondly, looking at the possibility of standardization. It seems that, with all the cost overruns that are taking place, there—it is like we begin from the very beginning each time, and for—to look at the ability to standardize, as I know you had to do in your business to make it successful, if you all would look at ways of doing that, I would appreciate it.

Mr. BULATAO. Senator, if confirmed, I commit to looking at that and making that a priority. I think we can do a lot better, in terms of how we are looking at the cost and the designs, and making sure that we are looking at keeping it simple, keeping it basic, making sure we have those things in our overseas buildings.

The CHAIRMAN. Well, I think both of you, as has been seen today, are exceptionally qualified for these jobs, and we thank you for your willingness to do it. I think that both of you, both in the area that really needs a lot of work—in stabilization, I think you are going to have the ability to reshape that in the appropriate way.

And, Brian, just from the standpoint of your relationship in past, I cannot imagine, if I am Secretary Pompeo, having someone better than you.

We will leave the record open until the close of business tomorrow.

I do want to say, though, in closing, you saw an exchange here that I helped generate and I am glad you saw. Our relationship with the Department is not what it ought to be. The leveraging takes base both ways, unfortunately. And it is a relationship that needs to change. I think Secretary Pompeo has an opportunity, if others do not impede him, to be a historic figure. I really do. And I want to support his efforts. I think he is eminently qualified. But, our relationship with the Department right now is not good. And for us to have to press and leverage, maybe hold up two highly—immensely qualified nominees just to get simple responses is abhorrent. And I want the leveraging to stop. And I want this State Department to respond to the elected officials here when they have requests. And so, I hope a lot of this is going to clean up really rapidly, because both of you are needed in the Department. But, I hope you will send that message back.

And having—you know, having to negotiate to get witnesses up here, when—what Senator Menendez said is true, we have no idea—as a matter of fact, notices are being sent out to the intelligence community to not meet with us—not meet with us—over these issues, because they want to have the opportunity to talk with us first, and yet they will not come up here.

So, just understand what we are saying. If you are confirmed, I hope you will help correct that. But, I think all of us here are really tired of being leveraged. And I think you are going to see some drastic actions take place if it does not change.

With that, the meeting is adjourned. [Whereupon, at 11:25 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

COPY OF A LETTER SUBMITTED FOR THE RECORD BY SENATOR  
JEANNE SHAHEEN

PRESIDENT'S VIEWS

## Getting Our Team on the Field

BY BARBARA STEPHENSON

If that title sounds familiar, it is because you have, as of this writing, already received two messages from Secretary Mike Pompeo bearing the same title. The first message resumed hiring of eligible family members (EFMs) so posts can begin filling mission-critical jobs left vacant during the freeze. The second message, "Getting Our Team on the Field, Part 2," lifted the hiring freeze for the Foreign Service and Civil Service.

As I have said before—such as when Congress rejected deep cuts to our budget and restored 2018 funding to the previous year's levels—for this, we pause and give thanks. We give thanks not simply as members of the Foreign Service whose careers have been saved, and not even just as stewards of this vital national security institution, but also as Americans who know firsthand how essential the Foreign Service is to our country's security and prosperity.

I hope many of you joined me in feeling a surge of optimism—maybe even a diplomatically appropriate touch of swagger—when the Secretary, in remarks to a welcoming crowd on arrival for his first day at the State Department, shared this vision: "The United States diplomatic corps needs to be in every corner, every



Ambassador Barbara Stephenson is the president of the American Foreign Service Association.

What would it take to get our team back on the field, to get America's diplomats into every corner, every stretch of the world?

For starters, we would need Congress to again reject deep cuts to our FY 2019 budget and provide adequate funding, particularly for "ongoing operations," the line item in the Congressional Budget Justification that explicitly funds core diplomatic capability.

Funding for core diplomatic capability has fallen almost a quarter over the last decade; if America is to retain its global leadership role, that trend must be reversed. Remember, China increased spending on diplomacy by 40 percent over the past five years while America's spending on core diplomacy fell by a third, from \$7.4 billion in 2013 to \$4.9 billion in 2018.

We could reverse that trend with an incredibly modest initial \$100 million dollar down payment, and make meaningful strides toward the goal of getting our team back on the field.

With the decision, supported by AFSA, to drastically cut back the number of special envoys, the mid-level positions assigned to staff those envoys should now be available to be deployed to embassies and consulates.

If we figure annual overseas support costs of \$300,000 per officer, we could move some 300 mid-level positions overseas (perhaps over two or three years) with that additional \$100 million—a modest 2 percent increase to the ongoing operations account, currently at just below \$5 billion.

We hear regularly from FS members

about the dire impact of understaffed embassies—especially those subjected to the "Iraq tax" a decade ago (losing numerous overseas positions in order to staff the Iraq posts during the Iraq War)—that have not yet been made whole again.

At many posts, with just one more mid-level officer, we could go beyond writing required reports, delivering demarches and staffing visits to delivering the kind of high-impact, high-value diplomacy described in the National Security Strategy. We could also create space for senior officers to increase mentoring by giving them time to train the next generation in the art of effective diplomacy.

One outcome of getting American diplomats back on the field could well be getting American companies back on the field with us. Those of you who heard my pitch on a recent CSIS panel—buttressed by two former State economic officers, one now in leadership at UPS, one now at the U.S. Chamber of Commerce—will be familiar with the basic outlines.

If we do our jobs leveling up the playing field, getting in place the framework agreements that make it possible for our companies to compete and thrive, we can regain territory now being lost to commercial rivals, and we can burnish the American brand.

I hope to develop this theme over the coming months and to enlist your support to make it a reality. We could do so much good with just a little extra funding and a clear vision. Here's to getting our team back on the field and delivering big wins for the American people. ■

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR BOB CORKER**

*Question 1.* The State Department's capital construction project list for 2018 contains mostly projects that utilize custom (as opposed to standard) designs despite using a design-build delivery, including the Hermosillo NCC, the Nassau NEC, the Nogales NCC, and the Podgorica NEC. It is not clear whether these projects are holdovers from the "Excellence" era or whether they are indicative of OBO's current approach to designing NECs and NCCs. Will you commit to looking into these projects and why they did not utilize a more standard design?

Answer. Yes. If confirmed, I commit to reviewing the Department's construction projects and evaluating the current approach to designing NECs and NCCs. If confirmed, it will be a priority of mine to find ways to improve how the Department balances cost and design, keeping projects on time and on budget.

*Question 2.* The "listening tour" commissioned under Secretary Tillerson found that lengthening Foreign Service Officer tours would make FSOs more effective and save money. Is this an idea you plan on pursuing?

Answer. Yes. I understand that the Department has formalized a Department-wide policy and process for determining tour of duty (TOD) worldwide. I understand that regional bureaus have reviewed TOD at their posts and identified a number of posts at which TOD is being extended from two to three years for the next assignment cycle. If confirmed, I will ensure that the Director General will work with bureaus to review TOD on a regular basis, at least every four years, and ensure that bureaus will have a consistent process for requesting changes in TOD at their posts as circumstances warrant.

*Question 3.* Embassy Paris recommended closing our American Presence Post in Toulouse, France in January of 2017. All American Foreign Service officers have been reassigned from the post, and no American consular services are being provided, yet we have continued to lease and guard this post that is empty of Americans. My understanding is that the lease on this building automatically renews for another year at the end of August or beginning of September. Will you commit to inform my office as to why the post has not been closed?

Answer. I understand that the Department plans to formally notify Congress of its intent to close Toulouse to meet the requirements of Section 7081 of the FY18 Appropriations Act. Following the Congressional Notification process, the Department will provide the landlord with the required six months advance notice to terminate the lease. If confirmed, I commit to following through on making a decision and notifying Congress accordingly.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR ROBERT MENENDEZ**

*Question 1.* Do you agree with the President that the United States is to blame for the current state of U.S.-Russia relations?

Answer. As the Department has noted, although the United States seeks an improved relationship with Russia, achieving that will require Russia to demonstrate that it is prepared to take concrete actions to address our concerns, including interfering in U.S. domestic matters. If confirmed, I will continue to support the Department in holding Russia responsible for its malign activities.

*Question 2.* Do you believe it is subversive for the President of the United States to place more credence in the word of a brutal dictator with a history of seeking to undermine the United States, than in the men and women of the agency in which you currently serve?

Answer. I have full confidence in U.S. intelligence agencies, as does Secretary Pompeo, and agree that Russia meddled in the 2016 election. The administration has been tough in its efforts to protect the United States from Russian aggression, and if confirmed, I will continue to support the Department in holding Russia responsible for its malign activities.

*Question 3.* Do you believe Russia poses an ongoing threat to our election system and democracy?

Answer. Yes. The January 2017 intelligence community assessment found that Russia sought to influence the U.S. election and undermine faith in our democratic process. If confirmed, I will support Secretary Pompeo in his endeavors to press

Russian officials against further intrusion in the democratic processes of the United States.

*Question 4.* How would you handle cases of targeting of career civil servants by political appointees? Do you commit to ensuring the Department is free from political retaliation?

Answer. Career civil servants and Foreign Service employees are protected under law from being treated differently due to their real or perceived political affiliation. I am committed to ensuring the Department adheres to the merit systems principles in its recruitment and employment practices. If confirmed, I will continue to ensure such prohibited personnel actions are not tolerated at the State Department.

*Question 5.* Do you believe political appointees who might have been involved in retaliating against officers based on perceived political affiliation, work for previous administrations, or perceived national origin, should be working for the State Department?

Answer. I understand that the Department has referred allegations of political reprisal against its career employees to the Department's Office of the Inspector General and the U.S. Office of Special Counsel. I understand that the Department is fully cooperating with those investigations and will take the appropriate action, including termination if warranted, following the conclusions of those investigations.

*Question 6.* What will you do to communicate to the offices within your purview that any such targeting or retaliation is unacceptable, and how will you ensure that inappropriate targeting or retaliation does not occur?

Answer. If confirmed, I will ensure the Department meets its statutory obligations to make employees aware of their rights and remedies relating to prohibited personnel practices, including the prohibition on retaliation on account of their real or perceived political affiliation. Similarly, I will make supervisors aware of their responsibilities to support employees' rights and remedies relating to prohibited personnel practices, and the consequences of engaging in targeting or retaliation.

*Question 7.* Do you believe there should be a political or national origin test for career civil or Foreign Service hires?

Answer. No. Federal law makes clear that personnel actions, including appointments, with respect to career civil and Foreign Service members shall be made in accordance with merit principles and free from discrimination, including on the bases of national origin and political affiliation.

*Question 8.* Do you believe American employees of the U.N. should be subject to vetting based on their political views?

Answer. No. Personnel actions should be made in accordance with merit principles and free from discrimination, including on the basis of real or perceived political affiliation.

*Question 9.* How will you assure the Department is fully staffed, and that vacancies don't hamper the Department's work?

Answer. If confirmed, I will seek to fill vacancies and pursue creative ways to staff the Department to meet today's mission and be well positioned to meet the challenges of the future. This will include hiring the full range of expertise, from our diplomats and subject-matter experts, to our specialists in the field like medical services and facilities management, to our security personnel. Hiring the best of the best with diverse backgrounds and experiences is critical to achieving our global mission and will be a top priority for me.

*Question 10.* How do you compensate for the loss of expertise with the exodus of senior level officials?

Answer. It is my understanding that the Department has a solid cadre of expertise in its Foreign and Civil Service ranks, enabling officers to fill key positions, albeit in an acting capacity in some instances.

*Question 11.* There has been an exodus of experienced career Civil Service employees and Foreign Service officers over the last year and a half. What will you do to retain the Department's best and brightest?

Answer. If confirmed, I will ensure that we have developmental and training opportunities for all of our Civil Service and Foreign Service employees so that the best and brightest may advance to increasingly greater responsibilities. I will also review retention data and federal surveys in order to identify areas where we can continue to improve the Department's programs, keeping our employees engaged, and our agency as one of the top places to work in the federal government.

*Question 12.* Now that the hiring freeze has been lifted, will you seek to speed up hiring to restore the Department to, at a minimum, December 2017 staff levels?

Answer. It is my understanding that the Secretary officially lifted the hiring freeze on Foreign Service and Civil Service employment on May 15, which ended the eight percent workforce reduction plan previously in place, and authorized hiring to sustain December 31, 2017 staffing levels, as provided by Congress in the Consolidated Appropriations Act of 2018—Joint Explanatory Statement (the Act). If confirmed, I will adhere to the guidance already given by the Secretary to ensure that the Department will be able to meet these employment goals as quickly as possible. This includes restoring Foreign Service intake to FY 2016 levels, and allowing bureaus to hire in advance of anticipated attrition and converting Pathways program participants.

*Question 13.* Do you commit to keeping Congress informed on a regular basis about the progress it is making on meeting its staffing goals?

Answer. It is my understanding the Department provides a report on staffing for all categories of employment every 60 days to key Congressional committees, and that senior members of the M family provide periodic briefings to committee staff members regarding staffing plans. If confirmed, I plan to consult and engage frequently with all of our oversight committees. I commit to providing regular reports on progress towards the staffing targets the Department has set in accordance with Congressional direction provided in our FY18 appropriation.

*Question 14.* What will you do to improve the Department's diversity, particularly in the Foreign Service?

Answer. If confirmed, I'm committed to having a diverse and inclusive State Department. If the United States is going to continue to have the best diplomatic service in the world, we have to make sure we continue to weave diversity into the whole lifecycle of our talent, whether that's through recruiting, promotions, or the training we provide. If confirmed, I look forward to working with the team to continue to build upon the significant progress the Department has made over the last several years to ensure that its workforce reflects the diversity and talent of America.

*Question 15.* What will you do to address any claims of sexual harassment or hostile work environment within the Department? Do you commit to ensuring the Department's policies are clearly communicated and that employees know how to report any harassment complaints?

Answer. I understand that any claims of sexual harassment or hostile work environment are addressed through the Department's internal investigations program, which is managed by the Office of Civil Rights. If confirmed, I will continue to support and strengthen established measures that hold employees who engage in such behavior accountable, as well as ensure that all employees and family members understand the available reporting mechanisms. I will work to ensure that every team member is treated equally and with dignity and respect and ensure that the Department policies continue to be clearly communicated and conveyed in mandatory employee training courses, posted online, and reaffirmed by senior leadership.

*Question 16.* If confirmed, will you commit to reviewing the staffing levels in the Office of the Global AIDS Coordinator and briefing Congress on your plan to address what appears to be a 40 percent vacancy rate?

Answer. Yes, I commit to reviewing the staffing levels in the Office of the Global AIDS Coordinator and briefing Congress on my plan to address this critical vacancy rate.

*Question 17.* According to a recent organizational chart showing leadership position in the Africa Bureau, all of the Deputy Assistant Secretary of State (DAS) positions are filled in an acting capacity, as is the Principal Deputy Assistant Secretary (PDAS) position. The current Acting Assistant Secretary of State and PDAS have or will soon be nominated to serve overseas. What specific steps will you take, if confirmed, to ensure that DAS and Office Director positions within the Africa bureau are filled within a reasonable time period?

Answer. There are a number of vacancies in State Department leadership positions. If confirmed, I will support Secretary Pompeo's commitment to get these and other vacancies filled, so the team can be in place to meet our core mission requirements. I understand the Bureau of African Affairs (AF) is working with the Bureau of Human Resources on these particular positions.

The Assistant Secretary for AF, Tibor Nagy, will assume his post on July 23 and one of his first actions will be to interview candidates for Principal Deputy Assistant Secretary. The same momentum will follow for the vacant DAS and Office Director positions. If confirmed, I will support the effort to fill these vacancies.

*Question 18.* What is your view on the administration's proposed cuts to the State Department FY18 and FY19 budgets?

Answer. I support the President's priorities to defend national security, assert U.S. leadership, foster opportunities for U.S. economic interests, and ensure accountability to the U.S. taxpayer. While the administration views the State Department and USAID's roles as critical to national security, I understand the administration is committed to restraining overall non-defense discretionary spending, including for the State Department and USAID.

As I mentioned in my testimony, if confirmed, I will support Secretary Pompeo in seeking funding that serves national interests, and will implement the appropriation by Congress consistent with the law. If confirmed, I will advocate for the resources that the State Department needs, and will look forward to continuing discussions with Congress on funding for our diplomacy and foreign assistance programs, including for FY 2019.

*Question 19.* What is your view on the administration's proposed cuts to the foreign assistance budget?

Answer. While the administration views the State Department and USAID's foreign assistance programs as critical to national security, I understand the administration is committed to restraining overall non-defense discretionary spending, including for the State Department and USAID. If confirmed, I will work to support the most effective use of all funds appropriated by Congress to the State Department.

*Question 20.* If confirmed, what criteria will you use as you consider the budgetary needs of the Department?

Answer. As I mentioned in my testimony, if confirmed, I look forward to working with each bureau across the Department to ensure alignment of available resources with strategic priorities, and to advocate for the budget to address potential gaps. I am committed to putting in place the appropriate oversight and metrics to ensure the Department meets its obligation to use taxpayer dollars wisely and effectively. I will support Secretary Pompeo in requesting funding that serves national interests.

*Question 21.* What is the status of the current reorganization? Will the FY20 budget proposal reflect your reorganization plan? How?

Answer. I understand the Government-wide reorganization plan recently released by the White House and OMB includes several proposals related to the Department of State and USAID to enhance the effectiveness of our diplomacy and programs, including improving information technology, strengthening workforce-readiness and performance-management, restructuring USAID, and optimizing humanitarian assistance.

If confirmed, I will work with the appropriate Department bureaus to continue developing details for inclusion in the President's FY 2020 budget early next year.

*Question 22.* What are your views on past reorganization efforts?

Answer. I have been briefed on certain aspects of the Impact Initiative but have not had the opportunity to review its various elements in depth. If confirmed, I look forward to learning more about the Initiative and its progress to date.

*Question 23.* How do you plan to undo the damage—particularly on morale—created by these efforts? What are your views on the hiring freeze and the “strategic hiring plan”?

Answer. The Department's hiring has already increased and the results are being realized throughout. If confirmed, I will provide regular updates to Department staff on our progress in filling critical vacancies and our efforts to recruit and retain the best and the brightest. My role will be to remove barriers and fight for resources to get our staffing levels up to congressionally mandated levels. Communicating our successes will do much to restore confidence and high morale.

*Question 24.* Do you support moving the Consular Affairs and Population, Refugees and Migration bureaus out of the State Department?

Answer. I do not support moving these programs out of the State Department. The functions of the Bureau of Consular Affairs (CA) and the Bureau of Population, Refugees, and Migration (PRM) are vital to the Department's mission to secure our borders and protect the American people.

*Question 25.* What are the next steps for the State-relevant portions of the overall OMB Federal Government reorganization effort?

Answer. I understand the Government-wide reorganization plan recently released by the White House and OMB includes several proposals related to the Department

of State and USAID to enhance the effectiveness of our diplomacy and programs, including improving information technology, strengthening workforce-readiness and performance-management, restructuring USAID, and optimizing humanitarian assistance.

If confirmed, I will work with the appropriate Department bureaus to continue developing this proposal that is expected to be released with the President's FY 2020 budget early next year.

*Question 26.* How are you planning to seek additional input throughout the reorganization/reform process, including from Congress and the stakeholder community?

Answer. If confirmed, I will assess the state and full scope of the Impact Initiative and make a determination quickly about how to proceed, in consultation with, among others, the members of the Senate Committee on Foreign Relations and the Department's Foreign Service and Civil Service officers.

*Question 27.* Will you commit to working with this committee to ensure sustainable reforms to the State Department and our foreign assistance agencies?

Answer. If confirmed, I will support the Secretary in his efforts to ensure that foreign assistance is utilized as effectively as possible to meet our foreign policy and national security goals. If the Secretary determines reforms are needed, I will work hard to support those efforts.

*Question 28.* If Congress provides the resources, will you carry out the congressional mandate and intent—using the funds that we appropriate—for the purposes for which those funds are intended?

Answer. If confirmed, I will ensure that the Department and USAID will work with Congress and OMB to follow all applicable laws, including the Impoundment Control Act, to obligate funds appropriated by Congress.

*Question 29.* Regardless of the mechanism that the executive branch chooses, if the President wants to rescind or cancel funds that Congress has previously appropriated and the President has signed into law, Congress still must agree to cancel out or rescind those funds.

- Is it your understanding that if Congress does not agree or act in some way to rescind or cancel funds, the executive branch agency must spend the appropriated funds for their original purpose?

Answer. Yes. If confirmed, if the Congress does not act to rescind or cancel funds, I will ensure that the Department and USAID will take appropriate measures to obligate funds appropriated by Congress consistent with applicable laws, including the Impoundment Control Act.

*Question 30.* Should the President choose to seek to rescind or cancel funds that Congress has previously appropriated, do you commit to communicate any such request to this committee and providing a briefing regarding the rationale for such a request?

Answer. Yes. I commit to keeping the Congress informed about any such proposals should they be transmitted by the President to Congress.

*Question 31.* What are your views on whether or not it makes sense to fold USAID into the Department of State?

Answer. To my knowledge, no such merger proposal has been submitted for Secretary Pompeo's consideration or for consultation with Congress. As the lead U.S. Government agency for international development and disaster assistance, USAID plays a fundamental role in supporting American foreign policy. If confirmed, I look forward to working with Administrator Green and USAID's exceptional staff.

*Question 32.* Given that these are different undertakings, as an organizational and management issue, how would you reconcile them in one institution and expect success?

Answer. To my knowledge, no such merger proposal has been submitted for Secretary Pompeo's consideration or for consultation with Congress. As the lead U.S. Government agency for international development and disaster assistance, USAID plays a fundamental role in supporting American foreign policy. If confirmed, I look forward to working with Administrator Green and USAID's exceptional staff.

*Question 33.* Are proposals to merge USAID into the State Department or reduce the agency's autonomy still under consideration by the Department?

Answer. To my knowledge, no such merger proposal has been submitted for Secretary Pompeo's consideration or for consultation with Congress.

*Question 34.* How will you work to address employee concerns regarding the future of USAID?

**Answer.** Secretary Pompeo has expressed clear support for USAID in his recent testimony on the State and USAID budget. If confirmed, I look forward to helping to advance the relationship between State and USAID. For example, holding a town hall discussion is one way to engage directly with employees and to answer their questions and concerns.

**Question 35.** How do you plan on committing to the retention of diverse foreign and civil service employees? How do you plan to tackle the lack of diversity in our Foreign and Civil Service at the State Department, if confirmed?

**Answer.** I understand that the Department prioritizes its diversity and inclusion efforts by funding hiring and recruitment programs, mentoring initiatives, and veterans outreach. In addition to the Pickering and Rangel Fellowships, funded programs include, for example, the U.S. Foreign Service Internship program, Minority Summer Internship Opportunities, Don Bosco High School Corporate Work Study Program, the IT Fellows Program, the Workforce Recruitment Program for employees with disabilities, and the International Career Advancement Program.

If confirmed, I will be committed to ensuring the Department's workforce reflects the diversity of America from the entry levels through our senior ranks. I believe the Department must be a leader in promoting diversity and inclusion, and I look forward to working with Department staff, if confirmed, to build on current Department efforts to broaden our avenues of recruitment, retain the diverse workforce we have recruited, and to utilize the talents of all employees.

**Special Needs Education Allowances (SNEA):**

**Question 36.** There have been reports this year of parents of children with disabilities having their Special Needs Education Allowances (SNEA) cut. Those funds are critical for those children to be able to reside abroad with Foreign Service parents and get the support they need in line with Americans with Disabilities Act (ADA) standards. We have not received a satisfactory explanation as to why the Department changed its position on providing this funding. Nor are we satisfied the Department is committed to ensuring these children have the support they need. The problem continues to this day, and we've heard from a number of parents just this month who have had their funding cut with no notice or ability to plan for remaining at post with their children.

- How will you approach this issue and will you commit to ensuring these families and children are treated fairly by the Department, have the resources they need, and that State complies with the ADA?

**Answer.** If confirmed, I am committed to examining how the Special Needs Education Allowance is applied to support our officers' family members and to improving that process where possible. I fully support implementing our programs consistent with applicable law.

**Question 37.** What mechanism should be in place to ensure that our Chiefs of Mission can be confident that the information that the military is presenting in circumstances similar to those which existed in Niger is consistent with information being circulated among the relevant military chain of command?

**Answer.** Effective communication and coordination between U.S. Chiefs of Mission and military commanders is vital to our national security. If confirmed, I will review existing mechanisms for communication and coordination and assess whether adjustments or additional mechanisms are warranted.

**Question 38.** What steps will you take, if confirmed, to ensure that such a mechanism is put in place?

**Answer.** If confirmed, I will review existing mechanisms for communication and coordination between U.S. Chiefs of Mission and military commanders and assess whether adjustments or additional mechanisms are warranted. If adjustments or additional mechanisms are warranted, I will ensure the Department of State works closely with counterparts at the Department of Defense to develop and implement the required improvements.

**Question 39.** I am interested in your views on managing the Department's personnel security needs. As you know, the administration proposed very substantial cuts to funds to address Embassy Security needs. Do you agree with these proposed cuts?

**Answer.** The safety and security of our personnel and American citizens overseas is of paramount importance. If confirmed, I intend to review the Department of State budget to ensure employees are able to carry out their duties in as safe and secure an environment as possible. I support Secretary Pompeo's vision of an expeditionary State Department and taking risks, and know that protecting the Depart-

ment's personnel is his highest priority. In the current budgetary environment, we can approach achieving this vision by evaluating our presence overseas.

*Question 40.* In addition, there are competing organizations within State that have overlapping areas of responsibility. Last year the IG recommended de-conflicting Diplomatic Security (DS) and Overseas Buildings Operations (OBO) authorities, which were getting in the way of providing physical safety for our State personnel. How will you implement this IG recommendation?

Answer. If confirmed, I intend to review the OIG recommendation and will direct Diplomatic Security (DS) and Overseas Buildings Operations (OBO) to ensure the best possible work environment to ensure physical security for our State Department personnel.

*Question 41.* The vast majority of GAO's open priority recommendations focus on diplomatic and embassy security. A number of those have been open for some time. Do you commit to review these recommendations and implement them as quickly as possible?

Answer. Yes. If confirmed, I intend to review the GAO recommendations and will direct Diplomatic Security (DS) and Overseas Buildings Operations (OBO) to work together to assess how the recommendations can be implemented as quickly as possible to ensure the safety of Department of State employees around the world.

*Question 42.* If confirmed, during your first 30 days, do you commit to provide the committee with a written report on the full universe of cases—whether confirmed or reported—in which State Department or other U.S. Government personnel based either permanently or on temporary assignment overseas, including family members, have reported symptoms consistent with the attacks in Cuba and China, including location, date, nature of symptoms, and medical disposition?

Answer. The health and well-being of our personnel is a top priority of the Department. At the Secretary's request, the Deputy Secretary of State established a task force to analyze and track potential cases in a holistic way. The task force works to help improve the Department's engagement with Congress on this matter. If confirmed, I am committed to supporting the efforts of the Department to better understand the nature of these incidents and engaging constructively with the committee in a manner consistent with privacy and other applicable law.

*Question 43.* If confirmed, what steps will you take to protect U.S. personnel from similar incidents in Cuba and China, as well as other U.S. diplomatic posts around the world? What specific mitigation measures would you personally recommend and directed upon assuming the post of Under Secretary for Management?

Answer. If confirmed, I will ensure that these incidents are fully investigated, and that every effort is made to attempt to determine the cause. In conjunction, I intend to explore and implement all potential mitigation measures available in order to provide the best safety and security for our personnel possible.

*Question 44.* While the attacks against U.S. personnel in Cuba occurred in late 2016 and early 2017, the Trump administration waited until August 2017 to publicly confirm the attacks against U.S. personnel in Cuba and inform Congress. Do you commit to notify Congress within 30 days of all new confirmed or reported cases? Do you commit to notify Congress before the State Department notifies the media?

Answer. The health and well-being of our personnel is a top priority of the Department. The incidents that occurred in Cuba and China are unprecedented, and the investigations are ongoing. If confirmed, I am committed to supporting the efforts of the Department and the interagency in investigating and mitigating these incidents and engaging constructively with the committee in a manner consistent with privacy and other applicable law. I understand the Department has instituted procedures to ensure notification to Congress in a timely manner, and I look forward to reviewing those procedures if confirmed.

*Question 45.* Is it your assessment that the Trump administration violated U.S. law by waiting more than one year after the earliest attacks in Cuba to convene an Accountability Review Board?

Answer. There is no higher priority than the safety and security of our people serving abroad. Accountability Review Boards (ARBs) play a critical role in helping the Department of State assess security policies and procedures, and identifying ways to strengthen its security practices. If confirmed, I commit to looking into the Department's process for convening an ARB for Cuba.

*Question 46.* Do you intend to convene an Accountability Review Board for the incidents that occurred in China as stipulated under U.S. law?

Answer. There is no higher priority than the safety and security of our people serving abroad. Accountability Review Boards (ARBs) play a critical role in helping the Department of State assess security policies and procedures, and identifying ways to strengthen its security practices. It is my understanding that it is the responsibility of the Secretary to convene an ARB, when required by law. If confirmed, I will fully support the Secretary in executing the requirements of the law.

*Question 47.* What is your assessment of the fact that the State Department confirmed the personnel incident in China on May 16, 2018, but waited until June 5, 2018—nearly three weeks—before announcing the launch of the Health Incidents Response Task Force?

Answer. I am aware the nature of these incidents is unprecedented and unclear, and that the appropriate entities in the Department were closely involved in addressing the issue even before the task force formed. In my assessment, the Health Incidents Response Task Force was a timely mechanism to coordinating these ongoing efforts and facilitate information sharing and proposals for addressing the incidents. The task force's work has helped improve the Department's engagement with Congress on this matter and has involved other agencies in a coordinated and effective whole-of-government response.

*Question 48.* If confirmed, what diplomatic or other measures do you intend to recommend and/or pursue regarding the Government of the People's Republic of China? Would you recommend similar to measures imposed on Cuba, should there be additional confirmed cases in China?

Answer. I understand the Department has been in close contact with the Chinese Government, and an interagency investigation is ongoing. If confirmed, I will ensure that the Department evaluates engagement with China should there be additional confirmed cases in China.

*Question 49.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Starting with my career in the Army, including several deployments in defense of American ideals, I have been committed to the protection and advancement of human rights and democracy. One of the reasons I was so proud to return to government service and the Chief Operating Officer at CIA and now as the nominee for Under Secretary is because I believe in those values and want to strengthen those institutions that advance their cause.

*Question 50.* Many Foreign Service Officers and Civil Servants at the State Department believe working on democracy and human rights issues will not enhance their opportunities for further promotion or otherwise be appropriately recognized or rewarded by the Department. If confirmed, what actions would you take to address this problem?

Answer. I have not heard these concerns at the Department. My experience has been that Foreign Service officers take great pride in advancing our country's interests and promoting our values abroad, and human rights is one of our most fundamental values. More technically, Foreign Service and Civil Service promotions are not based on the subject matter of their work but rather on the skills and abilities they demonstrate in their job performance. If confirmed, I will work to ensure that the best and brightest Foreign Service and Civil Service employees are rewarded and recognized.

*Question 51.* If confirmed, do you commit to brief committee staff within 60 days of assuming office on your plans to conduct a review and immediately on conclusion of the findings of your review of existing mechanisms for communication and coordination between U.S. Chiefs of Mission and military commanders as well as your assessment as to whether adjustments or additional mechanisms are warranted?

Answer. Yes. As I stated previously, if confirmed, I will review existing mechanisms for communication and coordination between U.S. Chiefs of Mission and military commanders and assess whether adjustments or additional mechanisms are warranted. If confirmed, I commit to brief committee staff within 60 days of assuming office on my plans to conduct this review, and further commit to brief the committee on conclusion of the findings of my review and my assessment as to whether adjustments or additional mechanisms are warranted. As I stated previously, if adjustments or additional mechanisms are warranted, I will ensure the Department of State works closely with counterparts at the Department of Defense to develop and implement the required improvements.

*Question 52.* Is the administration's decision to allow Foreign Service Officers from both USAID and State to cross-bid for FSO posts within either agency a deci-

sion that State and USAID personnel have expressed support for? What purpose do you believe this serves? Will the evaluations and results from this experiment be used to inform either current or future studies or proposals to consolidate USAID into the State Department?

Answer. I understand that for more than a decade, State and USAID have maintained a personnel exchange codified with a Memorandum of Understanding (MOU), called the Crossover Assignment Process. In this process, State and USAID advertise assignments (both domestic and overseas) that each agency's Foreign Service workforce may be bid on.

State and USAID recently executed a new MOU that permits the exchange of personnel to fill senior level positions for periods of up to 12 months to broaden each agency's strategic and leadership perspectives on each agency's approach to issues that are facing the nation. If confirmed, I will ensure the Bureau of Human Resources leads an analysis of these efforts in order to inform future strategic objectives.

As previously stated, to my knowledge, no proposal to consolidate USAID into State has been submitted for Secretary Pompeo's consideration or for consultation with Congress.

*Question 53.* What do you believe is the appropriate role and influence the State Department should have over staffing decisions and hiring at USAID?

Answer. I agree with Secretary Pompeo's prior statements that USAID is an independent agency and its independence must be respected and preserved. If confirmed, I commit to achieving an understanding of the laws governing the reporting structure between the Secretary of State and the USAID Administrator, including Congressional mandates in the annual appropriations laws, as well as past practice with respect to this relationship. I also look forward to opening and maintaining a regular line of communication with my counterpart at USAID.

*Question 54.* Do you commit to ensuring that any employee who engages in protected whistleblowing activities, such as by reporting a protected disclosure to Congress, the Inspector General, GAO, or other relevant federal official does not suffer any adverse consequences?

Answer. Yes, I commit to ensuring that any employee who engages in protected whistleblowing activities does not suffer any adverse consequences. Personnel who engaged in protected whistleblowing activities perform a critically important service to the Department of State and to the public when they disclose fraud, waste, and abuse. I am aware that Federal law protects Federal employees against reprisal for whistleblowing. I understand that the Department is committed to protecting all personnel against reprisal for protected whistleblowing activities, and if confirmed, I will be steadfast in supporting that commitment.

*Question 55.* I remain concerned about State Department employees who have expressed a fear of reprisal for expressing their opinions, disagreements, or for being associated with the prior administration. I am sure you are familiar with the Department's Dissent Channel, which allows Foreign Service officers and civil servants to raise concerns with senior management about the direction of U.S. foreign policy without fear of retribution. I encourage you to take full and appropriate advantage of the Dissent Channel, including by staying abreast of any Dissent Channel cables that are addressed to you and other senior appointees. Do you commit to ensuring that any employee who participates in the Dissent Channel remains free from retribution? Do you commit to reaffirming your support for the Dissent Channel and communicating to employees that it is a valued and important form of communication and dissent?

Answer. I am generally aware of the Department's Dissent Channel but have not had the opportunity to explore this tool in depth. As a leader, I find listening to those around me, including career officers, to be critical to achieving the team's goals and promoting good morale. I recognize the need for employees to have a forum for raising concerns with senior management about the direction of U.S. foreign policy without fear of retribution. If confirmed, I commit to ensuring that any employee who participates in the Dissent Channel remains free from retribution. Furthermore, in the spirit of promoting an open dialogue, I commit to reaffirming my support for the Dissent Channel and communicating to employees that it is a valued and important form of communication and dissent.

*Question 56.* As discussed at your hearing, do you commit to disseminating clear guidance across the Department that politicization of career Foreign Service and civilian service positions by political appointees or any State employee with management responsibilities is unacceptable? Further, do you commit to meet with the committee within three months of assuming office, if confirmed, to brief the committee

on the actions you have taken to communicate that guidance, any cases of political retaliation or politicization brought to your attention, any measures to address harm suffered by Department employees, any disciplinary steps taken, as well as your plans to monitor and safeguard the Department against inappropriate politicization of personnel going forward?

Answer. Yes. I commit to disseminating guidance and taking other appropriate actions regarding political reprisal against any employees. As previously stated, I will take the appropriate action upon completion of the reviews of the Department's Office of the Inspector General (OIG) and the U.S. Office of Special Counsel (OSC), including termination if warranted. I look forward to briefing this committee within three months of taking office on my steps to communicate that guidance, whether any new cases of political retaliation or politicization have been brought to my attention, the Department's safeguards against politicization, and any disciplinary steps that are taken following the review and recommendations by the OIG and OSC.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR JOHNNY ISAKSON**

*Question 1.* As you know, former Sec. Tillerson began implementing the Impact Initiative in order to modernize certain parts of the department. Have you had the chance to review the initiative and its implementation to date?

Answer. I have been briefed on certain aspects of the Impact Initiative but have not had the opportunity to review its various elements in depth. If confirmed, I look forward to learning more about the Initiative and its progress to date.

*Question 2.* Do you plan to continue this effort as it currently stands?

Answer. If confirmed, I will assess the state and full scope of the Impact Initiative and make a determination quickly about how to proceed, in consultation with, among others, the members of the Senate Committee on Foreign Relations and the Department's Foreign Service and Civil Service personnel. A number of its elements align closely to the President's Management Agenda.

*Question 3.* Will you expand the scope of the Impact Initiative?

Answer. I would not want to comment on the possibility of expanding the scope of specific reform efforts until I learn more. If confirmed, I will focus on strengthening the management of the State Department, consistent with the President's Management Agenda, in consultation with, among others, the members of the Senate Committee on Foreign Relations and the Department's Foreign Service and Civil Service personnel.

*Question 4.* How will your efforts with the Impact Initiative affect the Joint Strategic Plan that Ambassador Green recently announced at USAID?

Answer. The Joint Strategic Plan (JSP) is a joint effort between State and USAID that outlines the goals of the two organizations to achieve our foreign policy objectives. It is my understanding that while the Impact Initiative and JSP are distinct, a number of the Impact Initiative projects would support JSP Goal 4 'Ensure effectiveness and accountability to the American taxpayer.' Further they would also complement aspects of the President's Management Agenda that are underway in many agencies, such as IT modernization, improved use of data, workforce development, and sharing quality services. If confirmed, I look forward to working with Ambassador Green to advance our shared management objectives.

*Question 5.* If confirmed, will you commit to working with me on these efforts?

Answer. Yes. If confirmed, I look forward to consulting with you frequently on foreign policy and management issues facing the State Department.

*Question 6.* As part of the response to the Benghazi attack in 2012, which showed a lack of planning and available State Department resources to respond to crises, it is my understanding that State's Bureaus of Medical Services and Diplomatic Security now contract aircraft that are ready 24 hours a day, 7 days a week. They are able to respond in less than 12 hours to respond to crises around the world. Over the last few years, these contracted aircraft have been effective and efficient: Do you intend to keep these contracted aircraft services under the direction of the Bureaus of Medical Services and Diplomatic Security, allowing them to be effectively managed and rapidly deployed when the need arises?

Answer. I understand that the Department's Bureau of Medical Services manages the contract you referenced, which provides the United States with unique bio-

containment transport capabilities and combined medical and security response options in the aftermath of emergencies overseas. If confirmed, I intend to maintain this asset in a manner that optimizes efficiency, flexibility, and mission-readiness, consistent with the Department's legal authorities and subject to evolving operational requirements.

*Question 7.* In the wake of the Benghazi attack and the Ebola outbreak, it is imperative that we are able to respond quickly to imminent threats to U.S. Government personnel: If confirmed, what will you do to enhance the State Department's situational awareness, particularly in its ability to respond to emergencies?

Answer. The safety and security of our personnel and American citizens overseas is of paramount importance. Effective response requires the right people, with the right training and technology, leveraging responsive transportation resources, to support rational action amidst uncertain facts. If confirmed, I will review the Department's current crisis response capabilities and processes to ensure we maintain those with proven effectiveness, and improve or replace the capabilities and processes as needed.

*Question 8.* What types of emergency management technology could the State Department utilize to quickly and effectively respond to emergencies?

Answer. I believe effective crisis response starts with planning and information sharing that supports decision-making. The reporting capability of our global workforce is an asset in ensuring we have comprehensive and timely information. The Department, through the Bureau of Diplomatic Security, the Bureau of Medical Services, and others, in conjunction with technical capabilities provided by the Bureau of Information Resource Management, maintains highly specialized and unique capabilities with which to respond to emergencies. If confirmed, I will review and support those capabilities, with attention to their ability to support the mission during all aspects of emergency management.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Starting with my career in the Army, including several deployments in defense of American ideals, I have been committed to the protection and advancement of human rights and democracy. One of the reasons I was so proud to return to government service and the Chief Operating Officer at CIA and now as the nominee for Under Secretary for Management is because I believe in those values and want to strengthen those institutions that advance their cause.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will be committed to a diverse and inclusive workforce. The Department must be a leader in promoting diversity and inclusion. I understand that to achieve diversity, we must focus on the mission, ensuring that our recruitment practices embrace all Americans, and demanding that every team member be treated equally and with civility and respect.

*Question 3.* What steps will you take to ensure each of the supervisors across the Department of State are fostering an environment that is diverse and inclusive?

Answer. Excellence in foreign affairs demands broad perspectives, both in our understanding of a complex world and in our approach to challenges and opportunities. Broad perspectives come from diversity in thought, ethnicities, backgrounds, and experiences. Embracing and leveraging diversity through an inclusive culture fosters innovation, new ideas, and new insights which is at the heart of what we are charged to do and is what will drive mission success.

As Chief Operating Officer of the CIA, my portfolio included the Diversity and Inclusion office and our overall strategy and goals in this critical area outlined below. If confirmed, I will establish a similar approach at the State Department:

The Diversity and Inclusion Strategy lays out the three key goals below to ensure that every officer is able to bring a full range of views and talents to our mission.

- ♦ Weaving diversity and inclusion throughout the talent cycle focuses on performance management, talent development, and learning to prepare employees and managers to fully benefit from a diverse and inclusive workplace.
- ♦ Becoming an employer of choice focuses on enriching our workforce by recruiting in diverse communities across America and cultivating an inclusive culture that encourages collaboration, flexibility, and fairness to create an organization that is a model employer for the full diversity of America's talent.
- ♦ Increasing diversity of leadership focuses on training current leaders, managers, and supervisors to develop every officer's potential to prepare a diverse bench of future Agency leaders.

*Question 4.* What is your view regarding the department's current policies addressing sexual harassment and sexual assault? How, if at all, would you recommend improving these policies and addressing other concerns raised by signatories of the letter, if confirmed?

Answer. I believe the Department's policies addressing sexual harassment and sexual assault are strong. I understand that the Department has a zero tolerance stance on any form of workplace harassment and mandatory requirements for EEO/Diversity Awareness and Anti Sexual Harassment Training, and sensitively and fully investigates any reported allegation of sexual assault in a manner that prioritizes the safety and dignity of the victim.

The signatories of the letter came from a variety of agencies, and I cannot speak to the policies and procedures of other agencies. If confirmed, I will ensure that the State Department's strong policies continue to be enforced and that employees continue to receive effective training on these topics. Additionally, I will ensure that senior leadership convey the important message that all inappropriate behavior is unacceptable, and that any individuals, regardless of rank, who engage in improper conduct and/or violate these policies are held accountable.

*Question 5.* Is there a need to improve reporting mechanisms for sexual harassment and sexual assault and address concerns that reporting such instances will lead to retribution?

Answer. I understand that the Department has a zero tolerance stance on any form of workplace harassment and mandatory requirements for EEO/Diversity Awareness and Anti Sexual Harassment Training. If confirmed, I will continue to support and strengthen established measures that hold employees who engage in such behavior accountable, as well as ensure that all employees and family members understand the available reporting mechanisms. I will work to ensure that every team member is treated equally and with dignity and respect. Reporting allegations of sexual harassment or sexual assault should never lead to retribution or retaliation, and if confirmed, I will support the Department's efforts to hold accountable any individual who engages in retribution.

I take these concerns seriously, and if confirmed, I will support continuing these strong efforts to protect employees.

*Question 6.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 7.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR TODD YOUNG

*Question 1.* You are nominated to serve as the Undersecretary of State for Management. In this position, you would be a key official overseeing reform at the De-

partment of State. As I have highlighted before, the Government Accountability Office (GAO) maintains a database, by Department, of open recommendations that would improve efficiency and performance. According to GAO's website, as of July 17, the Department of State had 96 open GAO recommendations, including 19 priority recommendations. That's an improvement from last May (when there were 132 open recommendations and 22 open priority recommendations). I want to thank Deputy Secretary Sullivan, in particular, for that progress. However, there is more work to do. If confirmed, do you commit to monitoring these GAO recommendations closely, insisting on expeditious implementation of recommendations that make sense and ensuring that the Department keeps GAO and Congress updated on progress? I am a strong supporter of the International Affairs Budget, but I need to be able to tell my constituents that the Department of State is acting as the best possible steward of their tax dollars.

*Answer.* As someone who places a great deal of value on continuously striving to improve efficiency and performance, please rest assured that if confirmed I am committed to monitoring GAO recommendations closely, insisting on expeditious implementation of recommendations that make sense, and ensuring that the Department keeps GAO and Congress updated on progress.

*Question 2.* I appreciated your comments in your prepared statement that the "safety and security of our personnel and their families must be the highest priority." I also appreciate your commitment to ensure that "the Bureau of Diplomatic Security has the resources, tools, and technology." it needs. In light of your sincere and welcome commitment, I would just point out that, by our count, 13 of 19 GAO's open priority recommendations for the Department of State relate to diplomatic security. Some of those open priority recommendations go back as far as 2014. While GAO acknowledges progress related to diplomatic security, GAO says additional steps can be taken to "secure diplomatic facilities, residences, schools, and transportation routes and to prepare Diplomatic Security agents and other officials for emergency situations." More specifically, GAO says, in some cases, standards related to diplomatic security "are unclear, contain inconsistencies, or have not been updated in a timely manner; and standards have not been developed for certain types of facilities." If confirmed, in light of your commitment, will you look at these priority GAO recommendations related to diplomatic security and then report back to this committee on progress in addressing those priority recommendations? Will you let us know if additional resources or authorities are required to provide our Department of State personnel the protection they need?

*Answer.* Thank you for highlighting the importance of ensuring that the State Department's diplomats remain safe and secure as they carry out their important duties. If confirmed, I will absolutely review the priority GAO recommendations related to diplomatic security and would be happy to report back to the Senate Foreign Relations Committee on progress toward addressing them. Further, if confirmed, I am committed to ensuring the committee is made aware of additional resources or authorities that may be required to provide State Department personnel with the protection they need.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR EDWARD J. MARKEY

*Question 1.* Looking at the State Department's Fiscal Year 2019 budget request, I am concerned that the State Department is neither appropriately staffed nor appropriately resourced to successfully execute the administration's North Korea pressure campaign—both for diplomacy and for sanctions enforcement. After the Trump-Kim Summit, China and other enablers of North Korea's bad behavior called for a loosening of sanctions. Now is not the time to back off the pressure. Will you commit to ensuring that the East Asia Pacific Bureau has sufficient resources and staffing to carry-out robust diplomacy, at multiple levels to pressure North Korea?

*Answer.* As I mentioned in my testimony, if confirmed, I will support Secretary Pompeo in seeking funding that serves national interests, and will implement Congressional appropriations consistent with the law. I will advocate for the resources that the State Department needs for a range of global issues, including those in the Bureau of East Asian and Pacific Affairs. If confirmed, I will look forward to continuing discussions with Congress on funding for our diplomacy and foreign assistance programs, including for FY 2019.

*Question 2.* It is my understanding that, as the Chief Operation Officer at the CIA, you pursued a "field forward" initiative. Similarly, in his first months as Sec-

retary of State, Sec. Pompeo has made clear that “we need our men and women out at the front lines, executing American diplomacy with great vigor and energy.” As our country faces a growing array of threats, including commercial and economic competition from China, I can see real value in deploying more Foreign Service officers to embassies and consults abroad—where they can actively engage in helping U.S. businesses compete and win. Can you commit to a “field forward” approach as Undersecretary for Management, similar to the one you shepherded at the CIA and Sec. Pompeo has reiterated at the State Department? Can you come back to this committee with a concrete plan specifying how you will aid Sec. Pompeo in executing a “field forward” approach for American diplomacy?

**Answer.** If confirmed, I commit to supporting Secretary Pompeo’s field forward approach and will work with each respective Bureau to align our personnel and expertise against the Department’s most critical strategic priorities. I look forward to working with Congress and our oversight committees as we develop and implement plans to align additional State Department personnel overseas to advance the security and prosperity of all Americans. American leadership in the world is indispensable to international stability.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BRIAN BULATAO BY SENATOR JEFF MERKLEY**

*Question 1.* When Secretary Pompeo arrived at State, one of his first actions was to “unfreeze” Secretary Tillerson’s “hiring freeze”—a long overdue remedy for a self-inflicted wound. However, Secretary Pompeo’s announcement was followed by a severe restriction that continued to freeze on the positions vacated prior to Dec. 31, 2017—the majority of the positions impacted. If confirmed, will you provide information on how many positions are unfilled, and how long they have been unfilled, broken down by Bureau and Office, and listing the reasons why they haven’t been filled?

**Answer.** It is my understanding that the Secretary officially lifted the hiring freeze on Foreign Service and Civil Service employment on May 15, which ended the eight percent workforce reduction plan previously in place, and authorized hiring to sustain December 31, 2017 staffing levels, as provided by Congress in the Consolidated Appropriations Act of 2018—Joint Explanatory Statement (the Act).

If confirmed, my goal is to staff the Department to meet today’s mission and be well positioned to meet the challenges of the future. I will work with Congress and ensure the Department will continue to provide data on our progress in filling vacant positions. I believe we must work together to advance our nation’s foreign policy and support the work of diplomacy.

*Question 2.* The safety and security of our State Department employees and their families is a top priority for all. As Under Secretary of State for Management you would be responsible for balancing their safety and the risks and flexibility required for American diplomats to do their jobs. If confirmed, will you commit to reviewing any unnecessary bureaucratic barriers that might keep diplomats from doing the kind of engagement necessary to advance America’s interests, and to empower posts and security officers to develop managed risk strategies to best balance personal security and mission needs?

**Answer.** Security conditions faced by our foreign affairs community overseas are constantly evolving, but the need to operate globally and carry out our diplomatic mission remains. If confirmed, I commit to ensuring the Department constantly assesses the threat environment in which our people live and work, mitigating risk with all the tools at our disposal, and making informed risk management decisions. My objective will always be to ensure U.S. personnel working in our diplomatic missions overseas are able to carry out their duties in as safe and secure an environment as possible.

*Question 3.* In addition to efforts to retain senior level talent and to entice entry-level talent into the Foreign Service, the Department of State must work to retain the expertise of mid-level Foreign Service officers who will be the next generation of senior leaders. In 2017, Foreign Service promotion numbers at every grade were reported to be well below normal levels. The low promotion numbers have potentially career-limiting implications for the large number of mid-level officers in an “up-or-out” system. Will you work with the American Foreign Service Association to assess promotion levels on an annual basis, to better ensure that the Department of State continues to develop future leaders at every level?

**Answer.** Developing a diverse cadre of future leaders is one of my highest priorities. Ensuring that the “up-or-out” promotion system is advancing our best and brightest is a critical component of that effort. If confirmed, I will work with the American Foreign Service Association to ensure that we have career development opportunities for all levels of employees.

**Question 4.** The ill-conceived “reorganization,” and related budget and staffing cuts implemented by Secretary of State Tillerson created unprecedently low morale and led to a wave of senior-level departures from the Department of State. If confirmed, how, specifically, do you plan to address all the factors contributing to attracting new talent, talent retention, and increasing diversity recruitment, so that the Department reflects the whole of America and does not lose our investment in training and building expertise in Foreign and Civil Service employees?

**Answer.** If confirmed, I’m committed to having a diverse and inclusive State Department. If we are going to continue to have the best diplomatic service in the world, we have to make sure we continue to weave diversity into the whole lifecycle of our talent, whether that’s through recruiting, how we look at promotions, or the training we provide.

**Question 5.** If confirmed, do you commit to working with Congress to communicate the State Department’s efforts to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractor status to include equal opportunity for all races, ethnicities, ages, genders, sexual orientations, and service-disabled veterans, with a focus on traditionally underrepresented groups? Do you pledge to provide detailed information to Congress, on an annual basis, on diversity employment statistics?

**Answer.** If confirmed, I am committed to a diverse and inclusive State Department. If we are going to continue to have the best diplomatic service in the world, we have to make sure we continue to weave diversity into the whole lifecycle of our talent, whether from recruiting, career advancement, or training. Congressional oversight is an important part of making sure that the Department stays on track with its diversity goals. I am committed to ensuring that we regularly report diversity data to you.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENISE NATALI BY SENATOR ROBERT MENENDEZ**

**Question 1.** What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** I have spent decades working to assure the human rights and provide humanitarian assistance to refugees and civilians affected by war and violent conflict. This includes serving as a volunteer case worker for Catholic Charities—where I assured basic housing, jobs, and daily needs for newly arrived refugee families in the Washington D.C. area, working (for a stipend) for a non-governmental organization in Peshawar Pakistan to provide and monitor healthcare to populations in Afghanistan and Afghan refugees in Pakistan, and providing disaster relief and humanitarian aid (for USAID) to and help resettle the more than 2 million Kurdish refugees that fled to the mountains of Turkey and Iran after the 1990 Gulf War, and Saddam Hussein’s incursion. I have continued this effort while also helping to promote democracy in post-Saddam Iraq by rebuilding the country’s high-education institutions as part of a larger transition from authoritarianism to Democracy. I helped start up the first English-language University in the Kurdistan Region of Iraq, taught classes in English at public and private universities, and contributed to developing the international student exchange at the American University of Iraq-Sulaimania. This includes providing opportunities for Iraqi students to gain scholarships overseas and the U.S. so that they can be the next leaders of their country. As a professor in Iraq, I developed (the first) courses to include “Transitions to Democracy” and have worked with civil society groups and independent media to advance attention to the need for the rule of law and democratic institutions in Iraq, and the Kurdistan Region. My impact is seen through the dozens of students I have helped teach who are now leaders in their local communities and in positions of authority, and committed to the principles of democratic governance and human rights principles. Some refugee/displaced families I have helped have a good quality of life can offer their children access to education, as well as other opportunities.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development today across the globe? Please be as specific as possible.

Answer. A variety of global challenges threaten democracy and democratic development. As the interagency lead on matters related to state fragility, conflict prevention, and stabilization, I understand that CSO currently focuses on seven core lines of effort: atrocity prevention, countering violent extremism, defections, disarmament, demobilization, and reintegration of foreign fighters, political and electoral violence, and peace processes. Other pressing challenges to democracy and democratization—and why many countries get stuck in democratic transitions—are influenced by structural constraints, historical legacies, and institutional weaknesses. Addressing these issues requires long term development assistance—as well as local actors that are committed to these changes. In my experiences on the ground and teaching about democratic transitions, another important challenge is getting entrenched elites with deep patronage networks to decentralize their authority, or peacefully give up power. Democracy development often coincides with security demands, and can be used by local elites as a reason for not engaging in political opening by tightening restrictions on civil society groups or those it perceives as its opponents.

*Question 3.* What steps will you take—if confirmed—to support democracy in post conflict countries? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Stabilization is an inherently political endeavor that must be centered on country-specific histories, local realities, and leadership. This starts with understanding the local grievances and dynamics—social, economic, and political—that drive violence. If confirmed, I will prioritize implementing recommendations from the Stabilization Assistance Review (SAR) by working with key stakeholders at State and across the interagency to promote post-conflict activities that support development of locally legitimate actors who support democratic governance, to include inclusivity and recognition of leaders among minority group communities.. In doing so, U.S. policies can enhance the capabilities of those actors and groups who are engaged in and committed to democratic governance.

*Question 4.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs should you travel abroad?

Answer. If confirmed, I will meet regularly with civil society members, human rights groups and other non-governmental organizations in the United States and with local human rights NGOs when traveling abroad. I would ensure that CSO continues to value the unique partnership with these civil society groups and the expertise and insight that they contribute to conflict prevention, mitigation and stabilization work.

*Question 5.* In countries threatened by criminal violence, terrorism, and corrupt authoritarian rule, what role should U.S. assistance have in supporting democratic political processes and good governance?

Answer. The Stabilization Assistance Review (SAR) emphasizes the importance of prioritizing, layering, and sequencing foreign assistance to advance stabilization goals. If confirmed, I would promote stabilization activities as an inherently political endeavor and contribute to U.S. efforts to align our efforts—diplomatic engagement, foreign assistance, and defense—to support legitimate authorities that can peacefully manage conflict and prevent resurgence of armed activity. I would support these critical efforts by the United States, as they establish the necessary conditions and foundations in which longer-term work on democracy and human rights advancement to be effective.

It is also my understanding that CSO supports democratic political processes and good governance by providing direct support to civil society organizations and non-governmental community actors to engage in conflict prevention and mitigation activities at the ground level. This includes grants to organizations and other groups that engage in civil society development, local reconciliation, and peace processes—which in turn, can support democratic political processes. If confirmed, it will be my priority to work with key stakeholders to effectively cooperate with and work within local communities to increase local support and build legitimacy from the bottom up by strengthening local political and social systems.

*Question 6.* What efforts will CSO, under your leadership, undertake and prioritize to prevent the outbreak of violence around the world, and increase capacities to identify and address root causes?

Answer. The United States has a national security interest in identifying and addressing the root causes of conflict. Stabilization is not an exercise in state build-

ing—a hard lesson from the last 17 years, as noted in the Stabilization Assistance Review. Instead, it is an inherently political endeavor that must be centered on local realities and leadership, with an understanding of the local grievances and dynamics—social and economic—that drive violence. American diplomats face a daunting volume of information while identifying emerging risk and prevent violence. CSO's data analytics help the Department cut through the overload and provide key insights that complement the traditional forms of political reporting. If confirmed, I will ensure CSO continues identifying and flagging for the Department areas for risk and prompt contingency or stabilization planning. If confirmed, I would ensure the bureau's structured qualitative and quantitative analytic methods are fully integrated in the Department's work to help decision makers anticipate, prioritize, shape, and target both policy initiatives and programs for prevention.

*Question 7.* What is CSO's role in supporting atrocities prevention and how does it help to advance U.S. national interests? Please provide country-specific examples.

Answer. Preventing mass atrocities are core to U.S. national security interests as they have ripple effects for entire regions. Atrocities not only have a devastating human toll, but once they are underway, they make reconciliation and stabilization more difficult. Working to prevent atrocities also helps advance U.S. national security interests because it can obviate the need for kinetic action.

For example, following an attack on Muslim neighborhoods in the Central African Republic in 2017, a CSO-funded program arranged mediators to hold community discussions advocating for the return of displaced Muslims, the re-opening of their shops, and gender-based violence prevention. Another example of where CSO's engagement prevented potential atrocities is during the 2017 Kenyan elections where CSO funded a 21-month, \$2.1 million program that contributed to the U.S. embassy working with the Kenyan Government to bring opposing sides together. Another example is in Columbia, where CSO is working to help the Columbia and U.S. Governments monitor the peace processes.

*Question 8.* Please describe the status and priorities of the APB under the Trump administration. Do you believe CSO has proven effective in supporting the APB? Why or why not?

Answer. If confirmed, I look forward to reviewing CSO's role in supporting the Atrocities Prevention Board (APB). The December 2017 National Security Strategy affirms the United States has vital interests in protecting civilians from mass atrocity crimes. I understand that the Atrocities Prevention Board (APB) serves three main functions: addressing and mitigating ongoing atrocities, institutionalizing early warning and prevention, and demonstrating global leadership on atrocity prevention. CSO serves as the State Department's Secretariat for the APB.

I understand that CSO and the APB have successfully brought attention and resources to recent incidents of atrocities in countries like Burundi and the Central African Republic, where U.S. Government attention and resources were previously limited. In Burma, in addition to CSO's support on intercommunal conflict support to U.S. Embassy Rangoon, CSO's conflict advisor sent to the Embassy from August 2017–January 2018 provided conflict analysis while gathering and verifying information on reported atrocities in the Northern Rakhine State. I understand that CSO's analysis contributed to the Department's determination that ethnic cleansing had taken place against the Rohingya people.

*Question 9.* How will CSO support the findings and recommendations of the SAR?

Answer. The Stabilization Assistance Review (SAR) outlines a framework to maximize U.S. Government efforts to stabilize conflict-affected areas. If confirmed, I will ensure CSO efficiently and effectively carries out its leadership role executing the SAR implementation plan. I understand that over the last several months, CSO worked with the National Security Council (NSC), USAID, DoD, and other relevant U.S. Departments and Agencies to develop an implementation plan for the SAR. This implementation plan includes actions necessary to operationalize the SAR's findings. Currently, State is leading a process to execute this implementation plan. Additionally, I understand that CSO is implementing SAR principles in the bureau's thematic work on atrocity prevention, countering violent extremism, defections and reintegration of foreign fighters, election and political violence, and peace process support.

*Question 10.* What efforts will the Bureau of Conflict and Stabilization Operations, under your leadership, undertake to link stabilization efforts with inter-agency initiatives to address root drivers of conflict; to prevent violence and mass atrocities; and to prevent countries experiencing or emerging from violent conflict from relapsing into recurring cycles of violence (for instance, as in Yemen)?

**Answer.** The Stabilization Assistance Review (SAR) maximizes U.S. Government efforts to stabilize conflict-affected areas. If confirmed, I would build approaches consistent with the SAR finding that the U.S. Government needs to approach stabilization as an inherently political endeavor and align our efforts—diplomatic engagement, foreign assistance, and defense—to support legitimate authorities that can peacefully manage conflict and prevent resurgence of armed activity.

If confirmed, I would continue CSO efforts to apply stabilization lessons from the SAR process and findings to its work on conflict prevention. In Yemen for instance, I understand that CSO completed a deep-dive analysis of local security actors, grievances, and drivers of instability, and violent incidents, and shared these findings with U.S. policy makers and international partners. I understand that CSO also provides support to key stakeholders with best practices guidance on peace processes; disarmament, demobilization and reintegration or DDR; and stabilization. If confirmed, I will ensure CSO's conflict prevention efforts are informed by these lessons and that CSO leverages inter-agency, multilateral, and civil society partners to share the burden and advance U.S. policies in conflict-impacted areas.

*Question 11.* What specifically will you do to ensure CSO is undertaking its mission in a way that strengthens local civil society and local leadership for peace in conflict-affected environments?

**Answer.** If confirmed, I would build approaches consistent with the Stabilization Assistance Review (SAR) finding that, to be successful, the U.S. Government needs to embrace stabilization as an inherently political endeavor and align our efforts—diplomatic engagement, foreign assistance, and defense—toward supporting locally legitimate authorities that can peacefully manage conflict and prevent resurgence of armed activity. I would integrate the lessons from the SAR process to ensure that CSO's stabilization efforts are centered on local realities and leadership, which starts with understanding the local grievances and dynamics—social and economic—that drive the violence.

If confirmed, I would prioritize CSO policy and activities to support the capacity development of civil society actors, organizations and local research institutions to prevent conflict, atrocities, and violent extremism. Beyond capacity development, I would look to leverage CSO's position to strengthen and better connect these civil society actors to host nation, multilateral, and USG policy makers and programmers. One example is the local reconciliation processes that involve religious communities, youth, and other groups who are integral to stabilization.

*Question 12.* How will the Bureau of Conflict and Stabilization Operations, under your leadership, promote locally-owned and developed solutions to conflict, recognizing that sustainable prevention of violence is in the moral, security, and economic interests of the United States?

**Answer.** If confirmed, I would build approaches consistent with the Stabilization Assistance Review (SAR) finding that, to be successful, the U.S. Government needs to embrace stabilization as an inherently political endeavor and align our efforts—diplomatic engagement, foreign assistance, and defense—toward supporting locally legitimate authorities that can peacefully manage conflict and prevent resurgence of armed activity. I would integrate the lessons from the SAR process to ensure that CSO's stabilization efforts are centered on local realities and leadership, which starts with understanding the local grievances and dynamics—social and economic—that drive the violence.

If confirmed, I will ensure that CSO's conflict prevention efforts are informed by real-time, evidence-based data analytics that provide a detailed understanding of local realities and actors. To maximize local ownership, I will prioritize getting our officers to the field so they can identify reliable partners and ensure the perspectives of these actors inform project design and implementation. To maximize return on investment for the U.S. taxpayer, I will ensure our officers get to the field to monitor program progress and impact regularly, and make the necessary modifications to account for changes on the ground. If confirmed, I would prioritize CSO work to support the capacity development of civil society actors, organizations and local research institutions to prevent conflict, atrocities, and violent extremism. This requires leveraging local networks that CSO officers have developed while in the field, and in coordination with the U.S. Embassy and other key stakeholders.

*Question 13.* What is the value that CSO provides to the State Department and U.S. Government more broadly, and why is it important to fund this work?

**Answer.** CSO protects U.S. national security and advances diplomatic and economic interests by working with key stakeholders both in the U.S. Government, with other governments, international organizations, and local partners to anticipate, prevent or respond to violent conflict and facilitate political stability. CSO does

this by deepening the Department of State's understanding of how to anticipate, prevent, and respond to violent conflict through evidence-based analysis, and targeted expeditionary diplomatic and engagements.

*Question 14.* CSO receives a limited amount of resources for programmatic work. What types of programs will you look to prioritize, and how do you envision these programs tying into, and advancing, the rest of CSO's work?

Answer. If confirmed, I would seek to institutionalize a process of "strategic triage" where CSO's priorities are linked to the 2017 White House National Security Strategy, as well as where CSO can have an impact —where there is security and locally legitimate authorities and structures who can peacefully manage conflict and prevent the return to violence.

*Question 15.* According to the Department of State, CSO is leading a working group tasked with encouraging "defections and disengagement from ISIS and its affiliates." Are you aware of any specific results realized by this working group?

Answer. I understand that CSO is deeply involved in the Defeat-ISIS campaign. If confirmed, I would look forward to being fully briefed on CSO's work in this effort as defections, demobilization, disengagement, de-radicalization, and reintegration (4DR) is a critical element of the D-ISIS Strategy. If confirmed, I would look forward to reviewing how CSO contributes to the D-ISIS campaign—as well as effort to prevent the growth of future terrorist organizations.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENISE NATALI BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* How do you believe conflict and stabilization operations (CSO) support U.S. efforts to prevent atrocities? How does this work help advance U.S. national security interests? Can you give country-specific examples where U.S. CSO efforts have made a difference in preventing possible atrocities?

Answer. Preventing mass atrocities are core to U.S. national security interests as they have ripple effects for entire regions. Atrocities not only have a devastating human toll, but once they are underway, they make reconciliation and stabilization more difficult. Working to prevent atrocities also helps advance U.S. national security interests because it can obviate the need for kinetic action.

For example, following an attack on Muslim neighborhoods in the Central African Republic in 2017, a CSO-funded program arranged mediators to hold community discussions advocating for the return of displaced Muslims, the re-opening of their shops, and gender-based violence prevention. Another example of where CSO's engagement prevented potential atrocities is during the 2017 Kenyan elections where CSO funded a 21-month, \$2.1 million program that contributed to the U.S. embassy working with the Kenyan Government to bring opposing sides together. Another example is in Columbia, where CSO is working to help the Columbia and U.S. Governments monitor the peace processes.

*Question 2.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have spent decades working to assure the human rights and provide humanitarian assistance to refugees and civilians affected by war and violent conflict. This includes serving as a volunteer case worker for Catholic Charities—where I assured basic housing, jobs, and daily needs for newly arrived refugee families in the Washington D.C. area, working (for a stipend) for a non-governmental organization in Peshawar Pakistan to provide and monitor healthcare to populations in Afghanistan and Afghan refugees in Pakistan, and providing disaster relief and humanitarian aid (for USAID) to and help resettle the more than two million Kurdish refugees that fled to the mountains of Turkey and Iran after the 1990 Gulf War, and Saddam Hussein's incursion. I have continued this effort while also helping to promote democracy in post-Saddam Iraq by rebuilding the country's high-education institutions as part of a larger transition from authoritarianism to Democracy. I helped start up the first English-language University in the Kurdistan Region of Iraq, taught classes in English at public and private universities, and contributed to developing the international student exchange at the American University of Iraq-Sulaimania. This includes providing opportunities for Iraqi students to gain scholarships overseas and the U.S. so that they can be the next leaders of their country. As a professor in Iraq, I developed (the first) courses to include "Transitions to Democracy" and have worked with civil society groups and independent media

to advance attention to the need for the rule of law and democratic institutions in Iraq, and the Kurdistan Region. My impact is seen through the dozens of students I have helped teach who are now leaders in their local communities and in positions of authority, and committed to the principles of democratic governance and human rights principles. Some refugee/displaced families I have helped have a good quality of life can offer their children access to education, as well as other opportunities.

*Question 3.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I will make every effort to promote diversity within the Bureau of Conflict and Stabilization operations, and particularly those individuals who are under-represented in the Foreign Service. I will provide/support opportunities for their professional development, offer them leadership roles and positions of responsibility, and always keep my door open and be available to hear their ideas and concerns. I also believe in team-building and having groups working together of diverse backgrounds.

*Question 4.* What steps will you take to ensure each of the supervisors in the Bureau of Conflict and Stabilization Operations are fostering an environment that is diverse and inclusive?

Answer. I am committed to assuring a bureau based on diversity, inclusivity, and excellence. To do so, I will inform the supervisors of the need to maintain a balanced representation of staff from different socio-economic, racial, religious, and gender backgrounds, and who are qualified for their positions. I will also require supervisors to put teams together that are diverse and assure equal opportunities for professional development and leadership responsibilities for minority groups. I will further seek to hire interns and staff that assure the diversity and excellence of the bureau, which also includes looking outside of Washington D.C. recognized schools for hires.

*Question 5.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 7.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No. I do own an apartment in Paris, but it is not a rental and therefore does not generate income.

*Question 8.* What efforts do you believe CSO should undertake and prioritize to prevent the outbreak of violence around the world?

- Do you believe it is in the strategic national security interests of the U.S. to identify and address root causes of conflict? If so, why?

Answer. U.S. diplomats face a daunting volume of information while trying to identify emerging risk and prevent violence. CSO's data analytics help the Department provide key insights that complement the traditional forms of political reporting. If confirmed, I will ensure that CSO continues to identify and flag for the Department areas for risk and prompt contingency or stabilization planning. The bureau's structured analytic methods, both qualitative and quantitative, help decision makers anticipate, prioritize, shape and target both policy initiatives and programs for prevention.

I agree that the United States has a national security interest to identify and address root causes of conflict. Stabilization is not an exercise in state building. Instead, it is an inherently political endeavor that must be centered on local realities and leadership, with an understanding of the local grievances and dynamics—social and economic—that drive the violence. Addressing the root causes of conflict is essential to developing accurate and effective programs and policy recommendations.

*Question 9.* If confirmed, how will you have CSO implement the findings of the recently concluded and released Stabilization Assistance Review?

**Answer.** The Stabilization Assistance Review (SAR) outlines a framework to maximize U.S. Government efforts to stabilize conflict-affected areas. CSO and State's Office of Foreign Assistance Resources (F) led the review, along with partners from USAID and DoD. Over the last several months, CSO worked with the National Security Council (NSC), USAID, DoD, and other relevant U.S. agencies to develop an implementation plan for the SAR. This implementation plan includes actions necessary to operationalize the SAR's findings. Currently, State is leading a process to execute this implementation plan. If confirmed, I will ensure that CSO efficiently and effectively carries out its leadership role in executing the SAR implementation plan. My understanding is that CSO is already implementing SAR principles in the bureau's thematic work on atrocity prevention; countering violent extremism; defections; disarmament, demobilization, and reintegration or DDR; election and political violence; and peace process support.

*Question 10.* What efforts will CSO, under your leadership, undertake to link stabilization efforts with inter-agency initiatives to address root drivers of conflict and prevent violence and mass atrocities, to prevent countries experiencing or emerging from violent conflict from relapsing into recurring cycles of violence?

**Answer.** The Stabilization Assistance Review (SAR) maximizes U.S. Government efforts to stabilize conflict-affected areas. The SAR found that the U.S. Government needs to approach stabilization as an inherently political endeavor and align our efforts—diplomatic engagement, foreign assistance, and defense—to support legitimate authorities that can peaceably manage conflict and prevent resurgence of armed activity.

I understand that CSO is applying stabilization lessons from the SAR process and findings to its work on conflict prevention. If confirmed, I will ensure CSO's conflict prevention efforts are informed by these lessons and that CSO leverages inter-agency, multilateral, and civil society partners to share the burden and advance U.S. policies in conflict-impacted areas.

*Question 11.* What specifically will you do to ensure CSO is undertaking its mission in a way that better promotes locally owned and developed solutions to conflict, and strengthens local civil society and communities to prevent future violence?

**Answer.** If confirmed, I will build on CSO's support to civil society that is driven by a strong and growing body of evidence that locally-developed and led responses to violent conflict are more effective and durable. For example, CSO's own research found that an active, independent civil society promoting human rights and sustainable development can alleviate social and political exclusion and redirect grievances that could otherwise lead to violence. Where civil society is active, and communities participate in a formal political space, these communities are generally less sympathetic to extremist groups.

*Question 12.* CSO funding has continued to diminish over the past several years. How do you plan to meet the needs of an increasingly conflict-affected world with such a limited budget?

**Answer.** Although funding levels have decreased, I understand that CSO has worked to prioritize programs based on administration objectives and leveraged resources from across the Department to design tailored, innovative, and evidence-based programs. If confirmed, I will ensure CSO continues to leverage inter-agency, multilateral, and civil society partners to share the burden in advancing U.S. policies in conflict-impacted areas. A key finding of the Stabilization Assistance Review (SAR) is the need for division of labor with national and international partners to improve U.S. stabilization efforts. If confirmed, I would ensure that CSO continues to work actively through our partners at the Stabilization Leaders Forum (SLF) (a group of foreign countries who burden-share with us) to address priority stabilization challenges.

*Question 13.* If Congress appropriates additional funding to CSO, are you committed to using these funds as Congress has intended?

**Answer.** Yes, if confirmed I will ensure that CSO will follow all applicable laws to obligate funds appropriated by Congress.

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## NOMINATIONS

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TUESDAY, JULY 31, 2018

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

The committee met, pursuant to notice, at 3:00 p.m., in Room SD-419, Dirksen Senate Office Building, Hon. Johnny Isakson, presiding.

Present: Senators Isakson [presiding], Gardner, Young, Booker, Cardin, Shaheen, Coons, Murphy, and Kaine.

**OPENING STATEMENT OF HON. JOHNNY ISAKSON,  
U.S. SENATOR FROM GEORGIA**

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

Senator Inhofe, are you in a big rush, or can you wait?

Senator INHOFE. No, I am not.

Senator ISAKSON. Okay. I will get to you in just a minute, because I know you have got a special introduction to make.

Let me introduce Senator Booker and myself. We will make opening remarks, the Majority and Minority, and then we will go through with questions and hear the testimony of our witnesses.

Calling this hearing of the Senate Foreign Relations committee to order. I am happy to step in today while our colleague, Senator Flake, is serving as an International Elections Monitor in Zimbabwe. It is truly a historical moment for that country, and I am eager to hear the official results.

Today, we will hear the testimony from four nominees to serve the United States in various positions:

Michael Hammer has been nominated to be U.S. Ambassador to the Democratic Republic of the Congo. I have been to the DRC. I appreciate your willingness to serve, and wish you the very best.

Kyle McCarter has been nominated to serve as our Ambassador to Kenya. We met this morning. I have been there, and been to Kibera, which is the largest slum, outside of India, in the world. And I know how much attention the Kenyans need.

Stephanie Sullivan has come—been nominated to be our Ambassador to Ghana, where I also had the pleasure of going when Jonathan Mills was President, and before he passed away. And they are a great friend of the United States, Millennium Challenge recipient, and a great—they raise some great pineapple, too, I might add.

And finally, Donald Tapia has been nominated to represent the United States in Jamaica. I want to thank you for your willingness

to serve in—our country in these posts. And I do not want to sound like I am a world traveler, but I have been in Jamaica, too. And the Rio Grande River is one of the nicest things to tube down you have ever seen in the world. So, you will—I am sure you will enjoy it.

I want to welcome the family members who are here today with you. And I hope you will introduce them during your remarks. I know that you have colleagues who would like to introduce Mr. Carter—Mr. McCarter and Mr. Tapia.

At this point, I will recognize Senator Inhofe to introduce Mr. McCarter.

**STATEMENT OF HON. JAMES M. INHOFE,  
U.S. SENATOR FROM OKLAHOMA**

Senator INHOFE. Thank you, Mr. Chairman. It is an honor for me to be here to introduce my fellow Oklahoman, our Okie from Muskogee, and his wife and his son.

You know, I have had the honor of visiting Africa, I think, more than anyone in the history of the United States Senate. Just got back from my 161st African country visit. And, ironically, one of those was Kenya, which is going to be—which Kyle McCarter has been nominated to participate in.

We had an interesting experience just last—about a month ago, when we had two individuals that were running. Of course, Kenyatta is the President of Kenya, but he had opposition, a guy named Odinga. And so, I had the honor—and this was before the National Prayer Breakfast. We had 4,000 people there. Now, that is a big cut of the population. And I was honored to go up and bring up both Odinga and Kenyatta, and have them embrace, everyone cheered, and that country has actually come back together. They were in the middle of all kinds of problems at that time.

Well, the—we are seeing a lot of positive changes in Kenya. And I believe that Kyle McCarter is the perfect person for that job. Kyle grew up in Muskogee, and attended Oral Roberts University. From a young age, his parents, Calvin and Linda, instilled his faith and love for serving others in him. Today, he is a small business owner, State representative, and past international director of an organization called Each One Feed One. It is the longest-serving NGO in northern Kenya.

Kyle and his wife, Victoria, who is in—Victoria is the educational director for that same group, Each One Feed One—have lived in Kenya the—in the past, and they travel there frequently, and now support their efforts in regularly working with USAID and tribal chiefs and other dignitaries. And I—he understands the situation there. He has a love for Africa, and specifically for Kenya, with a background there. He is going to do a good job.

I have to say this, though, that there are two others that I also consider to be good friends: Michael Hammer and Stephanie Sullivan. We have talked together, worked together on different African projects for a long period of time. So, I enthusiastically support the two of them, also.

But, this is the guy I am nominating, all right? [Laughter.]  
Senator INHOFE. Thank you, Mr. Chairman.

Senator ISAKSON. Well, thank you, Senator. You know what? It occurs to me, since you said what you said, I have never had the chance, since I got here 14 years ago, to thank you for introducing me to Africa for the first time in Djibouti and in the National Prayer Breakfast, in Kenya, as a matter of fact, at the—

Senator INHOFE. That is right.

Senator ISAKSON.—Safari Hotel in Nairobi, Kenya, a long time ago. There is no question, you have been a great Ambassador to the people of Kenya and to the United States of America from those people. And I have attended the Prayer Breakfasts, actually, I think just about every morning that it is here, in February every year, and when we have gone to Africa together. And you are a great leader for that—introducing that country to—that continent to us. And I appreciate very much the time you have spent with me when I have gone there.

Senator INHOFE. Well, that is very nice of you. Thank you.

Senator ISAKSON. Thank you very much.

Now it is a pleasure to introduce Cory Gardner to introduce our next nominee.

**STATEMENT OF HON. CORY GARDNER,  
U.S. SENATOR FROM COLORADO**

Senator GARDNER. Thank you, Mr. Chairman.

And thanks, to all of the nominees here, for your willingness to serve our country. Welcome, to your families, as well.

This is an incredible opportunity to introduce to the committee Don Tapia, from Arizona. And I just want to start by sharing a couple things, a couple statements and quotes about Mr. Tapia and the kind of person he is.

This is a quote about his growing up. He lived the American Dream, from the slums to Paradise Valley. “It was a helluva ride from a one-bedroom flat with a Murphy bed shared by my mother and sister while I slept on a couch, a father who disappears and a mother who is strapped to make the rent and feed my sister and I. I used to tell people we had a lot—I used to tell people we had a lot, a lot of potato soup, with very little potato.”

If you look at his background, the work he has done in education, the work that he has done as, you know, chairman of the Board of Trustees at Saint Leo University—and I will get into that in a little bit—the Boys and Girls Club of Metropolitan Phoenix, Teen Lifeline Phoenix, Advisory Council of Arizona, Animal Welfare League, Advisory Board for the Foundation for Blind Children in Phoenix, Arizona, a U.S. Army veteran, the list goes on and on of the things that he has accomplished.

But, perhaps one of the best moments in reading about Mr. Tapia’s life is talking to his six grandchildren about the importance of education. But, Mr. Tapia, after having sold magazines and books, starting his own business, a very successful business, Essco Electric Wholesale—Wholesale Electric, outside of Phoenix, that he needed to practice what he preached. And so, he decided that he would leave the company at 3 o’clock in the afternoon every day, without telling anybody what he was doing, so that he could take an online course to get his degree. Getting his degree from Saint Leo. In fact, becoming the first chairman of their—first board mem-

ber of Saint Leo with a online degree because of his commitment to education, practicing what he preached.

Studied flight control, which later led him to his job as air-traffic controller. He went on to create that—his own business. But, he began by selling to contractors, eventually building a multimillion-dollar wholesale company, the largest Hispanic-owned company in Arizona, according to the Hispanic Business 500 List for 2008. He has lived a life of exemplary service. He has lived a life of commitment. And he started with humble roots. And to return to those humble roots of public service today.

Mr. Tapia, thank you for your willingness to serve this country. It is an honor to know you, to call you friend, and to have your commitment today.

Senator ISAKSON. Thank you, Senator Gardner. Appreciate your introduction.

I will go ahead and introduce Mr. Hammer and Ms. Sullivan, and then we will open—opening remarks by Senator Booker, and then we will go to the testimony of our witnesses.

Mr. Hammer is a career member of the Senior Foreign Service who previously served, U.S. Ambassador to Chile. Widely recognized for his broad policy formulation and implementation skills, Mr. Hammer is highly skilled, experienced choice to be Ambassador to the Democratic Republic of the Congo, especially as he goes through a pivotal election time in December.

Ms. Sullivan is a career member of the Senior Foreign Service, with over 30 years of experience. Prior to her joining the Foreign Service, she was a Peace Corps volunteer in Africa. She is currently serving as a Deputy Assistant to the Secretary of the African Affairs. And I appreciate her commitment for this country and to Africa. Her familiarity with a region I believe is critical to the United States, and her previous collaboration with both USAID and the United States military will enable her to promote good governance, economic development and regional security in Ghana.

Now, all four of you have—are nominated to very important positions. We know your families are proud of us—proud of you, and so is your country.

I will now turn to Ranking Member Cory Booker for his remarks.

**STATEMENT OF HON. CORY A. BOOKER,  
U.S. SENATOR FROM NEW JERSEY**

Senator BOOKER. Mr. Chairman, forgive me. I am going to—just for the sake of time, I am going to submit my opening remarks for the record. Let us get to hear from the nominees before us.

[Senator Booker's prepared statement follows:]

**OPENING REMARKS BY SENATOR CORY A. BOOKER**

Thank you to the nominees for being here today and for your willingness to serve in these posts.

Ambassador Hammer, I know you come to Africa after long and deep service and South America, and we appreciate your willingness to take on what will be a very challenging mission in DRC if confirmed.

Ambassador Sullivan, this committee appreciates your decades-long commitment to Africa and representing the U.S. to its people. Ghana and the United States continue to share a positive relationship and I look forward to hearing your thoughts on how we should deepen our economic relationship.

DRC (Democratic Republic of the Congo) has been the subject of legislation, letters, and numerous statements by Chairman Flake and I.

Congolese president, Joseph Kabila, has refused to step down since the end of his constitutionally mandated two term limit in 2016 creating instability and a humanitarian crisis in which thousands of civilians have been killed and 4.5 million have been displaced.

It has been a personal priority to ensure we have a qualified Ambassador in DRC well before the elections.

Kenya remains one of the United States' most important economic and counterterrorism partners in the region. However, there are concerns about the political repression and closing of space for civil society and press following last year's contentious elections.

The tumultuous election process led to abuse and violence including dozens of killings. Kenyan authorities, particularly the police, have repeatedly denied the abuses and failed to hold the responsible parties accountable.

Kenya has long had a troubling track record on LGBTQ human rights, and has a longstanding ban on same-sex sexual activity. However, it stands on the cusp of possibly overturning that colonial-era law, in a case that could reverberate throughout Africa and other parts of the world.

Earlier this year, Kenya's highest court heard arguments in a case challenging it, and the court is expected to announce a decision later this year.

So you can understand, Mr. McCarter, your nomination after your long history of efforts to resist or even roll back progress for LGBTQ people in the state of Illinois gives me pause and concern for the message it sends to Kenya.

Mr. Tapia, welcome to the committee. I know Senator Flake is regretful to miss your hearing, but I am glad that we are able to hear from you today.

Senator ISAKSON. That must have been a good story. I have not seen you that speechless in a long time. [Laughter.]

Senator ISAKSON. We will now open for a 5-minutes opening statement by each one of the—our witnesses, and then we will have Q&A for that. And if you go way over 5 minutes, a big bell will come in to get you, so try and hold it within 5, if you can. Thank you very much.

We will start with Mr. Tapia.  
Donald Tapia?

**STATEMENT OF DONALD R. TAPIA, OF ARIZONA, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAMAICA**

Mr. TAPIA. Mr. Chairman, distinguished members of the committee, I am honored to appear here today as President Trump's nominee in the next U.S. Ambassador to Jamaica. I am grateful to the President and to the Secretary Pompeo for the confidence they have placed in me.

Thank you, Senator Gardner, for being here and speaking on my behalf.

Four year ago—four years ago, I was CEO and owner of Essco Electric, a wholesale electric company that was the largest Hispanic-owned company in Arizona. Since retirement, I have been involved in various philosophic and entrepreneurial ventures, including Teen Lifeline, Boys and Girls Club, Metropolitan Phoenix and Arizona Animal Welfare. Growing up in a very destituted area of Detroit, Michigan, I never would have imagined that I would one day appear before the distinguished members of this committee, seeking confirmation for one of the most important posts that our government could convey upon one of its citizens. I feel the same as Bubba Watson, when he won the master's degree at Augusta. He was asked if he ever dreamt of winning the master's. And I put

in quote, "I never have a dream go that far, so I cannot really say that it is a dream come true."

Having served in the United States Air Force instead of the Army, I am excited for the prospect of serving our Nation once again if confirmed as Ambassador to Jamaica. I am firmly committed to building on our partnership with the Jamaican Government in the areas of security, prosperity, energy, education, health, and diplomacy. If confirmed, I would pledge to work closely with Congress in advancing our national interests in Jamaica. Safeguarding the welfare of all U.S. citizens will be the highest priority. To achieve this, I will work with U.S. law enforcement agencies, in conjunction with the Jamaican counterparts, to identify and prosecute transnational criminal organization, finance fraud, and a lot of old scammers, as well as human and drug trafficking.

Jamaica's proximity to the United States, shared culture, and language can facilitate expansion, engagement, investment, trade, and cooperation. Jamaica is ripe for the development of a renewed energy source, like geothermal, solar, and wind power. Jamaica has some of the world's highest electricity rates, which reduces competitiveness and prevents them from investing in other areas, such as education and business enterprises.

If confirmed, I will continue to support the OPIC—Overseas Private Investment Corporation—and TSTI, U.S. Trade and Development Company, in their efforts to focus on promising sectors, including storage, renewable energy, infrastructure, and small business development.

Jamaica is also subject to extreme weather events, including hurricanes, storms, flooding, and earthquakes, which lead to lost in capital and investment funds. I will work to advance the—what the USAID is doing, working along with Jamaica Government to strengthen its resilience up, preparation of service of severe weather events.

With approximately 30,000 current residents having HIV/AIDS, Jamaica faces one of the highest prevention rates in the Caribbean. If confirmed, I will continue to work with PEPFAR, President's Energy Plan for AIDS Relief, working with all levels of government, civil society, and endeavor, with all the people living with HIV are diagnosed and immediately receive treatment. This includes working with all partners to reduce stigma and discrimination to ensure just access and prevention of treatment, which can affect the United States.

With my management and entrepreneurial skills, commitment to success, and leadership in business, community, and education, makes me qualified to serve as the Ambassador to Jamaica. I can be a conduit between the Jamaican Government and the U.S. business community, if confirmed.

Mr. Chairman, esteemed members of this committee, I want to express my sincere appreciation for your consideration of my nomination as Ambassador to Jamaica. I would be very happy to answer any questions.

[Mr. Tapia's prepared statement follows:]

## PREPARED STATEMENT OF DONALD R. TAPIA

Mr. Chairman and distinguished members of the committee, I am honored to appear here today as President Trump's nominee to be the next United States Ambassador to Jamaica. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. I would like to thank Senator Gardner for being here and speaking on my behalf as well.

If I may, I would like to thank my family and friends who have made the trip to be present today. To Londa Perkins, my grandson Joel Chidley, and the many other friends that are here today. I thank you for supporting me through this process. I will always carry the value and importance of family.

For years I was the CEO and owner of Essco Electric, a wholesale electrical company that was the largest Hispanic owned company in Arizona for five years in a row. Since retiring, I have been involved in various philanthropic and entrepreneurial ventures including Teen Lifeline, Boys & Girls Club of Phoenix, and the Arizona Animal Welfare League.

Growing up in a very destitute area of Detroit, Michigan, I never would have imagined that I would one day appear before the distinguished Members of this committee seeking ambassadorial confirmation. I feel the same as Bubba Watson did, when he won the Masters at Augusta National. When asked if he had ever dreamed of winning the Masters he said, "I never had a dream go this far, so I can't really say it's a dream come true."

Having served in the United States Air Force, I am excited by the prospect of serving our nation once again. If confirmed as Ambassador to Jamaica I am firmly committed to building our partnership with the Jamaican Government in the areas of security, prosperity, energy, education, and health.

If confirmed, I will pledge to work closely with Congress to advance our national interests in Jamaica. Safeguarding the welfare of all U.S. Citizens will be my highest priority. To achieve this, I will work to support our U.S. law enforcement agencies working in conjunction with Jamaican counterparts to identify and prosecute transnational criminal organizations, financial fraudsters, as well as human and drug traffickers.

Jamaica's proximity to the United States, and shared culture and language can facilitate increased engagement, investment, trade, and cooperation. Jamaica is ripe for development of renewable energy sources like geothermal, solar and wind power. Jamaica has made improvements, but still has high electricity rates, which reduce economic competitiveness and prevent them from investing in other areas like education and business enterprises. If confirmed,

I will continue to support the Overseas Private Investment Corporation (OPIC) and the U.S. Trade and Development Agency (USTDA) in their efforts to encourage renewable energy investments and diversification, infrastructure improvements, and small business development.

Jamaica is also subject to extreme weather events including hurricanes, storms, flooding, and earthquakes that lead to losses in capital stock and investments. The United States Agency for International Development (USAID) helped strengthen a system for developing, financing and executing sustainable climate adaptation approaches in the region. If confirmed, I will support and work with the Jamaican Government to strengthen its preparedness for and resilience to severe weather events.

Additionally, with 30,000 people living with HIV, Jamaica has one of the highest prevalence rates in the Caribbean. If confirmed, I will continue to support the President's Emergency Plan for AIDS Relief (PEPFAR), working with all levels of government and civil society to ensure that people living with HIV are diagnosed and immediately receive treatment. This includes working with all partners to reduce stigma and discrimination and ensuring equitable access to prevention and treatment of this disease.

If confirmed, strengthening the United States partnership with Caribbean countries through the Caribbean Basin Security Initiative (CBSI), our signature security partnership with fifteen Caribbean partner countries, would be a priority. I will also work closely with the Jamaican Government to promote and foster human rights, including those of the LGBTI community, and in parallel, combat gender-based violence and human trafficking.

Overall, I believe my management and entrepreneurial skills, commitment to success, and leadership in business, community, and education, make me well qualified to serve as the U.S. Ambassador to Jamaica, if confirmed. Mr. Chairman and esteemed members of the committee, I want to express my sincere appreciation for your consideration of my nomination as U.S. Ambassador to Jamaica. I would be happy to answer any questions.

Senator ISAKSON. Thank you very much, Mr. Tapia.  
Ms. Sullivan.

**STATEMENT OF HON. STEPHANIE S. SULLIVAN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA**

Ambassador SULLIVAN. Mr. Chairman, Ranking Member, distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Ghana.

I appreciate the confidence the President and Secretary of State Pompeo have shown in me through this nomination. If confirmed, I look forward to working with you and other Members of Congress and staff to advance American interests in Ghana.

I am joined today by my husband, John Sullivan, and our sons, Dan and Scott.

Senator ISAKSON. Stand up. God bless you.

Ambassador SULLIVAN. We have fond memories of our 4 years in Ghana when the boys were small.

Senator BOOKER. I am sorry to interrupt you, but is one of those people living in New Jersey? Is that correct?

Ambassador SULLIVAN. That is correct, sir.

Senator BOOKER. I am sorry. Could the Jersey boy stand up?  
[Laughter.]

Senator BOOKER. Yes. Thank you very much. You are a very handsome man, sir. [Laughter.]

Senator CARDIN. But, could you tell us what State you are from, just so we're clear. [Laughter.]

Ambassador SULLIVAN. Maryland, along with my husband and our older son.

Senator ISAKSON. No wonder they got elected. [Laughter.]

Ambassador SULLIVAN. In addition to 3 years as a Peace Corps volunteer in Africa, I have spent half of my 32-year Foreign Service career working on African issues. Before serving as Acting Principal Deputy Assistant Secretary of State for African Affairs, I was Ambassador to the Republic of Congo. If confirmed, I look forward to returning to the region and building on the strong relationship between the United States and Ghana.

Ghana is one of our leading partners in sub-Saharan Africa, and hosts the Africa Bureau's fifth-largest diplomatic mission. It serves as a regional hub for many U.S. Government activities, hosting one of the Young African Leaders Initiative Regional Leadership Centers, for example.

The country has been traditionally a leader on the continent, blazing the trail for independence in 1957. Our two peoples enjoy longstanding ties. Back in 1961, Ghana welcomed the world's first Peace Corps volunteers. Today, some 150 volunteers serve alongside counterparts throughout the country in the agriculture, education, and health sectors. In addition, the Fulbright, Humphrey, and other exchange programs have built decades of personal connections between Americans and Ghanaians.

In keeping with U.S. policy priorities for Africa, our efforts in Ghana advance three mutually reinforcing goals: promoting economic development and trade, improving regional security, and strengthening good governance.

Our first goal is promoting economic development and trade. Ghana has the potential to become one of sub-Saharan Africa's leading economies. It has recently experienced strong economic growth, advancing at a rate of 8.5 percent in 2017. The United States is among Ghana's principal trading partners, with bilateral trade exceeding \$1.6 billion last year. Many major U.S. companies operate in Ghana.

Earlier this month, Secretary of Commerce Ross led a delegation of the President's Advisory Council on Doing Business in Africa to Ghana, where he signed a memorandum of understanding to deepen the commercial partnership between our two countries. Also, through a \$498.2 million Millennium Challenge Corporation compact, the United States supports the transformation of Ghana's energy sector via private-sector participation and key policy and institutional reforms that will provide more reliable and affordable power to Ghana's businesses and households.

If confirmed, I will promote trade and help Ghanaian businesses take better advantage of the African Growth and Opportunity Act. I will also encourage the Government of Ghana's anticorruption efforts, its investment of oil revenues to advance development, its sustainable management of its environmental resources, and its pursuit of regional economic integration. I will support Ghana's journey away from dependence on traditional development assistance, in line with President Nana Akufo-Addo's vision of Ghana beyond aid.

Our second goal is improving regional security. We share an interest in countering terrorism and promoting stability across West Africa. Ghana has provided peacekeepers throughout the world, starting in 1960. Through its regional training centers, Ghana builds peacekeeping and security-sector capacity beyond its borders.

Our third goal is strengthening good governance. We work with Ghana to enforce—reinforce democratic institutions and enhance government responsiveness to its citizens. If confirmed, I expect to witness Ghana's eighth consecutive peaceful national democratic election, in December 2020. I will ensure responsible stewardship of taxpayer dollars through effective leadership of U.S. Mission Ghana's strong interagency team.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I would be honored to respond to any questions.

[Ambassador Sullivan's prepared statement follows:]

#### PREPARED STATEMENT OF HON. STEPHANIE SANDERS SULLIVAN

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Ghana. I appreciate the confidence he and Secretary of State Pompeo have shown in me through this nomination. If confirmed, I look forward to working with you and other Members of Congress and staff to advance American interests in Ghana.

My husband, John Sullivan, and our sons, Dan and Scott, are here today. We have fond memories of our four years in Ghana when the boys were small. In addi-

tion to three years as a Peace Corps Volunteer in Africa, I have spent half of my 32-year Foreign Service career working on African issues. Before serving as Acting Principal Deputy Assistant Secretary of State for African Affairs, I was Ambassador to the Republic of Congo. If confirmed, I look forward to returning to the region and building on the strong relationship between the United States and Ghana.

Ghana is one of our leading partners in sub-Saharan Africa and hosts the Africa Bureau's fifth-largest diplomatic mission. It serves as a regional hub for many U.S. Government activities, hosting one of the Young African Leaders Initiative Regional Leadership Centers, for example. The country has historically been a leader on the continent, blazing the trail for independence in 1957. Our two peoples enjoy long-standing ties. Back in 1961, Ghana welcomed the world's first Peace Corps Volunteers. Today, some 150 volunteers serve alongside counterparts in the agriculture, education, and health sectors throughout the country. In addition, the Fulbright, Humphrey, and other exchange programs have built decades of personal connections between Americans and Ghanaians.

In keeping with U.S. policy priorities for Africa, our efforts in Ghana advance three mutually reinforcing goals: promoting economic development and trade; improving regional security; and strengthening good governance.

Our first goal is promoting economic development and trade. Ghana has the potential to become one of sub-Saharan Africa's leading economies. It has recently experienced strong economic growth, advancing at a rate of 8.5 percent in 2017. The United States is among Ghana's principal trading partners, with bilateral trade exceeding \$1.6 billion last year. Many major U.S. companies operate in Ghana. Earlier this month, Secretary of Commerce Ross led a delegation of the President's Advisory Council on Doing Business in Africa to Ghana, where he signed a Memorandum of Understanding to deepen the commercial partnership between our two countries. Also, through a \$498.2 million Millennium Challenge Corporation compact, the United States supports the transformation of Ghana's energy sector via private sector participation and key policy and institutional reforms that will provide more reliable and affordable power to Ghana's businesses and households.

If confirmed, I will promote trade and help Ghanaian businesses take better advantage of the African Growth and Opportunity Act. I will also encourage the Government of Ghana's anti-corruption efforts, its investment of oil revenues to advance development, sustainable management of its environmental resources, and pursuit of regional economic integration. I will support Ghana's journey away from dependence on traditional development assistance, in line with President Akufo-Addo's vision of "Ghana Beyond Aid."

Our second goal is improving regional security. We share an interest in countering terrorism and promoting stability across West Africa. Ghana has provided peacekeepers throughout the world since 1960. Through its regional training centers, Ghana builds peacekeeping and security sector capacity beyond its borders. In fact, Ghana is the only country in sub-Saharan Africa that trains U.S. military forces. Our two countries recently signed a Defense Cooperation Agreement that will strengthen Ghana's defense capabilities and reinforce our security and military cooperation. If confirmed, I will also continue partnering with the Department of Defense's Africa Command on improving coastal and maritime security, both critical to protecting Ghana's offshore petroleum and fisheries sectors and to countering transnational threats.

Our third goal is strengthening good governance. We work with Ghana to reinforce democratic institutions and enhance government responsiveness to its citizens. If confirmed, I expect to witness Ghana's eighth consecutive peaceful, national democratic election in December 2020. I will champion the fight against human trafficking. I will also work with the Ghanaian Government to bolster Ghana's democracy via the U.S. Agency for International Development's governance programs. Our robust bilateral partnership also helps Ghanaians reach their full potential, through strengthening the health, education, and agriculture sectors.

Mr. Chairman, if confirmed, I will reinforce bilateral ties. I will vigorously pursue the safety and security of American citizens and advance U.S. interests in Ghana. I will ensure responsible stewardship of taxpayer dollars through effective leadership of U.S. Mission Ghana's strong interagency team.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I would be honored to respond to any questions.

**Senator ISAKSON.** Thank you, Ms. Sullivan.  
**Mr. Hammer.**

**STATEMENT OF HON. MICHAEL A. HAMMER, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF THE CONGO**

Ambassador HAMMER. Good afternoon, Mr. Chairman, Ranking Member Booker, distinguished members of the Foreign Relations committee. It is a great honor and privilege to come before you once again before this committee to seek a third confirmation, on this occasion as the President's nominee to be the next United States Ambassador to the Democratic Republic of the Congo.

My family history motivated me to serve our great country. I am a first-generation native-born American. My father, Michael Peter Hammer, gave up his life in service to our country when I was barely 17, and I knew then that I wanted to become an American diplomat. My mother, Magdalena Altares, supported my dream, despite knowing full well the inherent risks in our profession. And, in fact, she may be trying to watch from Madrid, so, to her, I say: [Speaking in Spanish].

The Foreign Service, like your public service, is a family affair. I would like to recognize my wife, Marget Bjorgulfsdottir, who is with me here today and who has partner—been my partner and served our Nation for the past 30 years. I certainly would not be here without her and without her steadfast support and sacrifice. I am also going to recognize my children, and then we can have them all stand up.

Senator ISAKSON. Okay.

Ambassador HAMMER. My children love to be displayed in public. [Laughter.]

Ambassador HAMMER. And they have been terrific, and handled well, mostly with good humor, our Foreign Service moves: Monika, Mike Thor, and our youngest, Brynja, who will be affected during her senior year in high school if I am confirmed.

Senator ISAKSON. You all stand up.

Ambassador HAMMER. All right. I will not be forgiven. [Laughter.]

Senator BOOKER. And—on the end—is that a wife or a daughter? [Laughter.]

Ambassador HAMMER. Thank you, Senator.

The United States has important interests in the Democratic Republic of the Congo. What happens in the DRC will affect the Central African region. If confirmed, I would be honored to lead Mission Kinshasa at one of the truly decisive points in the Congo's 58 years of independence, and would focus our efforts in five overarching priority areas:

My top and most immediate policy priority will be to work toward a credible election that enables a peaceful and democratic transfer of power as we support democracy, promote good governance, and protect human rights. With the upcoming December 23rd elections, President Joseph Kabila has the opportunity to preside over the DRC's first democratic transfer of power and, in doing so, achieve a significant legacy that advances the interest of his coun-

try and delivers an opportunity for a more peaceful and prosperous future for the Congolese people.

Second, together with our Ambassador to the United Nations, Nikki Haley, and her team, we will continue to support the United Nations peacekeeping mission in the Democratic Republic of Congo, MONUSCO, to help it carry out its mandate to protect civilians and support the electoral process.

Third, we will continue to address the ongoing humanitarian crisis. The United States has been the most generous provider of humanitarian assistance to the Congolese people, and we will continue to work to alleviate the suffering and address the causes.

Fourth, the Congo has experienced nine outbreaks of Ebola, the most recent of which was declared over just last week. So, I fully intend to continue to work and support the efforts of our Centers for Disease Control, our USAID mission, many international partners, and, of course, the very capable Congolese authorities, to ensure that future outbreaks do not become epidemics or pandemics.

And finally, as when I was Ambassador to Chile, I will have no higher priority than to ensure the safety, security, and well-being of our American community, of our staff, and their families.

The challenges in Congo are daunting. The stakes are high. The time is now for a credible election and peaceful transfer of power. If there is no improvement in governance or rule of law, there could be a return to large-scale violence and death, regional conflict, and mass starvation. The DRC is a tough assignment, but it is one that we, as Foreign Service Officers, relish. We relish the opportunity to serve our country, to advance America's interests, to do some good and make a difference.

If confirmed, I would welcome discussing with you and your congressional colleagues how best to advance our interests in the Democratic Republic of the Congo. I value very much your engagement in the several meetings that I have had with you already, and would be happy to begin that conversation now and answer any questions you might have, today or in the future.

Thank you very much.

[Ambassador Hammer's prepared statement follows:]

PREPARED STATEMENT OF HON. MICHAEL A. HAMMER

Chairman Isakson, Ranking Member Booker, and distinguished members of the Foreign Relations committee, it is a great honor and privilege to appear before this committee seeking the Senate's confirmation for a third time, on this occasion as the President's nominee to be the United States Ambassador to the Democratic Republic of the Congo (DRC). I am grateful for the confidence the President and Secretary of State have placed in me for this challenging assignment.

My family's history motivated me to serve our great country. I am a first-generation native-born American. My grandparents on my father's side fled Nazi Germany to France and then Ecuador before immigrating to the United States. My mother, Magdalena Altares, hails from Spain and met my father when he was serving in the U.S. Air Force at Torrejon Air Force base in the outskirts of Madrid. My father, Michael Peter Hammer, gave up his life in service to our country as I turned seventeen and rests across the Potomac on the hallowed grounds of Arlington. I knew then that I wanted to become an American diplomat, and my mother unequivocally supported my dream despite the risks inherent in our profession. Gracias Mami, no podría haber logrado esta carrera diplomática sin tu apoyo.

The Foreign Service, like your public service, is a family affair. I would like to recognize my wife Margret Bjorgulfsdottir, who has been my partner as we have served our nation for the past 30 years. When we were in graduate school at Fletcher up in Boston, Margret encouraged me to send in the paperwork for the Foreign

Service knowing that it would derail her career. I would not be here today were it not for her steadfast support and sacrifice.

I would like to also thank our three children, who have handled well, and mostly with good humor, our many Foreign Service moves, Monika, Mike Thor, and on this particular occasion our youngest, Brynja, who if the Senate confirms me, will be affected during her senior year in high school.

The United States has important interests in the Democratic Republic of the Congo.

After two coups, more than thirty years of dictatorship under Mobutu, a regional war that left millions dead, and President Joseph Kabila's 17 years in power, the DRC is on the cusp of its first peaceful, democratic transition since independence. In holding these elections on December 23, President Kabila can achieve a significant legacy that advances the interests of his country and delivers an opportunity for a more peaceful and prosperous future for the Congolese people.

A stable Democratic Republic of the Congo is in the strategic interest of the United States. The DRC is the largest country in sub-Saharan Africa; it is the size of the United States east of the Mississippi, and borders nine other nations. A failed election or turbulent transition could further destabilize not only the DRC and its over 80 million people, but also its many neighbors. Increased conflict in the DRC is already resulting in higher numbers of internally displaced people (IDPs) and refugees crossing into neighboring countries, with 780,000 Congolese that have fled to countries across central and southern Africa. A free, fair, and credible election in December would pave the way for a more stable DRC and Central African region.

Our U.S. interagency team in Kinshasa, together with our highly skilled and dedicated Locally Employed Staff, are hard at work to advance America's interests. If confirmed, I would be honored to lead Mission Kinshasa at one of the truly decisive points in the DRC's 58 years of independence and focus our efforts in five overarching priority areas.

#### *Enabling Democracy, Promoting Good Governance, and Protecting Human Rights*

My top immediate policy objective, if confirmed, will be advancing credible elections and a peaceful democratic transfer of power. The DRC Government must respect the constitution, honor the tenets of the December 2016 St. Sylvestre Agreement, and uphold its commitment to hold elections on December 23 to elect a new president. While elections will not solve all of the country's many challenges, they are a necessary step toward securing greater peace and prosperity. Basic freedoms and human rights must be upheld and respected. It is what the Congolese people demand and deserve, and the United States—as their enduring partner—will assist in this effort.

#### *Advancing Security, Combating Corruption, and Increasing Transparency*

According to U.N. estimates, there are over 100 armed groups operating in the DRC. The DRC hosts the largest United Nations (UN) peacekeeping operation in the world—the U.N. Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO). Together with our Ambassador to the U.N., Nikki Haley and her team, Embassy Kinshasa will continue to support MONUSCO's efforts to protect civilians and enable a credible election. At the same time, there must be greater commitment by the DRC to reform its security institutions and build a more professional, transparent, and accountable police and military. We continue to demand justice for the tragic deaths of U.N. Security Council Group of Experts Michael Sharp and Zaida Catalan.

A peaceful democratic transition is also imperative for spurring economic growth and investment. The DRC has substantial natural resource wealth, including an estimated \$25 trillion in mineral reserves, yet remains one of the poorest countries in the world. It has the world's largest reserves of cobalt, plus copper, uranium, tantalum, tungsten, tin, diamonds, and gold. Many of these minerals are critical to U.S. industry. The DRC is also home to rich and unparalleled biodiversity, but in 2017 the DRC was named one of three Countries of Concern for Congress's END Wildlife Trafficking Act.

DRC's current business climate is difficult and not conducive to foreign investment. Improved economic governance and respect for rule of law are essential to maintaining U.S. access to strategic minerals and to enable American businesses to effectively compete with Chinese firms. If confirmed, I intend to continue our efforts to combat corruption and increase transparency.

#### *Addressing the Ongoing Humanitarian Crisis*

The United States has been the DRC's most generous donor for humanitarian and development needs. An estimated 13 million people are in need of humanitarian assistance in the DRC, including 7.7 million who face acute food insecurity, 4.5 million

IDPs, and 530,000 refugees from neighboring countries. If confirmed, I will work closely with the State Department, U.S. Agency for International Development (USAID), other international donors, and non-governmental organizations as we continue this important humanitarian effort while seeking to address the underlying drivers of this urgent crisis and help set the DRC on a path to sustainable development and self-reliance.

*Ensuring an Effective Response to Outbreaks of Infectious Diseases*

The DRC has experienced nine outbreaks of Ebola since the disease was first discovered there in 1976, most recently a 10-week reemergence that ended on July 24. The DRC's health officials have considerable experience and expertise responding to, and containing, infectious disease outbreaks. Much of this expertise was developed through decades of close collaboration with the Centers for Disease Control (CDC), USAID, National Institutes of Health, the Department of State, the Department of Defense, among others, and through shared commitment to initiatives such as the Global Health Security Agenda (GHSA). Together, these agencies implement major U.S. Government health programs in the DRC, including the President's Emergency Plan for AIDS Relief (PEPFAR), the President's Malaria Initiative (PMI), and the GHSA. If confirmed, I intend to continue to support the work of these expert U.S. agencies, capable Congolese authorities, and other international partners to prevent future epidemics and potential pandemics.

*Serving and Protecting American Citizens*

As when I was Ambassador to Chile, I firmly believe that the success of our diplomacy depends on our people and, if confirmed, I will have no higher priority than to ensure the safety, security, and well-being of our mission staff and the American community. I recognize that our Embassy personnel in Kinshasa are serving under difficult conditions in a high-threat post with decaying infrastructure, and I will be focused on ensuring we have the necessary support that my team and their families require.

The challenges in the DRC are daunting. The stakes are high. Absent a democratic transition and subsequent significant improvement in governance and rule of law, the risk of large-scale violence and deaths, regional conflict, mass starvation, and/or a pandemic will increase. The DRC is a tough assignment, but one that we as Foreign Service Officers relish—an opportunity to advance America's interests, do some good, and make a difference.

If confirmed, I would welcome discussing with you and your Congressional colleagues how best to advance our interests in the Democratic Republic of the Congo. I value your engagement and am happy to begin that conversation now and answer any questions you have today or in the future. Thank you.

Senator ISAKSON. Thank you very much, Mr. Hammer.  
Mr. McCarter.

**STATEMENT OF KYLE McCARTER, OF ILLINOIS, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA**

Mr. McCARTER. Mr. Chairman, Ranking Member Booker, distinguished members of the committee, thank you for the opportunity to appear before you today.

I am grateful to President Trump for nominating me for this position, and to Secretary Pompeo for his support.

Thank you, especially, Senator Inhofe, for your gracious introduction, and, members of the Illinois Congressional Delegation, for your tremendous support.

I am grateful to have with me today my beautiful wife of 34 years, Victoria, and—who continually advocates for the empowerment of women in both the United States and Kenya; and my son, Austin McCarter, a graduate of my alma mater, Oral Roberts University, now running our family manufacturing company. My other son, Air Force Captain Zachary McCarter, who was born in Kijabe,

Kenya, is not able to attend today, as he is on assignment in Africa.

I am also thankful to my mother, Linda McCarter. She and my father showed me firsthand how to live a life of sacrifice to others. And, for that, I am eternally grateful. I am motivated by the legacy of my father, Lieutenant Colonel (Retired) Chaplain Calvin McCarter, who passed in March, the day after receiving the news of my nomination. I am inspired also by the memories of my daughter, Amber, who lived in Kenya with us for 2 years.

It is an especially high honor for me to be nominated to serve as the United States Ambassador to Kenya, a country I have come to know very well and whose people I greatly admire. More than 30 years ago, I moved with my wife, Victoria, and our daughter, Amber, who was 2 at the time, to a distant place named Tharaka. It was there that we built the medical clinic that continues to operate today, serving over 15,000 patients a year. The work now serves numerous HIV-positive families, operates a K-through-8 school and a children's home.

In those early days, I never imagined that I would return to Kenya countless times to lead various development projects, like this, and have the opportunity to combine this with my experience from serving in the—as a State senator in the Illinois General Assembly. If confirmed, I will take, as my first responsibility, to lead the dedicated team of Foreign Service professionals and their families from the U.S. State Department and many other U.S. Government agencies at our Embassy in Nairobi. Serving with them, serving with this team of dedicated civil servants who work daily to promote America's interests in Kenya would be a great honor.

I will use my experiences in business, public service, and philanthropy to build on the already strong bilateral relationship between the United States and Kenya. I will continue to demonstrate the goodwill and generosity of the American people through important programs, like PEPFAR, and I will ensure ongoing investments are made in critical efforts to defeat terrorism in the region. To help put Americans here at home back to work, I will be a resource for American companies doing business in Kenya, and work to promote partnerships that advance our common interests.

The relationship between the United States and Kenya is strong. And, if confirmed, I am confident that we can build on this already solid foundation. Kenya is a leader in East Africa, and, with continued support from the United States, I believe that we can make strides in promoting greater freedom and opportunity, which is the potential to bring new investments to Kenya that create jobs for both our countries.

My experience gained from building businesses and making win-win deals has prepared me to work in the best interests of the American taxpayers while at the same time stimulating the economy of Kenya while respect—with respectful, well-paying jobs. We must continue to prove to Kenya that America is the greatest of allies.

I am also encouraged by the recent handshake between President Kenyatta and opposition leader Raila Odinga, and even the hug that the Senator spoke of in his introduction.

The security of Americans in Kenya comes first. I take seriously the responsibility to protect Americans living and working abroad, as well as the need to meet our broader national security objectives. I will work diligently to prevent Kenya from being used as a gateway for terrorists. This is an immediate concern for the people of Kenya, America, and the rest of the world. Maintaining a strong strategic alliance with Kenya to fight the terrorist threat from Al Shabaab is a priority, and, if confirmed, it will rank as one of my highest.

I understand the real challenge of the job. I take this opportunity, if confirmed, as an assignment to serve. My talents, my passion, my love and loyalty to our great country will be invested in this mission. My success in life as a husband, father, business owner, and legislator is based on serving others. And this challenge, with your approval, will receive that same level of dedication.

[Ambassador McCarter's prepared statement follows:]

PREPARED STATEMENT OF KYLE MCCARTER

Mr. Chairman, Ranking Member Booker, distinguished members of the committee. Thank you for this opportunity to appear before you today.

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The relationship between the United States and Kenya is strong and, if confirmed, I am confident that we can build on this already solid foundation. Kenya

is a leader in East Africa and with continued support from the United States, I believe that we can make strides in promoting greater freedom and opportunity, which has the potential to bring new investments to Kenya that create jobs for both our countries.

My experience gained from building businesses and making win-win deals has prepared me to work in the best interest of the American taxpayers, while at the same time stimulating the economy of Kenya with respectful well paying jobs. We must continue to prove to Kenya that America is the greatest of allies. I am also encouraged by the recent handshake between President Kenyatta and opposition leader Raila Odinga.

The security of Americans in Kenya comes first. I take seriously the responsibility to protect Americans living and working abroad as well as the need to meet our broader national security objectives. I will work diligently to prevent Kenya from being used as a gateway for terrorists. This is an immediate concern for the people of Kenya, America and the rest of the world. Maintaining a strong strategic alliance with Kenya to fight the terrorist threat from Al Shabab is a priority and, if confirmed, it will rank as one of my highest. We must continue our efforts to share intelligence and work together on counter-terrorism initiatives.

I understand the real challenge of the job. I take this opportunity, if confirmed, as an assignment to serve. My talents, my passion and my love and loyalty to our great country will be invested in the mission. My success in life as a husband, father, business owner, and legislator is based on serving others and this challenge, with your approval, will receive that same level of dedication.

Senator ISAKSON. Thank you, Mr. McCarter.

Did I skip introducing your wife? Did we introduce her?

Stand up, please, dear. I saw that smile back there, and I said, "I think I missed that lady." I do not want to do that. Thank you for your support.

Mr. MCCARTER. And my son, as well.

Senator ISAKSON. And your son. Anybody else?

Mr. MCCARTER. Nope, that is it.

Senator ISAKSON. Did I miss anybody else I should have introduced? Anybody like to be introduced? [Laughter.]

Mr. TAPIA. I would like to introduce my family that is here today: my daughter, Londa Davis, and my grandson, Joel Chidley.

Senator ISAKSON. And where are you all? Are they here? Oh, there you are. Welcome. We are glad to have you.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

And congratulations to all of the nominees today. Thank you for being willing to consider taking on these difficult challenges at this very conflict-ridden time in the world. And thank you, to all of your families, for being willing to support you, should you be confirmed.

I want to start with you, Ambassador Hammer, because, as you mentioned in your opening remarks, your top priority would be to try and encourage elections that should have happened in 2016, but have been postponed continually, and, as you said, they are scheduled now for December 23rd. If those elections do not happen, what options do you have, as Ambassador, and what would you recommend for the administration here to address and encourage the DRC to think about turning over power peacefully?

Ambassador HAMMER. Thank you, Senator Shaheen. And it was—it is nice to see you again. You chaired the panel when I was a nominee previously.

Senator SHAHEEN. The last time, right?

Ambassador HAMMER. Yes. Thank you.

And that—Senator, your question is exactly what we are very much focus on. I would say that, in what the administration has

been doing—and I applaud the leadership that our Ambassador to the United Nations, Nikki Haley, has demonstrated in traveling to the Democratic Republic of Congo in October of 2017, meeting with President Kabila, and, as a result of her efforts and those of many others, we were able to get the elections back on track and have an electoral process that now we hope will culminate in a credible election in December 23rd.

The key here—and again, if confirmed—is to get on the ground and continue the efforts that we have, as the United States Government along with other partners in the region, whether it is the neighbors, Angola or others further afield in South Africa, or some European partners, like the Brits, the French, or the international community, to stress how important it is that President Kabila live up to his commitment. It is—it was his commitment, under the Saint-Sylvestre Agreement of 2016, not to stand for a third term and to enable an election that will provide a peaceful transfer of power. And that is where we are really focusing on now. We will use all diplomatic tools that we can to ensure that that message is clear and understood. I very much appreciate the engagement by members of this committee, resolutions that have been passed, with Senator Flake and Senator Booker, that have conveyed that message very clearly to the Kabila Government, that it is now time to allow for an election that is without him as a candidate. We will also use targeted sanctions. We will use public messaging. We will ensure that we have technical assistance that we can provide to help carry out those elections. So, Madam Senator, really we are very much focused, again, on the here and now, the opportunity that we have, that President Kabila has and the Dem-Congolese people have, to have an election that is credible and that puts Congo on a better path.

Senator SHAHEEN. Well, thank you. And I appreciate the cooperative effort to try and encourage the DRC to continue to move forward.

Mr. McCarter, your record in Illinois as a legislature—as a legislator raises some very real concerns about your commitment to equal rights for all Americans. And, as I am sure you are aware, it is the policy of the State Department to advocate for LGBTQ rights as an integral part of its approach to promoting human rights around the world. So, given your opposition to marriage equality, to allowing same-sex couples to adopt, to some of the transgender legislation in Illinois that would have promoted equal opportunity for transgender people, can you commit to this committee that, if confirmed, you will meet with prominent members of Kenya's LGBTQ community, and that you will work to protect and advance their human rights?

Mr. MCCARTER. Senator, thank you for the question. And I can understand why this is a question that you would want to ask.

My—first, let me say that the Kenyan high courts are taking up, right now, this issue about decriminalizing homosexuality. I want you to know right now, I support that. I believe that is the right thing to do. My voting record in Illinois in the General Assembly on this issue is very clear. It is—it has been my sincerely-held belief that, as well as another foundational tenet of my faith, and that is that we should love one another, and love our neighbor as

ourselves. And so, let me—so, let me just say that—and this issue has no bearing on how and whom I serve in public government and in my business. Every person is created equal and deserving of respect. Discrimination of any type should not be allowed. And all those working under my leadership know this. If confirmed, it will—I will continue to be a leader, a manager, and a friend of people, all treated equal, with dignity and respect, regardless of their sexual orientation or religion.

Senator SHAHEEN. And so, do you also commit that you will uphold all U.S. Government and State Department policies regarding equal opportunities in the workplace in your Embassy for LGBTQ employees, both American and Kenyan?

Mr. McCARTER. Absolutely, Senator.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

Senator ISAKSON. Thank you, Senator Shaheen.

Senator Murphy.

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

Thank you all for your service.

Mr. McCarter, I am going to stay with you to try to further develop this line of questioning. And I will just sort of give you the reason for some of our concern, at least some of my concern. We had a nominee before this committee to be Ambassador to Germany, some months ago, who had, like you, a fairly robust public presence on social media in which he did not hold back his political views. He promised to us that he would, sort of, tone that down once he went abroad, that he would be a good diplomat. And within about a day of getting on the ground, he was, once again, offering his political opinions, and has not stopped. And so, we want to make sure that, when we send diplomats abroad, they drop their political views.

So, let me ask you about the comments that you have made on Twitter about America's refugee policy. You have been deeply critical of President Obama's plans to bring in refugees to this country. I will not read you all your tweets, but there are some pretty tough comments here. And you are going to a country that brings in hundreds of thousands of refugees. They host, today, 500,000 refugees. And, in fact, it is official American policy to encourage Kenya to continue to shelter Somali and South Sudanese refugees. And so, you can imagine it is very concerning to many of us that we are sending an Ambassador to Kenya who has used his pulpit to try to discourage his own country from bringing in refugees, while your job will be to try to encourage Kenya. It sounds like we are sending a pretty interesting message to Kenya with the nomination of someone who has had such outspoken views about keeping refugees out of the United States.

Answer my concerns about your comments on refugees and what your position will be with respect to the—Kenya's history of taking in refugees.

Mr. McCARTER. Senator, thank you for that question.

The only concern I have is the proper vetting. And as long as those refugees are vetted properly, so not to cause risk to our citizens, I am as welcoming as anyone, because what I have seen is that these folks, they have grit, they have the ability to overcome

some really tough situations. They are not good—you know, they are not coming because they just chose a better place, they are coming because they have been put down, they have been held back. And so, I know the grit that they have and the good that they bring to our country. So, let me because very clear. My only concern, in all of those dialogues, was that the vetting is as—what it should be.

Senator MURPHY. I accept that explanation. I will just note that Kenya does not do the kind of vetting that you might expect us to do. They have made the decision to act with compassion to bring those refugees in, notwithstanding their inability to do the kind of vetting that some would like this country to do and, I would argue, we do.

Let me just associate myself with the concerns that Senator Shaheen raised. Again, I accept your answer, that you are going to respect U.S. policy with respect to LGBTQ rights, though I remain concerned about some of your comments in the past.

Lastly, let me just raise one tweet to you and ask you to explain it. On the night of the election, you sent out a tweet that read as such, “Hillary for prison. No, really.” What did you mean by that? Do you actually believe that Hillary Clinton should be in prison?

Mr. McCARTER. Senator, there are—there are conversations to have. And I am not the one to say anyone should be accused unjustly. But, there is—you know, there is a hype in an election that we make—you know, and we question. And I did pose the question. And perhaps that was not called for, but I will tell you, I did pose the question.

Senator MURPHY. Probably worthwhile for anybody thinking about taking a diplomatic post to just stand down on Twitter. These are not helpful comments to someone who is being asked to represent the United States abroad. That is not a sufficient explanation, as far I am concerned, especially that it came on the night of the election. But, again, I appreciate you answering the questions.

Thank you, Mr. Chairman.

Senator ISAKSON. Thank you, Senator Murphy.

Senator Coons.

Senator COONS. Thank you, Mr. Chairman. It is great to be with you and Senator Booker again, and to have these nominees in front of us.

I want to start by thanking you and your families for your willingness to take on service overseas in a wide range of countries where our relations are particularly important. And I am grateful to my colleagues for the speed with which we have moved to confirm Ambassadors to Africa, an important continent, where we need to be well represented.

And I want to just take a moment and share that Senator Flake is not with us, because he is acting as an election observer today in Zimbabwe, where an historic election took place yesterday, something—a group of five of us, Senator Booker and Senator Flake and I and two others, visited Zimbabwe a few months ago to consider their upcoming election, and I was grateful that this committee voice-voted out a bill that has now passed the Senate and the House, and is awaiting the President’s signature, to make

it clear to the Government of Zimbabwe what are the necessary political and economic reforms for our sanctions on that country to be lifted. Of course, central among them, free, fair, and credible elections. I also am optimistic. The election was held relatively peacefully, with very high turnout, more than 70 percent, and most Zimbabweans waited for hours in line. I am looking forward to hearing an announcement of the results soon. I am also pleased we moved quickly to confirm now-U.S. Ambassador to Zimbabwe Brian Nichols and Assistant Secretary Tibor Nagy.

So, let me ask a few questions, if I might, in the 3 and a half minutes I have remaining.

If I might, Mr. McCarter, just talk a little bit more about what are the most critical components of moving ahead a constructive political dialogue between President Kenyatta and Raila Odinga. You referenced the handshake. Political reconciliation is key to Kenya moving forward. Kenya is a vital ally in the region. We have to see some progress. What do you think are the key elements in making progress in political reconciliation in Kenya?

Mr. MCCARTER. Senator, thank you for this question.

It is very important. It is very important to every aspect of what takes place in that country, because, as we know, the division—the ethnic division has been an issue. These things do not take—these things do not get better overnight, but it is really encouraging to see what—how they are moving forward.

I expect that new leadership at the local level is going to help this situation. I think the devolution—the move to take that power from the federal government down to the county levels, I expect—and I think we have already seen new leaders step up to help bring people together, not just to speak for their region, not just to speak for their tribe, but to speak on behalf of the nation, as a whole. And so, I am encouraged by this devolution process, where these new leaders—some young leaders are stepping up to lead. And I think that is a good thing. And I think that is what is going to make a big difference.

Senator COONS. And will part of your role, should you be confirmed, be active outreach, helping county-level governments advance and improve in helping a younger generation of leaders be involved in this reconciliation process?

Mr. MCCARTER. Yes, Senator. And let me just say, I think, for any leader, you know, I—it—we have said you do not have success without successors—for any leader, you have to be bringing up people beside you, and encouraging them, lead—motivating them to take on that vision for—you know, for a country like Kenya, like—and I plan on doing that. I have always done that in my role as a senator. I will continue to do that as a role as Ambassador, if confirmed.

Thank you.

Senator COONS. Thank you.

Ambassador Hammer, thank you for being willing to take on a country the size of, you know, the continent of Europe. Very complicated, with a very tragic history, great deal of internal conflict and regional conflict. Senator Shaheen has already asked you about this, but let me follow up further, if I might.

Tomorrow, I am going to co-host a Human Rights Caucus event on the upcoming elections in the DRC. What more can we be doing to work with regional leaders to make sure that the country holds timely and credible elections? What kinds of incentives can we, or should we, offer to Kabila? Across the continent, we have the problem of presidents changing their constitutions, extending their terms, and not leaving. And how do you think we should gauge whether these elections—hopefully, they will happen December 23rd—how do we gauge whether the results are credible? What factors do we look for?

Ambassador HAMMER. Thank you, Senator Coons, in your—for your personal engagement, also, on issues relating to the continent specifically, and on the DRC, including a session you will be hosting tomorrow.

You are absolutely right, and we are engaging with partners in the region. As I mentioned previously, whether it is Angola, South Africa, some of the other neighbors, but also with the African Union, SADC, the United Nations, the EU, I think all trying to project the same message. And the message is that we have an expectation that President Joseph Kabila will abide by the Congolese constitution, and not seek a third term, that he will live up to his word, in the agreement of 2016, that he would allow for the transfer of power peacefully. And so, as we move forward, we need to look to see—you know, he should understand that there is a legacy at stake, and he has an incredible opportunity to enable the first peaceful democratic transfer of power in the 58-year history of the Democratic Republic of the Congo. And he also, I think, understands, as do many others, that we are holding people accountable who stand in the way of allowing for a democratic process, who may be corrupt, who are violators of human rights. You probably know full well that we have imposed sanctions on six individuals and one entity under the provisions of the law that allow us to do so in the DRC. We have also worked with the United Nations to identify and sanction four other people. And we have used visa restrictions.

But—that is on the stick side, but on the carrot side, I think the message is, to the Congolese people, that they have a partner in the United States of America. As I mentioned, we are the most generous donor on humanitarian assistance, but we are ready to go beyond that and help in its development and empower the Congolese people to have the opportunity for a better future. And that requires, of course, coordination and work with this committee that is so engaged. And I would look forward to, if confirmed, have further discussions on how, again, we can help the Congolese people realize the kind of future that they so much desire.

Senator COONS. Thank you. Thank you, Ambassador.

I have got more questions, but I am out of time for now.

Senator ISAKSON. Get right to you just as soon as we get the other questions done.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

And congratulations, to each of you, both for your nominations and your service.

Senator McCarter, I want to follow up on just the last comment that Senator Murphy asked you. I was a missionary in a military dictatorship in 1980 and '81, and it was the kind of place where political opponents would be put in prison. And, boy, it was an eye-opener for me, because I had not experienced anything other than suburban Kansas City when I moved to Honduras and lived in a society where, if you were a political opponent, you could be put in prison. And that was an eye-opener, but also really convinced me that, "Thank God that is not who we are."

You know, other nations—and there is a lot of them—not just Honduras, but other nations, are those kinds of places today, all over the globe. There are stories in the newspapers today about political opponents being put in prison. And so, when somebody in this country, especially in a position—a titled position of trust, which you hold, suggests that—not that somebody is bad, should not be elected, glad they lost, et cetera, but they should be put in prison, I just—especially having lived in Kenya and seen a circumstance different than maybe we have here. I am just completely perplexed.

Have you had cause to repent of that attitude? You said to Senator Murphy, you acknowledged that you raised the question. It is not a question. I mean, it is a—it is sort of an assertion that would seem to be completely contrary to the system of government that we have. What—do you have a response? Have you had cause to think about that and repent of it?

Mr. McCARTER. Senator, perhaps it was not the wisest of tweets. And, you know, that is the thing about—

Senator Kaine. Can I say this—

Ambassador McCarter:—tweets. They do not—they will not—you cannot grab them back. That is—

Senator Kaine. Yeah. I am not—

Mr. McCARTER. Yeah.

Senator Kaine.—questioning the note—the letters that your hand typed. I am questioning, How does a thought like that come into the brain of somebody who is serving as an elected official in a democratic system like we have? It is not that you typed it, it is—you had to think it before you typed it. And it just seems so contrary to the values of a democracy that we would live in that suggesting prison for a political opponent is something that you would likely do.

Mr. McCARTER. Well, obviously, no one should be convicted of anything they did not do. I understand that. So, it—again, if it—perhaps it is one of those tweets that you would like to reel in, but you cannot. And that was one of those.

Senator Kaine. There is a beautiful biblical phrase, "From the fullness of the heart the mouth speaks." It is less the mouth than the heart that I guess I am inquiring about when I ask that question.

Let me ask, to Ambassadors Sullivan and Hammer. You guys have had some pretty amazing experiences. I had a son who was deployed in Africa with the Marines in 2015. Talk a little bit about mil-to-mil cooperation, mil-to-mil interaction between the United States military and both Ghana and the DRC.

Ambassador SULLIVAN. Thank you, Senator Kaine.

We have a very robust mil-to-mil relationship with the Republic of Ghana. In fact, we recently signed a Defense Cooperation Agreement that will deepen that shared interest in regional security. Ghana has had an outsized positive influence on regional security from early days of independence. I had the pleasure, when I was serving in Ghana previously, to work on the first peacekeeping training that the United States did, 20 years ago. And—

Senator Kaine. When you were there in '97 to '01?

Ambassador SULLIVAN. That is right. And there is a vast array of engagements, from exercises to a fabulous state partnership program, with the North Dakota National Guard, to, also, exchange programs and training, capacity-building—in many areas, not just peacekeeping. We have the Security Governance Initiative that focuses on border security, on maritime security, and cyber security. And this is developed in conjunction with Ghana's own steering committee, in terms of what they see as their needs. So, we have a very strong collaboration and a robust collaboration that I expect to continue.

Senator Kaine. Great. Thank you. My—Ghana was one of the countries that my son was deployed in. But—

Ambassador Hammer.

Ambassador HAMMER. Thank you, Senator Kaine. Appreciate the question.

I spent the last couple of years on a detail at the National Defense University at Fort McNair, where much of the work that is done there is not only training and preparing our future leaders, but also international fellows from all around the world. It pains me to say, however, that, in the case of the Democratic Republic of the Congo, we do not have a relationship—mil-to-mil relationship, to speak of. And the reason is because of the gross violations of human rights, that the FRDC is—has carried out. However, we do have very specific military assistance programs that are designed to help with the military justice system that involves human rights training and understanding that, in fact, impunity must not be tolerated, that those who commit abuses of human rights and crimes against humanity should be held accountable.

I hope that, during my tenure there, if confirmed, we can get to a point where we can help truly professionalize the Congolese military to the point that we would have the confidence—of course, with appropriate Leahy vetting and Leahy vetting-plus, if you will—to make sure that again, that we are professionalizing a military that can serve the Congolese people in the way that they would expect, with utmost respect for human rights. And that, again, would be, I think, useful in the long term. But, we are not—nowhere near there. And we will have to continue to urge, again, improvements on the human rights front, if confirmed.

Senator Kaine. Thank you for that answer.

Thank you, Mr. Chair.

Senator ISAKSON. Thank you, Senator Kaine.

Senator Booker.

Senator BOOKER. I am happy to defer to Senator Coons, if you would like to get some more questions in, sir.

Senator ISAKSON. Okay. I have got a few that I am going to get in, too.

Senator BOOKER. Then, sir, I will defer to you. Well-Senator ISAKSON. You do not have to defer to me. I will just defer to you. [Laughter.]

Senator BOOKER. I have—sincerely, I am honored. I loved co-chairing this committee with Senator Flake, and it is extraordinary where he is right now, and I am—and we are really grateful for what he has done in his work as Chairman of this committee. I recognize Senator Inhofe, who is sitting back there, is just such an extraordinary man who—I have had the privilege of going to his hideaway. He feeds me and gives me fellowship, which I deeply appreciate. And I have an old saying, “This is—before you tell me about your religion, first show it to me in how you treat other people.” And Senator Inhofe and his record in Africa speaks for itself and shows his deep faith and love of God’s children. And I am grateful. But, today, I am really grateful to be sitting next to you, sir.

Senator ISAKSON. I am proud to be here with you.

Senator BOOKER. Thank you, sir. Thank you.

I had a really good conversation with Mr. McCarter who was gracious to sit with me in my office. And I want to acknowledge what your family has done in showing their faithfulness, the incredible work that you have done to save lives, frankly, and to affirm the dignity of all people. And I do not want to diminish that. I know you have been receiving questions from my colleagues that were completely justified, and I want to follow on some of those line of questions. But, I want to start by saying that, in the same way that Senator Inhofe has, your family has done extraordinary work, and you have shown an extraordinary commitment in certain areas.

We all are, as you were, an elected leader. And I certainly have said things that I wish I had said better, and been taken out of context and did not reflect my heart. And so, I am in that game, as well. And I am sure you are.

I do want to revisit, though, your record regarding the LGBT community for which I feel a great degree of concern in our own country because of the violence and discrimination that young LGBT youth face. I was always amazed that my dad, who would if he was in a room and there was somebody off alone at a party, he would go over and sit with that person for a long time, making them feel special. When we were in restaurants or in department stores or in grocery stores, he would find the people that were being marginalized or ignored. And I would be stuck waiting on my dad, because he seemed to—so enthusiastically talking to folks.

And as I got older, I began to understand that my father had this sense that, you know, you need to love everybody, but you have to have a more activist love towards those people who are discriminated against. It is not enough to say, “I am not a—do not discriminate.” It is not enough to say, “I am not a racist.” That you have to be antidiscrimination, you have to be antiracism. And so, when it comes to LGBT community, it is not enough to say, “Hey, I am going to treat everybody equal.” Somehow, you have got to balance the scales.

And, you know, when I read your comments—and you were so gracious, because you brought this up to me yesterday before I even talked about it—but, you opposed not just same sex marriage,

an issue on which I understand we can disagree, but, when it came to same-sex couples adopting, it seemed like you were opposing that. You seem to oppose laws that would have tried to deal with the bullying of LGBT youth. And so, I am wondering about that, as Senator Shaheen asked, and to which you did not really give a straight answer, now that you are going to a community that criminalizes that behavior. You told me, point blank, that you oppose that. She asked you to make a commitment to even meet with the leaders in the LGBT community, and you did not give her an answer. Do you feel the sense that you need to try to really work hard, especially given the comments that you may have made about LGBT communities, to try to affirmatively work against the ongoing discrimination in the country you are going to?

Mr. McCARTER. Senator, let me, first, go to one of the things you mentioned, about adoption. What I did in the State legislature was simply put back an amendment that was stated on the floor by my Democrat counterparts, that the Catholic Church, who is the largest adoption agency in the State, would still be able to continue working. And that was made very clear on the floor, yet, when the law was passed, they were put out of business and had to reorganize. And so—I am not a Catholic, myself. I did that because there were so many—there were—this was the largest pool of families that were willing to adopt and foster. We had to—I felt that we needed to protect that group. Now, it was against their conscience to adopt to, and foster to, same-sex couples. So, I simply put back an amendment that everyone had agreed to on the floor, my Democrat—by the Democrats, themselves—Senator Haine—and—actually, what happened is, I really got kind of left out in the cold there. I did what I thought was right. I did, for those people, so that we could have—we could have hundreds and thousands of homes to go to, and then it went nowhere. I felt a little bit betrayed. But, I believe I did the right thing.

Now, I have been known for meeting with anyone. If you want to—if you want me to go back to the actual question, I will. Yes, I will meet. Yes, I meet—even when the death penalty was being discussed in Illinois, and I voted against it, I had the most spirited, interesting meetings with those that were—wanted to abolish it, because I was open to hearing from them. Because, you know what? I could be wrong at times. I admit that. And that is why I am willing to listen.

So, in this situation, I am telling you I am absolutely willing to listen, and at any time.

Senator BOOKER. So, to Senator Shaheen's question—direct question to you, Would you commit to meeting with leaders—

Mr. McCARTER. Yes.

Senator BOOKER. The answer is yes.

Mr. McCARTER. Yes, sir.

Senator BOOKER. Thank you, sir.

I am over my time. I thank you very much, Mr. Chairman.

Senator ISAKSON. Thank you, Senator Booker.

Senator Coons.

Senator COONS. And thank you, Chairman Isakson, Ranking Member Booker.

I wanted to make sure I also ask some questions of Ambassador Sullivan, if you will forgive me, because I have been to Ghana, I think, three times now. It is a country of particular interest and concern to me. And I was talking with Ambassador Hammer about the importance of possibly having the first free and fair elections, peaceful transition in DRC. Ghana has had, I think, seven peaceful presidential and parliamentary elections since the return of multiparty democracy in '92. Our government provided about 7, 7 and a half million in funding to help make possible free, fair, and—elections through the Electoral Commission, the National Peace Council, Civil Society. Was that a good investment? Do we get a good return on investment when we provide that kind of support for election systems and for election processes? And how does having regular free and fair elections contribute to the development and progress of Ghana as a republic?

Ambassador SULLIVAN. Thank you, Senator Coons. And thank you for your strong interest in Africa, and support.

I think, yes, simply, it is an excellent investment. One election does not a democracy make. And I think it is very important to continue to develop the local systems that will enable us to graduate from providing that type of electoral assistance. I think a prerequisite is the political will. I was there for the third such election, and it was, in fact, the first handover from one democratically elected government to another of a different party. And that was a pretty amazing time to be there. So, it is very heartening to see how Ghana has continued in its positive democratic trajectory.

And what has flowed from that—and when you asked about the benefits of that, and also, I would say, respecting the term limits have downstream benefits in improving the investment climate, reassuring investors, both local and foreign, that the rule of law will be respected, letting politicians know that, "It did not work out this time, you have another chance in 4 years." Ghana had a history of coups. And the fact that they have pulled themselves out of it is amazing and a really wonderful example for not just the ECOWAS region, but elsewhere in the continent. And, as I mentioned in my testimony, Ghana has long been a leader on the continent. And I would, if confirmed, work with the authorities in Ghana to help amplify their positive example for other countries in the region.

Senator COONS. Thank you.

Ambassador SULLIVAN. Thank you.

Senator COONS. My most recent visit there, I had a chance to meet with President Akufo-Addo and was impressed with his skills and ability, with their commitment to peacekeeping regionally. And I could not agree more with you that, as more and more countries in West Africa have transitioned from countries with coups or strongmen to free and fair elections, you have seen a ripple effect that has been wonderfully positive. I also visited the Gambia, which is, I think, the last West African country to transition to having free and fair elections.

I want to ask Ambassador Hammer a question about MONUSCO, if I might, before I conclude.

But, Mr. Tapia, if you might, you mentioned energy and the energy mix in Jamaica, and concerns about resiliency. The Caribbean has suffered through a series of devastating hurricanes. Our own

Puerto Rico and the Virgin Islands are still struggling to restore power. If confirmed as Ambassador, how might you help Jamaica advance towards a more resilient and sustainable electrical system for its future?

Mr. TAPIA. Senator, you are correct about the weather conditions and so forth that takes place in Jamaica. The USAID is now in the process of formulating a program to work with the Jamaican Government and so forth to build resiliency for the primary hurricanes and so forth. I would support the USAID position very robustly to work with them on—in serious part that can bring devastation to the people, to the country, and to the interests of the United States.

Senator COONS. It is an area where I think an ounce of prevention is worth a pound of cure, so I hope you have the opportunity to work along with USAID in delivering that.

If I might, last question, Ambassador Hammer, just—MONUSCO is the largest, most expensive, one of the longest-running peace-keeping missions in the world. It had a change to its mandate that allowed it to be more proactive, and that helped, I think, somewhat in far-eastern DRC, particularly dealing with some of the residual forces that have bedeviled relations with Rwanda.

Any thoughts on how you might see changes to its authorized troop ceiling it has mandated, and what role it could or should play in further stabilizing conditions in DRC?

Ambassador HAMMER. Thank you, Senator.

And you are absolutely right that MONUSCO has a very important mission to try to provide for the security of the Congolese people and, at the same time, also assist with the electoral process. I will not—I have not had a chance yet to have discussions with our Ambassador to the United Nations, Nikki Haley, to get her views. And it obviously does not fall within purview alone. Absolutely, it would be something that we would do—all do in consultation. And, if confirmed, I would provide my views from the field, from Kinshasa. And we are all interested in a efficient and effective MONUSCO mission, which is extremely challenging, as you pointed out, with a country the size of Europe, the size of the United States east of the Mississippi, with over 100 armed groups terrorizing people throughout the country, not only in eastern continental, but the—what we have seen in—more recently in the—region. It is something that we need to, of course, always be taking a look at how to improve, how can their operations become even more effective. And it is something that, again, once I am out there and have an opportunity to see them in action and to talk to more of the experts to see what is necessary, going forward—but we should also recognize that this is such a tremendous humanitarian crisis ongoing, with 13 million people in need of humanitarian assistance, 4.5 million internally displaced, and absorbing 530,000 refugees from other countries. The problems are rather severe. And so, even though that is not their primary function, providing some level of security and stability is a key factor that, of course, we should continue to support.

Senator COONS. Well, thank you.

I appreciate your letting me run over, Mr. Chairman.

Thank you all, to you and your families, for your willingness to take on this service on behalf of our Nation.

Thank you, Mr. Chairman.

Senator ISAKSON. And I am going to adjourn the meeting in just a second, but I have waited to the end for a reason.

I had a thought cross my mind, I did not think I would have had it cross my mind, but when it works, I like to cash in on it, if I can.

Mr. McCarter, your testimony was tough, and the questions were tough. And I have seen—had some issues in my statement, in the past few years, where people have responded to questions or made statements using Facebook or the Internet or some other medium of communication like that. It is instantaneous, that you cannot take it back, that, once it is gone, it is gone, and came close to ruining their entire career, because they did not think of it in the context of: Someday somebody might read this in a public forum.

We had a case in Georgia, just recently, pretty—got a lot of attention, where a guy said he was tricked. He would have never said something if he had not been tricked. I have a little sign on my mirror on my bathroom in my home. It says, “Remember, stupid, everything is either a camera or a recording device.” And it is up there because I have walked out of about every kind of meeting you can walk out of, and found people who had already taped what I said, and had reporters calling me about what I said. So, your words have meaning, and they are important.

I will make you a suggestion that I do not know if it is appropriate for me to ask this, but I think it is, given the sincerity of the questions that were asked by Senator Shaheen and the others, as well as what I think will be a good word to those who want to subscribe one day to be an Ambassador. I would like to send me, or then send the committee, just a note, and take the things that you said, that you had not prepared to say, but, when you answered those questions, you said, and reduce that to writing to the committee addressing the question, for example, of putting somebody in jail or things like—I understand—if I am an Ambassador, I understand words have consequences, and I understand I may have said some things that did not—I think it is—if you do that once for all of us, for me and everybody else—it is a internal warning, because all of us have the tendency sometimes to get enamored with our popularity or our position, and respond in an environment that we feel real comfortable in, that, when struck back from that comfort, we probably should have never said what we said. It really did not reflect the way we meant it.

So, I think, in fairness to you, as well as to the Senators that raised the question—and I am one of those raising the question—if you would just jot down your thoughts, in the next day or two, to get them to the committee, it would be very helpful to memorize what I thought were excellent responses, personally, and willing responses. So, if you would do that for me, I would appreciate it.

Mr. MCCARTER. I will do that, sir, thank you.

[The information referred to above was not received when this transcript was printed.]

Senator ISAKSON. And thank you for your willingness to serve.

And, you know, I feel sorry for Mr. Tapia, you have not been asked any questions to speak of. [Laughter.]

Senator ISAKSON. So, I am going to ask you a question. You a golfer?

Mr. TAPIA. No.

Senator ISAKSON. You are not. [Laughter.]

Senator ISAKSON. Well, you brought up the Augusta National Golf Club in Augusta, Georgia, and I think, if you brought that up, you—at a hearing about being an Ambassador to Jamaica, surely golf must be a big deal for you. But, it is not?

Mr. TAPIA. Well, Senator, I happened to be there at Augusta when Bubba Watson won the Masters Award. And that was a question. And I have always kept it, and I have kept it in my own heart of how I have lived my life. And thank you for that question.

Senator ISAKSON. Well, let me tell you why I said it, because what you just said, about how you live your life, is very important. My father used to tell me, he said, "You know, son, if you do not swing the club, you never know whether you are going to get a hole in one or not." And what you said—with the way you said what you said about Augusta and everything else, and then what you just said about yourself, that is true for all of us, and it applies to what I was talking to Mr. McCarter about. Everything has meaning, and everything is important. And you are never going to know how impactful your words can be unless you are going to use them. And if you do use them, and they cause an impact, you will learn a lesson from them, good or bad, one way or another.

So, it is very important to understand that life is about lessons, all of us get them. And I thought sure you were going to be a member of some great golf course I could get you to take me on one of these days. I do not know that either you or I are going to live that long anyway, so we will not worry about that. I just congratulate you on your nomination and thank you all for your participation. We wish you the very best. I do not know when the committee meeting is going to be held for the markup, but we will have it sometime soon, I am sure.

Any other questions? [No response.]

Senator ISAKSON. If not, the hearing is adjourned.

[Whereupon, at 4:15 p.m., the hearing was adjourned.]

## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO DONALD TAPIA BY SENATOR ROBERT MENENDEZ

*Question 1.* What will be your priorities in Jamaica if confirmed as Ambassador?

Answer. If confirmed, my top priority will be ensuring the welfare of U.S. citizens visiting and living in Jamaica. To that end, we will work closely with the Jamaican Government to cooperate on addressing security concerns in and around the country. Enhanced security not only serves everyone in the country but also, given proximity to the United States, serves U.S. national interests. We will work together with the Jamaicans to combat the trafficking of people, weapons, and drugs.

If confirmed, I will also focus on our vibrant bilateral economic relationship. In 2017, the United States had a \$1.8 billion goods trade surplus with Jamaica. Over

the last four years, U.S. firms have invested more than \$1 billion in Jamaica, mostly in energy, a field where there is potential for great growth. If confirmed, I will work with my colleagues at Embassy Kingston and in Washington to increase our bilateral trade and investment ties and continue to help Jamaica diversify its energy sources. I look forward to continuing our work with the Government of Jamaica to help it achieve its prosperity goals.

*Question 2.* In June 2017, the State Department submitted a multiyear strategy for the Caribbean (required by the United States-Caribbean Strategic Engagement Act of 2016, P.L. 114-291) that established a framework to strengthen U.S.-Caribbean relations. Could you tell us about the main components of the U.S. strategy for Caribbean engagement and how they are being implemented in Jamaica? As Ambassador, what recommendations would you make for increasing U.S. engagement with Jamaica?

Answer. If confirmed, I will seek out essential input and cooperation from Jamaica to build upon our Caribbean 2020 strategy. On security, if confirmed, I will support the Caribbean Basin Security Initiative and prioritize maritime security and capacity-building in counter narcotics and law enforcement. I will also highlight private sector engagement and sustainable growth in a second Prosperity Round-table with Jamaica and our other Caribbean partners in 2018. I will continue our work with the Jamaicans towards diversification of energy supplies away from a single fuel source and promotion of U.S. exports, particularly natural gas and renewable-energy technology, as primary objectives for promoting Caribbean energy security.

*Question 3.* How would you assess bilateral cooperation with Jamaica on anti-drug trafficking efforts? What type of anti-drug support has the United States provided Jamaica under the Caribbean Basin Security Initiative or CBSI, and what have been the results?

Answer. Our bilateral cooperation with Jamaica on anti-drug trafficking efforts is strong. The United States supports a wide range of efforts designed to reduce illicit drug trafficking through the Caribbean Basin Security Initiative (CBSI). CBSI support to Jamaica includes training, equipment, and logistical assistance for interdiction of narcotics and enhancing Jamaica's maritime law enforcement capabilities. Our Drug Enforcement Administration, Department of Homeland Security, and U.S. Coast Guard work effectively on joint operations and information-gathering to detect and dismantle drug trafficking organizations. Jamaican authorities, supported by U.S. Government assistance, increased the frequency of land-based cocaine seizures in 2017 and made significant investments in capabilities to detect and interdict maritime trafficking. If confirmed, I am committed to strengthening this partnership to combat drug trafficking through Jamaica and the region.

*Question 4.* Human rights organizations in the past have criticized pervasive homophobia and targeted violence against the LGBT community. How would you assess the current human rights situation of the LGBT community in Jamaica?

Answer. In most of the Caribbean Basin, including Jamaica, consensual same-sex adult conduct is criminalized under colonial-era laws. Discrimination in employment, unequal access to health care, the inability for transgender persons to change their gender or birth name on government IDs to match their identity, and violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons all present challenges to advancing the inclusion and human rights of LGBTI persons in Jamaica. If confirmed, I will advocate that governments have an obligation to protect, respect, and uphold the dignity and fundamental freedoms of all people—including LGBTI persons. It is in the interests of the United States to promote, protect, and advance universal human rights.

*Question 5.* The Chinese Government has invested \$10 billion in Jamaica infrastructure projects to gain influence with the Jamaican Government. What is your assessment of China's efforts to establish a naval base and military presence from being established in Jamaica? What steps will you take to protect U.S. interests?

Answer. My understanding is China currently has no military presence or naval base in Jamaica. We have robust mil-to-mil engagement with Jamaica to address common threats, including regional cooperation through the Caribbean Basin Security Initiative. If confirmed, I will continue to monitor this issue and advocate for the United States military as the partner of choice.

While the United States remains Jamaica's preferred trade and investment partner, China has sharply increased engagement with Jamaica over the past decade. The lack of transparency in China's investment practices and its poor adherence to free market principles could undermine Jamaica's efforts to combat corruption. If confirmed, I will encourage Jamaica to adopt economic policies that are consistent

with free market competition and transparency, responsible and sustainable financing arrangements, open and fair market access, and high standards of good governance.

*Question 6.* In February, then-Secretary of State Tillerson spoke out against China's "foothold in Latin America," where he maintained China was "using economic statecraft to pull the region into its orbit." What is the extent of China's engagement with Jamaica? How will you work to support U.S. businesses in Jamaica?

Answer. The United States is Jamaica's top trading partner. If confirmed, I will do everything I can to ensure this partnership continues. I will seek to improve the trade and investment climate for U.S. businesses in Jamaica through improved transparency and accountability, stronger protection of intellectual property rights, and more efficient border clearance procedures. I will also encourage a whole-of-government approach to providing U.S. businesses and Jamaican partners financing and project feasibility opportunities.

*Question 7.* Petrojam-Jamaica's sole oil refinery, is 51 percent owned by the Jamaica Government, and 49 percent by PDVSA of Venezuela. Recent reports have Venezuela President Maduro skimming billions of U.S. dollars from PDVSA profits (some of which come from Petrojam). What is your position on requiring Jamaica to freeze PDVSA's share of Petrojam's profits in the short-term, and longer term, force PDVSA to sell its interest in Petrojam?

Answer. The United States strongly supports Jamaica's efforts to achieve a secure and reliable energy sector, particularly in light of Venezuela's declining oil industry. If confirmed, I will support the diversification of energy supplies away from a single fuel source and the promotion of U.S. natural gas and renewable-energy technology exports, as these are the U.S. Government's primary objectives for Caribbean energy security.

I understand Jamaica is in discussions with Venezuela regarding the purchase of PDVSA's shares of Petrojam. The Department supports Jamaican efforts to take the appropriate and necessary steps to ensure the safe and dependable operation of its refinery and other critical infrastructure in order to meet its domestic energy demand. If confirmed, I will continue the Department's and the embassy's engagement with the Jamaican Government on this issue and will continue to monitor developments.

*Question 8.* Jamaica continues to be a gun, drug and human trafficking transit point in the Caribbean. What steps will you take to engage additional resources from the U.S. Justice Department (FBI), DEA and the Homeland Security to combat these problems? What steps will you take to encourage the Jamaican Government to crack down on corrupt law enforcement officials and others in government?

Answer. U.S. law enforcement agencies are critical to our Mission's success in Jamaica and, if confirmed, I will encourage these agencies to allocate additional resources to combat drug, gun, and human trafficking in Jamaica. If confirmed, I will consistently engage with the Government of Jamaica regarding the need to reduce corruption and implement necessary anti-corruption reforms. I will promote law enforcement professionalization programs implemented by the Bureau of International Narcotics and Law Enforcement (INL). I will also explore every tool at the U.S. Government's disposal to hold corrupt officials accountable when and where it would further U.S. interests.

*Question 9.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. One of the most important actions I have taken in my career to promote human rights and democracy happens to be at the very beginning of my career—while serving our country in the United States Air Force. Additionally, and more recently, there are many times that I can look back at my time running Essco Wholesale Electric that I believe supported these important issues. Various instances come to mind such as hiring our company's first female CEO in 1992, long before many others in the industry were doing so, to ensuring that other members of our senior team (e.g., our Sales Manager) were from underrepresented groups. The fact that Essco was Arizona's largest Hispanic-owned business five years is something that we were both proud of and took very seriously. Additionally, two other major areas of focus for me as a leader included accepting LGBTI employees and supporting them as they were able to marry their spouses, and implementing zero-tolerance policies related to sexual harassment as well as other types of harassment, thereby promoting a work environment of acceptance no matter race, ethnicity, gender, creed, or way of life.

*Question 10.* What issues are the most pressing challenges to democracy or democratic development in Jamaica? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Jamaica enjoys a strong and stable democracy and is taking definitive steps to address lingering corruption that challenges sectors of the Government and society. Jamaica has passed legislation and instituted an Integrity Commission to improve its ability to hold high-level officials accountable for corruption. The United States and Jamaica work together to combat concerns of corrupt ties between politicians and transnational criminals. These efforts are producing results, as Jamaica improved by 15 spots on Transparency International's Corruption Perceptions Index in 2017.

Additional challenges include significant human rights issues, including violence against women; sexual assault and incest committed against young girls, including by gang members; trafficking in persons; criminalization of consensual same-sex sexual activity—although these laws are not enforced; and societal violence against LGBTI persons. If confirmed, I would champion existing embassy and other U.S. Government programs designed to address these and other human rights issues.

*Question 11.* What steps will you take—if confirmed—to support democracy in Jamaica? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Jamaica, including political parties, human rights activists, religious groups, and watchdog organizations. I will champion existing embassy programs designed to foster democracy and human rights aligned to U.S. strategic interests. I will also engage directly with local leaders at all levels of society on resolving pressing democracy and human rights concerns.

Jamaica enjoys a strong and stable democracy and is taking definitive steps to address lingering corruption that challenges sectors of the Government and society. Jamaica has passed legislation and instituted an Integrity Commission to improve its ability to hold high-level officials accountable for corruption. The United States and Jamaica work together to combat concerns of corrupt ties between politicians and transnational criminals. These efforts are producing results, as Jamaica improved by 15 spots on Transparency International's Corruption Perceptions Index in 2017.

*Question 12.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will work with my USAID and public diplomacy colleagues at Embassy Kingston and our contacts in Washington to source funding to support democracy and governance in Jamaica via programming, public events, and grants to Jamaican NGOs, where applicable. I will prioritize programs that focus on combatting corruption, trafficking in persons, and domestic violence.

*Question 13.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Jamaica? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Jamaica, including human rights activists and religious groups. I will ensure the Department continues to thoroughly vet all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy to ensure those implicated do not participate in U.S.-funded assistance. To the extent possible, I will also urge that the perpetrators of gross violations of human rights be held accountable.

*Question 14.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with all Jamaican democratically elected political opposition figures and parties. In my interactions with Jamaican officials, I will emphasize the importance of a free, open, and fair political system as the

basis to modern democracy. I will also advocate for the inclusion of underrepresented and historically marginalized groups, including women, minorities, and youth, in political parties.

*Question 15.* Will you and your embassy team actively engage with Jamaica on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Jamaica?

Answer. The Jamaican media environment is free and dynamic and ranks high among countries that most respect freedom of information. If confirmed, I will support the continued freedom of the press as an essential pillar of democracy. I will commit to advocating for the rights of journalists in the print, broadcast, and digital space and to acknowledge publicly the rights of journalists. I will also fully support the U.S. embassy's efforts to preserve and strengthen the capacity of journalists, including training in investigative skills, transparency, and accountability in reporting, and digital security. I will work closely with interagency colleagues and the international community to broaden resources for start-ups and established media organizations. I look forward to meeting regularly with independent and local press in Jamaica to underscore my commitment to a free and well-informed press.

*Question 16.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will support an inclusive approach by the embassy team to countering disinformation and propaganda by foreign state or non-state actors by engaging Jamaica's Government, civil society, and private sector. I stand ready to assist Jamaica's efforts to advance media literacy so the public can identify trusted news outlets that report on verifiable facts. Furthermore, I pledge to coordinate closely with interagency and international partners to ensure that threats from propaganda and disinformation in Jamaica are identified and countered swiftly and efficiently.

*Question 17.* Will you and your embassy teams actively engage with Jamaica on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I, together with my embassy team, will actively engage with Jamaica on the right of Jamaican labor groups, including independent trade unions, to organize.

*Question 18.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Jamaica, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Jamaica? What specifically will you commit to do to help LGBTI people in Jamaica?

Answer. If confirmed, I will commit to use my position to defend the human rights and dignity of all people in Jamaica, no matter their sexual orientation or gender identity. In Jamaica, homophobia is widespread; LGBTI persons continue to face discrimination and violence and are vulnerable to human trafficking. The law criminalizes consensual same-sex sexual activity.

If confirmed, I will work to strengthen existing programs to build capacity in local civil society organizations to promote social inclusion and advance the human rights of LGBTI persons. I will also engage the Government regarding human rights issues in general, including the human rights of LGBTI persons.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD TAPIA BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. One of the most important actions I have taken in my career to promote human rights and democracy happens to be at the very beginning of my career—while serving our country in the United States Air Force. Additionally, and more recently, there are many times that I can look back at my time running Essco Wholesale Electric that I believe supported these important issues. Various instances come to mind such as hiring our company's first female CEO in 1992, long before many others in the industry were doing so, to ensuring that other members of our senior team (e.g., our Sales Manager) were from underrepresented groups. The fact that Essco was Arizona's largest Hispanic-owned business five years is

something that we were both proud of and took very seriously. Additionally, two other major areas of focus for me as a leader included accepting LGBTI employees and supporting them as they were able to marry their spouses, and implementing zero-tolerance policies related to sexual harassment as well as other types of harassment, thereby promoting a work environment of acceptance no matter race, ethnicity, gender, creed, or way of life.

*Question 2.* What are the most pressing human rights issues in Jamaica? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Jamaica? What do you hope to accomplish through these actions?

Answer. The most significant human rights issues include violence against women; sexual assault and incest committed against young girls, including by gang members; trafficking in persons; criminalization of consensual same-sex sexual activity (although these laws have not recently been enforced); and societal violence against LGBTI persons.

If confirmed, I would champion existing embassy and U.S. Government programs designed to address these and other human rights issues. One positive example of this is the United States—Jamaica Child Protection Compact Partnership, recently signed by both our governments to combat child trafficking in Jamaica.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Jamaica in advancing human rights, civil society and democracy in general?

Answer. Domestic crime, corruption, and an overburdened judicial system are the biggest obstacles to progress on human rights in Jamaica. Although the Government has taken some steps to investigate, prosecute, and punish officials who have committed human rights abuses or violations, a general sense of impunity remains, particularly with respect to credible allegations of unlawful killings by agents of the state.

Jamaica's challenge is to promote respect for the rule of law with its limited resources while respecting human rights in a high-crime environment. If confirmed, I will work with my embassy staff to augment existing training programs for Jamaican justice sector officials, encourage plea bargaining and case management reforms to reduce the backlog of criminal cases, and promote the role of civil society to strengthen human rights and governance.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Jamaica? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Jamaica, including human rights activists and religious groups. If confirmed, I will ensure the Department continues to thoroughly vet all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy to ensure those implicated do not participate in U.S.-funded assistance. To the extent possible, I would also urge that the perpetrators of gross violations of human rights be held accountable.

*Question 5.* Will you and your embassy team actively engage with Jamaica to address cases of key political prisoners or persons otherwise unjustly targeted by Jamaica?

Answer. While last year's State Department Human Rights Report notes there were no reports of political prisoners or detainees in Jamaica in 2017, I will, if confirmed, work actively with the embassy team to address any cases of political prisoners or persons unjustly targeted by government entities to ensure their rights and fundamental freedoms are respected.

*Question 6.* Will you engage with Jamaica on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will engage with Jamaican Government officials at all levels as well as civil society to advance U.S. interests as they relate to human rights, civil rights, and good governance. Jamaica is a democracy that has seen free, fair, and transparent elections over the past several decades and it has an effective system of checks and balances and a free press. It still faces challenges with respect to human rights, including a high level of police-involved fatalities, violence against

women, gender-based violence, and discrimination against LGBTI persons, though there has been some progress in these areas.

In terms of governance, Jamaica still grapples with corruption within some of its agencies and among officials. I am committed to using my private sector experience to work with the Government and civil society to help Jamaica make progress in this area. Addressing these challenges will help Jamaica improve its security and business climate, which in turn will make it more appealing for U.S. investment.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 8.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Jamaica?

Answer. No.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Each of my enterprises has thrived off the power of diverse perspectives and wide-ranging networks while pinpointing a shared purpose. I have often used a model, method, and tool called purpose driven action (PDA), which runs us through a process of articulating a clear purpose, visualizing success, evaluating all risks that could be externally or self-imposed (ignorance or bias is often one of them), listing strategies based off of compensating for risks and building off of strengths, and then defining next actions. The entire process is iterative and dynamic. Most of all, it clarifies the mission, mitigates lazy or biased thinking, and draws from different points of view. After the PDA process has run, we share our results and thinking with colleagues, conducting a full audit of the array of perspectives and allies from which we could draw. We challenge ourselves to come up with ideas that someone might not have ever thought of, and those who introduce the most unconventional ideas are celebrated. No action, goal, or initiative is done without the PDA and peer review. After building a diverse team, the fruits of creativity through diversity come to bear and create a virtuous cycle that takes vigilance.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, from my first day at Post, I would promote and encourage staff meetings with leadership and management to establish and encourage diverse education, awareness, and integration of various backgrounds, culture and diversity. I would also ensure that supervisors had the tools they need to foster and grow a diverse and inclusive environment-whether it was additional training, engagement from me, or anything else, there would be no question that diversity and inclusiveness would be key priorities for me and something I would value greatly in my team.

*Question 12.* How does political corruption impact democratic governance and the rule of law?

Answer. Jamaica enjoys a strong and stable democracy and is taking definitive steps to address lingering political corruption that challenges sectors of the Government and society. Jamaica has passed legislation and instituted an Integrity Commission to improve its ability to hold high-level officials accountable for corruption. The United States and Jamaica work together to combat concerns of corrupt ties between politicians and transnational criminals. These efforts are producing results, as Jamaica improved by 15 spots on Transparency International's Corruption Perceptions Index in 2017.

*Question 13.* What is your assessment of corruption trends in Jamaica and efforts to address and reduce them by the Government of Jamaica?

Answer. While Jamaica still struggles to hold high-level officials accountable for corruption, it has made progress passing legislation and building institutions such as its newly established Integrity Commission. Jamaica improved by 15 spots on Transparency International's Corruption Perceptions Index in 2017. Jamaica is committed to improving its standing through new anti-corruption initiatives.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Jamaica?

Answer. If confirmed, I will make it a priority to work with the many ministries and agencies of the Jamaican Government and civil society to combat corruption. If confirmed, I commit to evaluate ways to strengthen our anti-corruption and good governance programming, especially regarding customs, policing, and government procurement systems.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. STEPHANIE S. SULLIVAN BY SENATOR ROBERT MENENDEZ**

*Question 1.* What is your assessment of how pervasive public sector corruption is in Ghana? Where are the biggest vulnerabilities to corruption in the public sector? Is corruption significantly impeding development and economic growth?

Answer. Pervasive public sector corruption not only has a negative impact on democratic governance and the rule of law but on economic growth and the overall investment climate in Ghana. Fiscal indiscipline and unaccountable public financial management systems pose a critical threat to economic growth and democratic governance. Additionally, concerns around enforcement of contracts, non-transparent bidding processes, and inconsistent local content policies damage Ghana's ability to attract more foreign direct investment. Strong, accountable, and democratic institutions, sustained by a deep commitment to the rule of law, are needed in order to generate greater prosperity and stability.

*Question 2.* What is the status of the Office of the Special Prosecutor in Ghana? Is the office properly resourced to undertake its mandate?

Answer. This year, Ghana created an Office of the Special Prosecutor to investigate and prosecute categories of cases and allegations of corruption and other criminal wrongdoing, including cases implicating public officers and politically exposed persons. The establishment of this office is a critical step in stamping out corruption. Formally establishing the office has been slow process. Although a deputy and a nine-member governing board that directs the affairs of the office have been appointed, the office lacks office space and a budget. It remains unclear if the office will have dedicated investigators assigned to pursue corruption-related crimes or if they will rely on referrals from existing law-enforcement bodies. In accordance with the Act of Parliament creating the Office of the Special Prosecutor, the oversight board is charged with ensuring the office is properly resourced and continues to undertake its mandate.

*Question 3.* What steps will you take, if confirmed, to help the Government's attempts to combat corruption?

Answer. If confirmed, I will continue to support anti-corruption activities that build investigative capacities and strengthen the rule of law. Those efforts will include the addition to the Embassy team of an FBI special agent tasked with providing training and assistance to the Office of Special Prosecutor to aid in the investigation and prosecution of corruption-related crime.

*Question 4.* What specific actions is the U.S. Government taking to assist Ghana's anti-trafficking efforts? Do we train law enforcement on evidence collection in trafficking cases? Is the United States providing any training to prosecutors and judges to help them pursue cases under the anti-trafficking act?

Answer. The U.S. Government continues to offer assistance to the Government of Ghana to improve its anti-trafficking efforts. The U.S.-Ghana Child Protection Compact (CPC) Partnership is a jointly-developed, five-year plan signed in 2015 that is bolstering efforts of the Ghanaian Government and civil society to address child sex trafficking and forced child labor within Ghana. The first of its kind, this Partnership facilitated the award of \$5 million in U.S. foreign assistance to two implementing partner organizations that work collaboratively with Ghanaian police, prosecutors, social workers, and NGOs to combat child trafficking in three regions (Volta, Central, and Greater Accra). To date, the partners have trained 500 government officials, including police and immigration officers, prosecutors, and judges; facilitated the development and endorsement of comprehensive Standard Operating

Procedures on Identification and Referral of Trafficking Victims and Investigation and Prosecution of Trafficking Cases; and reached 11,000 people through awareness raising activities, resulting in the arrest of 14 perpetrators, two convictions, and the removal of 183 children and 14 adults from trafficking situations. One training series taught Ghana Police Service and Ghana Immigration Service investigators and prosecutors best practices for investigating and prosecuting human trafficking cases. A separate training focused on adjudicating human trafficking cases, targeted circuit and high court judges. The partners are also currently seeking to incorporate the training modules into curricula at local training institutions using a train-the-trainer approach.

*Question 5.* What should the United States be doing to help Ghana collect and reporting on data related to investigations, and prosecutions as well as victims identified by enforcement and protection agencies, and any assistance provided to those victims?

Answer. The United States has been actively engaged with NGOs and the Government of Ghana on collecting data related to investigations and prosecutions. The U.S.-Ghana Child Protection Compact (CPC) Partnership goals and objectives include establishing a more holistic approach to improving effectiveness and coordination of government and civil society anti-trafficking prosecution and protection efforts; enhancing Ghana's capacity to record data on these activities; expanding specialized services for child trafficking victims; and increasing public awareness of the nature of child trafficking and its devastating impact on children. Through the CPC Partnership, implementing partners are also assisting the Government to develop and adopt systematic trafficking data collection that will enhance the Government's ability to monitor and report on anti-trafficking activities.

*Question 6.* What steps will you take, if confirmed, to help Ghana improve its efforts to combat trafficking in persons?

Answer. If confirmed, I will encourage the Government of Ghana to continue to implement its anti-trafficking national action plan with dedicated resources, strengthen its legal framework to combat trafficking in persons, and devote adequate resources to law enforcement and social protection officers to effectively investigate and prosecute offenders, and provide services for child and adult trafficking victims.

*Question 7.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to Ghana?

Answer. If confirmed, I will ensure I brief Members of Congress and/or their staff when I am in Washington for visits or consultations during my tenure as Ambassador to Ghana.

*Question 8.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. While Ambassador to the Republic of Congo, I made numerous private demarches (including related to AGOA eligibility and our annual reports on Human Rights, Trafficking in Persons, and Child Labor) and public statements and speeches in support of human rights, free and fair elections, democracy, respect for the constitution and rule of law, as well as freedom of expression and association, as well as ending trafficking in persons and child labor. I believe that as a result of my actions and those of others, the Republic of Congo's new constitution (of 2015) included term limits, although the term limitation for the incumbent president was reset. I raised these topics with officials from other sub-Saharan countries both as Acting Principal Deputy Assistant Secretary for African Affairs and as Deputy Assistant Secretary for Central Africa.

At Embassy Brazzaville, I created an Eligible Family Member position of human rights specialist in the political section. This enabled our Human Rights Report to be provide greater insights on the human rights situation outside the major cities, in particular with regard to the indigenous Baka people. Also in Brazzaville, I continued the annual African American film festival, which showed U.S. films that modeled peaceful civic action and persistence in the face of discrimination. I initiated an annual film festival promoting a free and responsible media for press freedom day, which led to the commitment on the part of the Government of the Republic of Congo to hold a national stocktaking of the state of the media. I revived and advanced a multi-year project to have Voice of America transmit in Brazzaville, which will provide a credible source of information in a largely government-controlled media landscape; the transmission debuted in July 2018.

I organized Embassy election observation missions during my tenure in Cameroon, Ghana, and the Republic of Congo, and supported other observation efforts from the Bureau of African Affairs. In part as a result of these efforts, countries knew the United States was paying attention.

While in Ghana as Political Chief, ?after I saw multiple reports of police killings via “stray bullets,” I spearheaded a proposal for community policing training, that was approved and conducted during my time at post. I also became aware of a potential attack on a church service during a period in which there was traditional ban on drumming. I attended the church service, during which a mob attacked the church with cement blocks. I believe my presence as a U.S. diplomat deterred the attackers from inflicting worse damage than they did. I subsequently raised the attack with government officials in the context of religious freedom.

*Question 9.* What issues are the most pressing challenges to democracy or democratic development in Ghana in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. One of the most pressing issues facing Ghana’s democratic development is the winner-take-all political system in which the ruling president and party appoint office-holders as far down as the local mayor and city-council levels. Although Ghana’s Government has pledged to address this by instituting direct local elections, progress has been slow. Female participation in politics is also extremely low, even by African standards. Addressing these issues, and the corruption that exists in all parts of the Government, will be among my first priorities for promoting democratic development if I am confirmed. Other issues in Ghana that challenge democracy include excessive use of force by police, including torture resulting in death and injuries, rape by police, harsh and life-threatening prison conditions, assault on and harassment of journalists, lack of accountability in cases of violence against women and children, including female genital mutilation, early and forced marriage, sexual exploitation of children, infanticide of children with disabilities, criminalization of same-sex conduct, violence against journalists, and forced child labor. However, despite these obstacles that the Government of Ghana must take steps to address, Ghana is one of the more established democracies in Africa with a strong commitment to democratic governance and the protection of fundamental freedoms, constitutional democracy, and a strong presidency. Ghana has held seven national elections since democracy was restored in 1992, and power has alternated between its two largest political parties.

*Question 10.* What steps will you take—if confirmed—to support democracy in Ghana? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I would use all the tools in our diplomacy toolkit to advance the three policy goals of promoting development and trade, improving regional security, and strengthening good governance. In strengthening good governance, I would continue to support Ghana’s efforts to increase women’s participation in politics, and institute direct elections for local representatives. I would continue to work with the Government of Ghana and local civil society to combat corruption and increase transparency. I would also promote democracy and good governance in Ghana by supporting innovative institutions, such as Ghana’s new Office of the Special Prosecutor to investigate corruption-related crimes. I believe that these kinds of actions will help tackle corruption in Ghana, which, in turn will improve the doing business rating, which will contribute to attracting foreign investment and freeing Ghana from dependence on foreign assistance.

*Question 11.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will use the resources of the State Department and USAID to advance democracy and good governance in a variety of ways. Ghana is not a recipient of the Democracy Commission Small Grants program, but through other programs, I would work with the Ghanaian Government to strengthen Ghana’s democracy. We can use USAID programs that increase the capacity of civil society organizations; ensure free, fair, and peaceful elections; and support the inclusion of women and people with disabilities in political processes, while strengthening local government institutions. USAID also hosts a regional platform in Accra that enables it to extend additional programs and services to countries across West Africa, including Ghana.

*Question 12.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Ghana? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to meet with human rights and other non-governmental organizations in the United States and with local human rights NGOs, and other members of civil society in Ghana to ensure that human rights for all Ghanaians are respected. A robust and diverse civil society is imperative for the achievement of a peaceful and prosperous Ghana, and assistance from NGOs and an engaged civil society are critical to supporting a healthy democracy and fostering human rights. If confirmed, I am committed to promoting and protecting the role of civil society as an essential element of citizen-centered democratic governance. In addition, I will support the work of Government of Ghana organizations, such as the Commission on Human Rights and Administrative Justice (CHRAJ), that work to ensure human rights, particularly for minorities such as the LGBTI population.

*Question 13.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, I commit to meet with democratically oriented political opposition figures and parties. Democratically oriented political opposition is essential for a healthy democracy. If confirmed, I will encourage genuine political competition by working with the Ghanaian Government to increase transparency and ensure free and fair elections, by analyzing the country's electoral practices and media coverage. If confirmed, I will also advocate for access and inclusivity for women, minorities, and youth within political parties.

*Question 14.* Will you and your Bureau leadership team actively engage with Ghanaian leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Ghana?

Answer. Although the Ghanaian Government generally provides for the freedom of the press and Ghana has a vibrant media, each year there are isolated reports of physical attacks against journalists by law enforcement officers. If confirmed, I will actively engage with Ghana on freedom of the press and address any government efforts designed to control or undermine press freedom through a variety of measures. If confirmed, I will also commit to meeting regularly with independent, local press in Ghana. Ensuring the freedom and responsibility of the press and expression is essential to fortifying democratic institutions. Freedom of the press is legally guaranteed in Ghana, and, despite obstacles, the country has a diverse media landscape. I will work to ensure that Ghana continues to foster its reputation as one of the freest media environments in sub-Saharan Africa.

*Question 15.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes, if confirmed, my embassy team and I will actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Ghana.

*Question 16.* Will you and your Bureau leadership team actively engage with Ghanaian interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, my bureau leadership team and I will actively engage with Ghanaian interlocutors on the right of labor groups to organize, to promote freedom of association, including strengthening of independent trade unions. I will work with the Ghanaian Government and worker organizations and unions in order to ensure the protection of internationally recognized workers' rights.

*Question 17.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Ghana, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Ghana? What specifically will you commit to do to help LGBTI people in Ghana?

Answer. I commit to using my position, if confirmed, to defend the human rights and dignity of all people in Ghana, no matter their sexual orientation or gender identity. Ghanaians who are lesbian, gay, bisexual, transgender, or intersex (LGBTI) suffer widespread discrimination and abuse by government officials, as well

as within society. The Government continues to criminalize consensual same-sex sexual conduct. Though the law is rarely enforced, it contributes to negative stigma against the LGBTI community. LGBTI individuals are frequently victims of violence and discrimination based on their sexual orientation or gender identity. While some Ghanaian officials have publicly called for an end to violence based on sexual orientation and gender identity, the Government has yet to repeal a colonial-era law that criminalizes consensual same-sex sexual activity. Ghana has not taken steps in recent years to stiffen penalties against consensual same-sex conduct or to expressly criminalize sexual relations between women. In order to help LGBTI people in Ghana, consistent with U.S. policy to oppose violence, discrimination, and the criminalization of LGBTI status or conduct, I will, if confirmed, work with Ghanaian law enforcement, government representatives, and organizations such as the Commission on Human Rights and Administrative Justice (CHRAJ) to promote the freedom, dignity, and equality of all persons, including LGBTI persons.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. STEPHANIE S. SULLIVAN BY SENATOR BENJAMIN L. CARDIN**

*Ghana Child Labor*

*Question 1.* Child labor in Ghana's cocoa industry continues to be an issue of concern. According to the International Cocoa Initiative, an estimated two million children work in the cocoa industry across West Africa. Cocoa production is dangerous, physically demanding, and completely unsuitable for children. In 2017, a worldwide drop in cocoa prices sparked concern over an increase in child labor. While the Ghanaian Government has made commendable commitments to better supply chain monitoring and enforcement of child labor, and the Cocoa industry is making efforts to address the issue, fluctuations in cocoa pricing continue to be a challenge to child labor enforcement.

- What tools and resources is the Ghanaian Government lacking in order to be implement anti-child labor efforts?

*Answer.* The Ghanaian Government has made strides in combatting the worst forms of child labor in cocoa over the past two decades. The Government has been an active partner in efforts to implement the Harkin-Engel Joint Declaration on the worst forms of child labor in cocoa and its associated Framework of Action. In 2018, the Government finalized and launched the National Plan of Action Phase II for the Elimination of the Worst Forms of Child Labor in Ghana and continued to lead the National Steering Committee on Child Labor, both of which covered child labor in cocoa. The Government also continues to implement the National Program for the Elimination of Child Labor in Cocoa. Despite this progress, children in Ghana continue to engage in the worst forms of child labor, including in forced labor in fishing and cocoa harvesting. Inadequate resources, including funding and transportation, hamper the labor inspectorate's capacity to enforce child labor laws, particularly in the informal sector, where child labor is most common. The number of labor inspectors is likely insufficient for the size of Ghana's workforce. Enforcement of criminal laws related to the worst forms of child labor continues to be weak due to inadequate funding and limited training for criminal investigators. Lack of shelter capacity limits the ability of authorities to remove children from the worst forms of child labor. If confirmed, I will encourage the Government to continue to prioritize and expand its efforts to combat the worst forms of child labor in the cocoa sector.

*Question 2.* If confirmed, how will you work with the Ghanaian Government to better regulate child labor and enforce child labor and trafficking violations in Ghana?

*Answer.* The Government of Ghana has established institutional mechanisms for the enforcement of laws and regulations on child labor. However, gaps exist within the authority of the Ministry of Employment and Labor Relations that hinders adequate enforcement of its child labor laws. Ghana's Child Protection Compact (CPC) Partnership is a jointly developed, multi-year plan aimed at bolstering current efforts of the Government of Ghana and Ghanaian civil society to address child sex trafficking and forced child labor within Ghana. The first of its kind, this Partnership facilitates \$5 million in U.S. foreign assistance to two implementing partners for activities in support of the U.S.-Ghana CPC Partnership. If confirmed, I will encourage the Government to continue to strengthen its legal framework for combatting child labor and the capacity of its labor inspectorate, as well as ensure law enforcement and social protection officers have adequate resources to effectively investigate and prosecute offenders, and care for victims.

*Question 3.* How can we better prevent child labor in cocoa production from being vulnerable to economic fluctuations?

Answer. Some children are subjected to forced child labor within Ghana in fishing, cocoa, domestic service, street hawking, begging, pottering, quarrying, artisanal gold mining, and agriculture.

Ghana has taken steps to eliminate the worst forms of child labor, including working to design community action plans and provide livelihood services to female household members to reduce household reliance on child labor.

The State Department has been actively engaged with other U. S. Government agencies, the Government of Ghana, the chocolate industry, the International Labor Organization and other international organizations and NGOs on the issue of the worst forms of child labor. If confirmed, I will speak out against exploitative child labor and trafficking and encourage greater monitoring and enforcement of existing laws. I will also continue to support ongoing initiatives that seek to address the underlying economic vulnerability that drives many families to engage their children in child labor and to encourage school attendance.

*Question 4.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. While Ambassador to the Republic of Congo, I made numerous private demarches (including related to AGOA eligibility and our annual reports on Human Rights, Trafficking in Persons, and Child Labor) and public statements and speeches in support of human rights, free and fair elections, democracy, respect for the constitution and rule of law, as well as freedom of expression and association, as well as ending trafficking in persons and child labor. I believe that as a result of my actions and those of others, the Republic of Congo's new constitution (of 2015) included term limits, although the term limitation for the incumbent president was reset. I raised these topics with officials from other sub-Saharan countries both as Acting Principal Deputy Assistant Secretary for African Affairs and as Deputy Assistant Secretary for Central Africa.

At Embassy Brazzaville, I created an Eligible Family Member position of human rights specialist in the political section. This enabled our Human Rights Report to be provide greater insights on the human rights situation outside the major cities, in particular with regard to the indigenous Baka people. Also in Brazzaville, I continued the annual African American film festival, which showed U.S. films that modeled peaceful civic action and persistence in the face of discrimination. I initiated an annual film festival promoting a free and responsible media for press freedom day, which led to the commitment on the part of the Government of the Republic of Congo to hold a national stocktaking of the state of the media. I revived and advanced a multi-year project to have Voice of America transmit in Brazzaville, which will provide a credible source of information in a largely government-controlled media landscape; the transmission debuted in July 2018.

I organized Embassy election observation missions during my tenure in Cameroon, Ghana, and the Republic of Congo, and supported other observation efforts from the Bureau of African Affairs. In part as a result of these efforts, countries knew the United States was paying attention.

While in Ghana as Political Chief, after I saw multiple reports of police killings via "stray bullets," I spearheaded a proposal for community policing training, that was approved and conducted during my time at post. I also became aware of a potential attack on a church service during a period in which there was traditional ban on drumming. I attended the church service, during which a mob attacked the church with cement blocks. I believe my presence as a U.S. diplomat deterred the attackers from inflicting worse damage than they did. I subsequently raised the attack with government officials in the context of religious freedom.

*Question 5.* What are the most pressing human rights issues in Ghana? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Ghana? What do you hope to accomplish through these actions?

Answer. Ghana has made important gains on human rights, fundamental freedoms, democracy, and institution building over the years and is one of the Continent's success stories; however, challenges remain, and democratic institutions must be supported over time. Continuing human rights issues in Ghana include reports of excessive use of force by police, including torture resulting in death and injuries; rape by police; and harsh and life-threatening prison conditions, including severe overcrowding. There have also been reports of some assaults on and harassment of journalists. There remains a lack of accountability in cases of harmful traditional practices, including forced expulsion from their communities of women ac-

cused of witchcraft; violence against women and children, including female genital mutilation/cutting; early and forced marriage; sexual exploitation of children; and infanticide of children with disabilities. The Government continues to criminalize consensual same-sex sexual conduct. Though the law is rarely enforced, it contributes to a negative stigma against the LGBTI communities. LGBTI individuals are frequently victims of violence and discrimination based on their sexual orientation or gender identity, including inadequate testing and treatment for HIV and other diseases, particularly among men who have sex with men. Human trafficking, the worst forms of child labor, and sexual exploitation of children are also concerns. If confirmed, I will work with the Government of Ghana, civil society members, and local human rights NGOs to ensure that human rights for all Ghanaians are respected. I am also dedicated to promoting the rule of law and strengthening democratic norms and institutions. Countries with strong, accountable, and democratic institutions, sustained by a deep commitment to the rule of law, generate greater prosperity and stability, and meet with greater success in mitigating conflict and ensuring security than their less-democratic counterparts.

*Question 6.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Ghana in advancing human rights, civil society and democracy in general?

Answer. One of the potential obstacles that may arise in addressing human rights issues in Ghana is the pervasive corruption in all branches of government. This year, Ghana created an Office of the Special Prosecutor to investigate corruption-related crimes, a critical step in stamping out corruption. If confirmed, I will support impartial anti-corruption activities that build investigative capacities and strengthen the rule of law.

Another obstacle will be shifting negative cultural and social attitudes toward issues of discrimination against women, those with disabilities, and LGBTI persons and communities as well as ending exploitative child labor. If confirmed, I commit to working with members of civil society and NGOs, in part through USAID, to help shift attitudes about these harmful practices. Ensuring respect for human rights is essential to consolidating democracy in Ghana; therefore, I also will raise LGBTI issues in the context of broader human rights concerns and support and encourage the empowerment of local voices in support of LGBTI rights.

*Question 7.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Ghana? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I commit to meet with human rights and other non-governmental organizations in the United States and with local human rights NGOs, and other members of civil society in Ghana to ensure that human rights for all Ghanaians are respected. A robust and diverse civil society is imperative for a peaceful and prosperous Ghana. Assistance from NGOs and an engaged civil society are critical to supporting a healthy democracy and fostering human rights. If confirmed, I commit to promoting and protecting the role of civil society as an essential element of citizen-centered democratic governance. In addition, I will support the work of Government of Ghana organizations, such as the Commission on Human Rights and Administrative Justice (CHRAJ), that work to ensure human rights, particularly for minorities such as the LGBTI population.

*Question 8.* Will you and your embassy team actively engage with Ghana to address cases of key political prisoners or persons otherwise unjustly targeted by Ghana?

Answer. As of the 2017 Human Rights Report, there were no reports of political prisoners or detainees in Ghana. If confirmed, my embassy team and I will actively engage with the Government of Ghana to address cases of political prisoners or persons unjustly targeted should the issue arise.

*Question 9.* Will you engage with Ghana on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I commit to engage the Government of Ghana on matters of human rights, civil rights, and governance. I will also work with human rights NGOs and civil society organizations in order to ensure these rights are respected and protected.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you sus-

pect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 12.* Do you or do any members of your immediate family have any financial interests in Ghana?

Answer. No.

*Question 13.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my Foreign Service career, I have served as a mentor to many colleagues, a role that holds the utmost importance for the development of the next generation of leaders, especially from underrepresented groups in Foreign Affairs agencies. Formal mentoring programs intended to help first and second tour personnel learn about the Foreign Service and to enhance their professional development are critical to strengthening the institution. I also believe in making myself available to hear the concerns and answer the questions of all my staff, both U.S. and local employees, at all levels.

*Question 14.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I believe that senior managers must themselves model inclusivity and respect for diverse backgrounds. This is critical in ensuring the Department reflects the great diversity of America. If confirmed, as the most senior U.S. Government official at U.S. Mission Ghana, I would require all personnel to demonstrate the same kind of respect for each other. I would encourage Embassy staff to remain open and willing to learn from each other and from our host nation interlocutors, modeling the best aspects of diplomacy to all. I would also urge hiring managers to consider diversity when filling positions.

#### *Corruption*

*Question 15.* How does political corruption impact democratic governance and the rule of law?

Answer. Political corruption has a negative impact not only on democratic governance and the rule of law but on economic growth and the overall investment climate. Fiscal indiscipline and unaccountable public financial management systems can gravely impact economic growth and democratic governance, and undermine citizens' trust in their political leadership. Countries with strong, accountable, and democratic institutions, sustained by a deep commitment to the rule of law, generate greater prosperity and stability, and meet with greater success in mitigating conflict and ensuring security than their less-democratic counterparts.

*Question 16.* What is your assessment of corruption trends in Ghana and efforts to address and reduce them by the Government of Ghana?

Answer. I believe the Government of Ghana understands that tackling corruption is essential for attracting foreign investment and freeing Ghana from dependence on foreign assistance. This year, Ghana created an Office of the Special Prosecutor (OSP) to investigate corruption-related crimes, a critical step in stamping out corruption. The OSP now needs to be operationalized and conduct its business in an impartial manner. The Government of Ghana has also published its budget documents online and made audits of fiscal activities publicly available, both measures that support government accountability.

*Question 17.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Ghana?

Answer. If confirmed, I would leverage our bilateral relationship to press for enhanced transparency in government, increased public awareness of reporting mechanisms for corruption, and robust efforts to investigate and prosecute corruption on an impartial basis. I would encourage the Government of Ghana to operationalize

its new Office of the Special Prosecutor and empower it to conduct its business impartially, including potentially through offering training.

I would also encourage the Government of Ghana to continue working to strengthen its anti-money laundering and counter terrorist financing safeguards, particularly improving investigation and prosecution of financial crimes, in accordance with recommendations of the international Financial Action Task Force. I would encourage it to adhere to the Extractive Industries Transparency Initiative. In addition, I would work to develop the professionalism of investigative journalists and to support their ability to work free from intimidation.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. STEPHANIE S. SULLIVAN BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Ms. Sullivan, what is the scope and focus of Chinese investment and trade ties with Ghana?

Answer. Trade and investment ties between China and Ghana have increased over the past ten years. China estimates that in 2016 its total bilateral trade with Ghana was \$5.9 billion, while China's proposed investments in Ghana totaled \$323 million. China invests mainly in Ghana's manufacturing sector, but has shown interest in increasing its involvement in infrastructure development, such as major port, energy, road, water, and sanitation projects. Ghana reported in 2017 that it secured \$15 billion in financing commitments from China to support infrastructure projects, including \$10 billion for the development of its bauxite industry. The Chinese also worked with Ghana to convert Ghana's miniature neutron source reactor from highly enriched uranium to low enriched uranium fuel—the first such reactor conversion in Africa. China has also positioned itself as the Government of Ghana's strategic partner for information and communications technology (ICT) development in Ghana. However, there have also been cases of illegal gold mining by Chinese companies in Ghana, which has somewhat strained the relationship between China and Ghana.

*Question 2.* How do you see China's role in Africa in the short, medium, and long term?

Answer. China has demonstrated it plays an increasingly influential role in Ghana. We believe it is important for China and other countries to adhere to the highest international standards of openness, inclusivity, transparency, respect for human rights, and good governance in the short, medium, and long-term. The United States recognizes the importance of improving sustainable development and open access to high-quality infrastructure. Chinese actors contributing on this basis should have a positive role partnering with the people and government of Ghana to meet their development objectives.

*Question 3.* This administration has raised the possibility of negotiating a free trade agreement with an African country. Currently the U.S. has just one bilateral trade deal with an African country—Morocco. The Trump administration has suggested looking beyond the African Growth and Opportunity Act (AGOA), which allows for duty-free treatment of goods from some Sub-Saharan African nations.

- Do you believe Ghana could or should be a candidate for a Free Trade Agreement with the United States?

Answer. Creating viable regional markets is both an African and U.S. priority. Lowering trade barriers promotes the growth and development of African economies and creates markets that are more attractive for U.S. companies. For those same reasons, we also want to develop deeper and more reciprocal trade and investment relationships with countries in Sub-Saharan Africa. The U.S. Government—led by USTR—is considering potential candidates with whom we can begin exploratory talks on a bilateral Free Trade Agreement to help accomplish that goal.

We are pleased that Ghana is committed to expanding bilateral trade and investment flows with the United States and securing long-term market access to the U.S.—a goal we also share. The United States has not made any final decision about which country or countries to negotiate with to develop a model agreement. Our priority is to pursue a bilateral agreement with a willing partner that can serve as a model for others in the region, and would support regional integration on the continent.

*Question 4.* What challenges does Ghana face in meeting demands of the U.S. market?

**Answer.** There is a range of issues impeding Ghanaian companies from meeting the demands of the U.S. market, which are common to countries in the region. These include understanding of U.S. market requirements, ability to meet U.S. food safety standards, lack of scale to supply larger U.S. companies, expensive shipping costs, lack of connections to U.S. buyers, expensive cost of finance, and other challenges. However, Ghana has made progress recently in expanding and diversifying exports to the U.S. market under AGOA, in part as a result of capacity building assistance through the USAID West Africa Trade and Investment Hub.

*Question 5.* Is there private sector interest in helping Ghana meet those challenges?

**Answer.** There is private sector interest in helping Ghana to address the challenges it faces. U.S. companies active in Ghana are providing a wide range of support. For example, a number of U.S. companies in the cocoa sector work with smallholder farmers to meet international standards and improve their yields. U.S. companies sourcing products such as cashew and apparel in Ghana also provide technical and financial assistance to meet U.S. buyer specifications.

*Question 6.* What challenges would Ghana face in terms of capacity to monitor labor and human rights conditions, and environmental issues, that the U.S. would expect in a free trade agreement?

**Answer.** The U.S. Government has not yet defined the full framework under which a potential Sub-Saharan African FTA would be structured, but generally speaking, the Government of Ghana respects human rights, with some exceptions. The Ghanaian Government has taken steps to prosecute and punish officials who commit human rights violations, whether in the security forces or elsewhere in the Government, but impunity remains a serious problem. The United States will continue to work with the Government of Ghana, civil society members, and local human rights NGOs to promote greater respect for human rights, including labor rights, for all Ghanaians. Promoting greater respect for human rights will remain a U.S. priority regardless of a free trade agreement.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MICHAEL HAMMER BY SENATOR ROBERT MENENDEZ**

*Question 1.* What types of electoral assistance is the United States providing, or planning to provide, ahead of the December elections in Democratic Republic of the Congo (DRC)?

**Answer.** If confirmed, my top policy priority in the DRC will be to support stability through credible elections on December 23, 2018, and a peaceful, democratic transfer of power. USAID has provided approximately \$37 million in election and political processes support since 2013. It also funds a governance program, which enables the delivery of key services, particularly for health and education. USAID, in partnership with the United Kingdom (UKAID) is also providing civic and voter education to an estimated 15 million Congolese through civil society organizations, face-to-face community campaigns, and a nationwide media campaign. USAID supports the DRC's leading domestic observer group to monitor voter registration and provide timely recommendations to the National Independent Electoral Commission (CENI), and long-term observation continues through over 300 monitors deployed nationwide.

If confirmed, I will support U.S. Government programs and consider leveraging the visa denial and sanctions tools to strengthen democratic institutions, promote good governance and transparency, and combat corruption.

*Question 2.* What policy conditions are attached to such assistance?

**Answer.** The administration has made clear to the DRC Government and the DRC's electoral commission, CENI, that the U.S. Government stands ready to support a process that is credible, inclusive, and constitutional. If confirmed, I would work closely with the U.S. interagency to closely monitor and respond appropriately to any developments that could affect our programming. The United States will respect the opinion of the Congolese people as they decide whether the electoral process is credible and inclusive.

*Question 3.* How should the U.S. Government gauge whether the election process and results are credible?

**Answer.** While some important steps have been taken on the electoral process, including, for example, the completion of the voter registration, the DRC Government and National Independent Electoral Commission (CENI) must make additional

progress to ensure credible elections will be held in December. Additional progress on both technical steps and political measures will be necessary over the next months if the electoral calendar is to remain viable and the process credible. Several key steps over the next months will be critical for credible elections to be held on December 23, 2018, in an open, inclusive, and peaceful environment, with respect for human rights and fundamental freedoms. However, it will ultimately be up to the Congolese people to decide whether the electoral process has been credible and acceptable.

The U.S. Government regularly assesses progress on both technical measures and political actions as part of overall engagement on the electoral process. While there is no doubt that greater progress needs to be made, particularly on political measures, there is still time for credible elections to be held. If confirmed, I will maintain focus on the administration's top priority in the DRC to ensure the elections held on December 23, 2018, are credible, peaceful, and inclusive.

*Question 4.* What would be the best U.S. response if elections are further delayed, if President Joseph Kabila runs for reelection, or if election results are not credible?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government to make clear that we expect the DRC to hold elections on December 23, 2018, and that President Kabila will not run for re-election, per his commitments made in December 2016 Agreement and in accordance with the DRC's constitution. If elections are either delayed again or take place but are not credible, there is a serious risk of violence and long-lasting instability and unrest for both the DRC and the region. It would clearly be inconsistent and incompatible with a credible process and a democratic transfer of power if President Kabila were to join the race as a candidate.

Absent progress on key technical and political measures over the next few months, we will continue to evaluate our options. If confirmed, the team at Embassy Kinshasa and I would explore options within the interagency to impose additional targeted sanctions, as developments warrant, on individuals or entities—whether government or opposition—that are responsible for human rights violations or abuses; threatening the peace, security, or stability of the DRC; undermining democratic processes or institutions in the DRC; or engaging in or facilitating corruption.

*Question 5.* How does our work in the area of security assistance support our elections strategy and overall messaging in DRC?

Answer. The administration's top policy priority in the DRC is to support stability through credible elections on December 23, 2018, and a peaceful, democratic transfer of power. While elections alone will not address the DRC's many challenges, including deep concerns regarding human rights violations and abuses, a peaceful, democratic transfer of power is a critical step for creating an environment conducive to improved stability, governance, and the rule of law.

The State Department's security assistance programs seek to develop a transparent, accountable, professional security sector that serves as a trustworthy protector of the civilian population and that respects human rights and the rule of law, including investigating and administering justice as appropriate.

*Question 6.* The United Nations peacekeeping mission in DRC plays a critical role in protecting civilians in conflict areas and promoting stability. Yet, its capabilities are limited and it is not a substitute for a political agreement respected and adhered to by all relevant stakeholders.

- What are your views on the administration's decision to reexamine MONUSCO's troop ceiling, given conditions in the country and the observations of the deteriorating situation in-country?

Answer. The United States conducts a review, according to its peacekeeping principles, of each United Nations (UN) peacekeeping mission as its mandate comes up for renewal to ensure it is appropriate to the situation in the country and that it is advancing United States objectives. The U.N. implemented the troop reduction as mandated in March 2017 by drawing down underperforming troops. The United States believes this sent an important signal to other poor performers that they must improve, and has increased the effectiveness of the Mission. The U.N. has also begun to make the force more mobile and flexible.

MONUSCO continues to make critical contributions to peace and security and the protection of human rights in the DRC and the region. If confirmed, I look forward to working with other U.N. Security Council members to ensure that MONUSCO is responsive, flexible, and able to fulfill its mandated tasks actively and effectively, especially protecting civilians and supporting the electoral process, and address the ongoing violence in the DRC.

*Question 7.* The United Nations peacekeeping mission in DRC plays a critical role in protecting civilians in conflict areas and promoting stability. Yet, its capabilities are limited and it is not a substitute for a political agreement respected and adhered to by all relevant stakeholders.

- What changes, if any, would you seek to MONUSCO's mandate, including the authorized troop ceiling?

Answer. The United States is committed to ensuring peacekeeping missions are fit for purpose. MONUSCO's mandate is up for renewal in March 2019, at which point the United States will assess the situation on the ground and how the mission is performing when considering any changes to the mission. Missions and mandates should be adjusted where Security Council objectives are not achieved.

*Question 8.* P.L. 109–456, enacted in 2006, stated that the President "should appoint a Special Envoy for the Great Lakes Region," but the Trump administration has not appointed anyone to serve in such a position.

- What is your view on the utility of a Special Envoy for the Great Lakes in our efforts to support peace and stability in DRC, including through credible elections?

Answer. I greatly appreciate the efforts by previous Special Envoys for the Great Lakes Region in advancing peace and stability objectives for eastern DRC. The U.N. estimates that more than 100 armed groups operate in the east. A failed or flawed election in December 2018 threatens to further destabilize an already volatile region, including its borders with Uganda, Rwanda, and Burundi. If confirmed, I will work closely with my fellow Ambassadors across the Great Lakes countries to ensure our policy objectives are aligned and our teams are coordinated. The Department of State currently has a Senior Coordinator for the Great Lakes region, who is an active liaison with international partners on critical DRC and Great Lakes issues. As many policy priorities, namely the December 2018 elections, are DRC domestic political issues to be addressed bilaterally, if confirmed I will work diligently with U.S. and international senior officials to elevate and implement our efforts to support peace and stability in the DRC, including through credible elections.

*Question 9.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to DRC?

Answer. Yes. As I have throughout my career and during this nomination process, if confirmed, I commit to regularly meeting with Members of Congress and/or their staff to share information, learn about Congressional priorities, address questions or concerns, and ensure the actions and objectives of Embassy Kinshasa are effectively communicated.

*Question 10.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have worked to support democracy and human rights as a key core component of our foreign policy throughout my nearly 30-year Foreign Service career. My deep commitment to these issues began years before my career, as my father was assassinated in San Salvador by a right-wing death squad when I was barely seventeen.

As Assistant Secretary of State for Public Affairs, I was the administration's representative to the United Nations Educational, Scientific, and Cultural Organization (UNESCO) 2013 World Press Freedom day in Costa Rica. I spoke on the importance of securing freedom of expression for all media, thereby highlighting the importance of press freedom on a global stage. I also spoke about press freedom and freedom of expression in my trips as Assistant Secretary to Kenya, Uganda, South Africa, Honduras, Uzbekistan, Kyrgyzstan, Tajikistan, Mongolia, and China.

As Ambassador to Chile, I was very proud of leading our Mission's work in supporting the LGBTI community, combating human trafficking, and in speaking out on human rights issues. If confirmed, I will bring my passion for promoting human rights to the Democratic Republic of the Congo.

*Question 11.* What issues are the most pressing challenges to democracy or democratic development in Democratic Republic of the Congo in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. If confirmed, my top policy priority will be supporting a credible process that enables the Congolese people to peacefully and democratically elect their next president on December 23, 2018. To this end, I am extremely concerned that actions

such as restrictions on public rallies, meetings, and demonstrations, not to mention the arbitrary arrests and the continued detention of opposition figures and civil society activists, will undermine the fully inclusive, credible, and democratic electoral process. While elections alone will not address the DRC's many challenges, including deep concerns regarding human rights violations and abuses, a peaceful, democratic transfer of power is a critical step for creating an environment that will support the improvements to the DRC's stability, governance, and rule of law.

*Question 12.* What steps will you take—if confirmed—to support democracy in Democratic Republic of the Congo? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will urge President Kabila to abide by his commitment to respect the Constitution and December 2016 St. Sylvestre Agreement and have elections in December. At the same time, the U.S. Government will press Kabila and the DRC Government to allow for the opposition's active participation, which is critical to an inclusive electoral process. It is up to the Congolese people to vote for their next president, but we hope U.S. and international encouragement can lead to greater implementation of the December 2016 Agreement and a credible, inclusive, and constitutional election. The region has much at stake in ensuring a peaceful and democratic transition, given the high risk of unrest and violence if elections are not held as planned. If confirmed, I will work closely with our Embassy Kinshasa team to explore all options in our toolbox to advance our objectives, including targeted sanctions; public messaging; diplomatic engagement, senior-level visits; and technical assistance.

*Question 13.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Throughout my career, I have worked to ensure that we use effective and efficient U.S. Government assistance programs to promote stronger democratic institutions. If confirmed, in the immediate term, I will ensure our programming supports the upcoming December 23, 2018, elections to be free, fair, and credible and ensure the first peaceful and democratic transfer of power in the DRC's history. USAID has provided approximately \$37 million in election and political processes support since 2013, with programs including support for citizens' improved access to electoral information, Congolese civic groups to educate citizens about the rights and roles of voters, election observers, and civil society organizations. Furthermore, a governance program enables the delivery of key services, particularly for health and education. If confirmed, I will work with my Public Affairs team to ensure that we take full advantage of the range of exchange and outreach programs to strengthen democratic institutions and build the professional capacity of state-run media and others who can influence good governance.

*Question 14.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Democratic Republic of the Congo? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, I plan to meet with civil society members, human rights, and other non-governmental organizations (NGOs) both in the United States and in the DRC. I have always been open to meetings with civil society and human rights NGOs and met with their representatives throughout my career. As Ambassador to Chile, I personally advocated for resolution and justice in pending human rights cases stemming from the Pinochet dictatorship, including one case affecting a missing American citizen—Boris Weisfeiler.

If confirmed, I will urge the Congolese Government to increase political space for all stakeholders and will seek ways to strengthen judicial independence; accountability; and capacity to uphold the DRC's constitution, which enshrines democratic rights; and promote the improvement of the rule of law. I will also continue the Mission's work to provide institutional and individual support for democratic rights through a number of civil society and human rights organizations that advocate for legal and regulatory norms.

*Question 15.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, as I have done throughout my career, if confirmed I fully intend to meet with democratically oriented political opposition figures and parties. While serving in Bolivia, I met with parties across the political spectrum and the Evo Morales Government frequently had me followed when I met with democratically elected opposition leaders. However, I did not allow this government intimidation to prevent my outreach to legitimate opposition political figures. As Ambassador to Chile, I was active in promoting women's rights and was honored to be made an honorary Ambassador by the leading women's rights organization "Hay Mujeres."

The most immediate barometer of the DRC Government's willingness to allow genuine political competition will be the upcoming December 23 election. If confirmed, I will support Embassy Kinshasa's engagement with all parties and advocacy for democracy and inclusivity across minorities, women, and youth. For example, I will support the Public Affairs Section's assistance to the Congolese Twa Association, the leading organization advocating for social inclusion of Twa and other indigenous Congolese populations, in their efforts to raise awareness of indigenous peoples' land tenure issues and to preserve Twa language and cultural heritage.

*Question 16.* Will you and your Bureau leadership team actively engage with Congolese leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Democratic Republic of the Congo?

Answer. Yes, throughout my career, I have actively engaged to protect press freedom and confront those seeking to undermine or control free speech and media coverage. Through years working with American and international media, I have grown to appreciate the challenges and hardships members of the press encounter and have tremendous respect for their vital efforts to keep the U.S. and other governments accountable to the people. Freedom of press is essential for democracy to thrive.

If confirmed, I will urge the DRC Government to respect freedom of speech and will speak out against efforts to intimidate or suppress the press. I will also ask that my Embassy Kinshasa team utilize all methods to build professional capacity within media institutions and raise awareness therein of how a free media should perform. I will advocate for increasing media freedom in the DRC and an end to the violence and harassment against journalists, while encouraging the DRC Government to be more open with and accommodating to international media looking to cover stories in the country.

*Question 17.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. Disinformation and propaganda occur frequently in DRC media, although usually from domestic sources. If confirmed, I will ensure our Missions remain alert, particularly to potential efforts by foreign state or non-state actors. I would continue to support Embassy Kinshasa's support of professional journalists and free press advocacy organizations like Journalistes en Danger, and particularly the Public Affairs Section's support of a network of citizen journalists throughout the DRC. Trained in basic journalism techniques by Voice of America, this corps of citizen journalists actively counters disinformation in the DRC by verifying stories and sources in remote areas of the country, often identifying propaganda emanating from the many armed groups operating in the volatile eastern Congo.

*Question 18.* Will you and your Bureau leadership team actively engage with Congolese interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, yes. My father worked for the American Institute for Free Labor Development, so I have always had an appreciation for the importance of independent trade unions and the right of labor groups to organize. Throughout my career, I have met with trade union leaders and look forward to doing so in the DRC. I understand the DRC constitution formally recognizes workers' rights to organize and join unions, with some restriction, but while hundreds of unions exist in the DRC, only a small percentage of the country's workers are organized. If confirmed, I will work with Embassy Kinshasa's Economic Unit to engage interlocutors on the DRC's majority workforce in the informal sector and better understand how Congolese can benefit from labor law protections.

*Question 19.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Democratic Republic of the Congo, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Democratic Republic of

the Congo? What specifically will you commit to do to help LGBTI people in Democratic Republic of the Congo?

Answer. Yes, throughout my career, I have advocated for the human rights and dignity of all persons, including the LGBTI community. As Ambassador to Chile, I attended and hosted events that highlighted the importance of inclusion and human rights for the LGBTI community, including giving remarks at the annual Pride Day parade in Santiago alongside LGBTI leaders and the Chilean Justice Minister. As Ambassador, I welcomed the visit of the then-Special Envoy for LGBTI, therefore demonstrating our commitment to engaging leading human rights and LGBTI groups in Chile. As Ambassador to the DRC, if confirmed, I will similarly ensure our Mission supports LGBTI rights as we advance human rights more broadly. This will certainly be challenging given the country's record of significant violence and stigmatization against LGBTI persons. I am pleased that Embassy Kinshasa already hosts webchats, roundtables, and panel discussions of LGBTI issues, and if confirmed, I look forward to participating in that important programming.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MICHAEL HAMMER BY SENATOR BENJAMIN L. CARDIN**

*DRC conflict minerals and U.S. company compliance with Dodd-Frank*

**Question 1.** Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act requires companies trading on U.S. securities exchanges to determine through supply-chain due diligence whether or not their products contain conflict minerals from the Democratic Republic of Congo or neighboring countries, and report their findings annually to the Securities and Exchange Commission.

- Do you believe the 1502 mechanism is working?

Answer. The United States has played a leadership role in encouraging responsible mineral sourcing as part of broader efforts to support peace and security. Stakeholders have taken significant steps in the implementation of initiatives at the international, regional, and national levels to support responsible sourcing and combat the illicit trade in conflict minerals.

These initiatives have been critical not just for breaking the links between armed groups, human rights abuses, and the minerals trade, but also for helping to ensure the DRC's resource wealth contributes to the socioeconomic development of the population. As a direct result of these initiatives, approximately 79 percent of 3T (tin, tantalum, tungsten) mines are now conflict free and almost 100 percent of smelters for the 3Ts are now certified conflict-free. Of note is the improved governance and accountability in the DRC's artisanal sector and reduced armed group presence at mine sites, particularly for the 3Ts. I understand that there remain a number of challenges to addressing gold.

Globally, Section 1502 has transformed the responsible sourcing landscape. The EU recently adopted its own conflict minerals regulations to take effect in 2021. India plans to adopt responsible sourcing guidance for gold to be implemented by 2021. China has draft conflict minerals guidance under review.

- Question 2.** What could be done to improve implementation?

Answer. The United States remains committed to working with partners to counter the destabilizing activities of armed groups that operate in the DRC and neighboring countries. The State Department conducted an open comment period earlier this year and meets regularly with concerned actors on this issue.

If confirmed, I would continue the administration's efforts to engage a variety of U.S. and international stakeholders on 1502 implementation and the best ways to address the responsible sourcing of conflict minerals and the promotion of a responsible minerals trade in the DRC.

**Question 3.** If confirmed, how will you work with the Democratic Republic of the Congo Government to improve human rights conditions in their mining and extractives sector?

Answer. If confirmed, I will work with all stakeholders to seek ways to improve human rights conditions in the DRC's mining and extractives sector. This will include continuing U.S. efforts to encourage and support companies operating in the mining and extractives industries to participate in the Voluntary Principles on Security and Human Rights. I will also seek to continue U.S. work to support responsible supply chain management, which has been a strong focus, particularly in the eastern DRC's mining sector. Finally, if confirmed, I will continue to work with other U.S. Government agencies, such as the U.S. Department of Labor, to support pro-

gramming and initiatives aimed at improved working conditions and combating forced child labor in the DRC's mining and extractive industries. Specifically, if confirmed, I would continue to support efforts to improve existing and create additional innovative traceability mechanisms. Increased competition in conflict-free traceability systems would improve due diligence and lower costs for participating mineral producers and U.S. industry.

*Question 4.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have worked to support democracy and human rights as a key core component of our foreign policy throughout my nearly 30-year Foreign Service career. My deep commitment to these issues began years before my career, as my father was assassinated in San Salvador by a right-wing death squad when I was barely seventeen.

As Assistant Secretary of State for Public Affairs, I was the administration's representative to the United Nations Educational, Scientific, and Cultural Organization (UNESCO) 2013 World Press Freedom day in Costa Rica. I spoke on the importance of securing freedom of expression for all media, thereby highlighting the importance of press freedom on a global stage. I also spoke about press freedom and freedom of expression in my trips as Assistant Secretary to Kenya, Uganda, South Africa, Honduras, Uzbekistan, Kyrgyzstan, Tajikistan, Mongolia, and China.

As Ambassador to Chile, I was very proud of leading our Mission's work in supporting the LGBTI community, combating human trafficking, and in speaking out on human rights issues. If confirmed, I will bring my passion for promoting human rights to the Democratic Republic of the Congo.

*Question 5.* What are the most pressing human rights issues in The Democratic Republic of the Congo? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in The Democratic Republic of the Congo? What do you hope to accomplish through these actions?

Answer. If confirmed, I will continue the administration's active engagement in pressing for greater respect for human rights in the DRC. This includes condemning and seeking accountability for excessive use of force by security services against citizens, violations of human rights, and denial of basic civil and political rights. I will work to dissuade the DRC Government from attempts to pass laws severely restricting civil liberties and call for accountability of those responsible for human rights violations and abuses. If confirmed, I would also work to address serious human rights abuses committed by armed groups and militias, which continue to cause immense suffering in areas like eastern DRC and the Kasais. I will support the implementation of U.N. resolutions, encourage cooperation with the U.N. Office for the High Commissioner for Human Rights (OHCHR), and continue the American tradition of supporting human rights defenders and media freedoms. This also includes consideration of further use of our sanctions authorities against human rights abusers or those responsible for undermining democratic processes in the DRC. Credible elections on December 23, 2018, as scheduled, are critical to averting violence and improving the overall human rights climate in the country.

*Question 6.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in The Democratic Republic of the Congo in advancing human rights, civil society and democracy in general?

Answer. If confirmed, my top policy priority will be supporting a credible process that enables the Congolese people to peacefully and democratically elect their next president on December 23, 2018. To this end, I am extremely concerned that actions such as restrictions on public rallies, meetings, and demonstrations, not to mention the arbitrary arrests and detention of opposition figures and civil society activists, undermine a fully inclusive and democratic electoral process. While elections alone will not address the DRC's many challenges, including deep concerns regarding human rights violations and abuses, a peaceful, democratic transfer of power is a critical step for creating an environment that will support improvements to the DRC's stability, governance, and the rule of law.

*Question 7.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in The Democratic Republic of the Congo? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Yes, I plan to meet with civil society members, human rights, and other non-governmental organizations (NGOs) both in the United States and in the DRC. I have always been open to meetings with civil society and human rights NGOs and met with their representatives throughout my career.

If confirmed, I will proactively work to ensure that we are implementing the Leahy Law requirements and also undertaking steps to ensure that all U.S. security assistance and cooperation reinforces respect for human rights. To this end, I plan to continue the State Department's current efforts to focus any U.S. security assistance and cooperation efforts on supporting professionalism of the Congolese security forces and civilian law enforcement in areas where we can have a positive impact, such as military justice in response to concerns regarding the human rights environment.

*Question 8.* Will you and your embassy team actively engage with The Democratic Republic of the Congo to address cases of key political prisoners or persons otherwise unjustly targeted by The Democratic Republic of the Congo?

**Answer.** If confirmed, my top policy priority will be supporting a credible process that enables the Congolese people to peacefully and democratically elect their next president on December 23, 2018. To this end, I am extremely concerned that actions such as restrictions on public rallies, meetings, and demonstrations, not to mention the arbitrary arrests and detention of opposition figures and civil society activists, undermine the ability of the opposition and civil society to participate fully in the electoral process.

If confirmed, I will urge the Congolese Government to increase political space for all stakeholders and will seek ways to strengthen judicial independence, accountability, and capacity to uphold the DRC's constitution, which enshrines democratic rights. I will also continue the Mission's work to provide institutional and individual support for human rights through a number of civil society and human rights organizations that advocate for legal and regulatory norms.

*Question 9.* Will you engage with The Democratic Republic of the Congo on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Yes, if confirmed, I plan to continue the administration and U.S. Embassy's active engagement to support respect for human rights and civil rights and governance in the DRC. This includes condemning the excessive use of force by security services against civilians and government attempts to pass laws severely restricting civil liberties. I would seek to protect media freedoms, civil society activists, and human rights defenders; I would press for the Government to hold accountable those responsible for human rights violations and abuses and implement U.N. resolutions, while cooperating with the U.N. Office for the High Commissioner for Human Rights (OHCHR). This also includes consideration of further use of our sanctions authorities against human rights violators and abusers or those responsible for undermining democratic processes in the DRC. While elections alone will not solve the DRC's human rights problems, they are critical to averting violence and improving the overall human rights climate in the country.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** Yes, and I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** Yes, and I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 12.* Do you or do any members of your immediate family have any financial interests in The Democratic Republic of the Congo?

**Answer.** No.

*Question 13.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my career, I have advocated for the dignity of all persons with diverse backgrounds and underrepresented groups. My own mixed heritage family history motivated me to serve our great country. I am a first-generation native-born American; my mother is from Spain and my grandparents on my father's side fled Nazi Germany to France and then Ecuador before immigrating to the United States. When I served as Assistant Secretary of State for Public Affairs as well as when I was on detail at the National Defense University, I participated in the State Department's recruitment outreach and traveled to numerous college campuses, including to encourage Native Americans in New Mexico and North Dakota, African-Americans at HBCUs in Atlanta, Hispanics in Texas, Arab-Americans in Michigan, and Asian-Americans in California, to consider careers in the Foreign or Civil Service.

If confirmed, I plan to do as I did when I was Ambassador in Chile and mentor, support, and promote my Foreign Service colleagues, Locally Employed Staff, and Eligible Family Members. At Embassy Kinshasa, if confirmed, I intend to? make clear my commitment to the diversity of culture, ethnicity, language, gender, sexuality, and other identities. For example, as Ambassador to Chile, I attended and hosted events that highlighted the importance of inclusion and human rights for the LGBTI community, including giving remarks at the annual Pride Day parade in Santiago alongside LGBTI leaders and the Chilean Justice Minister. Also, once in the DRC, if confirmed, I would hope to attend and host events, webchats, roundtables, and panel discussions that feature the great qualities, character, and talent of underrepresented groups on my team.

*Question 14.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I firmly believe that the success of our diplomacy depends on our people and, if confirmed, I will have no higher priority than to ensure the safety, security, and well-being of our mission staff and the American community. I recognize that our Embassy personnel in Kinshasa are already serving under difficult conditions, and I will be focused on ensuring my team and their families are secure and included no matter their background or identity. I made this commitment of support for Kinshasa personnel before the Senate Foreign Relations committee and the American public during my confirmation hearing, and I will communicate this to all supervisors and staff at the Embassy from the moment I arrive and through Mission-wide Town Halls, if confirmed. I also intend to use our awards program to recognize meritorious and superior performance.

*Question 15.* How does political corruption impact democratic governance and the rule of law?

Answer. The DRC ranked 161 out of 180 countries on the 2017 Corruption Perception Index published by Transparency International. This endemic and deep root of corruption in the DRC Government and day-to-day life can cripple economic development and hinder efforts to strengthen democratic institutions and enforce rule of law. It is critical that the process for organizing elections on December 23, 2018, be conducted in a credible, transparent manner. Acts of corruption related to the electoral process undermine the credibility of the process.

*Question 16.* What is your assessment of corruption trends in the Democratic Republic of the Congo and efforts to address and reduce them by the Government of the DRC?

Answer. The DRC continually ranks at or near the bottom of key international corruption rankings. The DRC ranked 161 out of 180 countries on the 2017 Corruption Perception Index published by Transparency International. The DRC's score of 21 percent in 2017, similar to that of 2016, highlights the lack of progress in fighting corruption, and underlines the endemic and deep roots of corruption in the DRC Government, and day-to-day life. In my view, corruption in the DRC is a key constraint for the country's socio-economic development as well as to enabling U.S. businesses to compete effectively against China and other actors in the region. American firms see corruption as one of the main hurdles to investment in the DRC. If confirmed, I will actively work with all stakeholders to support efforts to prevent and combat corruption and strengthen transparency and accountability.

*Question 17.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in the Democratic Republic of the Congo?

Answer. Good governance practices and anti-corruption efforts are critical to ensuring the DRC holds credible elections on December 23, 2018. USAID has provided approximately \$37 million in election and political processes support since 2013 and funds a governance program, which enables the delivery of key services, particularly for health and education. The Department also has an array of corruption-related

visa restriction and sanctions tools, which deny entry and freeze assets of officials involved in significant corruption. If confirmed, I will support similar U.S. Government programs and consider leveraging the visa denial and sanctions tools to strengthen democratic institutions, promote good governance and transparency, and combat corruption.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MICHAEL HAMMER BY SENATOR CORY A. BOOKER**

*DRC Elections*

*Question 1.* The Senate recently passed Senator Flake and my resolution (S.Res.386) with unanimous support, which urges the Government of the DRC to fulfill its agreement to hold credible elections this year, comply with constitutional limits on presidential terms, and fulfill its constitutional mandate for a democratic transition of power by taking concrete and measurable steps towards holding elections not later than December 2018 as outlined in the existing election calendar.

However, widespread violence and political repression leading up to the election has created an environment is not conducive for credible elections.

- What would be your strategy to foster a more conducive environment for elections?

Answer. If confirmed, I will review the administration's current strategy for ensuring that the December elections take place, in accordance with the DRC constitution and the December 2016 St. Sylvestre agreement. My highest immediate priority, if confirmed, will be to continue the administration's efforts urging President Kabila and the DRC Government to hold credible elections on December 23, 2018. I will also reach out to important regional partners, allies, and international organizations based in the DRC to coordinate a strong message and to provide support for the free and fair election the Congolese people want and deserve. In addition, I will urge the DRC Government to allow for the needed political space for all stakeholders to be able to participate in a peaceful democratic process. If confirmed, I will work with the Embassy Kinshasa team and the U.S. Government interagency to strengthen judicial independence, accountability, and capacity to uphold the DRC's constitution, which enshrines civic, human, and political rights.

Throughout my career, I have worked to ensure that we use U.S. Government assistance programs effectively and efficiently to promote stronger democratic institutions. If confirmed, I will ensure our programming supports the upcoming December elections to be credible and inclusive in accordance with the constitution, to effect the first peaceful and democratic transfer of power in the DRC's history. For example, USAID has provided approximately \$37 million in election and political processes support since 2013, with programs including support for citizens' improved access to electoral information, Congolese civic groups to educate citizens about the rights and roles of voters, election observers, and civil society organizations. If confirmed, I will also work with my Public Affairs team to ensure that we take full advantage of the range of exchange and outreach programs to strengthen democratic institutions and build the professional capacity of the professional press corps and others who can promote good governance practices.

*Question 2.* Would you use more sanctions, as was suggested in S.Res.386, to deter further electoral calendar slippage and abuses against the people of Congo?

Answer. DRC Government progress on several key technical and political measures over the next months will be critical for credible elections to be held on December 23, 2018 in an open, inclusive, and peaceful environment, with respect for human rights and fundamental freedoms. If confirmed, I will explore options within the interagency to impose additional targeted sanctions, as developments warrant, on individuals or entities—whether government or opposition—that are responsible for human rights violations or abuses; threatening the peace, security, or stability of the DRC; undermining democratic processes or institutions in the DRC; or being engaged in or facilitating corruption.

*Question 3.* What steps would you take in response to the possibility of President Kabila announcing a campaign for the 2018 presidential election?

Answer. If confirmed, I will continue the administration's pressure on the DRC Government to make clear that we expect the DRC to hold elections on December 23, 2018, and that President Kabila will not run for re-election, per his commitments made in the December 2016 Agreement and in accordance with the DRC's constitution. It would clearly be inconsistent and incompatible with a credible proc-

ess and a democratic transfer of power if President Kabila were to join the race as a candidate. If confirmed, I will work closely with our Embassy Kinshasa team to explore all options in our toolbox to advance our objectives, including targeted sanctions, public messaging, diplomatic engagement, senior-level visits, and technical assistance. If elections are either delayed again or take place but are not credible, there is a serious risk of violence and long-lasting instability and unrest for both the DRC and the region.

*Question 4.* How would you utilize your resources at the embassy and the standing of the U.S. Government to ensure that President Kabila steps down as part of a democratic transition of power?

Answer. If confirmed, in coordination with Washington, I will continue to urge President Kabila to abide by his commitment to respect the Constitution and December 2016 St. Sylvestre Agreement and hold elections on December 23, 2018. At the same time, I will press Kabila and the DRC Government to allow for the opposition's active participation, which is critical to an inclusive electoral process. It is up to the Congolese people to vote for their next president. We expect U.S. and international encouragement will lead to greater implementation of the December 2016 Agreement and a credible and inclusive election that abides by the constitution.

The region has much at stake in ensuring a peaceful and democratic transition, given the high risk of unrest and violence if elections are not held as planned. If confirmed, I will work closely with our Embassy Kinshasa team to explore all options in our toolbox to advance our objectives, including targeted sanctions, public messaging, diplomatic engagement, senior-level visits, and technical assistance.

*Question 5.* What types of electoral assistance is the United States providing, or planning to provide, ahead of the December elections in DRC?

Answer. If confirmed, my top policy priority in the DRC will be to support long-term stability through credible elections on December 23, 2018, and a peaceful, democratic transfer of power. USAID has provided approximately \$37 million in election and political processes support since 2013. It also funds a governance program, which enables the delivery of key services, particularly for health and education. USAID, in partnership with the United Kingdom (UKAID) is also providing civic and voter education to an estimated 15 million Congolese through civil society organizations, face-to-face community campaigns, and a nationwide media campaign. USAID supports the DRC's leading domestic observer group to monitor voter registration and provide timely recommendations to the National Independent Electoral Commission (CENI), and long-term observation continues through over 300 monitors deployed nationwide. I will also consider the possibility of providing additional election support, in coordination with other partners.

*Question 6.* What policy conditions are attached to such assistance?

Answer. The administration has made clear to the DRC Government and the DRC's electoral commission (CENI) that the U.S. Government stands ready to support a process that is credible and inclusive, in accordance with the constitution. If confirmed, I will work closely with the U.S. Government interagency to closely monitor and respond appropriately to any developments that could affect our programming. The United States will respect the opinion of the Congolese people as they decide whether the electoral process is credible and inclusive. And, if confirmed, I will support U.S. Government programs and consider leveraging the visa restrictions and sanctions tools to strengthen democratic institutions, promote good governance and transparency, and combat corruption.

*Question 7.* How should the U.S. Government gauge whether the election process and results are credible?

Answer. While some important steps have been taken on the electoral process, including, for example, the completion of voter registration, the DRC Government and National Independent Electoral Commission (CENI) must make additional progress to ensure credible elections will be held in December. Additional progress on both technical steps and political measures will be necessary over the next months if the established electoral calendar is to remain viable and the process credible for the elections to be held on December 23, 2018 in an open, inclusive, and peaceful environment, with respect for human rights and fundamental freedoms. However, ultimately, it will be up to the Congolese people to decide whether the electoral process has been credible and acceptable.

The U.S. Government regularly assesses progress on both technical measures and political actions as part of overall engagement on the electoral process. While there is no doubt that greater progress needs to be made, particularly on political measures, there is still time for credible elections to be held. If confirmed, I will maintain focus on the administration's top priority in the DRC for the elections held on De-

cember 23, 2018, in a manner that is credible, peaceful, and inclusive, in accordance with the constitution.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KYLE McCARTER BY SENATOR ROBERT MENENDEZ**

*Question 1.* Please explain your understanding of the terrorist threat in Kenya. What groups are operating there?

Answer. I have worked in Kenya with my wife, Victoria, for over 30 years. Throughout that time, I have been a keen observer of changes and progress; most notably, the changes in terrorist threats in the region. Kenya, one of our strongest partners in East Africa, faces terrorism threats that also pose a risk to U.S. persons and interests in the country. Al-Shabaab, the group responsible for the deadliest terrorist attacks on Kenyan soil since al-Qaeda conducted the 1998 U.S. Embassy bombings, exploits porous borders between Somalia and Kenya and social grievances of marginalized communities to carry out attacks primarily in Kenya's northeastern and coastal counties. These include raids and improvised explosive device (IED) attacks targeting security personnel, as well as assaults on civilians. In February 2018, five al-Shabaab terrorists with ties to Nairobi were discovered by local police approximately eight hours by road from Nairobi with rifles, hand grenades, and a vehicle-born improvised explosive device. During the last year, Kenyan police have reported arrests of several ISIS-linked operatives, accused of plotting attacks, recruitment and travel facilitation, or raising funds for the group.

*Question 2.* What actions has the United States taken to counter terrorism and violent extremism? Have they been effective?

Answer. The United States remains committed to helping Kenya fight terrorism using the most productive and responsible means possible. This includes the provision of counterterrorism assistance that not only builds the Government's capacity to detect and deter terrorism threats, but also prioritizes respect for human rights and the rule of law. Over the last three years, the United States has provided more than \$140 million in counterterrorism support to Kenya, including more than \$33 million to build the capacity of Kenya's civilian law enforcement agencies. Some of this support is used to train and equip Kenyan units to conduct border security operations and respond to active shooter threats. The Kenyan Government works closely with the United States to address terrorism threats and other security issues at the U.S. Embassy in Nairobi, including through a dedicated, U.S.-funded counterterrorism response team. Kenya is also an active member of the Partnership for Regional East African Counterterrorism (PREACT), the State Department-led inter-agency and multi-year initiative focused on improving partner nations' military capacity, rule of law, border security, ability to counter violent extremism, and ability to counter terrorist financing.

Kenya continues to cooperate with the United States to prevent the transit through its territory of foreign terrorist fighters, Kenyans attempting to join al-Shabaab or ISIS, and terrorists returning from abroad. In April 2017, Kenya signed an agreement with the United States to facilitate the sharing of information on air passengers. The Kenyan Government also maintains a traveler screening partnership with the United States using the Personal Identification Secure Comparison and Evaluation System (PISCES) at major ports of entry. In keeping with its international advocacy, Kenya co-sponsored U.N. Security Council Resolution 2396 on returning and relocating foreign terrorist fighters in December 2017.

Embassy Nairobi's public diplomacy Countering Violent Extremism (CVE) efforts engage key constituencies, including religious leaders, the Muslim community, and women, particularly in Kenya's coastal region, to expand diplomatic relationships and influence. Regional exchange programs connect credible voices opposing violent extremism to build on existing resiliencies and to counter narratives used by al Shabaab to recruit and radicalize. To amplify and build support for the U.S.-Kenya security partnership, the Public Affairs Section (PAS) designed a media co-op on the U.S.-Kenya counterterrorism partnership and funded a journalist tour to Africa Command (AFRICOM) in Stuttgart. PAS is an active member of U.S. Embassy Nairobi's CVE Working Group and works directly to guide and shape AFRICOM Military Information Support Team (MIST) activities. The State Department also supports CVE efforts within Kenya's security and justice systems to address drivers of violent extremism related to perceived injustices and police abuse. This includes community engagement training for police that enables officers to build trusting and

constructive relationships with at-risk communities and access to justice programming to increase accountability of police.

*Question 3.* If confirmed, what changes to our counterterrorism approach would you recommend?

Answer. If confirmed, I would work to ensure that our counterterrorism approach maintains our strong U.S.-Kenyan partnership in the fight against terrorism. Our security assistance enhances Kenyan military capabilities to neutralize and eliminate al-Shabaab and to enable the Kenyan Defense Forces (KDF) to contribute to regional peacekeeping operations.

*Question 4.* What is the status of the Security Governance Initiative in Kenya? What has been the impact of the program? Will you advocate, if confirmed for the program to continue?

Answer. The Security Governance Initiative (SGI) is a multi-year, interagency effort to improve security sector governance for six partner countries to more efficiently and responsibly address security challenges, and more effectively prevent national and regional instability. In 2015, the U.S. Government and the Government of Kenya jointly drafted and signed a Joint Country Action Plan for SGI-Kenya, which outlined three focus areas: border management, police human resource management, and administration of justice. In 2017, Countering Violent Extremism was added as a cross-cutting theme. I understand that the Departments of State, Homeland Security/Customs and Border Protection, and Justice, as well as USAID implement SGI on behalf of the U.S. Government. If confirmed, I will work with the interagency and the Government of Kenya to promote good governance of the security sector and ensure that the reforms and progress made through the SGI partnership continue.

*Question 5.* Have authorities undertaken credible investigations into excessive use of force by police related to the 2017 elections?

Answer. Senior U.S. officials have raised the issue of heavy-handed security force tactics to the highest levels of the Kenyan Government. We have also taken steps to address underlying factors that may contribute to use of such tactics by investing time and technical expertise in police accountability mechanisms and in judicial reform.

*Question 6.* If confirmed, do you plan to advocate for the Kenyatta's administration to hold police accountable for reports of police brutality and extrajudicial killings?

Answer. If confirmed, I will lead our efforts to urge Kenya's security (both public and private) and justice sectors to investigate credible human rights abuse allegations vigorously and hold perpetrators—including security forces—to account, stressing the essential nature of respect for human rights and accountability for security services.

*Question 7.* If confirmed, what specific steps would you take to ensure that abusive security actors do not receive U.S. security assistance, as required under the Leahy Laws?

Answer. I understand that the State Department takes its obligations to Congress under the Leahy Amendment very seriously, and every aspect of our robust counterterrorism and security relationship subject to the Leahy provisions undergoes a vigorous vetting process. If confirmed, I will support the administration's policies.

*Question 8.* What more should the U.S. Government do to help ensure that Kenyan security forces do not engage in excesses and abuse?

Answer. The United States has a strategic interest in Kenya's development, security, and stability, which is reflected in our partnership on regional and global issues and our extensive bilateral programs. While Kenya has made important progress across sectors, it faces some formidable challenges, including in strengthening governance and electoral processes. If confirmed, I will work to ensure that the United States continues to push for reforms in Kenya's security sector that address excesses and abuse.

*Question 9.* According to Human Rights Watch, "Over the past five years, Kenyan authorities have used legal, administrative, and informal measures to restrict media. In the lead up to the 2017 elections, journalists and bloggers reporting on sensitive issues such as land, corruption, and security faced threats, intimidation, arbitrary arrests, and physical assaults." Is this assessment accurate in your view?

Answer. Yes, in my view it is accurate that journalists and bloggers faced substantial difficulties when attempting to report on sensitive issues in the lead up to the 2017 elections.

*Question 10.* What actions will you take if confirmed to support media freedom?

Answer. The United States Government remains concerned by attempts during and after the prolonged 2017 election process to undermine key democratic institutions such as the judiciary and the media. The U.S. Government hopes President Kenyatta and Raila Odinga's pledge to work together will lead to a sustained, open, and transparent dialogue involving all Kenyans to resolve the deep divisions that the electoral process has exacerbated. The U.S. Government will continue to work with all Kenyans committed to building democracy, advancing prosperity, and strengthening security.

During my tenure as Ambassador, if confirmed, I will work with Embassy Nairobi's public diplomacy team to ensure that the United States continues to provide strong support for media freedom in Kenya.

*Question 11.* If confirmed, will you commit to promoting religious freedom in Kenya, including for religious minorities? If so, how?

Answer. The United States places great importance on the protection and promotion of the human rights and fundamental freedoms of all people. Promoting, protecting, and advancing human rights has long been, and remains, the policy of the United States. If confirmed, I will work with my colleagues at Embassy Nairobi to determine the most effective ways in which the United States can promote religious freedom in Kenya, including for religious minorities.

*Question 12.* Do you commit to identify and denounce any actions taken either by the Government or other groups that target specific groups based on their religious affiliation?

Answer. If confirmed, I commit to identify and denounce any actions taken by either the Government or other groups that target specific groups based on their religious affiliation. The Kenyan Government has an obligation to protect and respect the human rights and fundamental freedoms of its people, and no one should face violence or discrimination.

*Question 13.* Will you commit to regularly meeting with religious and community leaders of different faiths, to facilitate dialogue on religious freedom and address grievances of groups who feel marginalized due to their minority religion?

Answer. If confirmed, I will work to ensure that my colleagues at Embassy Nairobi and I meet with religious and community leaders of different faiths to facilitate dialogue on religious freedom and to address grievances of groups who feel marginalized due to their minority religion.

*Question 14.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to Kenya?

Answer. During my tenure as Ambassador, if confirmed, I will fully brief Members of Congress and/or their staff when I am in Washington, D.C. for visits or consultations.

*Question 15.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have used also my position as a Member of the Illinois Senate to raise awareness of issues like addiction, specifically the opioid crisis, and direct families struggling with this issue to resources that can provide help. As part of these efforts, I passed one of the strongest synthetic drug bills in the nation to address the plague these drugs have been upon my district, Illinois, and the nation.

In Kenya, my wife and I have fought against Female Genital Mutilation, child marriage, and child prostitution, including personally rescuing many children and youth from these situations. I have taken babies from ditches, retrieved young girls from jail after being forcibly circumcised and sold for marriage, and provided a safe home for hundreds of children that were marginalized, orphaned, abandoned, and abused. Some are finishing college now and beginning to raise families of their own.

*Question 16.* What issues are the most pressing challenges to democracy or democratic development in Kenya in your view? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Ethnic-based political divisions, interference in key institutions, corruption, and impunity all continue to pose challenges to Kenya's democracy and to advancing human rights. Civil society organizations—particularly those focused on accountability, security forces abuses, and elections—face challenges and restrictions, including threats of closure by authorities.

*Question 17.* What steps will you take—if confirmed—to support democracy in Kenya? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. During my tenure as Ambassador, if confirmed, I will further our support for good governance and democracy in Kenya. This includes strengthening our support for the devolution process mandated by the 2010 Kenyan constitution, our technical assistance to democratic institutions, including the judiciary and Independent Electoral and Boundaries Commission, and our support for Kenyan civil society organizations. Through these actions, I hope to help strengthen Kenyan civil society and democratic institutions.

Potential impediments include the reality that not all members of the Kenyan opposition coalition support the recent rapprochement between President Kenyatta and Raila Odinga, and negative democratic trend lines continue, as evidenced by efforts to restrict or intimidate the media and the judiciary.

*Question 18.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will work to ensure that U.S. Government assistance resources are used as effectively as possible. In Fiscal Year 2017, the United States provided \$17.0 million worth of Democracy Rights and Governance (DRG) programs to strengthen accountable county governments, enhance capacity for civic engagement, and improve the enabling environment and institutions at national and county levels. These programs also seek to engage Kenyans to build consensus around electoral and political reforms and strengthen electoral institutions, particularly in light of Kenya's turbulent 2017 general elections.

*Question 19.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Kenya? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. A strong and active civil society is the key to a strong democracy. I am fully committed to helping Kenya strengthen political institutions, address governance challenges, promote civil society, and uphold human rights. Civil society groups are invaluable partners in delivering services and support to Kenyans across the country. Any efforts to restrict civil society space are inconsistent with democratic principles and traditions.

If confirmed, I will work proactively to ensure that the United States continues to address efforts to restrict or penalize NGOs and civil society.

*Question 20.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will work to ensure that the United States provides all possible support to facilitate an inclusive democratic political environment in Kenya. I will continue Embassy Nairobi's strong track record of advocacy for both political competition on a level playing field and access to the political process for women, minorities, and youths.

*Question 21.* Will you and your Bureau leadership team actively engage with Kenyan leaders on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Kenya?

Answer. If confirmed, I will actively work to engage with Kenyan leaders and independent, local press on issues of media freedom in Kenya.

*Question 22.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will work to continue Embassy Nairobi's work on countering disinformation and propaganda. Embassy Nairobi launched a year-long media literacy campaign to help Kenyans identify fake news and stop the spread of false information, including using the more than 47,000 YALI Network members to stop, reflect, and verify before forwarding what could be fake news. The Embassy's robust social media platforms are a key tool for raising awareness about the scourge of fake news, and the Embassy supports its campaign with speaker programs, educational videos, training courses, and professional exchange programs.

*Question 23.* Will you and your Bureau leadership team actively engage with Kenyan interlocutors on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will work to ensure that the rights of Kenyan laborers are respected in accordance with international labor laws.

*Question 24.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Kenya, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Kenya? What specifically will you commit to do to help LGBTI people in Kenya?

Answer. My faith teaches me to love your neighbor as yourself. I firmly believe that every person is created equal and deserving of respect and that discrimination or repression of any type should not be allowed. If confirmed, I will continue to be a leader, a manager, and a friend of people, including treating people of all sexual orientations with dignity and respect.

If confirmed, I would uphold all U.S. Government and State Department policies regarding the rights of LGBTI persons, including equal opportunities in the workplace in Embassy Nairobi for both American and Kenyan LGBTI employees.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KYLE McCARTER BY SENATOR BENJAMIN L. CARDER

*Kenya Post-Elections*

*Question 1.* After initially challenging Uhuru Kenyatta's victory in Kenya's 2017 presidential elections, former candidate and leader of the Orange Democratic Movement Raila Odinga appears supportive of the Kenyatta Government, marked by the March 2018 "handshake" and unity deal.

- Do you believe the new Kenyatta-Odinga alliance is genuine?

Answer. I hope President Kenyatta and Raila Odinga's pledge to work together will lead to a sustained, open, and transparent dialogue involving all Kenyans to resolve the deep divisions that the electoral process exacerbated. I understand that the Department of State will continue to work with all Kenyans committed to building democracy, advancing prosperity, and strengthening security. If confirmed, I would intend to do the same.

*Question 2.* How can the United States leverage this moment of relative calm in Kenyan politics to better promote its foreign policy and national security goals in the region?

Answer. Kenya is one of the United States' most important partners in sub-Saharan Africa, especially on counterterrorism, regional security, trade, and global health.

During my tenure as Ambassador, if confirmed, I look forward to furthering our counterterrorism and security cooperation with Kenya to defeat al-Shabaab, as well as to eradicate the Islamic State presence in East Africa. No less important is our support for good governance and democracy in Kenya, including our support for the devolution process mandated by the 2010 Kenyan constitution, our technical assistance to democratic institutions including the judiciary and Independent Electoral and Boundaries Commission, our support for Kenyan civil society organizations, and increasing accountability for human rights abuses. Kenya is a key partner on global health, and our programs treat disease and prevent epidemics including HIV/AIDS, malaria, and polio while ensuring better maternal and child health. Finally, Kenya is an important trade partner, and I look forward to working with the over 130 U.S. companies already represented in Kenya as well as developing new avenues for investment and economic cooperation.

*Kenya Global Gag Rule*

*Question 3.* In January 2017, the Trump administration issued an executive order reinstating the "Global Gag Rule" and cutting aid to overseas organizations that provide, advocate, or make referrals for abortions. Kenya's oldest sexual and reproductive health provider, Family Health Options Kenya (FHOK), has lost over \$2 million in funding (including already-obligated PEPFAR funds) for its refusal to comply with the President's executive order. Due to the funding cuts, FHOK has had to eliminate its free outreach services, close two clinics, and layoff 18 staffers, even though 98 percent of its services are not abortion-related.

- Do you agree with the implementation of the Global Gag Rule?

**Answer.** If confirmed, it will be my responsibility as a U.S. diplomat to comply with and carry out the administration's policies. Further, if confirmed, I will work to ensure the enduring strength of the partnership between the United States and Kenya to improve the health of the Kenyan people. HIV/AIDS programs are only one, albeit critically important, part of a broader U.S. effort to assist Kenya across a wide range of health issues, including malaria, maternal and child health, family planning, nutrition, and tuberculosis.

**Question 4.** Do you believe PEPFAR funds, which are used specifically for HIV/AIDS treatment and outreach programs and not related to abortion services, should be subject to Global Gag Rule restrictions?

**Answer.** If confirmed, I will work to ensure that the United States continues to support Kenya's goal of achieving HIV/AIDS epidemic control. Through the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), the United States is the largest bilateral donor to the global HIV/AIDS response. Since 2004, we have invested more than \$5.2 billion in Kenya to support HIV prevention and treatment efforts. PEPFAR provides over \$496.2 million for antiretroviral treatment for more than one million Kenyans and HIV testing services for almost 13 million. If confirmed, I will work to keep those efforts going. Kenya is among the 13 high-HIV-burden countries poised to achieve epidemic control by 2020 under the PEPFAR Strategy for Accelerating HIV/AIDS Epidemic Control (2017–2020).

**Question 5.** How exactly do HIV/AIDS programs relate to abortion-related services? How does cutting funding to HIV/AIDS programs exactly accomplish the goal of limiting and/or promoting abortion services?

**Answer.** If confirmed, I will work to ensure the enduring strength of the partnership between the United States and Kenya to improve the health of the Kenyan people. HIV/AIDS programs are only one, albeit critically important, part of a broader U.S. effort to assist Kenya across a wide range of health issues, including malaria, maternal and child health, family planning, nutrition, and tuberculosis. Over the last ten years, the United States has helped Kenya remain on track to meet all five maternal and child nutrition World Health Assembly targets, surpass its five-year intermediate Family Planning 2020 targets, and reduce its under-five mortality and infant mortality.

**Question 6.** Will you work to ensure organizations like FHOK do not experience further funding cuts under the Global Gag Rule?

**Answer.** If confirmed, I will work to ensure that Kenyan organizations providing public health services have ready access to the full extent of U.S. funding available to them.

#### *LGBT Equality Issues*

**Question 7.** In June, one of the largest refugee camps in the world, Kenya's Kakuma Refugee Camp, held its first ever LGBT pride event. The camp is administered by UNHCR. Threatening messages have been left around the camp after the event, which garnered about 600 participants according to accounts. Under Kenyan law, homosexuality is a crime.

- Do you believe the Kenyan Government has a responsibility to provide basic protection to all people living within its borders?

**Answer.** Yes. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. The Kenyan Government has an obligation to protect and respect the human rights and fundamental freedoms of their people—including LGBTI individuals—and no one should face violence or discrimination.

**Question 8.** If confirmed, what would you do to stand up for U.S. values in Kenya, which include the basic human rights of all people?

**Answer.** Yes. My faith teaches me to love your neighbor as yourself. I firmly believe that every person is created equal and deserving of respect and that discrimination or repression of any type should not be allowed. If confirmed, I will continue to be a leader, a manager, and a friend of people whom I treat as equals, with dignity and respect, regardless of their sexual orientation.

The United States places great importance on the protection and promotion of the human rights and fundamental freedoms of all people. Promoting, protecting, and advancing human rights—including the rights of LGBTI persons—has long been and remains the policy of the United States. If confirmed, I would uphold all U.S. Government and State Department policies regarding the rights of LGBTI persons.

*Question 9.* Embassy Nairobi has previously participated in LGBT pride events. As Ambassador, would you commit to holding LGBT pride events for American officers, their families, other foreign officials and Kenyan nationals?

Answer. If confirmed, I would uphold all U.S. Government and State Department policies regarding equal opportunities in the workplace in Embassy Nairobi for both American and Kenyan LGBTI employees.

*Question 10.* In the 1950s and 1960s, approximately 1,000 people were fired by the State Department because of their perceived sexual orientation. In what came to be known as the Lavender Scare, according to the State Department's Bureau of Diplomatic Security, employees were forced out on the ostensible grounds that their real or perceived sexual orientation rendered them vulnerable to blackmail, prone to getting caught in "honey traps" and a general security risk. Many more individuals were prevented from joining the State Department due to a screening process that was put in place to prevent those who "seemed like they might be gay or lesbian" from being hired. In January 2017, Secretary of State Kerry apologized for the Lavender Scare.

- Do you believe one's real or perceived sexuality should be the basis for any kind of employment or other discrimination?

Answer. No, I do not believe that one's real or perceived sexuality should be the basis for any kind of employment or other discrimination.

*Question 11.* Do you believe it is appropriate for the Obama, Trump, and subsequent administrations to recognize and apologize for the Lavender Scare?

Answer. I believe that each administration should make its own decision.

*Question 12.* Do you support a legislative solution to correct or address some aspects this historic injustice?

Answer. I do not believe that a legislative solution is necessary. As is repeated in the Foreign Affairs Manual (FAM) below, each employee working for U.S. Government is covered by laws that ban discrimination. We must abide by these policies.

In accordance with Title VII of the Civil Rights Act of 1964 (Title VII), the Department of State prohibits discrimination in employment on the basis of race, color, national origin, sex, or religion, and ensures that all personnel actions affecting employees or applicants for employment are free from discrimination on such bases.

*Question 13.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have used also my position as a Member of the Illinois Senate to raise awareness of issues like addiction, specifically the opioid crisis, and direct families struggling with this issue to resources that can provide help. As part of these efforts, I passed one of the strongest synthetic drug bills in the nation to address the plague these drugs have been upon my district, Illinois, and the nation.

In Kenya, my wife and I have fought against Female Genital Mutilation, child marriage, and child prostitution, including personally rescuing many children and youth from these situations. I have taken babies from ditches, retrieved young girls from jail after being forcibly circumcised and sold for marriage, and provided a safe home for hundreds of children that were marginalized, orphaned, abandoned, and abused. Some are finishing college now and beginning to raise families of their own.

*Question 14.* What are the most pressing human rights issues in Kenya? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Kenya? What do you hope to accomplish through these actions?

Answer. The Department of State remains concerned by attempts during and after the prolonged 2017 election process to undermine key democratic institutions such as the judiciary and the media.

During my tenure as Ambassador, if confirmed, I will further the Department's support for good governance and democracy in Kenya. This includes strengthening support for the devolution process mandated by the 2010 Kenyan constitution, the Department's technical assistance to democratic institutions, including the judiciary and Independent Electoral and Boundaries Commission, and support for Kenyan civil society organizations.

Further, I will lead efforts to push for reforms within Kenya's security (both public and private) and justice sectors such that they vigorously investigate credible human rights abuse allegations and hold perpetrators—including security forces—to account, stressing that respect for human rights and accountability for security

services is an absolute prerequisite for continued assistance. I will also work with these organizations to safeguard civic spaces and encourage creating linkages for civil society in parliament and constitutional commissions.

*Question 15.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Kenya in advancing human rights, civil society and democracy in general?

Answer. Ethnic-based political divisions, interference in key institutions, corruption, and impunity all continue to pose challenges to Kenya's democracy and to advancing human rights. Civil society organizations—particularly those focused on accountability, security forces abuses, and elections—face challenges and restrictions, including threats of closure by authorities.

In addition, not all members of the Kenyan opposition coalition support the recent rapprochement between President Kenyatta and Raila Odinga, and negative democratic trend lines continue, as evidenced by efforts to restrict or intimidate the media and the judiciary.

*Question 16.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Kenya? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. A strong and active civil society is the key to a strong democracy. I am fully committed to helping Kenya strengthen political institutions, address governance challenges, promote civil society, and uphold human rights. Civil society groups are invaluable partners in delivering services and support to Kenyans across the country. Any efforts to restrict civil society space are inconsistent with democratic principles and traditions.

I understand that the State Department takes its obligations to Congress under the Leahy Amendment very seriously, and every aspect of our robust counterterrorism and security relationship subject to the Leahy provisions undergoes a vigorous vetting process. If confirmed, I will support the administration's policies.

*Question 17.* Will you and your embassy team actively engage with Kenya to address cases of key political prisoners or persons otherwise unjustly targeted by Kenya?

Answer. Kenya remains a hub of civil society organization activity in East Africa. A strong and active civil society is the key to a strong democracy, and civil society organizations in Kenya should play an instrumental role in helping the country heal following the contentious election. If confirmed, I will work with the Kenyan Government and civil society organizations to ensure the protection of rights and promote due process and transparency in the legal system for all Kenyans.

*Question 18.* Will you engage with Kenya on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. As Ambassador, if confirmed, I will engage with Kenya on matters of human rights, civil rights, and governance as part of our bilateral mission.

*Question 19.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 20.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 21.* Do you or do any members of your immediate family have any financial interests in Kenya?

Answer. No.

*Question 22.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** As a general matter, in any work situation, I very much welcome a diverse business team. If confirmed, I will ensure that all members of the Embassy team will be encouraged, mentored, and supported equally so that they can perform their best, be supported by their leadership while doing so, and be promoted.

**Question 23.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** If confirmed, I intend to first model this behavior so as to lead by example. I would also make clear to supervisors that I expect them to do the same. Additionally, I believe that highlighting the contributions of all team members routinely is important.

**Question 24.** How does political corruption impact democratic governance and the rule of law?

**Answer.** Political corruption runs counter to and diminishes the effectiveness of democratic governance and the rule of law. Our partnership with Kenya is based on a shared commitment to democracy, security, economic opportunity, and strong people-to-people ties.

**Question 25.** What is your assessment of corruption trends in Kenya and efforts to address and reduce them by the Government of Kenya?

**Answer.** Although the Government of Kenya continues to work to combat corruption, it is an ongoing concern in the country. Since 2015, the United States has been assisting Kenya to successfully prosecute corruption cases through technical assistance.

**Question 26.** If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Kenya?

**Answer.** If confirmed, I will be committed to protecting U.S. taxpayer dollars. This will include working with the Government of Kenya on ways to improve accounting and internal controls by institutionalizing anti-corruption mechanisms in all facets of government.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KYLE MCCARTER BY SENATOR EDWARD J. MARKEY**

**Question 1.** This June, with 22 co-sponsors in the Senate and more than 60 co-sponsors in the House, Representative Lowenthal and I reintroduced the International Human Rights Defense Act. This bill would codify the position of the Special Envoy for the Human Rights of LGBTI Persons at the State Department, and enshrine in law U.S. policies to protect the human rights of LGBTI people around the globe. It is deeply important to me that we make preventing and responding to discrimination and violence against the LGBTQ community a foreign policy priority.

Mr. McCarter, your record gives me little faith that you will work to protect the human rights of LGBTQ people worldwide. In the Illinois State Legislature, you led efforts to resist or even roll back progress for LGBTQ people. You said that legalizing same sex marriage was analogous to “repealing the law of gravity.” You claimed that anti-bullying programs were part of the “pro-homosexual agenda.” You voted against a bill that would prohibit gay conversion therapy for minors.

- Mr. McCarter, what kind of message does your record send to the Kenyan authorities who have used sexual orientation and gender identity as an excuse for repression?

**Answer.** My voting record in the Illinois General Assembly as it pertains to same sex marriage has made my views very clear. I have been and will always be against discrimination of any kind. All people are created equal and deserve to be treated with respect. I commit to upholding all U.S. Government and State Department policies regarding equal opportunities in the workplace. Additionally, the United States Supreme Court has spoken on the issue, marriage is now the law of the land in the U.S., and if confirmed, I will swear an oath to uphold the Constitution and all laws of the land.

**Question 2.** Will you commit to standing united with Kenya’s LGBTI community?

**Answer.** If confirmed, I am committed to defending all groups of people who are disenfranchised or discriminated against, including Kenya’s LGBTI community.

**Question 3.** Will you commit to sending a clear and unequivocal message that Kenya must over-turn its colonial era laws that criminalize the LGBTI community?

Answer. Yes. The criminalization of homosexuality is wrong and, if confirmed, I would support the Kenyan High Court ruling to overturn laws that criminalize the LGBTI community.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KYLE MCCARTER BY SENATOR CORY A. BOOKER**

*Question 1.* Record in Illinois State Legislature: During your time in the Illinois State Legislature, you have led a number of efforts to resist or even roll back progress for LGBTQ people. You introduced legislation to allow child welfare agencies to discriminate against same-sex couples in adoption and foster care, while still receiving government funding.

This would not only harm same-sex couples, but also reduce the number of qualified families that could give homes to children in need. You have also opposed anti-bullying legislation intended to protect LGBTQ and other youth from bullies—saying that such bills “just have a pro-homosexual agenda.” You opposed marriage equality in Illinois, saying that lawmakers “might as well repeal the law of gravity” if it planned to legalize gay marriage. Just last year, you introduced legislation that would permit individuals and businesses to discriminate against same-sex couples and still receive taxpayer funding.

Will you ensure that LGBTQ employees at our embassy in Nairobi are treated with dignity and respect and will be able to exercise all of the rights as employees of the U.S. Government?

Answer. Yes.

*Question 2.* Will you treat Kenyan LGBTQ people with respect and dignity, and will you support their efforts to protect and advance their human rights?

Answer. Yes. If confirmed, I am committed to defending all groups of people who are disenfranchised or discriminated against, including Kenya’s LGBTI community.

*Question 3.* Position on LGBTQ rights: Your positions on LGBTQ human rights would be concerning in any circumstance, but they are especially so in this case because of the country where you would be serving. Kenya has long criminalized same-sex sexual activity and LGBTQ people continue to suffer violence and discrimination. At this moment in Kenyan history, it is crucial that the U.S. support human rights in Kenya and throughout Africa.

- Will you commit to standing up for human rights for all Kenyans and against laws that criminalize LGBTQ people?

Answer. Yes. If confirmed, I am committed to defending all groups of people who are disenfranchised or discriminated against, including Kenya’s LGBTI community.

*Question 4.* What steps will you take to ensure that Kenya is protecting the rights of all citizens, no matter who they are or whom they love?

Answer. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. The Kenyan Government has an obligation to protect and respect the human rights and fundamental freedoms of their people—including LGBTI individuals—and no one should face violence or discrimination. If confirmed as Ambassador, I would follow in the footsteps of my predecessors as well as colleagues across the globe in actively promoting American values, including protecting the rights of all citizens. As part of this, and with the assistance and support of my colleagues at Post, I would press the Kenyan Government to ensure that it protects the rights of all of the country’s citizens.

*Question 5.* Refugees: I read your comments about refusing Syria refugees with concern. I have traveled to Lebanon, where a quarter of the population is now Syrian, and Jordan which is hosting approximately 700,000 refugees under enormous strain to their basic services.

However, the U.S. is nowhere near accepting those numbers of refugees. By April of this year, we had only accepted around 40 Syrian refugees.

I am concerned because, if confirmed, you will be going to a country hosting the world’s largest refugee camp. The Dadaab refugee camp on the Kenya–Somali border hosts almost 250,000 refugees.

- Can you expand on your views about Syrian refugees and what your message to Kenya is regarding refugees?

Answer. I am a strong advocate of immigration. Some of the greatest achievements in our country have come from immigrants. The story of America is attractive to the world because we have a strong history of taking in the disenfranchised and

demoralized and giving them hope. I am for giving that opportunity to citizens around the world but I am also an advocate for immigration with the proper controls and vetting procedures in place. If the desire of others to immigrate infringes upon the rights of Americans to live safely and freely, I take issue with that. I take issue with that in the same way that many Kenyans take issue with immigration infringing upon their ability to live safely in their country. Above all, I will uphold the policies of the U.S. Government and stand beside and support the Kenyan Government as they continue to address immigration and issues related to refugees in their country.

*Question 6.* What message do you think it sends to Kenya if we send an ambassador who has repeatedly talked about turning away refugees feeling violence and persecution?

Answer. I believe that prudent immigration policies that insist on adequate vetting and interviewing procedures with the intent of protecting its' citizens are good for both our nations. This sends a message of compassion to all our citizens as well as those we welcome as immigrants. My track record of hiring and caring for the entire family of refugees in my business is clear evidence that I am empathetic to the plight of refugees.

*Question 7.* Would you encourage Kenya to close the camp and force Somali and South Sudanese refugees back to those countries?

Answer. This is a very complex issue and has to be addressed in a multifaceted approach. Sending refugees back to their country must take place in the right circumstances and is only one response. If confirmed I plan on being briefed extensively on this issue and will benefit greatly from the counsel I will receive from our experts in the U.S. State Department on this issue.

*Question 8.* Embassy Management: If confirmed, you will be heading one of, if not the largest Embassy in Sub Saharan Africa with several priorities including humanitarian response, governance and rule of law, counter terrorism, and health.

- Have you spoken to Ambassador Godec, about his experience and his assessment of U.S. priorities in Kenya?

Answer. I have not yet had the privilege of engaging Ambassador Godec. However, I am keenly looking forward to meeting him as I continue through this process, and, if confirmed, I would expect to routinely seek his counsel.

*Question 9.* Past U.S. Ambassadors to Kenya have been career foreign service officers. Even Ambassador Gration, who was the last political appointee in 30 years had previous diplomatic experience as Envoy to Sudan. Do you believe you have the background and experience to lead a 1,000 person mission with several humanitarian and development priorities?

Answer. Yes. I will be fortunate to have a great team of talented people working with me as well. I believe I will be successful in this endeavor with my years of experience and attention to important national issues.

*Question 10.* South Sudan: While there appears to be some progress toward a ceasefire and resolution to the civil war, both sides have violated past ceasefires almost immediately.

The White House put out a statement last week expressing skepticism that President Kiir and opposition leader Riek Machar "can oversee a peaceful and timely transition to democracy and good governance," and declared that they "have not demonstrated the leadership required to bring genuine peace and accountable governance."

This is as close as the U.S., or any other government, has come to suggesting that Kiir and Machar should not be part of a post-peace deal transitional government.

- A resolution to the civil war in South Sudan is not possible without the constructive engagement of Kenya. What role do you think Kenya can play in helping bring an end to the conflict and ease some of the humanitarian suffering?

Answer. I anticipate that Kenya will play a significant diplomatic role in the peace talks for South Sudan. While no longer a troop contributor to the U.N. Mission in South Sudan (UNMISS), Kenya continues to coordinate with the United States and African Union (AU) partners to urge South Sudan's warring parties to cease hostilities and negotiate an agreement to finally end the conflict. Kenya has an important role to play in implementing the July 13, 2018, United Nations arms embargo on South Sudan, which is a major step toward preventing further escalation of the conflict and protecting civilians. Additionally, I believe that Kenya can further help by enforcing asset freezes and travel bans on individuals and entities sanctioned by the United Nations as well as by investigating and cutting off any illicit financial flows from South Sudan into Kenya.

*Question 11.* Much of the ill-gotten wealth of the South Sudanese Government leaders responsible for instigating and prosecuting the war is held in Kenyan banks, and the U.S. Treasury Department has the capacity both to investigate the disposition of these funds and to increase the reputational risk to these institutions for complicity in financing the conflict.

- Will you prioritize South Sudan in your bilateral discussions with Nairobi so that Kenya plays a more productive role as a partner in U.S. diplomatic efforts?

Answer. If confirmed, I will continue to encourage the Kenyans to play a constructive diplomatic role within the South Sudan peace process, including implementing the U.N. arms embargo and cutting off illicit financial flows from South Sudan into Kenya.

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## NOMINATIONS

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WEDNESDAY, AUGUST 1, 2018

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. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Gardner, Young, Menendez, Cardin, Shaheen, Murphy, Kaine, and Markey.

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

The CHAIRMAN. Foreign Relations committee will come to order. Today, we will consider the nominations of individuals to serve our country in two vital roles at the State Department.

We welcome both of you and thank you for your willingness to serve.

First, we have Clarke Cooper, who had a distinguished career in the U.S. Army and currently holds the rank of major. Major Cooper has been nominated to Assistant Secretary of State for Military—for Political-Military Affairs, or PM. He currently serves as the Director of Intelligence Planning for the Joint Interagency Task Force—National Campaign Region for the—Capital Region for the Joint Special Operations Command. That is a long title. I hope you do not have to give that much. He has served in the Army on Active Duty since 2013, in a variety of Reserve assignments since 2001. He has also worked in the State Department in Near-Eastern Affairs and Legislative Affairs, in Baghdad, and at the United Nations.

In addition to other responsibilities, such as defense trade controls and security agreement negotiations, the Assistant Secretary for PM directly manages approximately 260 million in foreign assistance through grants, contracts, and cooperative agreements while indirectly overseeing an additional 7 billion in foreign assistance. Major Cooper has demonstrated that he has the capacity to fulfill important responsibilities and manage others in a variety of high-pressure environments. He also understands the important role that Congress plays in authorizing and having the oversight of this portfolio. I believe he has the experience and ability to successfully direct the PM Bureau.

Again, thank you for being here.

Our second nominee is Mr. John Richmond. Mr. Richmond is a seasoned prosecutor and practitioner of the fight against modern

slavery. If confirmed, Mr. Richmond would bring with him 10 years of experience as a Federal prosecutor. During his time at the Justice Department, he helped to found the Human Trafficking Prosecution Unit. He also spent 4 years in India, working on human trafficking issues with International Justice Mission.

Senator Menendez and I wrote the bill that established the Global Fund to End Modern Slavery. In order to win this fight, we have to leverage investments by other governments with the private sector to fund projects that will eliminate modern slavery. We appreciate the administration's significant contribution to fund that—to a fund that attracted significant investments, including from the United Kingdom.

We cannot forget that modern slavery exists because people profit from exploiting others. The victimization of more than 27 million people suffering in forms of bonded labor and sexual servitude around the world will not end until the impunity of exploiters end. We hope Mr. Richmond will speak to how he will lead the State Department's efforts to address that challenge. And I think he has got an extraordinary background to be able to do that.

I want to thank you again, both, for being here. We will look forward to your testimony and our discussion of these issues.

And now I will turn to my friend and our distinguished Ranking Member, Bob Menendez.

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

Senator MENENDEZ. Thank you, Mr. Chairman.

And, to both of the nominees, welcome, to you and your families, and congratulations on your nomination.

Let me start with Mr. Richmond. You have an impressive background as a prosecutor, bringing traffickers to justice here in the United States, so I want to start off by thanking you for your service and your lifelong dedication to these issues, something that the Chairman and I have a great passion about.

Recent reports from international organizations and civil society estimate that at least 40 million victims of human trafficking around the world—men, women, children, including people subjected to forced labor, sex trafficking, and force marriage. The private sector accounts for about 40 percent of those victims, coercing people into making the electronics, clothing, and food that end up on store shelves across our country. Governments force around 4 million people to work around the world, governments that should be protecting and empowering the most vulnerable members of their society. So, if confirmed, you will face an enormous challenge. As the U.S. chief diplomat on this issue, your efforts will require emphasis on each of the three Ps: prevention, protection, and prosecution. And, while we must do more to put traffickers behind bars, we must be equally focused on preventing these crimes from happening in the first place, and offering services to victims to rebuild their lives and protect them from falling prey to traffickers again.

Critical to evaluating countries' efforts will be ensuring the integrity of the Trafficking in Persons Report. Over the past few years, political interference has inflicted, from my perspective, immense damage on our ability to accurately report and rank countries on

their efforts to combat human trafficking. Senator Corker and I, along with other members of this committee, have been working diligently to improve the credibility of this reporting process. So, today I look forward to hearing how you plan to defend the ranking process from political manipulation.

Finally, I hope that you will explore ways we can better target traffickers where it really hurts: their bank accounts. Forced labor, alone, generates over \$150 billion in profits annually, making it the second-largest income source for international criminals, next to the drug trade. And recent analysis from the Global Slavery Index estimates that over \$140 billion in U.S. imports are at risk of being made through a system of modern slavery. We need a comprehensive whole-of-government strategy.

Mr. Cooper, the Bureau of Political-Military Affairs is responsible for all forms of security assistance to foreign countries, including nearly \$100 billion annually in arms sales and more than \$5 billion in military assistance to foreign militaries. Among other worthy programs, Political-Mil is charged with implementing programs to stop the proliferation of unregulated arms, including small arms and light weapons.

With that directive in mind, I am appalled at the recent actions by the Department, and by the Political-Military section in particular, to allow the Internet publication of blueprints for 3D printable firearms in the United States and around the world. Now, I acknowledge that you are not serving in the administration at that time that this decision was made, but, as a security professional, I hope that, when you get there, if confirmed, you are going—if this issue is still look—is still raging, I hope you will add your experience to bear. I can only imagine the reaction of those charged with safeguarding public facilities, as airports, schools, and courthouses, to a dangerous and incredibly irresponsible action by the Department.

I take the committee's oversight of these programs extremely seriously. I personally review all proposed arms sales before they are submitted to the committee for the formal congressional review period. Weapons sales and military aid are U.S. national security tools that we should leverage to achieve our interests consistent with our values. I am frustrated that the administration has not articulated any comprehensive strategy for any region or any country, yet still insists on expediting arms sales.

Finally, as manifested most recently in the conventional arms transfer policy, the administration has a troubling habit of downgrading a country's human rights practices and democracy as considerations while charging the State Department to become more active agents of U.S. weapons abroad, often to governments with troubling records. I want U.S. companies to be able to sell what they produce anywhere in the world, but, when we sell it to an end user, a country, that uses it outside of internationally recognized standards and applicable law, that is a problem, because then we are implicit in it. Human rights are not just a nice gesture, they are absolutely crucial to peace, justice, and the spread of democracy, and therefore, stability around the world. We have to ask why we, as a Nation—what we want America to be, a beacon of hope

for the oppressed or simply the biggest arms merchant to the world?

These are the issues that I will look forward to discussing with both of you today.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

With that, we are glad to have you both here. If you would, just in the order that I mentioned your two nominations—if you would, summarize your comments in about 5 minutes. Any written materials that you would like to make a part of the record, we will do so, without objection.

And, Mr. Cooper, if you would go ahead and begin, we would appreciate it.

**STATEMENT OF MAJOR R. CLARKE COOPER, OF FLORIDA,  
NOMINEE TO BE AN ASSISTANT SECRETARY OF STATE FOR  
POLITICAL-MILITARY AFFAIRS**

Major COOPER. Thank you, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee.

It is an honor to appear before you today as the nominee for Assistant Secretary for Political-Military Affairs.

I am humbled by the confidence placed in me by President Trump and Secretary Pompeo, and, if confirmed, will be honored to work with the dedicated professionals at the Department of State.

None of this would be possible without the very important people in my life who are here with me today. I am joined by my incredible spouse and fellow combat veteran, Michael Marin; my intrepid mother, Tracy Cooper-Tuckman; my dear friends and esteemed colleagues. Thank you for your love and support.

For two decades, it has been a privilege to serve in many positions of responsibility and trust in national security affairs, ranging from tactical-level bilateral security assistance work in Iraq to operational-level intelligence planning with U.S. Interagency and among key partner nations, as well as strategic-level multilateral peacekeeping mandate review at the United Nations. Over the breadth of my career, I have been fortunate to serve in civilian, diplomatic, and military roles. All these positions, including my diplomatic and military tours in the Middle East and Africa, comprise components of strategically-aligned capacity-building, intelligence, and security assistance with host-nation governments and partner militaries. Each of these experiences provided opportunity to lead personnel and coordinate with foreign partners.

One highlight of my career has been the work I have done to advance operational and strategic-level engagement with the Department of State's Bureau of Political-Military Affairs. I have seen firsthand the level of professionalism and experience the bureau brings to the Department's political-military work. My bilateral and multilateral work with partner nations on security assistance, intelligence, and force development has given me an applied application for the lead role the Department plays in development of security partnerships and advancement of U.S. national security.

The Political-Military Bureau executes some of our Nation's most important policy decisions, negotiations, and treaties. The purpose-driven professionals in the Bureau are a unique mix of civilian,

military, and Foreign Service personnel who negotiate our status-of-forces agreements globally, support humanitarian demining programs, promote professionalization of foreign militaries, and interoperability through training and assistance programs, and ensure our foreign military sales are consistent with our foreign policy and values. If confirmed, I look forward to the opportunity to work with such dedicated colleagues advancing the Bureau's significant contribution to our national security.

The mission of the Political-Military Bureau is to build enduring security partnerships to advance U.S. national security objectives. If confirmed, this will be my chief priority. I look forward to further connecting interagency, enhancing national and economic security interests, and enabling our partners.

Our diplomacy is stronger when it is fully coordinated across the interagency and is synchronized with our military planning. An important function of the Political-Military Bureau is managing the political advisors assigned to military commands around the globe to ensure full interagency coordination. Further, the Bureau plays a key transregional role in coordinating the Department's strategic country plans, regional plans, and participation in military exercises to ensure U.S. diplomacy is at the forefront of our international relations.

If confirmed, I commit to ensuring our sales of arms and defense trade are key implements of foreign policy where our relations with allies and partners, and our commitment to human rights, remain central in our decisionmaking. The Bureau must also work closely with industry. Alignment of national and economic security interests to create jobs and increase U.S. competitiveness in key markets helps maintain a technological edge over potential adversaries while enhancing the ability of the defense industrial base. If confirmed, U.S. producers and exporters can be confident they have a partner in the Bureau who diligently supports them to advance our strategic objectives and support our economy.

In today's complex environment, enabling partners' capabilities to address transregional threats is incumbent upon the Bureau to ensure there is burden-sharing on maintaining global security. Security assistance is a powerful tool the United States can apply to strengthen our allies and partners around the world and mitigate threats requiring collective response. I know firsthand from building surrogate forces and training partner forces, U.S. security assistance supports regional stability in the face of threats. Our dedicated assistance reassures allies and partners, and provides the means for them to counter destabilizing and malign activities, such as violent extremist groups and their spheres, in a transregional context.

Like you, I currently serve under the same solemn oath to the Constitution. Today, I serve at the Joint Special Operations Command, and it would be a tremendous honor to again further support and defend the Constitution of the United States at the Department of State.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I am honored to be considered for this critical appointment. Thank you for the opportunity to appear here today. And I welcome your comments and questions.

[Major Cooper's prepared statement follows:]

PREPARED STATEMENT OF MAJOR R. CLARKE COOPER

Thank you, Chairman Corker, Ranking Member Menendez, and distinguished members of the committee. It is an honor to appear before you today as the nominee for Assistant Secretary of State for Political Military Affairs. I am humbled by the confidence placed in me by President Trump and Secretary Pompeo, and if confirmed, will be honored to work with the dedicated professionals at the Department of State.

None of this would be possible without the very important people in my life who are here with me today. I am joined today by my incredible spouse and fellow combat veteran, Michael Marin, my intrepid mother, Tracy Cooper-Tuckman, my dear friends, and esteemed colleagues. Thank you for your love and support.

For two decades, it has been a privilege to serve in many positions of responsibility and trust in national security affairs ranging from tactical level bilateral security assistance work in Iraq, to operational level intelligence planning within the U.S. interagency and among key partner nations, as well as strategic level multilateral peace keeping mandate review at the United Nations. Over the breadth of my career, I have been fortunate to serve in civilian, diplomatic, and military roles. All these positions, including my diplomatic and military tours in the Middle East and Africa, comprised components of strategically aligned capacity building, intelligence, and security assistance with host nation governments and partner militaries. Each of these experiences provided opportunity to lead personnel and coordinate with foreign partners.

One highlight of my career has been the work I have done to advance operational and strategic level engagement with the Department of State's Bureau of Political-Military Affairs. I have seen first-hand the level of professionalism and experience the bureau brings to the Department's political military work. My bilateral and multilateral work with partner nations on security assistance, intelligence, and force development has given me an applied appreciation for the lead role the Department plays in development of security partnerships, and advancement of U.S. national security.

The Political Military Bureau executes some of our nation's most important policy decisions, negotiations, and treaties. The purpose driven professionals in the bureau are a unique mix of civilian, military, and Foreign Service personnel who negotiate our status of forces agreements globally, support humanitarian demining programs, promote professionalization of foreign militaries and interoperability through training and assistance programs, and ensure our foreign military sales are consistent with our foreign policy and values. If confirmed, I look forward to the opportunity to work with such dedicated colleagues advancing the bureau's significant contribution to our national security.

The mission of the Political Military Bureau is to build enduring security partnerships to advance U.S. national security objectives. If confirmed, this will be my chief priority. I look forward to further connecting the interagency, enhancing U.S. national and economic security interests, and enabling our partners.

Our diplomacy is stronger when it is fully coordinated across the interagency and is synchronized with our military planning. An important function of the Political Military Bureau is managing the political advisors assigned to military commands around the globe to ensure full interagency coordination. Further, the bureau plays a key transregional role in coordinating the Department's strategic country plans, regional plans, and participation in military exercises to ensure U.S. diplomacy is at the forefront of our international relations.

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gate threats requiring a collective response. I know firsthand from building surrogate forces and training partner forces, U.S. security assistance supports regional stability in the face of terrorist threats. Our dedicated assistance reassures allies and partners, and provides the means for them to counter destabilizing and malign activities of violent extremist groups' spheres in a transregional context.

Like you, I currently serve under the same solemn oath to the Constitution. Today, I serve at the Joint Special Operations Command, and it would be a tremendous honor to, again, further support and defend the Constitution of the United States at the Department of State.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I am honored to be considered for this critical appointment. Thank you for the opportunity to appear before you today, and I welcome your comments and questions.

The CHAIRMAN. Thank you.

Mr. Richmond.

**STATEMENT OF JOHN COTTON RICHMOND, OF VIRGINIA,  
NOMINEE TO BE DIRECTOR OF THE OFFICE TO MONITOR  
AND COMBAT TRAFFICKING, WITH THE RANK OF AMBAS-  
SADOR AT LARGE**

Mr. RICHMOND. Chairman Corker, Ranking Member Menendez, members of the committee, thank you for this hearing to consider my nomination to be the U.S. Ambassador at Large to Monitor and Combat Trafficking in Persons.

I am honored and humbled by the confidence President Trump and Secretary Pompeo have placed in me to consider—to be considered for this position.

As I begin, I would like to thank Kari Johnstone and her team at the Office to Monitor and Combat Trafficking in Persons. Kari has led that office for over a year while they have not had an Ambassador. And she and her team of career professionals have done an outstanding job.

I also want to acknowledge that, for the last 18 years, the office has stood as the leading government agency in the effort to battle traffickers. I am grateful that the four living former Trafficking Ambassadors have offered their wise counsel and guidance, should I be confirmed.

I am also thankful that my wife of 25 years is here with me. The lovely and talented Linda Marie, along with our three bright, courageous, and spirited children, Grace Lauren, James, and Mount, have made continued sacrifices for me to be able to do this work. Their support and prayers are very helpful, and I am grateful to them.

I also want to thank my parents, who could not be here today. They instilled in me a strong work ethic, a clear sense of justice, and a sustained empathy for those who are vulnerable.

I also have friends here from high school, from college, from law school. To have lifelong friends is a blessing, and I have been uncommonly blessed.

My introduction to modern slavery occurred early in my legal career, when I was practicing law in Virginia. There was a new organization, a new anti-trafficking organization at the time, International Justice Mission. And they offered me an opportunity to go to India to work on labor trafficking issues. Soon, my wife, who was 8 months pregnant at the time, and our 14-month-old daughter found ourselves on a plane bound for Chennai, India, where we lived for a little over 3 years, working and focused on labor traf-

ficking in brick kilns, rice mills, agricultural fields, and other facilities. And working on those cases in India taught me an incredibly important lesson, the fact that the reason we do this work is that every single person matters.

The Declaration of Independence begins with this fundamental principle, that, “All have been endowed by their Creator with certain unalienable rights.” But, the women and men who commit this crime specifically work to alienate individuals from those rights. The Constitution’s 13th Amendment specifically outlawed slavery. And in 2000, through the Trafficking Victims Protection Act, Congress expanded those protections in response to traffickers’ modern strategies to deny people’s individual freedoms.

C.S. Lewis wrote, “The freedom of a creature must mean freedom to choose, and choice implies the existence of things to choose between.” Modern traffickers work to deny people the option to choose. Many victims do not get to decide when they wake up, where they work, or who touches their bodies.

When our time in India was over, I continued in the battle against trafficking as a Federal prosecutor at the U.S. Department of Justice, working labor and sex trafficking cases in a victim-centered, trauma-informed way that always focused on the dignity of survivors. The year after I joined DOJ, I was honored to be selected to be a founding member of the Human Trafficking Prosecution Unit, and my work at DOJ included the United Nations portfolio, where I worked on the implementation of the Palermo Protocol and training nonprofits, law enforcement, prosecutors, and judges around the world. Several of my fellow prosecutors are here today, and we have been in the trenches together, working cases in a victim-centered way to make sure that we secure convictions and get some of the worst traffickers in the United States, and seeing the inspiring story and resiliency of so many survivors.

Almost 2 and a half years ago, I stepped down from my position at the Department of Justice to found the Human Trafficking Institute with other experienced trafficking prosecutors and law enforcement professionals. And with a deep bench of talent, the Institute is working on long-term projects to improve the delivery system of justice. My colleagues at the Human Trafficking Institute have graciously encouraged me to appear before you today, and, if confirmed, to reenter public service.

Collaborating with survivors is critical to combating human trafficking. Throughout my work, survivors have taught me a great deal. They are key voices in developing effective anti-trafficking policies. But, I have also learned a great deal from the traffickers, from the women and men who commit this crime, about their methods and their motivations. Traffickers benefit from the persistent myths. For instance, too often, media representations about trafficking ignore adult victims, labor trafficking victims, and those exploited in our own borders. Crimes of movement, like human smuggling, get conflated with crimes of coercion, like human trafficking. And this confusion benefits the traffickers, because it inhibits victim identification.

Traffickers also benefit from chronically low rates of prosecution. Many operate with impunity. Meanwhile, human trafficking victims are too often the ones who fear prosecution. The principle of

nonprosecution of victims must be a promise, and we must fulfill that promise, that individual victims should not be prosecuted for the unlawful acts their traffickers force them to commit. And I am grateful for the survivors that have taught me these lessons, including the survivors who are here in this room today.

This is, indeed, a special time in history. For almost 2,000 years, there has been some form of legal slavery. And, just in the last 200 years, we have seen every country in the world pass some sort of law outlawing slavery. The question is, Will those parchment protections of law be extended to the individuals they were intended to protect? I think this is a massive historic hinge, and I think the door of freedom is poised to swing wide.

The Trafficking Office stands at a place—a critical role to answer that question. And, if confirmed, I will work tirelessly to fulfill the Declaration's "self-evident truth," the 13th Amendment's mandate, and the Trafficking Victim Protection Act's promise. If confirmed, I will bring to this office my experience working on international and domestic cases, labor and sex trafficking cases involving children victims, adult victims, citizen and undocumented individuals. If confirmed, I will work to ensure the continued integrity of the TIP Report, and make sure that it continues to be the gold standard for diplomatic relations regarding trafficking. And, if confirmed, I will passionately advocate for the rights of individuals to be free from traffickers, and for survivors to have access to the services that they need.

Working collaboratively with this government, with this committee, with other governments around the world, with civil society, we will be able to answer that question and make sure that the laws—the protections of the laws are extended to the people who need them most. And we will do it because all people matter.

Thank you for considering my nomination. I look forward to your questions.

[Mr. Richmond's prepared statement follows:]

#### PREPARED STATEMENT OF JOHN COTTON RICHMOND

Chairman Corker, Ranking Member Menendez, and members of the committee, thank you for this hearing to consider my nomination to be the U.S. Ambassador-at-Large to Monitor and Combat Trafficking in Persons. I am honored and humbled by the confidence President Trump and Secretary Pompeo have placed in me to serve our nation in this position.

As I begin, I want to thank Kari Johnstone and the team at the Office to Monitor and Combat Trafficking in Persons. Kari has been Acting Director for over a year while the office operated without an Ambassador and she and the team have done a wonderful job.

I want to acknowledge that for the last 18 years the Office has stood as the leading government office in the battle against traffickers. I am grateful for the work of the prior five leaders of the Office: Ambassadors Nancy Ely-Raphel, John Miller, Mark Lagon, Luis CdeBaca, and Susan Coppedge. Bridging multiple administrations, they have guided this movement. Unfortunately, Ambassador Miller passed away last year after a courageous battle against cancer. I am grateful that the other four living former Trafficking Ambassadors have offered their support, wise counsel, and guidance, should I be confirmed.

I am also thankful that my wife, of twenty-five years, is here with me. The lovely and talented Linda Marie, along with our three bright, courageous, and spirited children, Grace-Lauren, James, and Mount, have made continued sacrifices for me to engage in this work. Their support and prayers enable me to assume the awesome responsibility of this position, if confirmed.

I also want to thank my parents, who unfortunately could not be here today. They instilled in me a strong work ethic, a clear sense of justice, and a sustained empathy for the vulnerable. I am also grateful to have friends from High School, College, and Law School here today. Since we were kids we have weathered life together. To have friends that last a lifetime is a blessing, and I have been uncommonly blessed.

My introduction to modern slavery occurred early in my legal career when I was practicing law in Virginia. International Justice Mission, a relatively new anti-trafficking organization at that time, invited me to pioneer an office in South India. Soon my wife, who was 8 months pregnant at the time, our 14-month-old daughter, and I found ourselves on a plane to India. I worked there for just over 3 years, tackling labor trafficking in agricultural fields, brick kilns, rice mills, and other facilities. Working on trafficking cases in India impressed upon me the primary reason this work is essential—the fact that every person has inherent value—that all people matter.

The Declaration of Independence begins with the foundational principle: that all have been endowed by their Creator with certain unalienable rights. The women and men who choose to commit the crime of trafficking in persons work to alienate people from those rights.

The Constitution's 13th Amendment specifically outlawed slavery and in 2000, through the Trafficking Victims Protection Act, Congress expanded protections, in response to traffickers' modern strategies to deny individuals' freedom. C.S. Lewis wrote, "The freedom of a creature must mean freedom to choose and choice implies the existence of things to choose between." Modern traffickers specifically work to deny people the option to choose. Many victims do not get to decide when they wake up, where they work, or who touches their bodies.

When our time in India was over, I continued in the battle against trafficking at the U.S. Department of Justice. For over a decade, I served as a federal prosecutor, investigating and prosecuting victim-centered labor trafficking and sex trafficking cases. The year after I joined DOJ, I was honored to be selected as a founding member of the Human Trafficking Prosecution Unit. My work at DOJ included the United Nations portfolio, working on the implementation of Palermo Protocol and training nonprofits, law enforcement, prosecutors, and judges throughout the world. Several of my fellow prosecutors are here today. We have been in the trenches together working cases in a victim-centered, trauma informed way to secure convictions against some of the worst traffickers in the United States and seeing the inspiring resiliency of survivors.

Almost two and a half years ago, I stepped down from my position at DOJ to launch the Human Trafficking Institute, with other experienced trafficking prosecutors and law enforcement professionals. With a deep bench of talent, the Institute is working on longterm projects to improve the delivery system of justice. My colleagues at the Human Trafficking Institute have graciously encouraged me to appear before you here today and, if confirmed, re-enter public service.

Collaborating with survivors is critical to combating human trafficking. Throughout my work, survivors have taught me a great deal. Survivor voices are key to developing effective anti-trafficking policy. I have also learned from the women and men who commit this crime and I have gained valuable insights into their methods and motivations.

Traffickers benefit from persistent myths. For instance, far too often media representations about trafficking ignore the existence of adult victims, labor trafficking victims, and those who are exploited within our own borders. Crimes of movement, like human smuggling, become conflated with crimes of coercion, like human trafficking. These areas of confusion benefit traffickers because they inhibit victim identification.

Traffickers also benefit from low rates of prosecution. Many operate with impunity. Meanwhile, human trafficking victims are ones to fear prosecution. Too often they are prosecuted for the unlawful acts their trafficker requires them to commit. The "non-prosecution of victims" principle must be turned into a promise and we must fulfill that promise. Survivors should receive tailored services, not time behind bars. I am grateful for the several survivors who are here today.

This is a special time in history to be combatting trafficking. For almost 2000 years, there was some form of legal slavery in the world. However, in the last 200 years that has completely changed, as every country in the world now has some sort of law against slavery. This is a massive historic hinge and the door of freedom is poised to swing wide.

The question for us in this moment of history, is whether we can extend the parchment protections of law to the victims in need of those protections. Millions of exploited people all over the world are waiting for the answer to that question. The TIP Office occupies a critical role in providing the answer.

- If confirmed, I will work tirelessly to fulfill the Declaration's self-evident truth, the 13th Amendment's mandate, and the Trafficking Victim Protection Act's promise.
- If confirmed, I will bring to office my experience working international and domestic trafficking cases, labor and sex trafficking cases, involving minors, adults, citizens, and foreign nationals from around the world.
- If confirmed, I will work to ensure the continued integrity of the TIP Report, the gold standard in diplomatic tools for engaging governments on human trafficking.
- If confirmed, I will passionately advocate for the rights of individuals to be free from traffickers and for survivors to have access services to help them recover and rebuild.

Working collaboratively with U.S. and foreign government officials, nonprofits, this committee, and the rest of Congress, we will answer the question and deliver the law's protection allowing victims to step into freedom as survivors, because all people matter.

Thank you for considering me to represent our country in this effort, and I welcome your questions.

The CHAIRMAN. THANK YOU BOTH.

Without objection, I would like to enter into the record an introduction that Representative Ros-Lehtinen wanted to make, herself. She could not be here, but we will enter it into the record, without objection.

[The information referred to follows:]

**STATEMENT SUBMITTED BY FORMER CONGRESSWOMAN ILEANA  
ROS-LEHTINEN IN SUPPORT OF MAJOR R. CLARKE COOPER**

It has been my distinct pleasure to know R. Clarke Cooper for over two decades, beginning when he first arrived from Florida in 1994 to serve in my DC office, through a career of exemplary public service, to this well-deserved nomination. I can personally and sincerely attest to his constant dedication to our great nation and advocacy for all Americans. An Army combat veteran and former diplomat, Clarke is the right nominee at the right time for Assistant Secretary of State for Political Military Affairs.

Clarke currently serves as the Director of Intelligence Planning for Joint Special Operations Command's Joint Inter-Agency Task Force—National Capital Region, and recent leadership posts include Chief of the Counter-terrorism Network Discovery Team for the U.S. Africa Command, Senior Intelligence Analyst for the Combined Joint Task Force—Horn of Africa, Director of Intelligence for Team Libya under Special Operations Command Africa, and Chief of Intelligence Analysis & Production for Joint Special Operations Task Force-Trans-Sahara.

Clarke's specialized background in foreign policy, intergovernmental affairs, counter-terrorism, and rule of law is particularly focused on Africa and the Middle East region. His insights provide for unique perspectives of the interaction between politics and economics in these parts of the world and are grounded in Clarke's extensive operational experience. His civilian and military tours in Africa and the Middle East include capacity building with host nation governments and partner militaries. Throughout his career, at home and abroad, Clarke has remained an advocate for freedom and human rights.

In 2010, Clarke was elected Executive Director of Log Cabin Republicans (LCR) where we worked together to further advocate equal rights and promote legislation to provide basic fairness for all Americans. I am especially proud of Clarke's efforts to successfully secure the necessary Republican votes in the House and Senate to repeal the "Don't Ask, Don't Tell" (DADT) statute excluding gays from military service. To build a more inclusive Republican Party, Clarke aggressively managed LCR's operations, state and local chapters nationwide, LCR's federal political action committee and state political action committees, and even served on the Republican National Committee's Finance committee.

Clarke served both terms of the George W. Bush administration where we often worked with each other. From 2007–2009, he was Counselor at the United States Mission to the United Nations (USUN) for United Nations (UN) management and reform where we coordinated U.S. advocacy for transparency, accountability, and reform of the U.N.. He concurrently served as Alternate Representative to the U.N. Security Council and as Delegate to the U.N. Fifth committee (budget). From 2006–

2007 , he was the Senior Legislative Advisor for the Bureau of Near Eastern Affairs, Office of Iraq Affairs, where he successfully worked with Congress to secure funding for Iraq capacity building and reconstruction programs.

From 2005 through 2006, Clarke served as the Legislative Affairs Advisor for U.S. Embassy-Baghdad , where he was Congress' initial point of contact in Iraq, and where I had the pleasure of coordinating with Clarke a bipartisan Congressional delegation visit to conduct oversight on Iraq capacity building and security assistance. It was deeply gratifying to see how Clarke had grown in the decade since working in my office, helping members of congress like myself provide necessary oversight and ensure our troops had everything they needed to accomplish their mission. At that time, I was Chairman of the House Foreign Affairs Subcommittee on the Middle East and Central Asia and was deeply impressed by Clarke's knowledge of the region and his capacity for blending the intensely connected worlds of politics and security, an auspicious sign for someone who is now the nominee for Assistant Secretary for State's Bureau of Political-Military Affairs. Early in 2005, Clarke had served as the Security and Rule of Law Policy Advisor to the Iraqi Ministry of Interior to ensure security assistance and law enforcement capacity building comported with civil society and rule of law. Clarke initially came to Iraq as an Army intelligence officer in 2004 during Operation Iraqi Freedom.

Prior to 9-11, Clarke entered the Bush administration in 2001 as the Assistant Director of the National Park Service for Legislative and Congressional Affairs after successfully helping navigate the Comprehensive Everglades Restoration Plan with Florida Governor Jeb Bush. Between 1999 and 2001, Cooper was Deputy Director of the State of Florida Federal Affairs Office in Washington where he consistently proved himself to be hardworking and results driven on behalf of his home state. His first position after serving on my legislative staff was as Director of Governmental Affairs for the Miccosukee Tribe of Florida from 1995–1999 , where he secured bipartisan support for the Tribe's trust lands and sovereign status. As a legislative aide in my office, Clarke proved to be a public servant of exceptional character and work ethic and someone who I knew would go on to do great things.

Clarke was raised in Tallahassee, Florida where in his youth he attained the rank of Eagle Scout, and graduated The Florida State University. This fellow Floridian consistently represents his home state well, and as Assistant Secretary of State for Political Military Affairs, R. Clarke Cooper will undoubtedly represent the United States of America's interests and values before the world with great aplomb, integrity, and effectiveness.

The CHAIRMAN. Thank you both for your testimony and for introducing your family and friends.

And, with that, I will turn to our Ranking Member and withhold my time.

Senator MENENDEZ. Thank you, Mr. Chairman.

Thank you both for your statement.

Mr. Richmond, what is your view of the T visa as a tool to deal with trafficking victims?

Mr. RICHMOND. The trafficking victims' access to a T visa, or a visa that allows them to stay in the country, is a critical victim protection. One of the incredible things about the Trafficking Victims Protection Act is, it created two different systems. One is continued presence, which is status to remain in the country while the trial is going on, and so the investigation can occur. And that is initiated by law enforcement. But the T visa is a self-petitioning visa. It is a visa that trafficking victims can petition without necessarily having to go through law enforcement, although a law enforcement endorsement is often helpful. We want to encourage individuals to apply for T visas, and are glad that they are able to get them.

Senator MENENDEZ. Well, I appreciate that answer. Recently, the U.S. Citizenship and Immigration Service issued guidelines that will discourage many bona fide trafficking victims from applying for T visas. So, if confirmed, I will hope you will bring your expertise to bear to inform them that that is not necessarily what we want if we truly want to ultimately be able to deal with the chal-

lenge of trafficking victims who may be in the country, but in an undocumented fashion.

What is your view on ensuring that merit alone, and not trade or geopolitical considerations, determine tier placements for countries in the annual TIP Report?

Mr. RICHMOND. The Trafficking in Persons Report must be a fact-based report. I am committed to making sure that we have an evidenced-based approach to putting together the Trafficking in Persons Report, both in its rankings and its narratives, working closely with the regional bureaus to determine what those rankings should be. But, if it is going to be an effective tool, if it will continue to be the gold standard, it will be because everyone can rely on its integrity.

Senator MENENDEZ. So, how would you handle a situation, where, for example, trade or other considerations threaten to influence the tier rankings, even though that particular country clearly is in violation of our laws, in terms of what level they should be ranked on?

Mr. RICHMOND. Senator, I would approach those discussions very much like I approached cases as a prosecutor, and that is marshaling the information, making sure it is a fact-based determination, and being an advocate for the position of the office. It is critical that each of the rankings be made clear.

One of the aspects I think could be helpful is making sure that the regional bureaus and others working on trade negotiations or other types of negotiations understood that a fact-based report could actually help them in that, that adjustments in the facts do not actually improve bargaining position; it may actually make the foundation of those negotiations shaky.

Senator MENENDEZ. So, you advocate—you will be independent in your advocacy, based upon the law, regardless of other factors that others may consider. You will be an independent advocate of your—you may not win, at the end of the day, but you will be an independent advocate.

Mr. RICHMOND. Absolutely.

Senator MENENDEZ. Because many of my colleagues and I believe that the State Department up and—upgraded Malaysia, for example, to avoid my amendment that became law that would bar fast-track procedures for certain trade agreements because of Malaysia's poor record on combating human trafficking. And I do not want to see that happen again.

Would you agree that countries should be taking actions against both forms of trafficking—sex trafficking and forced labor—in order to meet the significant-effort standard, as defined in the Trafficking Victims Protection Act?

Mr. RICHMOND. Senator, the Trafficking Victims Protection Act, as well as the U.N. Protocol Against Trafficking in Persons, requires a broad approach in fighting all forms of human trafficking—labor trafficking and sex trafficking—of any individual. And so, we want to make sure that every country is evaluated based on their approach in handling labor trafficking as well as sex trafficking.

Senator MENENDEZ. I appreciate that, because, for example, in Cuba, Cuba forces its doctors to go abroad and work in other coun-

tries, and then have their wages sent back to the regime. And yet, somehow we did not consider that a labor slavery. So, how we apply these laws have real consequences in real terms to people's lives across the globe, as well as to our own policies.

Let me just turn, a minute, to Mr. Cooper.

Mr. Cooper, do you believe that human rights record of a recipient of U.S. security assistance should be considered before providing assistance?

Major COOPER. Thank you, Senator Menendez.

It is a moral and legal obligation for us to consider it. So, in short, yes. It is a component of every sale and every transfer, and it is a broader consideration when we are looking at any activity that is representative of our security interests, but also of our values.

Senator MENENDEZ. The latest conventional arms transfer policy, unfortunately, took out the specific reference to human rights record of state recipients of U.S. security assistance. How will you ensure that U.S. security assistance is not used to perpetrate human rights abuses?

Major COOPER. Thank you, Senator.

As far as the conventional arms transfer, the processes are still in place, and, if confirmed, would ensure that, again, it is not just a legal obligation, it is a moral obligation to ensure that that is a consideration. A transfer is not guaranteed. Training is not a guaranteed. And security assistance is not guaranteed.

Senator MENENDEZ. I have other questions, Mr. Chairman, but I will yield for—

The CHAIRMAN. Let me just mention, before turning to Senator Young, to you, Mr. Richmond. I know that we talked a little bit about this global effort to end modern slavery, that this entire committee unanimously supported and then was supported unanimously in the Senate. A big part of that is leveraging other countries. With 27 million people enslaved around the world, we have to lead an effort not unlike what was done with PEPFAR, where we bring other countries together with us. I know there is an effort right now by many to sort of split out what is happening into smaller components, but that would lose the leveraging effect that we have been able to get with the United Kingdom and other large private investors around the world that want to end modern slavery. And you are aware of the importance of leverage and the importance of bringing other countries together, and, I assume, are also aware that if we dilute our effort into little micro elements, that leverage will never take place, and we will never bring the world community together to end modern slavery.

Mr. RICHMOND. Senator, I am familiar with the Program to End Modern Slavery at the State Department, and am grateful for your leadership and the leadership of this committee in getting that through Congress to establish that program. The leverage piece is an incredibly significant aspect of that. And I have been encouraged by the Global Fund, the first recipient of the Program to End Modern Slavery, and that it has, in its first year, have commitments to more than double the first \$25 million tranche that has been extended. That is encouraging and powerful. The idea that

there could be a PEPFAR-like fund to help combat trafficking is incredibly encouraging.

I am also impressed by the focus on metrics and measurement within the Program to End Modern Slavery, the requirement that we pushed forward. Far too often, I think this movement has been motivated by anecdote and emotion, which can be quite powerful, but, to have research and scholarship and metrics apply, as well, is very encouraging as we work to end impunity.

The CHAIRMAN. I just would point out that, because of what happened last year, \$25 million went into a fund, the United Kingdom put in 25 million, and now there is a private individual in another country that is looking at putting in 25 million. So, with our 25, we are going to end up with 75. Our goal is to end up with a billion and a half, as you know. But, there are forces around here—when there is money there, then people—everybody wants to participate, but if we start losing that focus, there will be no leverage. And so, we are tripling our efforts, it looks like. Matter of fact, if this next 25 ends up being placed in the same way, it looks like the United Kingdom is going to come in with another 25. So, the leverage is phenomenal, but that goes away if we allow this effort to dissipate and be broken out into micro units.

With that, Senator Young.

Senator YOUNG. Thank you, Chairman.

Mr. Cooper, welcome. It was great visiting with you yesterday. As Assistant Secretary of State for Political-Military Affairs, you would have significant responsibilities as principal liaison to the Department of Defense, and you will provide policy direction regarding defense strategy and plans. The 2018 National Defense Strategy, I think, is fairly broadly regarded as a serious document and an improvement on what we have seen in some prior years. As good as that document is, I think there is continued work that needs to be done with respect to development of cyber strategy and doctrine. This, of course, is a timely topic, with all the concerns pertaining to Facebook and Russia and their past involvement, their potential future efforts to undermine our democratic processes.

I believe cyber threats have outpaced our development of cyber strategy and cyber doctrine. And this is a tough area, because there are a lot of ambiguities associated with the nature of different threats. There is a lack of understanding about the threats and capabilities of our adversaries, and even of partner countries. Often-times, it is hard to source a particular attack, if you will, to a given geographic location, certainly at the exact time that that attack occurred.

So, I have just touched the surface of some of the complications associated with this, but the cyber threat is only going to grow, technology is only going to grow more sophisticated within this cyber domain. And essential questions related to our strategy and doctrine are unanswered.

So, our adversaries, as we can see with Russia in the latest news, if we can draw conclusions from those news reports, are clearly not yet deterred, at least not entirely, from conducting some sort of interference in our elections and in other areas. So, to me, that speaks both to the need to develop cyber capabilities as well

as the need for a clear strategy and doctrine, signaling to adversaries, and would-be adversaries, that State and Defense and other agencies of government have an important—will respond in an important and meaningful way if we are on the receiving end of any attack.

So, Mr. Cooper, to get to a question here, do you have any thoughts on the cyber threats and the need for improved cyber strategy and doctrine in this country?

Major COOPER. Thank you, Senator. Again, appreciate that question.

I do want to preface, as a current member of the intelligence community, as you noted, there are malign actors, and Moscow is not alone, Russia is not alone in wanting to degrade our capabilities, our status, and our freedoms. That said, there are other allies and partners that are also targets. Factoring our open fora that we are in here today, happy to at least assess and note that, from an interagency standpoint, having cyber strategy incorporated in broader strategies is not just limited to the Department of Defense or the Department of State, it is interagency, it is very well inclusive of the intelligence community.

The biggest challenge that we face today, as I can state in this fora, is that we are up against actors that do not play by the same rules that we play, so it is a matter of being able to at least address the threat in a fashion as we maintain our values. But, it would—it is a whole-of-government effort. It is not limited to just one particular department and agency. State certainly has a lead role, and we are looking at strategic interests, because this is not limited to one geographic location, it is not limited to one malign actor. Like physical threats, there is a transregional nature to this threat. And so, it is certainly one that, from a macro standpoint, would incorporate all the parties that we have just cited.

Senator YOUNG. Thank you. If confirmed, will you work with me on this important issue?

Major COOPER. Yes, Senator. If confirmed, I look forward to working with you on this issue.

Senator YOUNG. Okay. Thanks so much.

A couple of quick things I will touch on with my remaining time. You and I, in my office, we discussed some—statute 22, U.S. Code 2378–1. And this pertains to arms export controls. And the statute says, “No assistance shall be furnished to any country under the Arms Export Control Act—to any country when the Government of such country prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.” If confirmed, do you commit to doing all you can to ensure the Department complies with this statute?

Major COOPER. Yes, Senator. If confirmed, I do. I do want to note that it is also incumbent upon us, not only on deep protection of human rights, but also ensuring to mitigate civilian casualties. That falls well within the wheelhouse of provision of humanitarian assistance.

Senator YOUNG. Okay. I will be submitting to you, for your response in writing, an issue that is important to the State of Indiana related to the modernization of Humvees and your motivation

to comply with the provision, sections 1276 of the fiscal year '18 NDAA. I fully anticipate that you will be supportive of that.

And lastly, I would just like to give a commendation to the Trump administration, and specifically to Vice President Pence, for their efforts related to returning the remains, and being there to highlight the return of the remains, of our fallen servicemen and -women in—from the Korean War. We have thousands—thousands that remain unaccounted for, including roughly 150 Hoosiers. And I just think that is great, that this is a priority.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Kaine.

Senator Kaine. Thank you, Mr. Chair.

And, congratulations, to each of you, for your appointments. You are very, very well qualified for the positions.

Major Cooper, let me ask you about this. I am on the Armed Services committee as well as Foreign Relations. And in the FY17 NDAA, we received a request from AFRICOM to include a provision that would allow DOD to transfer funds to USAID and State to deal with countering violent extremism. If the DOD viewed, in a particular part of the world—and again, it was an AFRICOM request—that the best way to deal with violent extremism was not a military activity, but was State or USAID, with the signoff of the SECDEF, that transfer can now be made. Unfortunately, the administration, through OMB, has been discouraging use of that transfer authority, either for reasons of proposing reductions of the State Department budget or otherwise. But, given that this was a request from the Pentagon, and given that this would fall within your purview, should you be confirmed, I would love you to commit to working with my office to encourage this kind of smart inter-agency action to use transfer authority where it is appropriate. Could you give me that commitment?

Major COOPER. Thank you, Senator.

I do look forward to working with you, if confirmed, and will note, in my current capacity, that kinetic strikes and kinetic activity is not the only component for countering violent extremism. There is a whole-of-government approach that is required. This is something that our command has cited many a times in open and closed fora. And it is certain something not unique, as far as addressing countering violent extremism. There are components that do require other arms of government to mitigate and to prevent.

Senator Kaine. I am very mindful, being a Budget committee member, too, that, you know, agencies ask for more money for themselves, and so, when a part of government comes to me and says, “We want to make it easier for us to transfer budgetary resources to another part of government,” I sit up and take notice, because that is not usually what I hear. And I would love to work with you on that. I think that could assist in CVE operations on the State side.

If I could, now, Mr. Richmond, one of the things that I really think is interesting about the TIP Report, and that—and that is particularly suited for your background, is that the U.S. is a hub for human trafficking. In the TIP Report, we are trying to be as honest and candid as we can about every nation, including our-

selves. The TIP Report involves a report about the status of human trafficking in the United States. You said that your work has dealt with domestic and international, child and adult, labor and sex trafficking. Talk a little bit about how, should you be confirmed, you might approach the issue of domestic trafficking, using the position to assist law enforcement agencies, NGOs, and others to reduce domestic trafficking in the United States.

Mr. RICHMOND. Thank you, Senator.

I think that one of the unique aspects of the Trafficking in Persons Report is that it does include a narrative and a ranking for the United States. And the Trafficking in Persons Office serves as the leader of the interagency coordinating mechanism, the Senior Policy Operating Group, and also with the President's Interagency Task Force, bringing all the different components of the U.S. Government together to discuss common efforts to combat trafficking.

I think it is helpful to highlight where we can do better. And the narrative for the United States highlights areas of deficiency, areas that we need to work harder at, while also celebrating the great successes that the Federal agents and State law enforcement and prosecutors around this country are doing every day.

I think there are—there is room to grow, in terms of how we provide victim services, making sure that our policies are in alignment. And I look forward to working with my colleagues at the Department of Homeland Security, the Department of Justice, Health and Human Services, and other agencies to make sure that we have a seamless set of policies that make sure that we are protecting victims at every turn, and trying to combat trafficking domestically.

Senator Kaine. Thank you. You mentioned the President's Interagency Task Force. That task force has not yet convened a meeting during this administration. It is chaired by the Secretary of State. Should you be confirmed, I hope you will prioritize getting that task force to meet. And it certainly is my sense—and I would love your opinion on this—that that Interagency Task Force is an important part of the effort to deal with trafficking, both in the United States and abroad. Do you share that view?

Mr. RICHMOND. Senator, I do share that view. I think the President's Interagency Task Force is essential, and it would be a top priority. I would, hopefully, be able to get a task force meeting before the end of this year. Obviously, if confirmed, I have to find out what the schedule are—and make sure everybody can be there. But, it is essential as we try to bring everyone together to combat this issue.

Senator Kaine. Great. Thank you.

And, again, congratulations to both of you.

Thanks, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Murphy.

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

Thank you both—to both of you, for your willingness to serve.

Mr. Cooper, GAO has reported that, in some cases, we get limited cooperation from recipient countries of military equipment with respect to end-use monitoring. The Arms Control Act requires us to affirm that the end use of the equipment that we are pro-

vided is as advertised and as requested. So, if confirmed, what tools do you envision being utilized in order to try to address these situations, where we have difficult sight lines on the back end of the transfer? And under what conditions would you recommend disapproving of a license application because a country is not giving us the end-use monitoring processes or sight lines that we might want?

Major COOPER. Thank you, Senator, for that question.

Going back to something we discussed earlier this morning is that no particular transfer—or no particular program is a guarantee. So, from the—the end-use monitoring aspect would certainly be part of a consideration for a particular state that may have a renewed transfer or a renewed system that may be coming in their place. This is not just incumbent upon the country team located in that particular state, but there—that is a point of leverage that could be applied on a future transfer. So, there is no guarantee that they would be in receipt of said system or arms.

Senator MURPHY. Thank you for that answer. And, as a followup, I wanted to drill down on one particular part of the world in which we have very little sights on the end use of the arms that we are transferring. And that is Yemen. Human Rights Watch has identified 85 different airstrikes that utilize American equipment, American munitions, which may be categorized as war crimes. And yet, there seems to have been little effort, on behalf of this administration or members of the coalition, to do any assessment as to whether those are truly human rights abuses, as many believe they are. We have been told over and over again before this committee that we are in a process of trying to get the coalition to use our munitions and use our refueling capacity in a smarter manner. And yet, at some point, we have to believe what we see rather than what we are told. Over this spring, civilian casualties were worse than at any other time in the civil war.

And I just might read to you and to the committee one recent readout from an investigative reporter who was on the ground in the last month or so inside Yemen. This is from a reporter by the name of Jane Ferguson. She was heading to a refugee camp, and she said, "On the way to the refugee camp, several bridges had been bombed. Anger towards America is growing in rebel-held areas of Yemen. Most people here, whether they support the Houthis or not, know that many of the bombs being dropped are American. It provides a strong propaganda tool for the rebels, who go by the slogan 'Death to America.'"

She quotes one college professor who got his doctorate in the United States as saying, "The missiles that kill us, American-made. The planes that kill us, American-made. The tanks, American-made. You are saying to me, 'Where is America?' American is the whole thing."

So, let me ask you about how you foresee serving in your role in a manner that would provide us the evidence we need to assess whether or not war crimes, violations of human rights, are being conducted with U.S. munitions in Yemen. It appears to me there has been no significant effort to undertake that survey. Many of us would argue that, in fact, we are in violation of the Arms Control Export Act because of those—the intentional targeting of civilians.

But, I would like to know that you are going to take this seriously and try to improve upon what has been, I think, a miserable effort at oversight with respect to this particular series of sales.

Major COOPER. Thank you, Senator.

And, if confirmed, absolutely will take this seriously. It is not just a matter of defense actions or kinetic actions by the coalition supporting the legitimate Yemeni Government. There is an intelligence component there, as well, to factor in, as far as a—the status of these strikes. So, it certainly is something that needs to be looked at from a holistic aspect. And State, having that policy lead, has that capacity to take rein on that.

Senator MURPHY. But, how do you actually go about coming to a conclusion? So, you have, you know, as recently as a week ago, another water treatment facility being bombed outside Hudaydah. One side says it was bombed intentionally, the other side apparently says it was a mistake. But, these disputes continue to happen, and there seems to be no effort to resolve it. How does your Department go about doing an investigation when we do not have a country team on the ground?

Major COOPER. Correct. So, there is an opportunity for State, again, as the lead policy role from an interagency standpoint, to coordinate, not just with Defense—there are other entities and agencies out there. And again, I cite the intelligence community as a resource on information, because there are some points of reconciliation, as you noted, because there is differing data that has been supplied either by the Houthis rebels or those on the ground. And so, yes, there is definitely some conflicting information that would benefit from a consultative process through the interagency, with State's lead.

Senator MURPHY. Oh, you are already a skilled diplomat. [Laughter.]

Senator MURPHY. I look forward to working with you on this. And I thank you for your attention to it.

The CHAIRMAN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations, to both of you, on your nominations. And I look forward to working with you, if confirmed, to address the very critical responsibilities that you both have in the offices that you would be assuming.

I want to continue on the questions about Yemen, because, as I am sure you are aware, Mr. Cooper, this committee passed a bipartisan resolution that Senator Young and I sponsored—it had very strong support—that would prohibit our military from continuing to provide aerial refueling support for the Saudi-led coalition in Yemen unless the Secretary of State repeatedly certifies that the Governments of Saudi Arabia and the UAE are taking steps to end the civil war in Yemen, to alleviate the humanitarian crisis there, and to reduce the risk to civilians posed by military operations. Now, as we know, and based on what Senator Murphy had to say, clearly there are major challenges that affect all of those areas still occurring in Yemen. So, if confirmed, and once this defense bill passes, which I expect to be this week, how will you, in your new role—how would you approach making sure that those certifications had been made by the Secretary of State, and that we are

working with our allies to ensure that they comply with international and humanitarian law?

Major COOPER. Thank you, Senator. I appreciate that question.

And yes, if confirmed, in my capacity, it is flexing the muscle of State's lead role in the interagency. There is—from a ground perspective, as you noted, there are some other challenges there, besides the civil war, that factor into the current kinetic environment there. There are multiple violent extremist organizations and al Qaeda affiliates that are trying to take advantage of what they would perceive as a permissive environment. So, it is a complex environment, to say the least, but it does not preclude us from ensuring that humanitarian assistance gets through to those who need it the most, and it does not preclude us from ensuring that there is a reduction and mitigation of civilian casualties.

Senator SHAHEEN. Well, I would argue that the language in the defense bill actually urges us to ensure that our allies are working to reduce casualties and to comply with what is international law, and to try and end the conflict there, which they have, to date, not been very—working on in a very robust way. So, I would urge you to think about it from a positive aspect rather than a “not-precluding” aspect. It tells us we must do that. Do you not agree?

Major COOPER. I agree, Senator. And it is not from a positive aspect, it is a point of leverage, as well. So, issues in the region are not mutually exclusive of each other, and Emirates and the Kingdom of Saudi Arabia are aware of that. So, it does provide us some leverage on multiple points, because rules of engagement are—it is requisite that we avoid civilian casualty, it is requisite that we get humanitarian assistance through.

Senator SHAHEEN. Thank you.

Another provision in that defense bill, again, is bipartisan, that would prevent the transfer of F-35 Joint Strike Fighter aircraft to Turkey until the program in Turkey is reevaluated. And, given the Turkish Government's stated intent to purchase the Russian S-400 Air Defense System, and the fact that the Government continues to hold American citizens against their will, can you talk about how you see that language moving forward, and what you would do, in your role, to address what is happening in Turkey?

Major COOPER. Thank you, Senator.

Safe to say, Turkey is a difficult partner. But, they are a partner. They remain a NATO partner. They remain a counterterrorism partner, and particularly on combating ISIS and the facilitation of ISIS. And, as you noted, a sale of something like the S-400, that would be catastrophic for us. However, it does not give Ankara a pass, it does not give them a pass on incursion on the human rights issues, does not give them a pass on imprisoning a fellow American. But, it does make it challenging for us to be able to maintain that bilateral relationship, because walking away from that would be of great impact and would be catastrophic. But, it does not preclude us from pressing on Ankara to meet commitments, to meet bilateral requirements that are our priority.

Senator SHAHEEN. Well, I certainly agree. I think Turkey is a very important ally, and we have had a relationship that has been important both to Turkey and to the United States and to the region. But, can you talk about the technical challenges of having a

NATO ally like Turkey have in place the S-400 defense system at the same time they are using the F-35, or getting the F-35? What kind of technical challenges does that pose?

Major COOPER. Aside from equipment operation, maintenance challenges, the technical challenge is that—is the supply aspect of it. What we do not want is, we do not want a NATO ally to be dependent upon the servicing and supply of a—of equipment that is provided by Russia. That is a—from a operational standpoint. From a strategic standpoint, we do not want a NATO ally to have a weapon system supplied by Russia.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman.

Mr. Cooper, today the downloadable gun promoted Defense Distributed plan to post online its blueprints for making deadly, undetectable, and untraceable plastic weapons using three-dimensional, or 3D, printers. If not for the efforts of eight attorneys general, including Maura Healey, the attorney general from my own State of Massachusetts, anyone, including criminals and terrorists, would now be able to download a computer file and print a semi-automatic weapon. Thankfully, yesterday, a Federal judge granted the attorneys general request for a temporary restraining order to stop the online publication of blueprints for 3D-printed guns, which was only possible because the Trump administration sanctioned it.

Mr. Cooper, if you are confirmed as the Assistant Secretary of State for Political-Military Affairs, you would be in charge of the Directorate of Defense Trade Controls, which is at the center of this national crisis. In 2013, the Trade Controls Directorate concluded that posting these blueprints online and making them available worldwide violated Federal export controls. But, in a head-spinning reversal, now the office has rubber-stamped the Trump administration's plan to allow the blueprints online.

Mr. Cooper, I would like to know whether you recognize the consequences of this decision. Last year, ISIS encouraged recruits in the United States to exploit American gun laws by buying firearms online and at gun shows to avoid a background check. Do you agree that ISIS recruits would probably avoid buying guns online or at gun shows if they could print them at home instead?

Major COOPER. Senator, thank you for that question.

I understand the concerns noted by you as well as the President. From my personal experience in nonpermissive environments, I certainly have been in the space and in the place of—on the receiving end of the—of proliferation of weapons, especially small arms. So, from a personal experience, the proliferation of small arms is of concern.

Having not been in the Department, privy to the details on the legal aspect of the Directorate determination, my understanding—

Senator MARKEY. I am asking you a different question. The question is—let us just say that, because of the Trump administration's decision to allow downloadable guns, ISIS begins to encourage radicalized recruits to carry out lone-wolf attacks with 3D-printed

AR-15s. Would that not pose a threat to public safety if they could do that?

Major COOPER. Any tactic, technique, or procedure that could be applicable to any ideologue or jihadist extremist is a threat. That could be a truck driven down the street. That could be any weapon of choice. So, any tactic, technique, or procedure could be a threat, as applied in the hands of a lone-wolf attacker, Senator.

Senator MARKEY. Now, what about schoolchildren? In the wake of tragedies at Parkland and Sandy Hook, there has been much talk about hardening our schools and installing metal detectors at building entrances. A plastic gun will not set off any metal detector. Would you agree that undetectable guns imperil the lives of the children of our country?

Major COOPER. Any unregulated access to weapons or proliferation of weapons is a risk and a challenge to security.

Senator MARKEY. Yeah. Well, you are exactly right. And I went to sleep last night, hoping that President Trump would exercise his power to just stop the implementation of this new policy, which Secretary Pompeo and Secretary Sessions signed off on. But, they did not. It took a Federal judge in Washington State in order to accomplish that goal. It has national security and international security implications.

Now, I appreciate the fact that you are not the person who made this terrible policy, but you are asking us to confirm you to a position where you will be defending the indefensible. Whether ISIS be here or ISIS be overseas, this new era has now opened. And, from my perspective, until the President agrees to reverse this policy and prohibit the online publication of these dangerous blueprints to make plastic guns that can kill people here and in—overseas, that are undetectable and are not subject to licensing—that this is a decision the President should make. You are going to be given the job of implementing this existing terrible policy. Until that policy changes, I intend on placing a hold on your nomination. I expect the President to change that policy and to give you the tools which you need to protect against the proliferation of weapons now being downloaded across this planet.

And I appreciate the position which you are in, but you now represent a very flawed, indefensible policy, which President Trump is allowing to be put on the books.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Just a couple more questions.

Let me follow up, Mr. Cooper, on the subject matter that Senator Markey raised. You are not responsible for the decision. And I understand the Senator's view about making a statement with the administration and getting them to change course, which I share, in terms of getting them to share a course. But, I want to know, more for the purposes of your nomination, Do you believe that the publication of these blueprints for Internet publication, and blueprints for the manufacture of 3D-printed plastic firearms, is a significant threat to U.S. security interests both at home and abroad?

Major COOPER. Thank you, Senator.

Any proliferation of information that would chip away or degrade our national security or, actually, our technology—so, our technology primacy—is of issue. I understand, in this particular case, that, on the computer-aided design, that, as far as unique technologies, that was an issue. However, there are broader whole-of-government aspects to this that go beyond a particular unique intelligence or unique technologies.

Senator MENENDEZ. Okay. This is—let me just share with you—because I am favorably inclined to your nomination, but this is where nominees get in trouble.

I understand your answer, that any proliferation—I get it. But, I am asking you specifically—I am not asking you about the policy, I am not asking you about the administration's decisions—I want to understand how you, if I vote to confirm you, sitting in that position, will think and advocate, as I asked Mr. Richmond about things, if he is sitting there and there are other considerations, how he will think and advocate. That is the only way in which I can judge a nominee, at the end of the day. Because once I vote for you and you are confirmed, then we are off to the races.

So, let me try to—once again, with that preface, do you—if the injunction that presently exists is lifted—there is an injunction by a Federal judge. Let us say that injunction is lifted. You are confirmed, and you are sitting at the—in the PM Bureau. Would you advocate to suspend the regulations to allow 3D gun production information to be distributed worldwide to terrorists, extremists, and criminals?

Major COOPER. Senator, thank you.

If I am—if confirmed, it will be incumbent upon me, and I would push to ensure nonproliferation. It is not just large weapon systems. It is small weapon systems. As I said, I have been a personal recipient on the opposite end of such a weapon, so I would be a strong advocate to ensure nonproliferation. So, that is inclusive of small weapons.

Senator MENENDEZ. Okay. And would you specifically—and I appreciate your service and the harm that you put yourself in, in defense of the Nation—would you specifically, also, as part of that proliferation, say that the Internet protocols that creates 3D gun production is among that proliferation?

Major COOPER. There are—Senator, it is not exclusive to a particular platform. To be fair, to answer your question, it would be—

Senator MENENDEZ. I said—

Major Cooper:—not limited to Internet—

Senator MENENDEZ.—“would it”—

Major Cooper:—Internet downloading.

Senator MENENDEZ.—“would it include?” I did not say, “Was it exclusive of?”

Major COOPER. It could be inclusive of, sir, Senator, yes.

Senator MENENDEZ. Thank you very much. I am trying to help you.

Let me ask—go back to Mr. Richmond. I think that your depth of knowledge is incredibly great. It is one of the better nominees that we have had this—actually, this—both set—that we have had before the committee. But, I want to focus on two things. Prosecu-

tion is incredibly important. But, I want to get your commitment to this committee that prevention and protection of victims is also going to be an equal emphasis if you are confirmed.

Mr. RICHMOND. Thank you, Senator.

The paradigm that has been used by the United States and has been embraced around the world is for a three-P paradigm: prevention, protection, and prosecution. And, instead of them being three silos, I think they are really three legs of the same stool. They are all necessary, and they interconnected. When we prosecute perpetrators, it is essential that survivors get services. In order to reduce vulnerabilities, we reduce the number of individuals who might be likely to be trafficked. All these things fit together and are essential.

The criticism of an over-emphasis of prosecution, I do not think is borne out by the numbers. There is a chronically low number of prosecutions, especially in labor trafficking cases. And I think we need to increase those prosecutions, but we need to do it in a way that also highlights the fact that we have to have robust, tailored, and holistic survivor services that can care for people who have experienced trauma, as well as education and awareness efforts. There has been a comment that, "Awareness campaigns do not rescue anyone," but the reality is, no one is helped or rescued without awareness first coming. And so, I would be committed—

Senator MENENDEZ. All right.

Mr. RICHMOND.—if confirmed, to a—

Senator MENENDEZ. I—

Mr. RICHMOND.—holistic approach.

Senator MENENDEZ. I—okay. I appreciate that, because I am not a critic of prosecution. On the contrary, I embrace it. But, I also understand there is three legs to the stool, and we need to equally apply the other two.

Finally, Central America. Just let me hear, briefly, what your view is about the Central America crisis. Because I want to know the narrative that you will bring to this job, as it relates to those who are fleeing from Central America and who are—enormously can be exploited in trafficking, and many are.

Mr. RICHMOND. Thank you, Senator.

I have worked many cases with victims from Central America, and have—it has been a keen area of interest of mine for some time. I think that robust engagement with Central America, particularly the Northern Triangle—although I think it is to everyone's detriment not to include Belize in that discussion, given its porous border with Guatemala and close connection to Honduras—I think each of these countries are essential. And to have—both through our bilateral engagements regarding the Trafficking in Persons Report, and the narrative, as well as international programming efforts to bolster government's ability to answer that question I mentioned earlier, to actually deliver on the protections of law to the individuals, are essential. And building up civil society's response in order to care for survivors.

Senator MENENDEZ. I just hope that you will keep—if you are confirmed, that you will keep the narrative honest. Because many people fleeing Central America, their choice is to stay and die or flee and have a chance at living. And those who get trafficked

along the way, they need to be protected just as much as anybody else.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman.

I want to follow up on Senator Menendez's first questions. He asked both of you, one, in regards to not compromising the integrity of the Trafficking in Persons Report, the other dealing with the human rights in regards to arms transactions. And I appreciate both of your responses. And they are the responses I hoped to received.

But, Mr. Richmond, let me start with you first. In the previous administration, we were hampered in getting the unfettered recommendations that were made through the chain because the decision was contrary to those recommendations made at a higher level. You do not make the final decisions on the rankings. We know that. And, at times, what you recommend may not be what the final recommendation is. And then you come before us and say, well, you cannot talk about the internal discussions that take place within the executive branch. And we respect that, also. But, we need a commitment from you that you will give your views on this directly to this committee so that we can oversight how the trafficking decisions are being made. So, do you commit that, upon the questioning to us, that we will be able to get the direct information that you have in regards to the rankings so that we can provide the proper oversight to how the law is being implemented?

Mr. RICHMOND. Senator, I am grateful for you raising this issue.

The fact that this committee has such a vigorous oversight into the TIP Report actually advances our ability to argue for accurate rankings. And I commit to you, if confirmed, to be a vigorous advocate within the Department of State for the position of the TIP Office, to make sure that these are fact-based rankings and narratives.

I am also interested in a continued dialogue with this committee. I know that interim briefings have occurred throughout the year regarding countries' progress that have been of interest to this committee. I am interested in continuing that practice to make sure that there is a free flow of information. And I look forward to appearing before this committee, if confirmed, once again to discuss the rankings and to make sure that you all are comfortable with and understand how the decisions were made.

Senator CARDIN. Well, that is not exactly what I want to hear. I understand what you are saying. And certainly, we will protect your confidentiality in the internal process within the executive branch. But, we need to get source information to do our oversight, and we depend upon the person who is responsible for that, which is you, in regards to the recommendations made by the mission in country, in regards to how the deputy—the regional secretaries, et cetera, have come through this. We need to be able to get the source information to evaluate how the law is operating. And, quite frankly, it was difficult, under the Obama administration, to get that. It was, in regards to the cases that we are talking about. We think we got it. Just took us a little bit longer to get the informa-

tion than we would have preferred. And we have looked at some statutes.

We respect the separation of branches, but we have a responsibility, and it is—in your—in this hearing, it is important that we know that we are going to be able to get the information we need to carry out our oversight function.

Mr. RICHMOND. Senator, I look forward to making sure that I provide all the information that you need to carry out that oversight function.

Senator CARDIN. Mr. Cooper, the same thing is true on arms issues. I cannot tell you how many times I have had conversations with the executive branch, where I asked them to raise human rights issues, because of what you just said—it is factor in making these decisions—and it seems to get lost. We are—we ask for modest advancements, and sometimes we cannot even get modest advancements on these issues. So, I ask you the same question. I understand that the internal decisions are made, and how they are made. But, we need to have a clear conversation as to carrying out what you just said—one of the major factors is to advance American values, which are human rights issues and spelled out in several of our statutes that we have—that we will get that honest dialogue and input so that we can use every leverage we can to advance human rights.

Major COOPER. Thank you, Senator.

And, as you note, it is well beyond statute. It is a moral imperative. No sale is a guarantee, no transfer is a guarantee, and no particular training package or security assistance is a guarantee. Our country has suspended or taken away training programs or sales or transfers, and that is certainly a point of leverage for us. And that factor will be just that, it will be a point of leverage.

Senator CARDIN. But, there is times that you need congressional understanding in order to perceive. And that is based, at times, upon getting understandings about human rights advancements, which do not always happen. So, we need a clearer communication so that the leverage of the congressional role assists you in accomplishing the human rights advancements.

Major COOPER. And thank you very much, Senator.

If confirmed, I look forward to having that back-and-forth discourse and also being able to support each other and bolster each other as we represent the U.S. together abroad.

Senator CARDIN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Just a couple of quick questions.

Major Cooper, if confirmed, will you commit to preserve and protect the established informal notification process to the Chairman and Ranking Member of the committee for all U.S. arms sales that require formal congressional notification under the law?

Major COOPER. Mr. Chairman, thank you for raising that.

As just shared with Senator Cardin, I look forward to having an ongoing dialogue with you and with the committee and the committee staff. I am quite used to spending time on Capitol Hill. I consider it very much a part of this position, if confirmed, to spend

a good amount of time with you and your colleagues and the staff on these issues before the Department.

The CHAIRMAN. But, it is a yes-or-no question.

Major COOPER. I do look forward to maintaining that informal dialogue, as well as the formal. So, that is all inclusive, Senator.

The CHAIRMAN. Thank you.

Do you believe the Department of State is ideally organized to manage its security assistant—assistance programs, as well as oversee the Department of Defense's security cooperation and security assistance efforts?

Major COOPER. Mr. Chairman, the Senate—the Department is the lead because it has that hub-and-spoke capability, as far as the interagency. So, yes, it is the lead for the Government. That said, I look forward to getting the Bureau, at the bureau level, staffed and resourced up to the appropriations level that were authorized for the Bureau.

The CHAIRMAN. Well, with no further questions, I do want to say I am very uplifted by the quality, the background, the experience that both of you have had. And I think you are outstanding nominees, and I look forward to doing everything I can to help you be confirmed in a speedy way.

I want to thank you for your commitment to our country and your willingness to serve in this regard.

And we are going to leave the record open until the close of business tomorrow. My sense is, you will want to answer those questions fairly quickly, if any come in.

Seeing no further questions, the committee is adjourned.

Thank you.

[Whereupon, at 11:18 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO MAJOR R. CLARKE COOPER BY SENATOR ROBERT MENENDEZ

*Question 1.* If confirmed, how will you ensure that the Bureau of Democracy, Human Rights and Labor (DRL) will have a seat at the table when discussing human rights issues surrounding arms sales or security assistance?

Answer. If confirmed, I will ensure human rights will be a key part of reviews for potential government-to-government Foreign Military Sales and for State Department-licensed Direct Commercial Sales. I understand the Bureau of Democracy, Human Rights, and Labor (DRL) currently plays a role adjudicating certain arms transfers as well. As applied when I built surrogates forces, Leahy vetting will remain a fundamental part of the screening process for security assistance. If confirmed, I will welcome DRL's continued input into arms transfer deliberations.

*Question 2.* How would you use arms sales and security assistance as leverage to push states to make measurable improvements in their human rights records?

Answer. If confirmed, I will ensure our foreign partners understand our expectation that U.S. origin defense articles and services not be misused or misapplied. If these expectations are not met, there is a full range of diplomatic options through political-military and military-to-military channels. If it is assessed U.S. equipment was and will likely continue to be misused, security assistance support may cease.

I understand, for the first time in a U.S. Conventional Arms Transfer Policy, the President's updated policy directs the U.S. Government to aid partners in reducing the risk of harm to civilians during military operations. If confirmed, I will ensure the U.S. Government is actively working with partners to develop the capabilities

and doctrine required to reduce the risk of civilian casualties and human rights and mitigate violations of international humanitarian law.

*Question 3.* What tools would you use to ensure that proper end-use monitoring is followed by recipient countries? What punishments would you dole out if countries were found to be in violation of end-use monitoring?

Answer. If confirmed, I intend to ensure robust implementation the Golden Sentry and the Blue Lantern End Use Monitoring programs. These two programs are used to verify that defense articles or services transferred by the U.S. Government to foreign recipients via Foreign Military Sales or Direct Commercial Sales, respectively, are being used in accordance with the terms and conditions of the transfer agreements or approval. If these terms and conditions are not met there is a full range of diplomatic options through political-military and military-to-military channels for the Department to action. In extreme cases, and if confirmed, I will advocate to limit or suspend transfers if assessed U.S. equipment was and will continue to be misused or transferred to other entities without U.S. approval.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career, at home and abroad, I have remained an advocate for freedom and human rights. Domestically, during my term as Executive Director of Log Cabin Republicans, I persistently advocated for equal rights and promoted legislation to provide basic fairness for all Americans. I am especially proud of successfully securing the necessary Republican votes in the House and Senate to repeal the "Don't Ask, Don't Tell" (DADT) statute which excluded gays from military service.

Overseas, all of my civilian and military tours in Africa and the Middle East included capacity building with host nation governments and partner nations' security forces. Each of these positions afforded me the opportunity to actively promote freedom, democracy, and human rights. Through the use of educational tools, coordination with civil society partners like U.S. Institute for Peace, and applying the leverage of access to security assistance, I have consistently sought to ensure our commitments to foreign partners comports with our American values.

Further, when serving as an Alternate Representative on the United Nations Security Council and as Delegate on the U.N. Fifth committee (Budget), I advocated for transparency, accountability, and reform of the U.N.. In these capacities, I worked with colleagues from other U.N. member states to establish a multilateral review of U.N. mandates where we collectively assessed the status of individual mandates, sought to ensure compliance with the Universal Declaration of Human Rights, and addressed determinations for completion or renewal of mandates.

### *3-D Printed Guns*

*Question 5.* The State Department last week allowed the Internet publication of blueprints for the manufacture of 3-D printed plastic firearms. I am deeply concerned about how these firearms present a terrorist threat, as any individual who acquired access to a 3-d printer would be able to create undetectable plastic weapons that could be smuggled into vulnerable areas, such as aircraft.

- Do you think that undetectable or nearly-undetectable weapons, such as 3D-printed firearms, will present a further challenge to U.S. security services, such as the Transportation Security Administration and the Secret Service, which must protect the American public and government officials, including the President?

Answer. As a member of the intelligence community, and at an open source level, it is fair to assess 3D printing technology carries new possibilities but also comes with notable risk for abuse by criminals and terrorists. The same machines which allow astronauts on the international space station to print their own tools might also help a state like North Korea print military or industrial equipment to get around imposed sanctions. While most public attention around the widely available technology for 3D printed weapons is focused on homemade guns, there are far more dangerous, operable, and readily available weapons and implements one can currently acquire with immediacy on the internet, and are more likely to be used in acts of crime and terror.

Still, there are reasons to be cautious about emerging 3D and computer aided design (CAD) technology with potential local and international security implications. I have not, however, been privy to internal State Department or Commerce Department interagency analysis or discussions about the particular proposed rule change. If confirmed, I will closely study this issue in consultation with my Department, interagency, intelligence community colleagues, and Congress to collectively address

the overarching security threats associated with weapons proliferation and economic or industrial insecurity.

As to specific law enforcement measures for the detection and disruption of terrorists' tactics, techniques, and procedures, I would defer to domestic law enforcement and security services, such as the Transportation Security Administration and the Secret Service, on this question.

*Question 6.* What steps would you take to ensure that these weapons are not used to harm Americans?

Answer. If confirmed, I will ensure the President's Conventional Arms Transfer Policy continues to be implemented in a manner that ensures U.S. national security and foreign policy interests are achieved. I will also ensure U.S. export control law will vigorously be enforced. I would defer to domestic law enforcement agencies to address questions of domestic law enforcement and security.

*Question 7.* What steps would you take to ensure that these weapons do not find their way into the hands of terrorists and other malign actors?

Answer. If confirmed, I will ensure the President's Conventional Arms Transfer Policy continues to be implemented in a manner ensures U.S. national security and foreign policy interests are achieved. I will also ensure that U.S. export control law will vigorously be enforced. I would defer to domestic law enforcement agencies to address questions of domestic law enforcement and security.

*Question 8.* State/PM used the authority under ITAR 126.2 to temporarily suspend the application of the ITAR regulations regarding the 3D gun technical information that was at the heart of the lawsuit by Defense Distributed against the Department of State. How long is "temporary" under ITAR 126.2? Is there a minimum period of time, or is it completely at the discretion of the PM DAS?

Answer. I understand this particular temporary suspension is related to the ongoing litigation. I have not, however, been privy to internal State Department or Commerce Department interagency analysis or discussions about the determination of the temporary suspension of ITAR regulations. If confirmed, I will closely study this issue and the current scope of the ITAR regulations in consultation with my Department, interagency, and intelligence community colleagues.

*Question 9.* During a briefing of my staff on State's decision to agree to the settlement to the Defense Distributed lawsuit, State representatives stated that an adverse decision in the case would have set a precedent that would have placed other items and technology on the U.S. Munitions List at risk of similar lawsuits and disclosure. Please provide an illustrative list of the defense items and related controlled technology State was concerned would be subject to potentially future lawsuits requiring removal of controls for public sharing had there been an unfavorable ruling in the DD case. In addition, please send details on the cases State representatives mentioned during that staff briefing that are indicative of federal courts likely to find against the Government in this regard.

Answer. My understanding is the Department of State, as part of Export Control Reform, made a number of revisions to the U.S. Munitions List (USML) to ensure it controls technologies that maintain our critical military and intelligence advantage. Ongoing reform efforts are intended to produce an updated USML that continues to control and protect our technologies of greatest concern. I have not been privy to internal discussions about the Defense Distributed case, but, if confirmed, I would study this matter closely with colleagues from the Department of Justice and other interagency parties.

*Question 10.* What do you perceive as the most important issues regarding security assistance? Are there specific security issues or countries that you hope to tackle immediately, if confirmed?

Answer. Security assistance is a powerful foreign policy tool the United States can use to strengthen alliances and partnerships around the world and mitigate threats requiring a collective response—on terrorism, organized crime, restraints on the freedom of navigation, and much more. It is an instrument that inherently connects every aspect of foreign policy—whether because of the sensitivity of the partner, regional arms balance, the type of assistance, or the program's overall effect on bilateral and regional goals and relationships.

The Department of State is responsible for ensuring all security sector assistance aligns with and promotes U.S. objectives in light of the broader diplomatic and defense relationship and that everything the various entities of the U.S. Government are doing in foreign security sectors advances a coherent strategy. If confirmed, I will work closely with DoD to ensure the Department of State continues to successfully fulfill this role.

Given DoD's authorities in this area, it is imperative State and DoD work collaboratively to synchronize security sector assistance planning and programming across the two departments, and they are optimizing their respective resources and authorities to advance U.S. national security priorities and partnerships. If confirmed, I will devote personal attention to building collaborative relationships between State and DoD towards this end.

*Small Arms/Light Weapons Transfer to Commerce Control List*

*Question 11.* The United States is in the final stages or switching a number of small arms and light weapons from the State Department's U.S. Munitions List (USML) to the Department of Commerce's Control List (CCL). Such a change drastically diminishes Congress's ability to oversee the sale of these types of weapons to countries overseas.

- Do you believe it is smart for U.S. security interests to make such a change?

Answer. My understanding of firearms being transferred to the Commerce Control List will continue to come to the Department of State for foreign policy review in the course of State and Commerce's licensing process and that national security will continue to be one of the licensing evaluation criteria. My understanding is also Export Control reform has been underway for many years and these are the final categories of exports to be reviewed. If confirmed, I will work with our Congressional oversight committees and others in the Department, as appropriate, to ensure the law and the President's Conventional Arms Transfer Policy continue to be implemented in a manner consistent with U.S. national security and foreign policy interests.

*Question 12.* How will you ensure proper vetting of these sales in order to make certain that security assistance is provided properly, and that these weapons are not used for malign purposes?

Answer. My understanding of firearms being transferred to Commerce control will continue to come to the Department for foreign policy review in the course of their licensing process. My understanding is also Export Control reform has been underway for many years and these are the final categories of exports to be reviewed. If confirmed, I will work with Congressional oversight committees and others in the Department, as appropriate, to ensure the law and the President's Conventional Arms Transfer Policy continue to be implemented in a manner consistent with U.S. national security and foreign policy interests.

*Question 13.* State has made some unwise choices in the past on such proposed sales, such as a proposed sale of semi-automatic pistols to President Erdogan's personal bodyguards and thugs. Would you clear on future sales to authoritarian leaders such as Erdogan, Duterte of the Philippines, and others?

Answer. If confirmed, I will work with my Department colleagues to ensure the President's Conventional Arms Transfer Policy continues to be implemented in a manner safeguarding U.S. national security and foreign policy interests, including the review of government-to-government Foreign Military Sales and State Department-licensed direct commercial sales, for human rights concerns. If confirmed, I will ensure the historical human rights record of a potential recipient is taken into full account when considering proposed arms transfers.

*Question 14.* Among other items, State seeks to transfer export controls of sniper rifles to the Department of Commerce. Why does State believe that making sniper rifles easier to export to foreign countries—including, presumably, for commercial sale—do not constitute a threat to U.S. citizens, soldiers, and foreign civilians and soldiers of U.S. friends and allies?

Answer. My understanding is these items would still be subject to stringent controls implemented by the Department of Commerce. Certain sales will continue to be referred to the Department for a national security review. If confirmed, I will work with my Commerce and Department colleagues to ensure that the U.S. maintains comprehensive controls on exports of these firearms.

*Question 15.* State has told staff that there is nothing distinctive about a rifle that identifies it as a "sniper" rifle. Yet, as recently as August 2016, State proposed a sale of "sniper rifles" to Afghanistan. Can you reconcile these two contradictory statements?

Answer. While I was not involved with the proposed sale that you reference here, my understanding is there is no U.S. Munitions List item specifically annotated in the International Traffic in Arms Regulations as a "sniper rifle." Generally, firearms that meet this description/definition would be a highly accurate rifle, with a telescopic sight, and typically would be controlled by the general language of U.S. Munitions List Category I(a). Further, my understanding is at times manufacturers may

refer to certain firearms in their product line with this language. As such, when effecting Congressional notification, this language may be applicable.

*Question 16.* Transferring such weapons to the Commerce Control List removes them from the AECA's requirement to notify the Congress via SFRC and HFAC, as well as being subject to the informal review process with the two committees. If the export control of such weapons is transferred to Commerce, I understand that State/PM will still be asked to clear on proposed exports. Will you continue the informal committee review process with the committees on proposed sales of \$1 million or more?

Answer. My understanding of firearms being transferred to the Commerce Control List will continue to come to the Department of State for foreign policy review in the course of their licensing process and national security considerations will continue to be one of the licensing evaluation criteria. If confirmed, I will work with Congressional oversight committees and others in the Department, as appropriate, to ensure the law and the President's Conventional Arms Transfer Policy continue to be implemented in a manner promoting U.S. national security and foreign policy interests. If confirmed, I look forward to further studying this issue and consulting with Department of Commerce colleagues, other interagency colleagues, and Congressional committees.

*Question 17.* Will you maintain the informal arms sales notification and consulting process with the SFRC as it currently exists, without changes? If you seek to change the process, will you only proceed with the expressed consent of the Chairmen and Ranking Members of the SFRC and HFAC?

Answer. If confirmed, I support continuing the existing informal process for securing Congressional clearance of arms sales. In the event that I identify systemic changes that would improve the standard process, if confirmed, I am committed to working with both Chairmen and Ranking Members of the SFRC and HFAC on obtaining your consent, prior to implementing such changes.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MAJOR R. CLARKE COOPER BY SENATOR BENJAMIN L. CARDIN**

*Small Arms AECA Oversight*

*Question 1.* On May 24, 2018, the Departments of State and Commerce submitted proposed rules to amend the U.S. Munitions List to transfer oversight for the export of certain firearms, ammunition, and related items from State to Commerce.

- What is your assessment of these proposed rules and how would they advance U.S. national security and foreign policy interests?

Answer. My understanding of firearms being transferred to the Commerce Control List as part of these proposed rules will continue to come to the Department for foreign policy review in the course of their licensing process, and national security will continue to be one of the licensing evaluation criteria. If confirmed, I will work with the Bureau of International Security and Nonproliferation and others in the Department, as appropriate, to ensure the law and the President's Conventional Arms Transfer Policy continue to be implemented in a manner that ensures U.S. national security and foreign policy interests are achieved.

*Question 2.* Do you believe the administration's decision move small arms from the U.S. Munitions List to the Commerce Control List, and the reduced vetting associated, is in the national security interest of the United States?

Answer. My understanding is that firearms being transferred to the Commerce Control List will continue to come to the Department for foreign policy review in the course of their licensing process. I understand consistent with that review, all arms transfers are subject to case-by-case comprehensive consideration of U.S. interests—including the risk that the transfer may contribute to human rights abuses, including acts of gender-based violence, violence against vulnerable populations, violations of international humanitarian law, terrorism, mass atrocities, or transnational organized crime. If confirmed, I will work with the Bureau of International Security and Nonproliferation and others in the Department, as appropriate, to ensure the law and the President's Conventional Arms Transfer Policy continue to be implemented in a manner that ensures U.S. national security and foreign policy interests are achieved.

*3D Printing Decision:*

*Question 3.* Last week, the Justice Department and State Department abruptly settled a 3-year-long legal battle to prevent a man from publishing digital blueprints for 3-D printed firearms, including AR-15 semiautomatic rifles. The administration's inexplicable decision—coming after years of winning in the courts—paves the way for this man to publish his files online today—Wednesday, August 1. This development has tremendous implications for Americans' safety, ushering in a wave of downloadable plastic firearms that could potentially evade detection by metal detectors, and give access to people otherwise prohibited from accessing firearms.

- To your knowledge, what analysis, if any, did the State and Commerce Departments undertake to evaluate the potential risks of the proposed rules changes on export controls on the online publication of blueprints for 3-D printed firearms?

Answer. As a member of the intelligence community, and at an open source level, it is fair to assess that 3D printing technology carries new possibilities but also comes with notable risk for abuse by criminals and terrorists. There are reasons to be cautious about emerging 3D and computer aided design (CAD) technology with potential local and international security implications. The same machines which allow astronauts on the international space station to print their own tools might also help a state like North Korea print military or industrial equipment to get around imposed sanctions. While most public attention around the widely available technology for printed weapons is focused on homemade guns, there are far more dangerous, operable, and readily available weapons and implements one can currently acquire with immediacy on the internet, and are more likely to be used in acts of crime and terror.

I have not, however, been privy to internal State Department or Commerce Department interagency analysis or discussions about the particular litigation. If confirmed, I will closely study this issue in consultation with my Department, inter-agency, and intelligence community colleagues, along with Congress to collectively address the overarching security threats associated with weapons proliferation and economic insecurity.

*Question 4.* Are you at all concerned about the potentially dangerous consequences of this rules change?

Answer. If confirmed, I will work with my Department and interagency colleagues to ensure the President's Conventional Arms Transfer Policy continues to be implemented in a manner which promotes U.S. national security and foreign policy interests. I will also ensure U.S. Export Control laws are vigorously enforced. I would defer to domestic law enforcement agencies to address questions of domestic law enforcement and security posture.

*Export of Unmanned Aerial Systems*

*Question 5.* President Trump's new policy on the export of unmanned aerial systems (UAS) includes five primary objectives, one of which is to "remove barriers to the global UAS market and avoid ceding export opportunities to competitors where such self-imposed restrictions are unwarranted."

- Are you aware of which restrictions have been rescinded?

Answer. I understand the administration's updated UAS Export Policy permits some sales of advanced UAS, such as armed or MTCR Category I to occur via Direct Commercial Sales. I am also aware the new policy removes the special scrutiny of "strike-enabling" technologies, now distinguishing only between "armed" and "unarmed" systems.

*Question 6.* If so, please note those restrictions and explain how you would, if confirmed, apply this new policy to ensure that recipient countries of UAS do not employ these systems in manners inconsistent with U.S. law or national security and foreign policy interests.

Answer. If confirmed, I will ensure sales, transfers, and subsequent use of all U.S.-origin UAS are responsible and consistent with U.S. national security and foreign policy interests, as well as with U.S. values and international standards. The updated policy provides a number of helpful tools to accomplish these objectives. For instance, recipient nations of U.S.-origin UAS must agree not to use the system for purposes other than those for which it was furnished. Prior to a potential transfer, recipient countries must agree to maintain the security of military UAS. Transfers of U.S.-origin armed and MTCR Category I systems also require periodic consultations with the U.S. Government. Finally, the United States will require recipients of U.S.-origin military UAS to agree to the following guiding principles of proper use before authorizing such transfers:

- ♦ Recipients are to use these systems in accordance with international law, including international humanitarian law and international human rights law, as applicable.
- ♦ Armed UAS are to be used in operations involving the use of force only when there is a lawful basis for use of force under international law, such as national self-defense.
- ♦ Recipients are not to use UAS to conduct unlawful surveillance or use unlawful force against their domestic populations.
- ♦ As appropriate, recipients shall provide UAS operators technical and doctrinal training on the use of these systems to reduce the risk of unintended injury or damage.

If these expectations are not met, there is a full range of diplomatic options through political military and military-to-military channels for the Department to action. In extreme cases, I will advocate to cease support if there is an assessed misuse of U.S. equipment.

#### *Counterterrorism Policy/Niger Ambush*

*Question 7.* The October 2017 ambush that killed four American soldiers in Niger revealed major gaps in U.S. counterterrorism strategy, particularly with our growing presence in the Sahel region to counter Boko Haram and ISIS affiliates.

- If confirmed, how will you work with DoD and U.S. national security agencies to implement a coherent, transparent counterterrorism strategy that does not put U.S. lives in danger?

*Answer.* The tragic loss of four Special Operations colleagues in October 2017 did not reveal gaps in strategy, but did highlight operational level failures from inadequate training, sub-standard planning, and poor command oversight.

Each nation in the Trans-Sahel region struggles with deep local challenges that affect their security environments. The Governments in the Trans-Sahel struggle to manage their own domestic issues, including endemic corruption, inter-ethnic divisions, heavy-handed security responses, and anemic regional development and political reconciliation. This provides a permissive environment for terrorists and criminals to operate, traffic illicit goods, and conduct attacks. A one-size-fits-all model for the entire region will not likely succeed to in either bolstering partner nation forces or increasing governmental capacity. Nation specific considerations in Chief of Mission level country strategic plans are concert with transregional considerations. Specific to the Sahel nations, the Security Governance Initiative (SGI) and the Trans-Saharan Counterterrorism Partnership (TSCTP) focus on executive-level security sector engagements and building institutions and core capabilities in the areas of logistics, training, maintenance, and intelligence to better ensure sustainability. Most importantly, any whole-of-government strategy must contain significant stabilization, education, public messaging, and livelihoods development policy and programming components so as to address the drivers of terrorism at the community levels.

If confirmed, I will coordinate with interagency and intelligence community partners to apply diplomatic, intelligence, military, development, and law enforcement tools toward a comprehensive counterterrorism strategy in order to address the social, political, and economic roots of terrorism as well as apply persistent kinetic pressure to allow space for sovereign partner security forces to operate. Further, it will be incumbent upon me and the Department of State Political Advisors posted in the various U.S. military commands, to ensure the Department of Defense requires all U.S. service members to understand Chief of Mission authorities as well as the intent and guiding principles of the strategic approach of employing U.S. military capabilities in a supporting role when working with allies and partners.

*Question 8.* How has your experience at JSOC contributed to your perspective on U.S. counterterrorism strategy?

*Answer.* Over the course of my career within the intelligence community, and particularly my time with JSOC, I can attest that application of kinetic engagements and bombardments targeting high-value individuals and infrastructure can shrink terrorists' safe havens, create temporary leadership gaps in terrorist groups, affect the ease at which terrorists operate, and provide space for sovereign partner forces, but sole kinetic engagement fails to address the terrorism problem holistically. Military kinetic solutions have minimal impact on inspired external operations attacks; terrorists' narrative and propaganda; and the ability for terrorists to radicalize, recruit, and retain members within their ranks.

Still, whilst the national security rebalance of resources to address state adversaries is sensible, the threat of terrorism remains substantial at home and abroad. The threat of terrorism is chronic, and military defeats of extremists do not equate an end to terrorism. Neither ISIS nor al-Qaeda are dead, and terrorist groups will

continue to come and go with differing levels of persistence. For as long as someone believes their troubles derive from the United States, our nation will remain a focus of terrorist threats. The roots of terrorism are social, political, and economic grievances. To counter terrorism and counter extremism requires an interagency application of diplomatic, intelligence, military, development, and law enforcement tools.

*Question 9.* What should the administration do to ensure that another Niger ambush does not happen?

Answer. Niger is a willing and increasingly capable counterterrorism (CT) partner. It faces transregional terrorism threats along its borders with Nigeria, Mali, and Libya. Our current CT strategy focuses on enabling partners, and using relatively small numbers of U.S. personnel to build Nigerien military and civilian security capacity. This approach reduces risk to U.S. personnel and places the primary responsibility for CT activities on the Nigeriens. The Security Governance Initiative (SGI) and the Trans-Sahara Counterterrorism Partnership (TSCTP) are examples of the Department's focus on long term capacity building. Whilst the ambush in Niger was a tactical surprise, the likes of which can never fully be prevented, you have my commitment to work towards a whole-of-government approach to address the drivers of terrorism at the community levels.

On what specific risk mitigation and readiness steps the administration took for military commanders to manage risk to deployed U.S. personnel in the aftermath of the tragic October 2017 ambush in Niger, I refer you to the Department of Defense.

#### *End Use Monitoring and Evaluation*

*Question 10.* GAO reporting indicates that in some cases, limited cooperation from the recipient countries of military equipment sold through direct commercial sales has hindered State Department efforts to conduct end-use monitoring of such equipment, as required by the Arms Export Control Act.

- If confirmed, what tools would you utilize to address these situations?

Answer. If confirmed, I will use every tool available to me to ensure all foreign entities, government and private sector alike, participate fully in the Department's Blue Lantern End-Use Monitoring (EUM) program. For those persons unwilling to comply with all aspects of the program or who are investigated and determined to be in violation of the International Traffic in Arms Regulations (ITAR), I will, if confirmed, ensure the Department takes immediate action to minimize the risk to our National Security. These actions include placing these entities on our Watch List, severely limiting or negating altogether their access to U.S. origin munitions, and referring the suspect entity to law enforcement agencies where appropriate. Lastly, if confirmed, I will ensure the Department continues to engage foreign governments to raise their awareness of their obligations when procuring these defense articles and services from the United States.

*Question 11.* Under what conditions, if any, would you recommend disapproving license applications because of the failure of those countries to facilitate end-use monitoring in the past?

Answer. Without speaking to hypotheticals, if confirmed I will ensure the Directorate of Defense Trade Controls within the PM Bureau approves only those license applications that are in the best interests of U.S. foreign policy or national security. Per its established processes, the Directorate adjudicates each license application based on its own specific merits. If confirmed, I will ensure that in all instances, the Directorate continues to review the end-use monitoring history of one-hundred percent of foreign recipients as well as takes the appropriate follow-on actions when and where necessary.

#### *State-DoD Relationship*

*Question 12.* Providing robust and effective security assistance to foreign partners requires strong communication between the State Department and the Department of Defense. Without interagency alignment and coordination, fulfilling U.S. strategic interests and goals through security assistance stagnate or go unmet:

- If confirmed how will you use your role to work with DoD to fulfill our security assistance goals? What measures are in place to ensure that proper communication and coordination occur?

Answer. I understand the Department of State provides essential foreign policy guidance for Department of Defense (DoD) security assistance, and the Bureau of Political-Military Affairs (PM) plays a key coordinative role when providing this guidance. State has longstanding measures for coordinating security sector assistance (SSA), including through Integrated Country Strategies, Mission Resource Re-

quests, Operational Plans, interagency planning forums, and program-specific proposal review processes. Broadly speaking, the Department works with DoD to develop and institutionalize the necessary structures and processes to efficiently and effectively meet coordination and concurrence requirements under DoD's security assistance authorities, as well as any other additional requirements mandated by the relevant legislation. Additionally, in 2017 both Departments established the joint State-DoD SSA Steering committee to oversee an intensification of enhanced joint planning. PM and OSD/Security Cooperation co-chair this committee, and other standing members include the Director of the Office of U.S. Foreign Assistance Resources (F), OSD/Comptroller, Joint Staff, and the Defense Security Cooperation Agency.

With regard to DoD's authority under 10 U.S.C. 333, the PM Assistant Secretary is designated as the Department's lead coordinator for the joint planning, development, and implementation of such programs. The Secretary of State's concurrence with section 333 programs is delegated to F, who is best-positioned to maintain a full picture and analysis of how DoD's programming aligns with State/USAID foreign assistance resources.

In fulfilling its lead coordination role under section 333, PM manages a consultative and inclusive planning and approval process to ensure that the Department's priorities and policy concerns are reflected in DoD's plans and programs. Because DoD's section 333 programs are subject to the same restrictions or requirements that would be applicable to similar Department programming under Title 22 authorities, PM also works with the Department's regional and functional bureau stakeholders, including the Office of the Legal Adviser, to determine applicable legal restrictions on DoD's proposed section 333 programming. State and DoD then work to address State's conditions on concurrence, which include Leahy vetting and may also include satisfying specific legal requirements or adhering to certain legal restrictions, prior to DoD's execution of the program. If confirmed, I look forward to working closely with DoD colleagues on these important issues.

*Question 13.* Will you ensure the State Department's key equities are being represented during consideration of security assistance objectives?

Answer. If confirmed, I will absolutely ensure the Department of State's key equities are being represented during consideration of security assistance objectives—this is one of the Bureau of Political-Military Affairs' primary functions. The Department provides essential foreign policy guidance for Department of Defense (DoD) security assistance, safeguarding any investments we make in foreign security forces advance both political and security objectives; account for the political balance between civil and military institutions in the recipient country; are based on mutual, enduring interests between our countries; and do not cause long-term unintended effects in the country or region. If confirmed, I look forward to working closely with DoD to ensure our security assistance works in support of our foreign policy and national security objectives.

#### *Human Rights*

*Question 14.* While security assistance allows the U.S. to provide critical aid to our allies and partners around the globe, it must also be used to facilitate the growth of human rights, civil institutions, and good governance.

- What are the most important actions you have taken in your career to date to promote human rights and democracy? What have been the impact of your actions?

Answer. Throughout my career, at home and abroad, I have remained an advocate for freedom and human rights. Domestically, during my term as Executive Director of Log Cabin Republicans, I persistently advocated for equal rights and promoted legislation to provide basic fairness for all Americans. I am especially proud of successfully securing the necessary Republican votes in the House and Senate to repeal the "Don't Ask, Don't Tell" (DADT) statute which excluded gays from military service.

Overseas, all of my civilian and military tours in Africa and the Middle East included capacity building with host nation governments and partner nations' security forces. Each of these positions afforded me the opportunity to actively promote freedom, democracy, and human rights. Through the use of educational tools, coordination with civil society partners like U.S. Institute for Peace, and applying the leverage of access to security assistance, I have consistently sought to ensure our commitments to foreign partners comports with our American values.

Further, when serving as an Alternate Representative on the United Nations Security Council and as Delegate on the U.N. Fifth Committee (Budget), I advocated for transparency, accountability, and reform of the U.N. In these capacities, I

worked with colleagues from other U.N. member states to establish a multilateral review of U.N. mandates where we collectively assessed the status of individual mandates, sought to ensure compliance with the Universal Declaration of Human Rights, and addressed determinations for completion or renewal of mandates.

*Question 15.* How will you work to ensure State and DoD are taking human rights into consideration when granting security assistance?

Answer. The potential impact on human rights is a central issue when providing security assistance to allies and partners. Every step of the assistance process—to include State reviews of DoD security assistance—should move forward with consideration given to human rights reporting from the embassies, intelligence sources, NGOs, the media, and other sources. If confirmed, I will ensure the Department continues to include human rights considerations into security assistance decisions. The Department will routinely engage with our partners on human rights issues and redirect assistance when necessary. Leahy vetting will remain a fundamental part of the screening process for security assistance. In addition, when possible, the Department can shape security assistance programs to actively promote positive human rights behavior.

*Question 16.* Will you work with to leverage security assistance to ensure that our partners are upholding human rights and not using this assistance to damage human rights within their respective countries?

Answer. If confirmed, I will work to ensure the provision of security assistance to our partners takes human rights concerns into account, and we work to make sure that we do not provide assistance to security forces that violate human rights. We should routinely engage with our partners on human rights issues and redirect or withhold assistance when necessary. Leahy vetting will remain a fundamental part of the screening process for security assistance. In addition, when possible, we can shape security assistance programs to actively promote positive human rights behavior.

*Question 17.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As in my current capacity at JSOC, if confirmed, I will continue to lead by example maintaining high standards for myself and my colleagues, making our mission a priority, and consistently crediting colleagues. I will seek interagency engagement and professional development opportunities to enhance the careers of all Foreign Service and Civil Service colleagues. Further, I will flatten communications and over communicate with colleagues to ensure everyone in the Bureau of Political-Military Affairs has a shared understanding of our priorities, investment in the mission, and access to opportunities.Q

*Question 18.* What steps will you take to ensure each of the supervisors in the Bureau of Political-Military Affairs are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will lead by example maintaining a disciplined service ethos, amplifying professionalism among colleagues, investing in career development of colleagues, and recognizing the merit of colleagues. As in my current capacity at JSOC, I will continue to fully support EO and EEO, and will ensure those in leadership positions support and reflect an inclusive culture. Upon arrival at the Bureau of Political-Military Affairs, I will conduct an initial counseling session with each supervisor, and convey the importance of an inclusive work environment.

*Question 19.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns I may have through appropriate channels.

*Question 20.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns I may have through appropriate channels.

*Question 21.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No, there are no immediate family members with any financial interests abroad.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MAJOR R. CLARKE COOPER BY SENATOR TODD YOUNG**

*Question 1.* If confirmed, you will be responsible for policy direction on security assistance programs and will coordinate regularly with the Director of the Defense Security Cooperation Agency (DSCA). In January 2017, I wrote a letter to the Director of DSCA, highlighting a particular statute related to the transfer of excess defense articles and the impact on our industrial base. 22 U.S. Code 2321j provides authority to transfer excess defense articles. However, according to the statute, that authority is only provided if “the transfer of [excess defense] articles will not have an adverse impact on the national technology and industrial base and, particularly, will not reduce the opportunities of [American companies] to sell equipment to the countries.” Do I have your commitment that you will review that statute closely and, if confirmed, do all you can to ensure that the administration follows both the letter and the spirit of that law?

Answer. Yes, and as we have discussed, if confirmed, I will happily do so.

*Question 2.* In addition to this overall limitation on transferring excess defense articles, in Section 1276 of the Fiscal Year 2018 National Defense Authorization Act, Congress further specified the requirement to modernize HMMWVs in the United States before transferring them to allies as excess defense articles. If confirmed, do I have your commitment to work with your counterparts in DSCA and the Army to put the proper mechanisms in place, as appropriate, to carry out Section 1276 of the FY 18 NDAA?

Answer. Yes. If confirmed, I will work with the Defense Security Cooperation Agency and the U.S. Army to carry out Section 1276 including any special processes that may be necessary.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MAJOR R. CLARKE COOPER BY SENATOR EDWARD J. MARKEY**

*Question 1.* Mr. Cooper—if confirmed, will you advocate for setting aside or renegotiating the settlement in *Defense Distributed v. U.S. Department of State*, 15-cv-00372-RP (W.D. Tex.), and work to ensure that blueprints, tutorials, CAD files and other online materials for the manufacture of 3D printed guns remain subject to U.S. export controls?

Answer. If confirmed, in my capacity as Assistant Secretary of State for Political Military Affairs, I will aggressively advocate for the protection of unique defense technologies which are critical for our national and economic security.

As we have discussed, there are reasons to be cautious about emerging 3D and computer aided design (CAD) technology with potential local and international security implications. I have not, however, been privy to internal State Department or Commerce Department interagency analysis or discussions about the particular litigation. If confirmed, I will closely study this issue in consultation with my Department, interagency, and intelligence community colleagues, along with Congress to collectively address the overarching security threats associated with weapons proliferation and economic insecurity.

*Question 2.* Do you believe it was a mistake for the Trump administration to have entered into this settlement in the first place and to have reversed its position that these materials should be subject to export control under the International Tracking in Arms Regulations?

Answer. As a member of the intelligence community, and at an open source level, it is fair to assess that 3D printing technology carries new possibilities but also comes with notable risk for abuse by criminals and terrorists. The same machines which allow astronauts on the international space station to print their own tools might also help a state like North Korea print military or industrial equipment to get around imposed sanctions. While most public attention around the widely available technology for printed weapons is focused on homemade guns, there are far more dangerous, operable, and readily available weapons and implements one can currently acquire with immediacy on the internet, and are more likely to be used in acts of crime and terror. Further, our security challenge is less associated with

access to 3D printed parts or weaponry itself, but the concern is who may apply 3D technology to create weapons.

As noted, I have not been privy to internal State Department or Commerce Department interagency analysis or discussions about the particular litigation. If confirmed, however, I will closely study this issue in consultation with my Department, interagency, and intelligence community colleagues, along with Congress to collectively address the parameters of International Tracking in Arms Regulations in relation to the overarching security threats associated with weapons proliferation and economic insecurity.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MAJOR R. CLARKE COOPER BY SENATOR CORY A. BOOKER**

*A-29 Attack Aircraft for Nigeria*

*Question 1.* I have been concerned about the sale of A-29 attack aircraft to the Nigerian Government. Last year, Senator Paul and I wrote a letter to the administration expressing concern about this sale considering reports of attacks on civilians by the Nigerian military.

This includes a 2014 killing by the Nigerian security forces of over 600 mostly unarmed detainees, including children, a December 2015 alleged massacre by soldiers of over 300 Shiite Muslims, and a January 2017 attack on an IDP camp in Rann by the Nigerian air force in which over 200 refugees were killed.

My understanding is that the sale of these war planes has been approved and the contract includes a training package on humanitarian law, human rights, targeting, Collateral Damage Estimation and Air-Ground Integration. Yet, those training efforts seems woefully inadequate for security forces that are alleged to have committed such atrocities.

- If confirmed, how will you ensure that these warplanes are not used against civilians?

*Answer.* This major sale to Nigeria includes training and other components aimed at improving the professionalism of Nigerian security forces and will have a specific emphasis on protecting human rights, preventing harm to civilians, and upholding the Law of Armed Conflict. Training will include targeting protocols under international norms and human rights standards for leadership, intelligence experts, and pilots. If confirmed, I will ensure our foreign partner understands our expectation this equipment not be misused.

*Question 2.* If they are used against civilians what actions would you take?

*Answer.* As with any purchaser of U.S.-controlled defense equipment, if confirmed, I will work with my staff and interagency colleagues to ensure our partner understands U.S. expectations for the use of military items. If these expectations are not met, there is a full range of diplomatic options through political-military and military-to-military channels. If warranted, support may cease if it is assessed U.S. equipment was and will likely continue to be misused. Further misuse of military equipment can affect future decisions on arms transfers.

*Question 3.* Security Assistance to Africa/Niger: The amounts of security assistance to Africa has grown over the years. I just returned from a trip to the Sahel, visiting Niger and Burkina Faso, along with Senators Coons and Flake.

Both are among the poorest countries in the world—Niger is second from the last on the Human Development Index. I was concerned by the heavy overreliance on our military to meet our foreign policy objectives.

- Do you believe AFRICOM's role in Niger is helping us to meet our development goals in the Sahel?

*Answer.* Since 2012, the United States has supported over \$250 million in security force assistance to Niger, where the Government faces terrorist and other transregional threats on three of its borders and where the relatively small Niger Armed Forces of approximately 15,000 are overstretched. Threats from neighboring Mali and Nigeria disrupt markets and create significant population displacements. There are 129,500 internally displaced Nigeriens, while 167,000 Malians and Nigerians seek refuge in Niger. These vulnerabilities create unique development challenges, making it increasingly difficult for development assistance implementers to work safely in the field. So long as Niger is vulnerable to debilitating attacks from terrorists, development efforts will face significant challenges. U.S. Government security assistance, financed by both Title 22 and Title 10 funding and largely implemented by AFRICOM, helps meet these important challenges by enabling Niger's

ability to defend itself against threats from violent extremist organizations both within and outside its border. Improvements in the security situation can provide space for good governance and development to take root.

*Question 4. Do you believe that AFRICOM is effectively coordinated with the State Department and USAID?*

Answer. Yes, and if confirmed, I will work to ensure that coordination between AFRICOM, the Department of State, and USAID remains effective. To ensure security programming meets our foreign policy objectives, the Political-Military Affairs Bureau, supported by the regional bureaus, hosts an annual conference to review planned Title 22 funding, with strong participation from the Department of Defense.

In addition, senior leaders from all three agencies hold a yearly African Strategic Dialogue (ASD) to chart common strategic direction for their organizations in the diplomacy, development, and defense domains. It was a pleasure to be participant in the ASD in previous military capacities, and if confirmed, I look forward to fostering the ongoing interagency dialogue. Further, all three agencies also exchange and embed advisors to ensure there is appropriate communication between the agencies.

Moreover, the State Department participates in AFRICOM's Title 10 planning conferences to ensure our security assistance is synchronized with policy priorities. Diplomacy, development, and defense remain the three core pillars for our Africa engagement, and if confirmed, I will continue to promote our engagement and coordination.

*Question 5. If confirmed, how do you plan to ensure that our military operations in the Sahel are coordinated with State Department and USAID?*

Answer. The State Department, USAID, and Department of Defense already coordinate closely with each other and participate in the interagency process to determine regional strategies in the Sahel. Such exchanges occur ad hoc and through more formal mechanisms, including the Trans-Sahara Counterterrorism Partnership, Sahel Maghreb Deputy Assistant Secretaries' committee, Africa Strategic Dialogue, Africa Strategic Integration Conference, G-5 Sahel Interagency Working Group, and others. Our Ambassadors in the field communicate daily and share policy guidance with their country teams, which include USAID officers, Senior Defense Official/Defense Attachés, other military personnel, and interagency representatives.

As directed by the President and U.S. law, Chiefs of Mission (COM) and the Commander of AFRICOM continuously cooperate to ensure an effective and sustainable whole of government effort to implement the President's foreign policy. This close cooperation ensures that activities are effective and sustainable. All disagreements, which are rare, are referred to the Secretary of Defense and Secretary of State for immediate resolution.

DoD elements performing authorized military missions in support of Geographic Combatant Commanders are not under COM authority. The COM does not exercise command or supervisory roles over such personnel. However, the COM receives regular briefings on current and planned military activities in his or her country of assignment. When required by U.S. law, Presidential Directive, or special policies/directives, the COM's concurrence with planned operations must be obtained.

I can attest from my service on the continent with SOCAFRICA and AFRICOM, the COM concurrence role is designed to give the COM a formal opportunity to evaluate the potential foreign policy and security implications of a given mission. If necessary, the COM concurrence can also set conditions to protect COM equities including, among other things, the security of the U.S. Mission and personnel. The concurrence role is not intended to review tactical aspects of any given mission or otherwise interfere with the command responsibilities.

If confirmed, I will support existing coordination mechanisms, reinforce to COMs their critical concurrence role, and ensure that any gaps in coordination are identified and filled.

#### *Growing Security Assistance in Africa*

*Question 6. U.S. security assistance still comprises a small percentage of overall U.S. foreign aid to Africa, but both have grown considerably. Total U.S. aid to Africa in FY 1985, for example, was just under \$1 billion, or roughly \$2 billion in today's dollars.*

Total U.S. aid provided by the State Department, USAID, and DOD for sub-Saharan Africa in FY 2017 was around \$8 billion.

In addition, U.S. military engagement on the continent has been growing over the past decade, and African militaries are benefitting from a growing range of activities and joint exercises with U.S. forces that are difficult to quantify in dollar terms.

- What challenges do you see from our growing security assistance in sub-Saharan Africa?

**Answer.** The promotion of peace and security in Africa is an important U.S. policy priority, and is critical to every country's democracy, governance, economic, and development goals. Challenges associated with security assistance to a country can stem from poor governance, limited absorptive capacity, or competition from other partners in the same space, among other concerns. Some partners lack strong civilian governance and service delivery needed to accompany security sector reform. Poor civilian governance, whether marked by corruption, restrictions on human rights, incompetence, or impunity for security service abuses can undo the efforts of military and civilian security forces. Some partners do not have the financial, training, human resource, logistics processes, or infrastructure needed to maintain training and equipment.

If confirmed, I will continue to promote holistic development, including the development of professional and accountable security forces. I will also promote a focus on institutional capacity building, which means helping transform security systems, processes, and institutions in partner states so they can meet the needs of their citizens; sustain assistance; respect the rule of law, civilian control, and human rights; and support stability and security at regional, national and local levels.

**Question 7.** How do you see our deepening security relationship with countries such as Uganda and Chad which are led by two of Africa's longest-serving presidents and have governance challenges of their own?

**Answer.** Promoting democratic governance and human rights, in addition to engaging with regional partners to further foreign policy and national security objectives are two critical priorities in Africa. In Uganda and Chad, I understand security forces are leading efforts to address regional security and peacekeeping challenges in East Africa and the Lake Chad Basin, respectively. If confirmed, and as applied when I served on the continent, I would insist that we continue to consider a force's ability to respect human rights, maintain appropriate command and control, develop positive civilian-military relations, address corruption, and re-establish a constructive state presence in unstable areas. I believe the performance of Ugandan and Chadian forces is central to peace and security in those countries and their regions. If confirmed, I will seek assurances from the Governments of Uganda and Chad, as well as other security partners, to hold their forces accountable in cases of poor performance and misconduct. Furthermore, I will focus on security assistance that allows their forces to contribute to domestic and regional efforts in a professional and sustainable manner.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN COTTON RICHMOND BY SENATOR ROBERT MENENDEZ**

**Question 1.** What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** Throughout my career, I have been engaged in promoting human rights. Modern day slavery is a direct attack on individuals' fundamental human right, the right to be free. Liberty is not merely a concept, it is a critical right that allows people to make decisions about where they work and who touches their bodies. I have worked cases in India while leading International Justice Mission's office, in the United States as a federal prosecutor in the Department of Justice's Civil Rights Division, and as one of the two co-founders of the Human Trafficking Institute. I will continue to work to protect human rights, if confirmed.

**Question 2.** What issues are the most pressing challenges to democracy or democratic development today across the globe. Please be as specific as possible.

**Answer.** There are many pressing challenges around the globe today affecting democracy. Terrorism, nuclear proliferation, North Korea, religious and ethnic persecution all work against advances in democracy would be included on most lists of pressing challenges. I would also include on that list the denial of basic human rights, including the right to be free from those who traffic in human beings.

**Question 3.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs when you travel abroad? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to robust engagement with civil society members, human rights and other nongovernmental organizations, and survivors of human trafficking. I also commit to collaborating closely with fellow State Department and interagency colleagues to ensure that protections are available to all identified victims of human trafficking, regardless of their sexual orientation or gender identity.

Additionally, having worked for an NGO and started an NGO, I am keenly aware of the important role they play in our common cause to stop traffickers and care for survivors. I welcome their engagement and the diversity of ideas generated by civil society.

*Question 4.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people, no matter their sexual orientation or gender identity? What unique challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) trafficking victims face? What specifically will you commit to do to help LGBTI trafficking victims?

Answer. All people should enjoy the fundamental human right to be free. This is true regardless of their sexual orientation or gender identity. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals around the world often experience violence and discrimination because of their sexual orientation, gender identity or expression, or sex characteristics, which makes them particularly vulnerable to human trafficking. Some countries have enacted anti-discrimination laws or conducted sensitivity training for law enforcement to protect the human rights of LGBTI persons. I look forward, if confirmed, to working with my colleagues at the Department of Justice, FBI, and Homeland Security as they work to investigate and prosecute traffickers who exploit LGBTI victims. Additionally, Survivor services are also essential for LGBTI victims and they must be tailored to each victim's unique needs. If confirmed, I will work hard to encourage governments to further strengthen their efforts by enhancing partnerships and soliciting input from LGBTI survivors of trafficking to strengthen training content and improve support services.

#### *Trafficking in Persons (TIP) Report*

*Question 5.* One of the TIP Office's most important functions is the production of the annual Trafficking in Persons report. This report, among other things, determines which countries are not fully complying with standards for eliminating trafficking and thus subject to U.S. sanctions.

- How will you work with regional bureaus at the State Department to ensure border line countries receive the appropriate determination?
- What challenges do you expect you might face?

Answer. The annual Trafficking in Persons Report (TIP Report) is an extremely important tool in the State Department's efforts to combat this crime around the world. If confirmed, I will ensure that the TIP Report is as accurate and objective as possible, and that it documents the successes and shortcomings of government anti-trafficking efforts measured against the minimum standards for the elimination of trafficking in persons established under U.S. law—criteria that are independent of political considerations or developments.

I understand that producing the TIP Report is a year-round and whole-of-Department effort. If confirmed, I will ensure the dedicated staff from the Office to Monitor and Combat Trafficking in Persons (TIP Office) and officers in the regional bureaus and at posts around the world work together, including with senior Department officials, to gather information from foreign governments, media, and civil society to inform each of the narratives.

Assessing government efforts to combat such a complex crime across varying environments is inherently difficult. If confirmed, I will continue this work with the utmost integrity and with the important responsibility of ensuring the TIP Report remains the gold standard of such assessments far into the future.

#### *Labor Trafficking*

*Question 6.* Of the 20.9 million victims worldwide, the International Labor Organization estimates that 68 percent are trapped in labor trafficking. Yet, only 8 percent of the 9,071 convictions reported worldwide last year were labor cases. Labor traffickers operate with near impunity across the globe, in large part because of the increased resources it takes to recognize, investigate and prosecute these cases.

- How can the Department help build this expertise globally and ensure that more labor cases are identified and prosecuted? Please be specific.

Answer. The rate of impunity for trafficking crimes, in particular forced labor, is a major concern of mine. If confirmed, I will work to ensure the United States Government remains a leader in pushing governments to address all forms of human trafficking, including by holding perpetrators of forced labor criminally accountable.

If confirmed, I will ensure the Department focuses on forced labor through our diplomatic engagement, the Department's engagement with civil society and the private sector, the Department's interagency collaboration, and in the annual TIP Report. I will also make certain that the foreign assistance programming of the TIP Office continues to address both sex trafficking and labor trafficking.

#### *Supply Chain*

*Question 7.* The United States currently imports an estimated \$142 billion worth of goods that are likely to be made with forced labor, including \$83.3 billion from countries ranked at the bottom—on Tier 3 or the Tier 2 Watch List—of the TIP Report.

- As corporations increasingly expand their operations in the global marketplace, how can the State Department incentivize companies to protect their supply chains from forced labor?
- How do you intend to work with your counterparts at the office of the U.S. Trade Representative, Customs and Border Protection, the Department of Labor, and elsewhere, to ensure that the U.S. rigorously enforces Section 307 of the Tariff Act and otherwise cracks down on imports made with forced and child labor?

*Answer.* An important avenue for addressing and preventing human trafficking is approaching the issue through the lens of global supply chains. The products and services generated by traffickers forcing individuals to work, flood the formal marketplace, corrupt the global economy, and taint purchases made by unwitting consumers.

If confirmed, I would make addressing human trafficking in global supply chains a priority. Supply chain issues are cross-cutting and intertwined into much of the TIP Office's work, and I am excited to explore innovative ways to expand work in this area. Key to this will be partnering with other agencies, with the private sector, and with civil society. I would prioritize implementation of existing federal regulations that combat forced labor in federal procurement; partner with and develop tools for the private sector; cultivate best practices among an array of federal partners and key stakeholders; and encourage cross-sector collaboration.

Trade enforcement has the potential to be a powerful tool for combating human trafficking. If confirmed, I will ensure the TIP Office, in close coordination with other bureaus and offices within the Department, continues to actively coordinate with the Department of Homeland Security and other interagency partners to enforce Section 307 of the Tariff Act. I will also ensure the Office continues to maintain a dialogue with Customs and Border Protection and its new Forced Labor Division.

#### *Experience*

*Question 8.* How will your casework experience at the Department of Justice and as an Assistant U.S. Attorney translate to international policymaking as Ambassador-at-Large for Trafficking in Persons? What lessons from your previous experience will you draw on in your new post if confirmed?

*Answer.* My casework experience as a federal prosecutor will provide numerous insights if I am confirmed as the Ambassador-at-Large for Trafficking in Persons. Working cases allowed me to spend a significant amount of time with survivors and learn the cutting-edge techniques that traffickers use to exploit them. I also spent time with traffickers who shared with me about their methods and motivations. Policy is often most effective when it is informed by practice, and I am grateful to bring practical experience to the position. I will also bring with me my experience working with survivors in India, teaching human trafficking courses at Vanderbilt Law and Pepperdine Law, and participating in the United Nation's Office of Drugs and Crime work to implement the Palermo Protocol.

#### *Child Soldiers*

*Question 9.* One widespread form of trafficking is the exploitation and abduction of children for purposes of war.

- What measures can be taken to prevent, deter and stop this horrific practice of using child soldiers?
- What steps can the TIP Office take to contribute to broader State Department efforts to address situations where child soldiers are pervasive?

*Answer.* The unlawful use and recruitment of child soldiers is a particularly heinous crime that, if confirmed, I will prioritize in my work with countries where it occurs. I will aggressively press governments around the world to hold perpetrators and their supporters accountable, and to appropriately demobilize and reintegrate

victims of this crime. I will be a strong voice encouraging the U.S. Government to use the tools at its disposal to combat the recruitment and use of child soldiers, including those afforded under the Child Soldiers Prevention Act.

If confirmed, I will work collaboratively across the Department and interagency to further efforts to build capacity and generate political will across the globe to bring an end to the recruitment and use of child soldiers. This will be accomplished with, among other tools, the use of foreign assistance programs, training and technical assistance, and strong diplomatic pressure. I will also ensure that the TIP Report accurately presents evidence of child soldiers wherever it exists.

#### *Qatar ILO Agreement*

*Question 10.* With the recent conclusion of the 2018 World Cup, the world's attention now will turn to Qatar and the 2022 World Cup. There have been numerous reports over the past several years about the exploitation of migrant workers brought into Qatar to build the infrastructure for the World Cup. Qatar recently entered into a technical cooperation agreement with the International Labour Organization to address key concerns around forced labor in the country. It is critical that Qatar effectively implement this agreement and remove the legal structures that leave migrant workers vulnerable to abuse and forced labor.

- If confirmed, how will you work with the U.S. Department of Labor to ensure the Government of Qatar fully implements the ILO agreement?

Answer. The exploitation of laborers in Qatar is a well-documented concern both in preparation for the 2022 World Cup and in the broader economy of the country. I was encouraged to see the Government of Qatar enter a cooperative agreement with the ILO, as well as sign a Memorandum of Understanding on human trafficking with then-Secretary Tillerson. Both agreements provide opportunities to work with the Government of Qatar to take tangible steps to address forced labor and broader labor issues in the country. If confirmed, I will work closely with the Bureau of Democracy, Human Rights, and Labor, the Department of Labor, the U.S. Trade Representative, and others to ensure the U.S. Government speaks with a unified voice in our advocacy with the Qatari Government and support all sincere efforts to address our labor concerns, including forced labor, in Qatar.

#### *Forced Labor in Fishing*

*Question 11.* There have been numerous high-profile reports over the past few years about the problem of forced labor and human trafficking on fishing vessels in Southeast Asia. However, maritime trafficking is a problem in many areas around the world, including off the shores of the United States. This is a notoriously complex issue given the legal complications around jurisdiction and practical considerations of effective prevention and enforcement.

- If confirmed, what steps will you take to address trafficking on fishing vessels and other maritime vessels?

Answer. Risks of human trafficking in the global fishing industry are well-documented, including inland, coastal, and deep sea fishing vessels as well as in aquaculture and seafood processing around the world, including in Southeast Asia. If confirmed, I would support the ongoing work of the TIP Office and the interagency to address these issues, including efforts such as working to assist victims on fishing vessels and in seafood processing; equipping foreign governments to investigate and prosecute trafficking in the fishing industry; facilitating regional coordination to address these cross border crimes; and supporting the efforts of the private sector through development of risk-management tools focused on the seafood sector. I would also ensure that this issue is raised in bilateral discussions and covered thoroughly in the TIP Report. As awareness of this issue grows, I would seek to leverage further partnerships with other governments, the private sector, and civil society to achieve progress in this area.

#### *Trafficking in Government Procurement*

*Question 12.* Many foreign governments, multinational companies and other international stakeholders have been encouraged by the leadership shown by the U.S. Government on human trafficking in government procurement and in ensuring that U.S. federal contractors operating overseas are addressing the human trafficking challenges in their supply chains. However, over the past few years since that policy has been implemented, there appears to have been little enforcement action or transparency around whatever actions may have been taken by the Government to enforce it.

- Within the interagency process, what will you do to encourage robust implementation and enforcement of these policies?

Answer. The Federal Acquisition Regulation (FAR) rule, “Ending Trafficking in Persons,” was an important step forward in combating human trafficking in global supply chains. The FAR rule prohibits contractors and contractor employees from engaging in a number of activities known to lead to or facilitate human trafficking, including charging workers recruitment fees, withholding or confiscating workers’ identity documents, or using misleading or fraudulent recruitment tactics, among others. This rule is not only an important example for other countries but a key first step in preventing U.S. taxpayer dollars from purchasing goods or services affected by human trafficking.

If confirmed, I would pursue robust interagency coordination in implementation of these important policies. I would use the Senior Policy Operating Group (SPOG) and its Procurement & Supply Chains committee as a tool for encouraging progress in enforcement.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN COTTON RICHMOND BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career, I have been engaged in promoting human rights. Modern day slavery is a direct attack on individuals’ fundamental human right, the right to be free. Liberty is not merely a concept, it is a critical right that allows people to make decisions about where they work and who touches their bodies. I have worked cases in India while leading International Justice Mission’s office, in the United States as a federal prosecutor in the Department of Justice’s Civil Rights Division, and as one of the two co-founders of the Human Trafficking Institute. I will continue to work to protect human rights, if confirmed.

*TVPA Central American Minors*

*Question 2.* In his State of the Union speech, the president advocated rolling back critical protections within the Trafficking Victims Protection Act (TVPA) that ensure children facing persecution in their home countries are screened for trafficking and are not repatriated to certain harm or death. TVPA provides for critical due process protections to ensure human treatment and opportunity for protection.

- Do you agree with the President’s assertion that these are “loopholes” that need to be closed?
- How will you work to ensure continued implementation of the child trafficking screening provisions of TVPA as it relates to unaccompanied minors arriving at the border?

Answer. As I am not currently working for the administration, I will defer to current administration officials on administration views on legislation.

That said, protecting children from human traffickers is immensely important and unaccompanied children are vulnerable to criminals in the United States, just as they are elsewhere in the world. The 2018 Trafficking in Persons Report highlighted the need for the United States to integrate screening protocols in the context of immigration enforcement in order to improve victim identification and protection efforts. Beyond this, I would defer to the Department of Homeland Security, the agency tasked with enforcement of these provisions of the TVPA, for further details.

*Transparency/Malaysia Upgrade*

*Question 3.* Some Members of Congress and human rights groups have raised concerns that the TIP Report’s ranking process lacks transparency and may be subject to political pressure. My colleagues and I were particularly concerned about the 2015 upgrade of Malaysia’s TIP ranking into order to qualify for the Trans-Pacific Partnership.

- If confirmed as the next Director of the J/TIP Office, what will you do to ensure that the TIP Report is seen as credible and objective?
- How will you respond to pressure from both within and outside the Department regarding country rankings?

Answer. The annual Trafficking in Persons Report (TIP Report) is an extremely important tool in the State Department’s efforts to combat this crime around the world. If confirmed, I will ensure the TIP Report continues to be as accurate and objective as possible, and that it documents the successes and shortcomings of government anti-trafficking efforts measured against the minimum standards for the

elimination of trafficking in persons established under U.S. law—criteria that are independent of political considerations or developments.

I understand that producing the TIP Report is a year-round and whole-of-Department effort. If confirmed, I will ensure the dedicated staff from the Office to Monitor and Combat Trafficking in Persons (TIP Office) and officers in the regional bureaus and at posts around the world work together, including with senior Department officials, to gather information from foreign governments, media, and civil society to inform each of the narratives.

Assessing government efforts to combat such a complex crime across varying environments is inherently difficult. If confirmed, I will continue this work with the utmost integrity and with the important responsibility of ensuring the TIP Report remains the gold standard of such assessments far into the future.

I am told the Department has had robust engagement with this committee on the Report, and I look forward to continued partnership, if confirmed.

*Question 4.* There have reportedly been instances in which J/TIP and regional bureaus within the State Department disagreed on the tier placement of certain countries in the TIP Report.

- What is your sense of J/TIP's relationship with the regional bureaus?
- In your view, does J/TIP have sufficient institutional clout within the State Department?

Answer. While I am outside of government, it is difficult for me to comment on the internal operations or institutional relationships within the Department. However, if confirmed, I will make it a top priority to build relationships with my colleagues in the regional bureaus and at posts around the world, seeking innovative ways to collaborate and integrate human trafficking into our diplomacy with every government. I understand that producing the TIP Report is a year-round and whole-of-Department effort, and that year-round diplomacy on human trafficking will depend upon fostering excellent working relationships with all of my colleagues and promoting the work of dedicated staff from the Office to Monitor and Combat Trafficking in Persons within the Department.

#### *Libya*

*Question 5.* Last month, the UNSC acted to impose sanctions on individuals involved in trafficking African migrants in Libya. Libya has become a major conduit for trafficking, with report last fall of the auction and sale of migrants as slaves in Libya.

- If confirmed, how will you work with the U.N. and African Governments to stem human trafficking in Libya?

Answer. I share the outrage of the international community and Libyan authorities at the horrific accounts of human trafficking and the sale and abuse of migrants, refugees, and asylum-seekers in Libya. If confirmed, I would support the Department's continued engagement with the Government of National Accord (GNA) on the status of the Government's investigation, urging that it proceed swiftly and transparently.

I understand the United States supports targeted U.N. sanctions for six individuals involved in human trafficking and migrant smuggling in Libya, and announced concurrent U.S. sanctions on these individuals on June 11. These designations are part of critical international efforts to hold human traffickers and migrant smugglers accountable for abusing migrants' human rights and engaging in acts that threaten the peace, stability, and security of Libya. However, targeted U.N. sanctions are only part of the solution. If confirmed, I would work to assist in U.S. efforts to support the GNA to combat human trafficking. I would also continue support for appropriate U.N. programs and help build Libyan capacity to combat human trafficking.

#### *Labor Trafficking—Across Industries*

*Question 6.* Labor trafficking remains a major area of concern across the globe. Qatar has failed to implement meaningful trafficking reforms ahead of the 2022 FIFA World Cup; India, Bangladesh, and Cambodia continue to see millions of trafficked children working in the garment industry; and Thailand's fishing industry continues to be a major destination for labor trafficking from other parts of Southeast Asia. While the TIP Bureau has called attention to this with downgrades in rankings, a more focused, regional approach is required.

- If confirmed, what will you do to promote regional strategies to eradicate labor trafficking in the fishing, garment, and service industries?

Answer. As global supply chains become longer and more complex, crossing multiple borders, regional, multilateral, and sector-wide strategies have become increas-

ingly critical to effectively combating this crime. In addition to important bilateral engagement, we must also partner with the private sector, civil society, and multi-lateral organizations to devise innovative approaches to combating human trafficking where it affects entire industries.

If confirmed, I would work to build upon existing efforts and forge new partnerships with the private sector. I would make use of regional forums such as the Bali Process that bring groups of nations together in joint action. I would continue the work of the TIP Office in developing tools for companies to identify and address risk. And, I would explore using TIP Office programming funds to support sector-wide solutions, looking for ways to partner with companies and industry associations to address forced labor in their supply chains.

For example, if confirmed, I would support the ongoing work of the TIP Office and the interagency to combat forced labor in the fishing industry, including efforts such as working to assist victims on fishing vessels and in seafood processing, and equipping governments to more effectively investigate and prosecute trafficking in the fishing industry. I would also work to shine light on the risk of trafficking among domestic workers who migrate across borders and advocate for alternative, ethical models for migration that advance principles such as the Employer Pays Principle for recruitment fees. Finally, to address the complex issue of trafficking in the garment sector, I might look for ways to complement or scale-up ongoing programs by the range of existing multi-stakeholder efforts already making strides in this space.

#### *Diversity*

*Question 7.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I am grateful for the talented community of career officers at the Department of State. I look forward to working with them and I believe the impact of their contributions will be enhanced by their diverse backgrounds. If confirmed, I will work to support their efforts, celebrate their accomplishments, and foster an even greater and more diverse community within J/TIP.

*Question 8.* What steps will you take to ensure each of the supervisors in the Office to Monitor and Combat Trafficking are fostering an environment that is diverse and inclusive?

Answer. Fostering a diverse and inclusive environment is not only the right thing to do, it also provides significant benefits to the Office's substantive work. If confirmed, I will prioritize efforts by the Office's leadership to ensure that each team members ideas and opinions are heard and that the Office's culture is welcoming and inclusive.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 11.* Do you or any members of your immediate family have any financial interests in any country abroad?

Answer. No.

#### *Trafficking in Government Procurement*

*Question 12.* Many foreign governments, multinational companies and other international stakeholders have been encouraged by the leadership shown by the U.S. Government on human trafficking in government procurement and in ensuring that U.S. federal contractors operating overseas are addressing the human trafficking challenges in their supply chains. However, over the past few years since that policy has been implemented, there appears to have been little enforcement action or transparency around whatever actions may have been taken by the Government to enforce it.

- Within the interagency process, what will you do to encourage robust implementation and enforcement of these policies?

Answer. The Federal Acquisition Regulation (FAR) rule, “Ending Trafficking in Persons,” was an important step forward in combating human trafficking in global supply chains. The FAR rule prohibits contractors and contractor employees from engaging in a number of activities known to lead to or facilitate human trafficking, including charging workers recruitment fees, withholding or confiscating workers’ identity documents, or using misleading or fraudulent recruitment tactics, among others. This rule is not only an important example for other countries but a key first step in preventing U.S. taxpayer dollars from contributing to human trafficking.

If confirmed, I would pursue robust interagency coordination in implementation of these important policies. I would use the Senior Policy Operating Group (SPOG) and its Procurement & Supply Chains committee as a tool for encouraging progress in enforcement. It will be important to inform U.S. Government procurement personnel and contractors of best practices that have been shown to prevent or mitigate the effects of trafficking, and to help contractors understand how to manage risk and minimize the compliance costs associated with the law and regulation.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN COTTON RICHMOND BY SENATOR ROB PORTMAN**

*Question 1.* Since the most recent TIP report identifies the need for increased prosecution of those who solicit sex from trafficking victims as an area for improvement, do you plan to make this particular gap in enforcement of U.S. anti-trafficking laws a priority, both for purposes of the TIP report and also for purposes of the SPOG and the President’s Interagency Task Force?

Answer. It has been a long-standing policy of the U.S. Government that individuals who purchase commercial sex fuel the demand for sex trafficking. From my years as a prosecutor and through my work in the non-profit sector, I have seen firsthand how sex traffickers exploit individuals by committing this crime, either by trafficking children or trafficking adults through the use of force, fraud, or coercion.

If confirmed, I would work hard to further the U.S. Government’s efforts to proactively address the demand for sex trafficking, as well as the demand for labor trafficking.

If confirmed, I will work to build upon the tools the State Department has to end demand, such as the enforcement of policies prohibiting federal employees and federal contractors from purchasing sex—even if legal in the country where these individuals work.

If confirmed, as the Chair of the Senior Policy Operating Group and in support of Secretary Pompeo as Chair of the President’s Interagency Task Force, I will work to highlight the importance of demand as a key component of a comprehensive anti-trafficking approach.

Finally, if confirmed, I will ensure the TIP Office continues to address demand for commercial sex through bilateral diplomacy and that the annual TIP Report thoroughly covers demand for sex and labor trafficking.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN COTTON RICHMOND BY SENATOR CORY A. BOOKER**

*Question 1.* Do you believe we should continue to issue such a waiver this year for these countries particularly with regard to African countries—such as Nigeria, Mali, and Somalia—whose governments are, to varying degrees, U.S. counterterrorism partners?

Answer. The U.S. Government should only issue waivers when they support important U.S. interests, including counterterrorism and regional stability, and do not undermine U.S. efforts to end recruitment and use of child soldiers. My understanding is, having not been part of the waiver process this year, the countries mentioned all received waivers in 2017 for programs that support important U.S. interests. If confirmed, I will work with colleagues within the Department to analyze carefully the efforts to end the recruitment and use of child soldiers, together with other U.S. interests, and make recommendations to the President regarding waivers accordingly. Thank you for your interest in efforts to end the recruitment and use of child soldiers around the world. I will make this human rights concern a priority.

*Question 2.* How then will you evaluate whether it is our “national interest” to provide arms and training to these countries when the State Department has stated that they use or harbor child soldiers?

Answer. As I understand it, the President’s waiver determinations are a means of advancing policy goals as the U.S. Government seeks to use assistance to work with an affected country’s military to promote needed reforms and professionalize their armed forces to be more respectful of human rights, democratic values, and civilian control of the military, among other activities. I also understand that in some cases, waiving the Child Soldiers Prevention Act’s restriction facilitates additional opportunities to educate and work with those institutions to end the scourge of unlawful recruitment and use of child soldiers.

If confirmed, I would work to link waivers to specific actions and elements of our bilateral engagement with each country. In doing so, the United States can use the possibility of a waiver to provide an incentive for reform so that the United States can continue to work closely with a government to end the unlawful use and recruitment of child soldiers.

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## NOMINATIONS

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**THURSDAY, AUGUST 16, 2018 (A.M.)**

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

The committee met, pursuant to notice, at 10:02 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Isakson, Menendez, Shaheen, Coons, and Murphy.

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

The CHAIRMAN. The Foreign Relations committee will come to order. Thank you for letting us solve a problem.

Today we will consider the nomination of Ambassador David Hale to serve our country as Under Secretary of State for Political Affairs at the State Department. We welcome you and thank you for your service to our country for many, many years.

Ambassador Hale currently serves as our ambassador to Pakistan and has previously served in that capacity in Lebanon and in Jordan. He is a career member of the Foreign Service and brings with him to this position over three decades of experience as a career Foreign Service officer, the majority of which has been spent in the Middle East.

Beyond his general diplomatic and policy expertise, for which he is widely respected, he has extensive management experience through serving as Chief of Mission at various diplomatic posts abroad. That background is invaluable for anyone assuming this position.

The Under Secretary for Political Affairs, or P, is the number-three person at the Department after the Deputy Secretary of State. The P Undersecretary also serves as crisis manager for the Department and serves as an advisor to the Secretary for all major personnel decisions, Department policies, and interagency communication.

In addition to those duties, the P Under Secretary oversees all of the geographic bureaus in the Department, as well as the Bureau for International Organization, and must therefore manage our financial and personnel resources between the bureaus themselves and our diplomatic footprint around the globe.

In the past, it has often seemed that the Under Secretaries for Political Affairs and Management would make these decisions together without much of a methodology and very little transparency.

It is my belief that the Department would benefit from a methodology that allows decision-makers to assess the cost and benefits of allocations while also providing more transparency so that Congress can adequately exercise its oversight role.

I want to thank you again for your willingness to serve. And just on a personal note, to have someone who is coming up from within the Department to be in this position, for someone who cares about institutions and building institutions that will last, it is heartening to me that someone from within is coming into this position. My guess is, with some of the turmoil that we have had within the State Department, it also is something that really many members of the Foreign Service who have committed their lives to foreign service I am sure are cheering you on today.

Senator Menendez?

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

Senator MENENDEZ. Thank you, Mr. Chairman. Let me join you in welcoming Ambassador Hale back before the committee. Few diplomats have served our nation as ably and as honorably as Ambassador Hale in some of the most critical diplomatic posts.

You seem to have a penchant for challenging posts, and I am confident that we have the right person for the job.

Of course, Mr. Chairman, it takes somebody from New Jersey to ultimately do this type of job. So, we are thrilled to have the Ambassador before us.

But let there be no mistake: If confirmed, you will face not only the immense challenges throughout the world confronting the United States, but also shaping and executing concrete policies to confront those challenges, which to this day I believe the administration has, in many cases, failed to do.

If confirmed, your areas of responsibility would potentially encompass any and every issue before the Department, from crisis management to the day-to-day conduct of our diplomacy to the development of longer-term strategies.

So let me briefly raise several core areas of concern where I expect to see you, Ambassador, if confirmed, playing a leading role at the Department.

It is my sincere hope that someone with your knowledge and experience can help the administration adeptly develop and implement coherent strategies with diplomacy-led direction. Let me start with Russia.

Let me be clear: Unlike the President, I do not consider Russia a friend. I believe Vladimir Putin is a geopolitical adversary who presents an ongoing threat to our democracy and global stability. I am curious to hear what advice you intend to provide the Secretary and the President on how we deal with Russia, from its interference in democratic processes to its use of chemical weapons in Ukraine and Syria.

While the administration has taken some punitive steps against some offenses, it has failed to fully implement mandatory provisions under the Countering America's Adversaries Through Sanctions Act. Even if the administration will not act responsibly, Congress will. As you know, Senator Graham and I introduced new

comprehensive legislation two weeks ago, and we would appreciate your thoughts on that bill.

Moving to the Middle East, the administration has also flouted the statutory requirement in CAATSA to provide this committee with an Iran strategy. Re-imposing sanctions that this body worked for decades to legislate in and of itself is not a strategy. Trusting Russia to address the Iranian presence in Syria is not a strategy.

Similarly, I would like to understand what our strategy is to address violence in Yemen, instability in Iraq, the tremendous humanitarian crisis and strains on refugee host nations like Jordan and Lebanon, and the pressure that this refugee crisis is creating in Europe.

Speaking of refugees, the Trump administration slashed refugee admissions last year and is reportedly pushing for another devastating cut, to 15,000 refugees, the lowest since 1980. This President seems to delight in picking on the most vulnerable people. America is much better than this. Failing to provide refuge to the world's most vulnerable, those seeking shelter from war and persecution, betrays America's values and relinquishes our role as the humanitarian leader.

With respect to Afghanistan, how does the administration plan to balance reconciliation efforts with the Taliban in light of our military commitment?

I also hope that, if confirmed, as you and I spoke, and I appreciate you coming by my office, you will pay particular attention to our own hemisphere. I have supported the administration's efforts to use targeted sanctions against Venezuelan officials, but our actions have been largely reactive, and a massive humanitarian and refugee crisis now threatens regional stability. I will soon be introducing a comprehensive bill regarding Venezuela with Senator Rubio, and I welcome your thoughts on that as well.

In Central America, our efforts to work with Honduras and El Salvador and Guatemala to address the violence and political instability driving people to flee are not succeeding. Aside from tearing away children from their parents and locking up asylum seekers in cages, which is both reprehensible and ineffective, what is the administration going to do to address this issue?

So there is much work to be done, yet across the world and counter to its own national security strategy, the administration is eroding support for democracy, good governance, transparency, and human rights around the world. The President routinely praises dictators and congratulates autocrats on winning rigged elections, and his budget request would decimate foreign assistance in support of our interests.

I want to publicly raise, Mr. Chairman, a concern I raised with the Secretary privately, which is I hear that the administration is sending a rescissions package, which potentially would be a devastating blow to the State Department and USAID. And if it does so, and it does so in a timeframe in which Congress under the law cannot act, which I think would be illegal to do, that will have consequences. It is the only thing that we can do to strike back on a policy we believe is not right.

So I hope that that is not the case, and I hope the Secretary can prevail upon the administration not to make such devastating blows.

I plan to hear how you intend to promote these values across the Department in the future.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. I know you were mentioning that to me before the meeting started, and I certainly, like you, will be inquiring towards that end. I do not know how they can do that legally, but we certainly look forward to seeing how to counter that if that is the case.

With that, anything you have as far as written materials will be entered into the record. So if you could summarize your comments in about 5 minutes, we would appreciate it. If you have people here in support of you that you would like to introduce, we would love to meet them.

With that, please begin.

**STATEMENT OF HON. DAVID HALE OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS**

Ambassador HALE. Thank you very much and good morning, Senator Corker, Ranking Member Menendez, and distinguished members of this committee. Thank you for the opportunity to appear before you today.

I am joined by a high school friend, Carl Warner, and his son Matthew, who drove down from Morristown today to be with us.

I first want to thank President Trump and Secretary Pompeo for their confidence in me to serve in this role, if confirmed. It is a tremendous honor to be nominated to serve our country, President Trump, Secretary of State Pompeo, and the men and women of the State Department as Under Secretary of State for Political Affairs. I approach this committee and the prospective position with humility and a commitment to serve to the best of my ability, as I have strived to do ever since Ambassador Edward Perkins first swore me into the Foreign Service in June, 1984.

My call to public service began with my grandparents, Joseph and Elizabeth Kler. They were world travelers who always returned from abroad with stories, books, and pictures of a world beyond our shores. As a young man, I gained a growing realization that what happened overseas mattered a great deal to our country's security and prosperity. I came to realize that a career in the Foreign Service would allow me to protect and advance our interests abroad. That was the beginning of my path from Bridgewater, New Jersey to Beirut and beyond.

In college, two professor-practitioners had a tremendous influence on my life, retired Ambassador Armin Meyer and future Secretary of State Madeleine Albright. Ambassador Meyer taught me in particular the value of quiet diplomacy, of the gains to be made through calm, candid, patient, persistent, and behind-the-scenes engagement to achieve U.S. goals. Secretary Albright taught me that our diplomatic strength is rooted in our economic and military strength. She also taught me that while our strength is greatly en-

hanced through alliances and partnerships, there is no substitute for American leadership. I am convinced American values are at the core of our nation's success and influence and must remain there for our success to continue.

Throughout my career in the Foreign Service, other mentors have included Ambassadors Ryan Crocker, Dick Murphy, Bill Burns, David Welch, and Dennis Ross, all of whom I watched maneuver through complex environments. I have always strived to emulate their firm approach, steady leadership, adept negotiating skills, calm temperaments, and commitment to results. I have also had the extraordinary privilege to work directly for and with six of the last seven secretaries of state, and I am eager to work closely with Secretary Pompeo, if confirmed.

During my 34 years in the Foreign Service, I have developed a solid grounding in the work of the Under Secretary for Political Affairs, a role which entails extensive diplomatic interaction in innumerable bilateral and multilateral contexts, as well as the oversight of the regional and International Organizations bureaus. I have spent many years at high-threat posts, including as Ambassador to Jordan and Lebanon, and most recently to Pakistan. It was in Lebanon that I first had the opportunity to work with Secretary Pompeo, then visiting as a member of Congress. Later, during my tour in Pakistan, I worked with him in his capacity as CIA Director to free an American citizen and her family from terrorist captivity. Using my diplomatic skills to rescue an American in distress remains one of my proudest moments.

On that note, my service has made me well aware of the many threats our nation faces. These threats are continually evolving, and our diplomatic security teams have my highest respect for protecting our diplomatic personnel and installations. Our ambassadors in the field, backed by the Department's leaders and experts, must constantly assess the risk/benefit equation of our presence and activities in often dangerous places. We have had hard lessons over the years, from Beirut to Benghazi. Although we absorb those lessons and minimize risk, we must also remember that our nation's security requires an active diplomatic presence on the front lines.

If confirmed, I will help Secretary Pompeo put the State Department—which is comprised of my gifted Foreign and Civil Service colleagues, and our exceptional locally employed staff at missions abroad—back on track. Among my priorities will be crisis management, cultivating international alliances, developing the next generation of leaders in the Foreign and Civil Service, and communicating regularly with Congress. We have the finest diplomatic service in the world, and Secretary Pompeo has set us on the path to strong morale, readiness, and effectiveness.

As the President, the Secretary, and the national security leadership make and conduct our nation's foreign policy, they deserve the State Department's best advice going up and most effective implementation going forward, drawn from the experience, talent, and diversity of its personnel. I am confident our diplomatic and civil service will continue to prove their value as an essential tool in advancing a results-oriented foreign policy in the service of our nation.

Finally, I look forward to the opportunity, if confirmed, to advance American diplomacy in consultation with Congress. For 34 years, I have interacted with members here and abroad. I started in a junior capacity as a CODEL control officer. In later postings, I had the honor to come up to Capitol Hill often to consult. I remember traveling to Michigan with Senator Levin to meet his constituents. As ambassador to three countries, I had the privilege of accompanying members to their meetings with foreign leaders.

If confirmed, this body and the American people can have confidence that I will fulfill the Trump administration's foreign policy agenda with professionalism, integrity, and an eye toward results. I look forward to taking your questions.

[Ambassador Hale's prepared statement follows:]

PREPARED STATEMENT OF AMBASSADOR DAVID HALE,

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During my thirty-four years in the Foreign Service, I have developed a solid grounding in the work of the Under Secretary for Political Affairs, a role which entails extensive diplomatic interaction in innumerable bilateral and multilateral contexts, as well as the oversight of the regional and International Organizations bureaus. I've spent many years at high-threat posts, including as Ambassador to Jordan, Ambassador to Lebanon, and most recently, as Ambassador to Pakistan. It was in Lebanon that I first had the opportunity to work with Secretary Pompeo, then visiting as a member of Congress. Later, during my tour in Pakistan, I worked with him in his capacity as CIA Director to free an American citizen and her family from terrorist captivity. Using my diplomatic skills to rescue an American in distress remains one of my proudest moments.

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If confirmed, this body and the American people can have confidence that I will fulfill the Trump administration's foreign policy agenda with professionalism, integrity, and an eye toward results. I look forward to taking your questions.

The CHAIRMAN. Thank you.

Senator Menendez?

Senator MENENDEZ. Thank you.

Ambassador, an issue I have raised with Secretary Pompeo and consider to be of the utmost importance is the need for greater transparency, openness, and communication for the Department in dealing with the committee and with the American people. Regular press briefings, timely response to committee requests for briefings and information, departmental witnesses for hearings are all essential to make sure that we as a government and as a nation can advance our foreign policy effectively. I trust that you agree and would engage with this committee in that view?

Ambassador HALE. I do agree.

Senator MENENDEZ. Thank you.

Let me ask you this. If you are confirmed, you will be responsible for the Bureau of International Organizations. As you may be aware, the Inspector General is currently investigating credible reports that political appointees to the Department, without Senate confirmation, have been systematically compiling lists of career civil servants they feel are not "loyal" to the President, going as far as collecting clearance pages that reflect approval of previous presidents' policy initiatives; in essence, targeting people for doing their jobs.

It is the latest expression of something that I think the President does not quite understand, that those of you in the Foreign Service are committed to the advocacy of policy regardless of who sits in the office. So they take an oath to defend and protect the Constitution.

What steps would you take to ensure that career officers are protected from retribution for perceived disloyalty to the current president?

Ambassador HALE. Well, the alleged behavior that you described I find highly objectionable, if true. I am pleased to learn that the State Department is investigating these allegations. That is the appropriate thing to do. We have a very strong, independent Inspector General, and we have various procedures to deal with any findings that they may uncover.

These are matters of law as well as policy. They would also, if true, create the wrong climate. We want a climate of inclusion. We want an environment at the State Department where people feel free to express their opinions.

I think through my leadership of example, as well as making sure that our policies are enforced to deal with these matters would be the appropriate way to handle the issue.

Senator MENENDEZ. Let me turn to Russia. Do you believe the intelligence community's assessments that Russia interfered in the 2016 election?

Ambassador HALE. Yes, I do.

Senator MENENDEZ. And do you believe that Russia continues to attempt to undermine American democracy?

Ambassador HALE. I do.

Senator MENENDEZ. What would you advise the Secretary and the President, if you had the opportunity, about how do we deal with Russia?

Ambassador HALE. Overall, I think it is important that we adopt a multifaceted approach to Russia. They are a very difficult country to deal with. Their behavior in many areas is unacceptable. I think it is important that we call out these transgressions when they occur publicly. I think it is important that we have a frank dialogue privately to express in very direct terms what we find objectionable and what we believe needs to be changed.

I think the resilience of our allies and of our alliance in NATO is terribly important to dealing with this, so we need to reinforce that.

Then targeted sanctions I think can be highly effective in making sure that we continue to increase the cost for this kind of behavior.

Senator MENENDEZ. I appreciate that.

Let me turn to Iran. While I did not support the JCPOA, I am concerned that just unilaterally walking away from it is, in and of itself, not a strategy. What would you advise the Secretary and the President as it relates to developing a comprehensive strategy on Iran, something that is called for under CAATSA, that was due in January of this year, and it is now August and we have not received?

Ambassador HALE. Well, I think that the appropriate strategy at this stage is to maximize our financial and diplomatic pressure on Iran, and isolation, to build a web of allies who are like-minded who will join us in that effort to neutralize Iran's highly objectionable behavior and interference in the affairs of their neighbors throughout the Middle East, their support for proxy and terrorist groups, to increase the cost of that; and, of course, to do everything to prevent their acquisition of a nuclear weapons program.

Senator MENENDEZ. We need to multi-lateralize our effort, though. So, while it is a little difficult when you slap tariffs on your closest allies and when you walk away without engaging them in a process that will bring you a multi-lateralized effort. So we will realize consequences on Iran's economy as a result of companies divesting themselves in order to avoid American sanctions, but that does not multi-lateralize our effort.

Should we not seek to multi-lateralize those efforts?

Ambassador HALE. I agree, we should.

Senator MENENDEZ. Listen, let me ask you about the Central American triangle. If we wanted to deal with unaccompanied individuals or those seeking asylum—they seek asylum because their choice is to stay or die, or flee and have a chance at living—should we not be making a strategic, comprehensive effort in Central America to deal with some of the challenges that drive people to leave their countries?

Ambassador HALE. I firmly believe that that is correct.

Senator MENENDEZ. Will you be part of helping to develop that?

Ambassador HALE. And I will be part of that, yes.

Senator MENENDEZ. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Very good.

Senator Isakson?

Senator ISAKSON. Thank you, Mr. Chairman.

Hello again. This is our second meeting today. Good to be with you.

In your prepared statement you made reference to working with Secretary Pompeo on the release of an American citizen recently as one of the most memorable experiences in your service. Is that right? Can you tell us who that is and what the circumstances were?

Ambassador HALE. The Coleman family, the Coleman Boyle family, American citizen married to a Canadian, and they had several children that were held hostage in the Afghanistan-Pakistan border area for several years, and we were able to discover their location and persuade the Pakistani authorities to act swiftly to gain their release from these terrorist groups. I worked very closely with Secretary Tillerson and CIA Director Pompeo at the time.

Senator ISAKSON. I am sure that is rewarding work. That happens a lot more than we really know it happens in this country, obviously for security reasons.

I shared with you earlier when we met that I had a Pakistani foreign exchange student living with me for a year in my senior year in high school, which, as you can tell from looking at me, was a long time ago. But I learned a lot living with a Muslim student from Pakistan for a year about the Muslim faith, about that part of the world and everything else.

In the years since then, everything that happened that involved Pakistan I took a keen interest in, mainly because I knew Asfak Assad, and he and I remained friends all these years. He is now a Caterpillar dealer in Dubai.

My question is that Pakistan is a strange bedfellow. I guess that is the right word. They have been an invaluable help to the United States in a strategic location, in a very dangerous part of the world, but they have also frustrated me, and I will speak only for myself,

particularly in the Bin Laden affair when he was there for—we do not know how many years, but a number of years after 9/11 before we finally found him, and I wondered how cooperative the Pakistanis were throughout that whole era as to why he was there and yet we never knew it, and we did not get him until 10 years later.

Is their level of cooperation better today than it was, say, five years ago when he was still there?

Ambassador HALE. I would say it is mixed. I will not draw the comparison because I was not in Pakistan five years ago. I was involved in the Middle East. But it is a mixed record. There are areas where we are able to cooperate very effectively together. There are many terrorist groups that they perceive as their enemy and we perceive as our enemy, and we are going after them, including ISIS.

We have very strong programs to help build the resilience of Pakistan. We do not want Pakistan to be in any way destabilized.

The problem is that we are not completely in agreement on a key issue, which is the presence of the Haqqani Network inside Pakistan, which is able to freely conduct operations across the Afghan border. That is the essence of our sharpest difference right now. We continue to work on it, but we wish to do so in a way in which we are able to gain their cooperation because Pakistan has a lot to offer in resolving the disputes in Afghanistan, including in helping us get the Taliban and the Afghan Government sitting together talking about peace.

Senator ISAKSON. I think maintaining a relationship with Pakistan is absolutely essential to your department, to the Secretary of State, to our entire country, but it is a very strange partner sometimes in a very dangerous part of the world vis-&-vis the largest democracy in the world being India right next door, but who are equally important to us as a country.

You said in your prepared remarks about learning so much and admiring so much Madeleine Albright, and you talked about her strength and her belief in a strong military and diplomacy as partners in the way she ran the Secretary of State's office. I agree with that. She was a very adept Secretary of State.

What of her practices do you plan to follow, and any of the things you learned from her that you are going to use in your service?

Ambassador HALE. Well, that was one key element. I also think the integration of our economic strategies overseas with our traditional political national security diplomacy is very important, an area that I hope we can work on together.

I also think Secretary Albright was very gifted at persuading foreign leaders and counterparts to join us in multilateral strategies to deal with the challenges that we face. That was something I admired greatly, the way she did it. She was firm. She went about it in a very firm, direct, frank way, and she gained allies by persuading countries that the right cause was to work with us.

Senator ISAKSON. You know, the situation in New Mexico, I saw a report on the television this morning about the investigation of the sheik, the blind sheik in New York who was ultimately convicted of terrorism against the United States. But one of the things that he had promoted in his teachings in his mosque in America was for radical Islam to go and colonize in the United States and

create things exactly like what we have found existed in New Mexico, where they were raising children, teaching them terror and trying to spread Islam through that twisted view of their religion.

Do you see in your experience—and you have been in some areas greatly affected by Islamic terrorism in Islamic countries. Do you see a growth of that anywhere else, or have you seen a growth of that anywhere else in the world?

Ambassador HALE. I think one of the elements that we face today that we did not face before is that this can happen almost anywhere, in so many different places. We have seen the exploitation of young people through this kind of ideology, and it is not the Middle East anymore, right? It is happening in the Western hemisphere, it is happening in Europe. So again, we need all of our allies, all of those societies that are vulnerable to this, to be sharing ideas together on how to combat this and reduce its threat to us.

Senator ISAKSON. Well, I wish you good luck, and I am sure we are going to benefit from your experience and knowledge, particularly in that part of the world.

Thank you for your service to the country.

Ambassador HALE. Thank you.

The CHAIRMAN. Thank you, sir.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Good morning, Ambassador Hale. Thank you for being willing to consider taking on this position at this critical time in the world, and congratulations on your nomination.

As I am sure you are aware, the President on Monday signed the defense bill, and that included a bipartisan resolution that passed this committee authored by Senator Young and me to address the humanitarian crisis in Yemen. It prohibits the U.S. military from continuing to provide aerial refueling for the Saudi-led coalition unless the Secretary of State repeatedly certifies that the Government of Saudi Arabia and the UAE are taking steps to end the civil war, to address the humanitarian crisis, and to reduce the risk to civilians.

Now, I am sure many of us watched the aftermath of the horrific Saudi bombing of a school bus in northern Yemen that killed 51 people, including 40 children. Can you tell me how, if you are confirmed, you will approach making sure these certifications have been made and that the Secretary of State and the Department of State does everything possible to try and get the Saudis and the Emiratis to comply with reducing the crisis in Yemen, especially in view of the President's statement that he does not believe he needs to abide by this?

Ambassador HALE. I think that we have to approach the situation in Yemen through several avenues. One is obviously to work with the Saudis and the Emiratis so that their air forces and their militaries are using the very best practices to minimize civilian casualties. And we have a training program underway to work on that.

Senator SHAHEEN. And I am familiar with that, but I think what this resolution suggests is that we need to go beyond that. It is not just about our efforts to reduce casualties. It is about getting them to end the conflict, to come to the negotiating table, and to stop

their horrific collateral damage that is happening as a result of those airstrikes.

Ambassador HALE. I understand and I agree. I think that the significant effort right now on the political front is through the U.N. Special Envoy to introduce the elements necessary to find a political solution. There is no military solution to this problem.

Senator SHAHEEN. Right.

Ambassador HALE. We need to be engaging our Saudi and Emirati colleagues at the highest level to shape that approach.

Senator SHAHEEN. And are we doing that, and is the Secretary of State willing to actually decertify our support for those aerial refueling efforts if he finds and we find that they are not trying to engage in those negotiation efforts?

Ambassador HALE. I think if we are unable to find the elements that are required to certify, then we will, of course, have to act accordingly. That is the law. I as a nominee, I cannot speak for the Secretary of State at this stage, and I am not fully briefed on the details of the legislation, so I do not want to say anything misleading. But I understand the significance of this and the need for us to be in accordance with the law.

Senator SHAHEEN. And if you are confirmed, will you report back to this committee on what you have learned?

Ambassador HALE. Absolutely.

Senator SHAHEEN. Thank you.

I want to go to another issue that I continue to be very concerned about, and that is the President's executive order reinstating the Mexico City policy, or the global gag rule, and expanding that dramatically to include all support for health care for people around the world.

According to Marie Stokes International, it estimates that 2 million women that it provides services to will lose access to contraception as a result of this policy, and that from 2017 to 2020 this policy, this expansion of that global gag rule, will result in 6.5 million unintended pregnancies, 2.2 million abortions from the lack of family planning resources, 2.1 million unsafe abortions, and 21,700 maternal deaths. That is just one organization that has historically worked with us in terms of funding for health care.

NGOs have reported that rural communities are being cut off from health services, and in Mozambique and Zimbabwe HIV prevention services have been dismantled, and that risks the progress that has been made in HIV prevention.

So can you tell me what you will do, if confirmed, to try and address those deaths that are going to result from this policy? A policy that is supposed to result in a reduction in the number of abortions is actually going to increase the number of abortions and the number of unintended pregnancies. So how do you see following up to address what is happening to the most vulnerable people around the world because of this policy?

Ambassador HALE. Well, thank you. I think that is a very key question, and I would just say it has largely been outside my arena of responsibility. In the countries I have served we have successfully managed to maintain our funding programs in accordance with the policies. So we have not had that kind of disruption in Pakistan or in Lebanon or Jordan.

I think the first step for me will be to study the facts. You have just outlined some very disturbing data. I need to be better educated about that, and then work with my colleagues to see what the best policy is, to find that balance between these two objectives.

Senator SHAHEEN. Well, I know that the State Department is doing a report that should come out this fall that will show further data on what the impacts have been. I hope that you will take a look at that and actually report back to this committee on what you expect to do as a result of what you find in that report.

Ambassador HALE. I can assure you I will do so.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Coons. Thank you.

Senator COONS. Thank you, Mr. Chairman.

Thank you, Ambassador Hale, for your long record of service to our country and your willingness to step forward and to serve again in a very demanding position at a time of great challenges facing the United States on the world stage. I am heartened that the administration has nominated a career Foreign Service officer and New Jersey native with more than 30 years of experience for this very important position. If there are no Delawareans available, I am certain that New Jerseyans are the most qualified and capable.

Let me turn first, if I could, to China. In a lot of ways I think China will be our greatest international challenge of the century. The national security strategy notes that China seeks to displace the United States in the Indo-Pacific and expand the reaches of its state-driven economic model and reorder the region in its favor.

Two questions. A key part of this effort is the militarization of the South China Sea. As Under Secretary, how would you revive diplomatic efforts to condemn and counter Chinese militarization of the South China Sea; and how will you engage with and reassure our regional allies—South Korea, Australia, Japan—of our commitment to the region after our withdrawal from the TPP and the, I think, unconstructive imposition of tariffs on treaty allies like Japan?

Ambassador HALE. Well, I am a firm believer in engagement. I think the first step will be to continue to expand our diplomatic conversations with these key countries that are bordering that area. Vietnam in particular, I think, is a key partner in confronting these inroads by China. I think also that we need to build a united front which has frayed a bit, perhaps, over time. That will be a very effective tool. So I would look to, if confirmed, be involved in that effort.

I also think our military presence is absolutely crucial, that we maintain the freedom of transit through that area. It is of vital importance to our nation and to our allies.

So I think those are the two key pillars to build a strategy upon.

Senator COONS. The other question I want to ask about China is about their One Belt, One Road initiative. As Ambassador to Pakistan, you certainly saw ways in which China is using its infrastructure investment to extend its reach. They are building ports and highways, railways and other projects in Pakistan and throughout the region. Earlier this year Senator Corker and I,

joined by a very wide bipartisan group here, passed the BUILD Act to modernize our development finance tools, something supported by the administration.

Do you believe these tools could help us successfully compete with the belt and road initiative and advance our foreign policy objectives? What else do we need to be doing in the region to be more successful at pushing back on what I see as a major strategic initiative by China?

Ambassador HALE. I do think that is a very important tool. Another one would be to really work very hard to get U.S. business involved, which can overshadow anything that U.S. assistance can accomplish. If American business is present in these countries, that opens up the field for competition and I think in and of itself will speak to the nations involved about the benefits of working with the United States.

Senator COONS. In your written testimony you said, "I am convinced American values are at the core of our nation's success and influence and must remain there for that success to continue." I could not agree more, and I think one of our core values, one of the things that defines us is as a democracy that values free press, free speech, independent judiciary, and so forth. I am concerned about the rise of authoritarianism around the world and the failure by our president to clearly defend our democratic allies from aggressive actions by authoritarian governments.

So I just wanted to ask whether you believe countries like Russia and China see political ideology and values as an aspect of geopolitical competition and seek to advance their governing models against ours, and how you think the role of values and human rights should play in foreign policy, and what you can do in this position, if confirmed, to strengthen and advance that at a time when the administration seems determined to make deep cuts to State and USAID?

Ambassador HALE. I do believe that China and Russia seek to advance their form of government more widely, and that that is pernicious, contrary to U.S. interests. I think if you look all around the borders, particularly of Russia, it is important that we build the resilience of those societies that are vulnerable, internally and externally, to that kind of penetration. So I am very committed to that, as well.

I also believe that it is important that human rights be an integrated part, at the core of our national security strategies for a range of countries, stretching from North Korea to Burma, a part of the world I am now working in, all the way to the Western Hemisphere, Nicaragua and Venezuela and Cuba, as well.

Senator COONS. One of the real tragedies of the last many years now is the brutal war in Syria and Assad's massacre of hundreds of thousands of his own people. I would be interested in whether you believe we can work with the Russians to counter and reduce the Iranian presence in Syria and to prevent advanced weaponry from reaching Hezbollah and other Iranian proxies, and whether you think the State Department and the President should and can be clear with Russia that they bear responsibility for enabling Assad's massacre of his own people.

Ambassador HALE. I agree completely. I think we must be clear about Russian responsibility, as well as Iranian responsibility for what has happened there. I also believe that we should try to work with the Russians to see if we can help build a better Syria. I understand the Russians have come to us to seek assistance because neither Russia nor Iran has the wherewithal to rebuild that society, which will be essential if there is going to be peace and stability. But we should not be rushing without assistance until it is clear that there is a game plan that will stabilize that country, eliminate the presence of Iranian troops, and put the political future of that society in the hands of its people.

Senator COONS. Do you think a withdrawal of American troops or support or advisors from Syria would be wise or would advance that policy?

Ambassador HALE. Well, my understanding, sir, is that they are there to deal with the primary problem of the ISIS threat. That was the justification for the deployment. I think once we have accomplished that goal—we have not yet; we are getting closer—it would be appropriate to review our Syria policy, including that aspect of it.

Senator COONS. Well, I will simply renew a point made forcefully earlier by the Ranking Member, that the administration has so far failed to deliver any clear policy strategy around Iran. I am gravely concerned about Iran's steady projection of force farther and farther into the region and its sustained presence in Syria, and I think finding ways that we can help rebuild Syrian society, help stabilize Syrian society, but do so within our values and our interests is a key challenge for the State Department.

Ambassador, thank you for your willingness to take on a very difficult service, and thank you for the ways in which I know we can count on you to be an advocate for the career professionals of our State Department, folks who do wonderful work around the world every day.

The CHAIRMAN. We are still discussing the rescission issue that was brought up on the front end.

Senator Murphy?

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

Ambassador Hale, thank you for your willingness to serve. I look forward to supporting your nomination as it moves forward. You are a good and wise choice.

Last week we were all horrified by reports that the U.S.-supported, Saudi-led bombing campaign hit a school bus in northern Yemen, resulting in the deaths of dozens of children. The initial response from the Saudi coalition was that this was a legitimate military target, which is patently ridiculous. They now have hunkered down and are refusing to answer my more questions pending an investigation.

As you note, there is an obligation in existing law that any U.S. participation in foreign military operations comports with basic humanitarian laws. Notwithstanding the question of whether the President is going to comply with the provisions of the National Defense Authorization Act, that is already the law. The Saudis are going to undertake an investigation, which I think we understand what the end result will be, a vindication of the Saudis.

But in order to comply with our own statutes, we need to be investigating as well, and there is no sign, as far as I can tell, that we are undergoing a comprehensive investigation of this atrocity or the many others that have been committed this year. We have had a number of civilian targets hit, potentially intentionally, this year, with bombs paid for by the United States, a bombing campaign supported by the United States.

How important is it that the United States do our own investigation? What do you know about the scope of any investigation that we may be contemplating on the school bus bombing but, writ large, on a bombing campaign that seems to be getting worse, not better? At some point we have to believe our eyes, not what we are being told about the ability of the Saudis to target effectively.

Ambassador HALE. Well, I do think this is a key matter, Senator, so thank you for raising it. As a nominee, I confess I am not fully briefed on the details of what we are doing. I do understand, though, there is engagement with the Saudis at a fairly high level to discuss this episode and to find out what has happened. I would not describe that as an investigation, but I understand what you are saying and, if confirmed, I will certainly follow up vigorously to make sure we are doing everything to be in accordance with the law and to understand the facts, which is necessary in order to be in accordance with the law.

Senator MURPHY. Do you think it is sufficient to rely on a Saudi investigation and take their findings at face value, or do you think we have an independent obligation to do our own fact finding?

Ambassador HALE. Again, I do not know the ins and outs of what our obligations are in terms of the law, but I certainly believe that we have to come to our own conclusions about the facts. That I certainly agree with.

Senator MURPHY. Turning to your service in the Middle East, you served in two posts, countries that took on an enormous burden in the aftermath of the Syrian civil war, taking refugees both formally and informally to Jordan and Lebanon. Can you speak to the importance of a global response to the continued refugee flows out of Syria? Obviously, many of us have grave concerns about this administration's decision to shut down the United States' willingness to bring refugees, which simply puts more burden onto already challenged regimes in the region. What did you see firsthand with respect to the ability of countries in that region to continue to handle refugee flows?

Ambassador HALE. They have reached a saturation point, particularly Lebanon. Lebanon has a weak state to begin with, so its capacity to deal with these kinds of crises is very, very limited. They are dependent upon the U.N. agencies that are able to respond to this. But the level of funding that those agencies are able to devote is not sufficient to the need, and that, of course, pushes people into desperate situations, which is not to be desired.

I worry particularly about the long-term effect of recruitment of extremists in these camps, for obvious reasons, young people who are not in school and not earning incomes.

Jordan has a little more resilience to it. It is a stronger state. It has been terribly important that international donors and partners

step up to the plate and be generous in dealing with this because the problem will not go away on its own.

Ultimately, a political solution in Syria, though, is the answer.

Senator MURPHY. What does it say about our seriousness about solving the problems inside Syria and around Syria when the United States now effectively refuses to take Syrian refugees into our country?

Ambassador HALE. Well, I think that we have a longstanding commitment to bring a certain number of refugees into the country, including Syrians, and I understand that will continue. I think we also need to focus, though, on the domestic political problem inside Syria, and resolving that will bring back the flows of these millions of refugees who will not find a home in Europe and will not find a home in America. That has to be our primary focus at the State Department.

Senator MURPHY. Great. Again, thank you for your willingness to take up this very important post.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Menendez stepped out for a moment. I want to check with him to see if he has additional questions before we move on.

(Pause.)

Senator MENENDEZ. Thank you, Mr. Chairman.

Very briefly, Ambassador, let me ask you two other questions. One of the Chairman's hallmark legacies here is his work on human trafficking, which I have joined him in, and that leads to the veracity of the TIP Report, which you and I discussed. If confirmed, how will you work to ensure the credibility of the TIP Report?

Ambassador HALE. I believe, based on experience in my three previous assignments as Ambassador, in the objectivity and value of that report, and the value of it is based on its objectivity. Foreign governments need to know that this is an objective standard and that it is inescapable to face the consequences of not being able to meet these high standards. It is a very effective tool in that regard.

Senator MENENDEZ. And how are you going to balance the large footprint of the regional bureaus with the much less well-resourced and weaker JTIP offices to ensure that the TIP offices' recommendations are given serious consideration?

Ambassador HALE. I will communicate from Day 1 to the regional bureaus that this is a matter that requires objective assessment, and then if there are split decisions, split memos that come up for decision where there are differences of opinion between the regional bureau and JTIP, I will be part of the effort to resolve those differences, and I will do it in the spirit which I am describing today.

Senator MENENDEZ. Let me move very quickly to a question of democracy and human rights which has been one of the hallmarks of what I have done for 26 years in the House and the Senate as part of U.S. foreign diplomacy. Do you believe that promoting democracy and human rights abroad is in the U.S. national interest?

Ambassador HALE. I do.

Senator MENENDEZ. And how will you, within the context of the P process, make sure that our democracy and human rights advocacy as part of our foreign diplomacy is being effectuated?

Ambassador HALE. Again, Day 1, in talking to the staff of the bureaus, I will include human rights as one of our core responsibilities to promote overseas, and then going forward to make sure that it is an integrated core element of our strategies in those key countries where human rights are at risk.

Senator MENENDEZ. All right. I have one or two other questions that I am going to submit for the record, but it is rare that I can say at this part in a hearing that I look forward to supporting your nomination.

I thank you, Mr. Chairman, for giving me the few minutes.

The CHAIRMAN. Ambassador, you have no idea how rare that is. I am happy for you.

(Laughter.)

The CHAIRMAN. I did make an allusion. I usually wait until the end to see if questions were not asked. I made a statement in my opening comment about using some type of methodology to determine how we allocate in a country, for instance, various embassies and consulates, how they are set up, how they are staffed. My sense is that you and my staff had a long conversation about that, but I wonder if you might address that since you have not yet today.

Ambassador HALE. Well, Mr. Chairman, I really appreciate the question and your interest in that because that is something I have also thought about over my career.

We could introduce more rigor. There have been initiatives to try to do so over the years. Perhaps it is better now than it was decades ago. Much is left to our chiefs of mission. So I think your job in confirming ambassadors and making sure that they understand the priority that you just laid out is very important.

But I would like to work very much with your staff and with this committee to introduce that kind of transparency, as well as rigor in assessment of our resources.

The CHAIRMAN. And I would like to bring up one other point the Ranking Member alluded to. There has been an effort—this committee unanimously, and then the Senate and House both, have supported an effort to end modern slavery around the world. It is an effort to create leverage. It is an effort to bring governments, individuals around the world together to try to end modern slavery. We have 27 million people, at a minimum today, that live in slavery.

So we have been able to put together and pass legislation that builds upon matching funds so that we are able to leverage those efforts. Last year the U.S. Government put \$25 million into this fund. That was matched by the United Kingdom. They actually put in 20,000 Euros, and I think that was actually more than ours. There is an effort again this year to do the same. There are individuals around the world that are looking to come together with us to create a \$1.5 billion fund, mostly not U.S. dollars. Over a seven-year period it is hoped that U.S. dollars will be about \$250 million.

So it would be leveraged hugely, and it is very difficult to do that, as you know, inside government, so you have to do that out-

side. Otherwise, other governments will not come together with us, nor individuals.

What happens when these types of efforts take place? There is an RFP effort, and obviously there are people in our community here in Washington and other places that participate sometimes in trying to garner State Department funds. I think that is perfectly appropriate. I would just say, though, that keeping this together so that it is leveraged on a three-to-one basis, actually on a seven-to-one basis by other people, is very important. Otherwise, we will never be successful.

This effort is to really use best practices to help people all around the world deal with this issue, and if we start watering it down and have multiple minor entities underway with this, then in essence we are going to be very unsuccessful.

I just wanted you to be aware of this. I know that this is dealt with by other entities within the State Department, but it is something that is pretty rare around here. This committee operates in a very bipartisan way. This was uniformly supported, and I hope that you will be aware of that, and also constantly as you meet with people bring up the concerns that all of us have here relative to trafficking persons and the fact that we have more people living in slavery today around the world than at any time in the world's history.

Ambassador HALE. Well, you make a very compelling case, Mr. Chairman, and if confirmed I look forward to working with you and others to do exactly what you described.

The CHAIRMAN. Well, thank you. I know we met yesterday and our staff has met with you extensively, and I want to second the Ranking Member's comments. I have had differences with the administration on numbers of issues, but I will say the people that are coming into leadership positions by Secretary Pompeo to me have been almost uniformly outstanding, and it is really heartwarming to see the kind of talent and professionalism that is being brought into the State Department from the outside.

But it is even more heartwarming in this case to see someone from the inside who has been there so many years ascending to this position, and I hope you have a very speedy confirmation. Thank you for being here. We hope to mark you up and send you out very soon. Thank you for your service.

And with that, questions will be open until close of business tomorrow. I know you know that well, and I am sure you are going to answer those questions promptly, and we look forward to moving you along.

The meeting is adjourned.

[Whereupon, at 10:55 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR BOB CORKER

*Question 1.* The President's emphasis in his South Asia strategy last August was on a strong regional and broader diplomatic effort alongside the renewed force and

authorities commitments in Afghanistan. Little has emerged on that critical diplomatic effort in consolidating international pressure for resolution of the Afghan conflict to date. As a foundation is laid for negotiations on a political resolution internally within the Afghan political environment, critical external diplomacy among difficult neighbors, and increasingly troubling efforts of states such as Russia and Iran, does the situation warrant State's reconsideration of providing a dedicated diplomat to enable important international diplomacy to help further the President's strategy and resolve the high cost of the Afghan conflict sooner?

**Answer.** As the nation's most senior diplomat, Secretary Pompeo has engaged numerous counterparts in a successful effort to bolster support for Afghan peace. Under his leadership, the Senior Bureau Official for the South and Central Asia Bureau Ambassador Alice Wells is focused on encouraging direct negotiations between the Afghan Government and the Taliban to achieve a political settlement to end the conflict in Afghanistan. She has a dedicated team that focuses exclusively on initiating and supporting a peace process and coordinates with other regional and functional experts across the Department. Because of her broader responsibilities relating to other countries in the region, she is well positioned to ensure that U.S. engagement in South and Central Asia is both coherent and synchronized among decision-makers in Washington. The Secretary continues to evaluate the best structure for advancing a political settlement in Afghanistan and we are committed to consulting Congress.

*Question 2 If not, why not?*

**Answer.** As noted in the answer to your first question, the Senior Bureau Official for the South and Central Asia Bureau Ambassador Alice Wells is focused on encouraging direct negotiations between the Afghan Government and the Taliban to achieve a political settlement to end the conflict in Afghanistan. With a dedicated team that focuses exclusively on initiating and supporting a peace process and coordinating with other regional and functional experts across the Department, she is well positioned to ensure that U.S. engagement in South and Central Asia is both coherent and synchronized among decision-makers in Washington. Both her efforts, and those of the Secretary, have bolstered strong international support for Afghan peace.

*Question 3.* Pakistan voters just provided long-time political aspirant and former cricket star Imran Khan the mandate to form a government. As Ambassador in Islamabad as Khan consolidated his drive to power, what priorities do you expect from this new political leadership and what if any opportunity exists to alter the frustrating status quo as it relates to improving cooperation from Islamabad and Rawalpindi?

**Answer.** While the new government is only in its early stages of formation, Imran Khan has publically emphasized his interest in pursuing Pakistan's economic development, tackling corruption, and building constructive relations with countries in the region, as well as the United States. We share this interest. We intend to make a concerted effort to engage the new leadership on all aspects of our relationship. Nevertheless, like with the previous government and the military, we will be clear and consistent that we will not continue with business as usual as long as Pakistan does not address our concerns about its destabilizing policies, particularly its failure to curtail externally focused terrorist groups.

*Question 4.* Given Khan's past harsh statements dismissive of U.S. interests and efforts, how will Pakistan policy change if at all relative to Afghanistan?

**Answer.** While Imran Khan has made some concerning statements in the context of political campaigns, he has also expressed his interest in a mutually beneficial relationship, especially since the elections, and I am hopeful that we will be able to work with the new government toward that goal. We have been consistent, however, that for this to happen Pakistan must take decisive action against all militant groups based in Pakistan and play a constructive role to facilitate the Afghan peace process. We will continue to reinforce this message with the new government.

*Question 5.* What further should we emphasize as it relates to U.S. -Pakistan relations?

**Answer.** The President's South Asia strategy is clear: Pakistan must play a more constructive role in the reconciliation process by helping bring the Taliban to the negotiating table while also ending all support for terrorist proxies operating against Pakistan's neighbors. On the second element, we have urged Pakistan to make a concerted effort at improving bilateral relations with its neighbor Afghanistan, with some impact. More broadly, we emphasize that Pakistan itself stands to benefit by changing its approach in the region. Taking steps like ending the use of its territory as sanctuary by terrorist groups, actively supporting peace in Afghani-

stan, improving relations and increasing trade with its neighbors (not Iran), and investing in its own population would have a profound impact on its own international standing, improve regional stability and encourage more business and investment.

*Question 6.* The administration has established a hard line with Pakistan which seems to be a different, if no more effective, approach to improving Pakistani cooperation. What if any positive influence, such as trade, has Pakistan sought or would you or the administration consider?

Answer. Under the President's clear and comprehensive South Asia strategy, the United States uses multiple approaches to encourage Pakistan to play a more constructive role in the region. While we cooperate with Pakistan by targeting terrorist groups throughout the region that seek to attack both Pakistan and the United States, we also make it plain to Pakistan publicly and privately that use of proxy groups is unacceptable and have brought substantial pressure to bear to press Pakistan to comply with our demands, including suspending all military assistance. We have the same message on proxy groups for all countries in the region. The United States continues to seek a more productive relationship with Pakistan, but this is not business as usual as long as Pakistan does not complete the necessary actions that we seek. Nonetheless, we continue to work with Pakistan to build strong bilateral commercial and people-to-people ties; 2017 was a record year for trade between our countries, and both the U.S. and Pakistan contribute robustly in sponsoring the Fulbright program—the largest U.S.-funded program in the world.

*Question 7.* Africa has become less of a priority under the current administration though persistent insecurity and humanitarian and governance crises will require even greater U.S. attention if neglected for long. Development is a distant prospect for regions awash in weapons, terrorists and militias, and corrupt rulers. Mis-governance, neglect, and opportunistic terrorism are primary drivers for the magnitude of death, displacement, and insecurity across several regions of the continent. Although economics is a key consideration, the most devastating displacement of Africans has persisted in mis-governed regions of Nigeria and the Lake Chad Basin, Mali and the Sahel, the Horn of Africa, the Sudans and the Democratic Republic of Congo. These crises areas cost billions of dollars over many years in order to pay for significant diplomatic, security, and humanitarian assistance while resolving little of the underlying drivers such as massive state corruption. There is an imperative to collaborate to reverse these trends and share the burden with other states investing in a stable and sustainable future for Africa. Massive crises persist for extended periods of time in sub-Saharan Africa as new ones continue to emerge, each of which has incalculable human costs and represents a threat to United States interests. These crises areas cost billions of dollars over many years in order to pay for significant security and humanitarian assistance while resolving little of the underlying drivers such as massive state corruption. There is an imperative to collaborate to reverse these trends and share the burden with other states investing in a stable and sustainable future for Africa. Again, diplomacy is an imperative in working to identify ways to prevent and diminish the length of these crises. What priority do you place on elevating the diplomatic effort and do you assess its use as capable of diminishing other persistent high costs?

Answer. Diplomatic engagement and collaboration with key partners in the region are critical to responding to these tremendous challenges, addressing underlying drivers such as corruption, and reducing the overall cost to the U.S. taxpayer. In addition to ongoing engagement with our African partners, the administration has regular discussions with like-minded allies, including the EU, France, and the UK, to coordinate diplomatic engagement and assistance efforts. If confirmed, I will continue to engage our partners to advance a coordinated approach to addressing underlying challenges as well as responding to immediate needs.

*Question 8.* What priority do you place on addressing the underlying drivers such as governance and corruption and what would you recommend by way of policy and resources to address them?

Answer. If confirmed, I am committed to addressing the root causes of instability in sub-Saharan Africa through bilateral and regional programs, as well as cooperating in multilateral fora. I understand the critical need to address democratic deficiencies that contribute to transnational threats in order to help states and communities foster legitimate, inclusive, and transparent political systems. This includes helping to build transparent, accountable institutions; empowering civil society, the private sector, and independent media; and fostering democratic governance, the rule of law, anti-corruption efforts, and respect for human rights.

*Question 9.* Our important regional ally, Ethiopia, through its dynamic and young new leader Prime Minister Abiy, has shown a fundamental shift in its approach to

internal and external tensions since he came to power. Those changes put him at greater risk from the old order but he has effectively reinforced his standing with much needed international support. If he is successful, the changes and stabilizing effect in the region would be significant to U.S. interests, but many others are competing to do the same. How will you further sustain the fundamental reforms emerging in Ethiopia and the region?

*Answer.* If confirmed, I will ensure that U.S. policy continues to support and encourage the welcome reform agenda of Prime Minister Abiy broadly across the board. Part of this effort will require sustaining our commitment to the U.S.—Ethiopia Working Group on Democracy, Governance, and Human Rights. The dialogue facilitated by this Working Group is an important part of our government's ongoing engagement with Ethiopia and the region writ large. If confirmed, I will work to sustain our longstanding efforts to deepen and solidify Ethiopia's nascent reforms. I will also ensure that our efforts in the region remain aligned with and reinforce Ethiopia's commitment to work cooperatively with its neighbors.

*Question 10.* How will you prioritize U.S. interests in the competition for relevance with the very active and aggressive efforts being made by China, Russia, and the Gulf countries to prioritize their own interests in the region?

*Answer.* The United States closely monitors other countries' engagement in Africa and their alignment with U.S. strategic priorities. If confirmed, I will work with our embassies across Africa and other regions to advocate for U.S. priorities, including working with African partners to promote peace and security, increase prosperity through economic growth, trade and investment, strengthen democracy, human rights and good governance, and advance country-led development. I will support efforts to combat corruption and ensure a level playing field for the private sector that supports both American companies and Africa's continued economic growth.

*Question 11.* How can the U.S. further its goals for stability and sustainable development through good governance in such environments?

*Answer.* Countries around the globe can play a role as a source of capital and knowledge for African development, but they must apply the highest international standards of openness, inclusivity, transparency, and governance. Combating corruption and ensuring a level playing field for the private sector supports both American companies and Africa's continued economic growth. Building transparent, accountable security institutions is also an important U.S. objective. If confirmed, I will engage global partners on their role in Africa and work hard to promote peace, security and encourage U.S. trade and investment on the continent.

*Question 12.* The continent of Africa is often somewhat lower on the national security priority list but often draws critical focus when catastrophes such as genocide, terrorism, or global health crises arise. What role does the foreign and civil service at State, USAID, MCC and others, play in our national security strategy?

*Answer.* The State Department, USAID, the Department of Defense, MCC, and several other U.S. agencies contribute vital expertise to a whole-of-government approach that supports the capacities of African Governments and regional organizations to prevent and mitigate drivers of violent extremism and address immediate terrorism threats. U.S. support for more capable and professional security forces is vital to bolster stabilization and respond to natural disasters on the continent and complements efforts to strengthen democratic institutions, stimulate economic growth, trade and investment; and promote development, health initiatives, education, and economic opportunity.

*Question 13.* How important are personnel to most effective and efficient operations?

*Answer.* The success or failure of the Department in achieving its global objectives is linked directly to the caliber, retention, and motivation of our workforce. If confirmed, I will seek to achieve our organizational goals through promoting the Department's leadership principles and the continual development of our employees, as they are the Department's greatest resource.

*Question 14.* How will you work with Congress to ensure the resources and personnel are appropriate to our national security interests?

*Answer.* I commit, if confirmed, to work, in coordination with the Secretary, to advocate for the personnel and budget resources necessary to advance our important work at home and abroad.

*Question 15.* How do you envision the State Department informing inter-agency focus on national security priorities?

*Answer.* The State Department plays an essential and unique role in the national security of the United States. Embassy personnel deployed throughout the world

provide real time analysis of opportunities and threats, and foster relationships with individuals from throughout a society. If confirmed, I will insist that these insights inform the inter-agency focus on national security priorities and that diplomacy and foreign assistance are deployed as viable tools for meeting national security objectives.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR ROBERT MENENDEZ**

*Rescission*

*Question 1.* We understand the administration is contemplating sending a rescission package to the Hill in an effort to avoid obligating billions of dollars of appropriated economic support and development assistance funds. This is highly objectionable for several reasons, including in light of the timing so close to the end of the fiscal year that it appears to be an “end run” around the Impoundment Control Act of 1974. Please provide the committee with an indication of what State Department funds are anticipated to be included in any rescission package, the process through which these funds will be chosen.

Answer. At this time, no formal rescission proposal has been submitted to Congress. I do not have any details to provide at this time. If confirmed, I will work with the Secretary to review any rescissions proposed by the Office of Management and Budget and work to ensure the Department has the resources it needs to fulfill its mission.

*Question 2.* On August 5, 2018, President Trump tweeted that the June 2016 meeting his son, son-in-law, and campaign manager held with a Russian lawyer affiliated with the Russian Government was “to get information on an opponent” to conspire, in other words, with a hostile foreign government for campaign purposes. The President’s entire national security establishment—including his own politically appointed heads, agree that Russia meddled in the 2016 election and continues to pose an ongoing threat to American democracy and international stability. The President has also said, on numerous occasions, that the Mueller investigation—which has uncovered serious crimes and resulted in numerous indictments and plea deals—is a “witch hunt,” and that questions about Russian interference in our elections are a “Russian hoax—it’s a hoax, OK?.” Do you believe the intelligence community’s assessment that Russia interfered in the 2016 election?

Answer. Russia undoubtedly attempted to influence our 2016 elections. Their objective was to erode faith in U.S. democratic institutions, sow doubt about the integrity of our electoral process, and undermine confidence in the institutions of the U.S. Government. Confidence in the integrity of our election process is the bedrock of our democracy. If confirmed, I will continue to press Russian officials against further intrusion in the democratic processes of the United States and those of our Allies. I will also continue to work with our partners by sharing information and, where appropriate, providing assistance to strengthen their cybersecurity capabilities, and to continue implementation of the Countering America’s Adversaries Through Sanctions Act to respond to and deter Russian malign activities directed at the United States, our Allies and partners.

*Question 3.* Do you believe that Russia continues to attempt to undermine American democracy?

Answer. Russia has shown through its aggressive actions that it rejects the post-Cold War order and seeks to undermine stability, democracy, and core Western institutions. Russia’s ongoing military modernization program, nuclear and cyber capabilities, invasions of Ukraine and Georgia, and willingness to use hybrid threats and tools against the United States and our allies and partners are clear threats to our national security. We must be clear-eyed about Russia’s transgressions, frank in our dialogue with Russia, and resolute in raising the costs of their behavior.

*Question 4.* Do you believe the State Department and the rest of the national security apparatus of the United States must take steps to protect Americans and the United States against Russian aggression?

Answer. Safeguarding the United States and our allies and partners from Russian malign influence campaigns is a core component of the administration’s Russia strategy, U.S. diplomatic engagement with allies and partners, and U.S. foreign assistance. The Department works across the interagency, as well as with allies and partners, to deter and defend against Russian malign activity both at home and abroad.

*Question 5.* Russia's malign activity targeting this country and its allies warrants a serious response. This administration has proven itself unable or unwilling to do what is necessary. Congress already stepped in on one occasion with CAATSA, and Senator Graham and I recently introduced new Russia sanctions legislation. Do you commit to working within State and the interagency for full implementation and enforcement of CAATSA?

Answer. If confirmed, I will commit to working within State and the interagency to continue the comprehensive implementation of CAATSA. Since January 2017, the U.S. Government has sanctioned 217 Russian-related individuals and entities for their involvement in Russian malign activities; 136 of these designations were done under sanctions authorities codified by CAATSA. In addition, the threat of sanctions has prompted other states to abandon billions of dollars in planned or announced arms deals with Russia, imposing additional financial costs on the Russian Government. As a result, Russia has fewer resources with which to finance its influence campaigns.

*Question 6.* What is your view of the best way to further increase sanctions pressure on Russia?

Answer. Sanctions are a powerful foreign policy tool, and are most impactful when used in coordination with allies and partners to maximize their effectiveness. Transatlantic unity is the cornerstone of our sanctions against Russia; providing the State Department with flexibility in implementation allows us to engage with allies, maintain unity, and maximize sanctions pressure on Russia.

*Question 7.* How else is the administration pressuring Russia and what more would you recommend?

Answer. The United States utilizes a whole-of-government approach that combines diplomatic, foreign assistance, intelligence, and law enforcement lines of effort to deter and defend against Russian malign activities. If confirmed, I will communicate to the Russian Government when its behavior is unacceptable, work with our interagency partners to impose costs in response, and build international coalitions to actively deter malign Russian activities.

*Question 8.* Will you lead an effort in the inter-agency on coordination on Russian policy, similar to what was done under Secretary Shannon?

Answer. If confirmed, I will work within existing interagency and international groupings and build other coalitions as necessary to mitigate the Russian threat. I will also advocate the administration's policies that impose costs on Russia for its malign activities and dissuade Moscow from further intrusions into the democratic processes of the United States.

*Question 9.* Under what circumstances would you recommend that the U.S. Ambassador to Russia be recalled? Would Russian interference in the 2018 election merit a downgrade in our diplomatic relations?

Answer. The Department has made it clear to the Russian Government that any effort to interfere in the 2018 midterm elections will not be tolerated and will be met with severe consequences. If confirmed, I will work within the interagency to explore all available options to respond to attempted Russian election interference.

*Question 10.* How can the U.S. increase pressure on Russia through international bodies like the U.N.?

Answer. The Department will continue to work closely with allies and partners to counter Russian aggression, including working through international bodies like the U.N. For instance, we continue to believe that a U.N.-mandated international security force in eastern Ukraine—one that respects Ukraine's sovereignty and provides a pathway to restoring Ukrainian territorial integrity within its internationally recognized borders—is worth exploring as a means of protecting all Ukrainian citizens regardless of language, ethnicity, or religion. We will also continue to push Russia to fully implement all UNSC resolutions, including those on DPRK which are important for ongoing efforts to denuclearize the DPRK.

*Question 11.* How would you assess U.S. coordination with European allies in countering malign influence?

Answer. The U.S. Government is working closely with allies and partners to deter and defend against Russian malign activities. As part of those efforts, the Department is targeting U.S. foreign assistance to increase the resilience of U.S. partners to resist and counter Russian pressure; working with Allies and partners to share information and exchange best practices, including through multilateral Centers of Excellence; providing concrete support to partner countries in response to specific threats; and enhancing partner capacity to mitigate cyber vulnerabilities and re-

spond to threats through technical assistance and bilateral and multilateral diplomatic engagement.

*Question 12. How can we improve?*

Answer. If confirmed, I will work within the interagency and with European counterparts to further strengthen efforts to protect our security and interests in the face of Russian malign threats, conventional and hybrid.

*Question 13. Would you commit to sharing with this committee classified cable traffic on the outcomes of President Trump's meeting with Putin in Helsinki?*

Answer. If confirmed, I would make myself available to the committee to discuss follow up from the meeting in Helsinki in an appropriate setting.

*Question 14. Do you support efforts to bolster civil society and democratically-oriented political parties inside of Russia?*

Answer. The Department supports efforts to bolster civil society across the globe, as the development of strong democratic and civilian institutions of governance and a vibrant civil society is critical to long-term stability and prosperity. However, it is not the policy of the United States to endorse particular political candidates or parties in other countries.

*Question 15. Do you believe that the United States can address border security, migration, and drug trafficking without a productive partnership with Mexican authorities?*

Answer. Bilateral cooperation with Mexico is essential and, if confirmed, I will ensure the Department of State continues to work closely with Mexico on issues of border security, migration, counternarcotics, and prosperity. The United States' collaboration with Mexico to jointly disrupt transnational criminal organizations, combat the heroin and fentanyl epidemics, enhance border security, address irregular migration, and build Mexico's capacity to investigate and prosecute crime is critical to both our nations.

*Question 16. What, in your view, would be the impact on our national security should Mexico choose to withdraw from cooperating with the United States?*

Answer. The United States and Mexico are neighbors bound by strong ties and our cooperation is vital to the national security of both nations. If confirmed, I will ensure the Department of State continues robust engagement with Mexico on issues of security, migration, counternarcotics, and prosperity to strengthen our bilateral cooperation.

*Question 17. Do you believe the President's comments make it easier or more difficult to build a collaborative relationship?*

Answer. The United States enjoys excellent cooperation with Mexico on a broad range of political, security, migration, and economic issues. We expect that cooperation will continue. Mexico is an important partner in combatting irregular migration, narcotics trafficking, and transnational criminal organizations.

*Question 18. In your new role, how can you possibly try to recover so much lost ground with such an important partner?*

Answer. Bilateral cooperation with Mexico is essential and, if confirmed, I will ensure the Department of State continues to work closely with Mexico on issues of security, counternarcotics, and prosperity. The United States' collaboration with Mexico to jointly disrupt transnational criminal organizations, combat the heroin and fentanyl epidemics, enhance border security, increase fair and reciprocal trade, address irregular migration, and build Mexico's capacity to investigate and prosecute crime is critical to both our nations.

*Mexico/Opioids*

*Question 19. The Center for Disease Control reported that in 2016, more than 42,000 Americans lost their lives to opioids—more than 20,000 of those deaths were related to fentanyl and more than 15,000 from heroin. As you know, the majority of the illegal heroin in the U.S. originates from Mexico and much of illicit fentanyl in the U.S. transits through Mexico from China. Instead of expanding cooperation with Mexico to address the flow of lethal drugs that are concerning to all Americans, the President seems obsessed with shutting down our government over funding for his proposed border wall—which would be an ineffective waste of taxpayer dollars. Do you think the U.S. can address heroin and fentanyl trafficking without Mexico's cooperation?*

Answer. Mexico is a critically important partner on counternarcotics and disrupting transnational organized crime. The Department of State must work closely

with Mexico to reduce the availability and trafficking of heroin, fentanyl, and other illicit drugs to the United States.

*Question 20.* As part of our diplomatic relations with Mexico, how will you prioritize cooperation to address illicit heroin and fentanyl trafficking at a time when the President's actions make your work nearly impossible?

Answer. It is critical that we dismantle transnational criminal organizations that profit from the illicit drug trade. If confirmed, I will ensure that the Department continues to engage with the Mexican Government bilaterally and through the North American Drug Dialogue with Mexico and Canada to prioritize efforts to combat heroin and fentanyl trafficking. This engagement complements efforts under the Merida Initiative to protect American lives by disrupting the networks that smuggle drugs, cash, and weapons across our shared border.

#### Venezuela

*Question 21.* Venezuela is the greatest challenge in our hemisphere today and while I have supported the administration's efforts, including the use of targeted sanctions against Venezuelan officials, our policy has been largely reactive. A massive refugee crisis in Venezuela now threatens regional stability and more than 1.2 million Venezuelans have fled their country in the last two years. A recent United Nations report stated that the rule of law in Venezuela is "virtually absent," as government security forces carry out unjustified killings without any apparent consequences. Additionally, while President Maduro won a sham election in May and while the U.S. and the international community rejected the results—there have been little consequences. Clearly, we desperately need a comprehensive strategy on Venezuela. If confirmed, what strategy would you recommend to address the Venezuelan crisis?

Answer. The political and economic crises in Venezuela continue to deteriorate rapidly, causing a humanitarian crisis and outflow of Venezuelans at levels that threaten regional stability and U.S. interests. Responding to this crisis will take a whole of government approach, including close coordination with like-minded countries in the Western Hemisphere and beyond. If confirmed, I will work with interagency partners to continue to implement the administration's strategy, which addresses key issues related to the crisis through support to democratic actors, humanitarian assistance, diplomatic engagement, economic measures, contingency planning, and strategic communications.

*Question 22.* If confirmed, do you commit to working with Congress on a comprehensive U.S. strategy to address the humanitarian, political, and economic crisis in Venezuela?

Answer. Yes, if confirmed, I commit to working with Congress to advance a comprehensive U.S. strategy to address the humanitarian, political, and economic crisis in Venezuela.

*Question 23.* Will you prioritize humanitarian and refugee issues alongside sanctions and the tools needed to address growing criminality in Venezuela?

Answer. If confirmed, I will continue to support a U.S. Government humanitarian assistance response to the Venezuelan crisis and its impact on the region, including by working with the interagency and international community to coordinate assistance efforts both inside and outside of Venezuela. The Department is working through its Bureau of Population, Refugees, and Migration and through USAID to support international organizations—including UNHCR and the International Organization for Migration—to ensure a comprehensive international response. If confirmed, I will also ensure the Department continues to leverage all tools at our disposal to pressure the Maduro regime and address growing criminality in Venezuela.

*Question 24.* What do you believe is the most effective way to facilitate about the restoration of democracy in Venezuela?

Answer. International pressure, alongside support to democratic actors in Venezuela, is paramount to facilitating a restoration of democracy in Venezuela. The Maduro regime has shown how far it is willing to go to maintain power. It seeks international legitimacy and support for its actions. If confirmed, I will ensure the United States continues to coordinate with the international community to hold regime officials accountable for their actions, including supporting efforts at the Organization of American States, the United Nations, and through the Lima Group.

*Question 25.* The Trump administration has announced an extension of the U.S. troop presence in Afghanistan as well as a willingness to sit with the Taliban. How do you think these decisions will impact the peace and reconciliation process in Afghanistan?

**Answer.** President Trump's announcement of the South Asia strategy in 2017 highlighted our shift to a conditions-based troop presence in Afghanistan. This shift made clear that the Taliban could not simply wait out the United States in Afghanistan. Similarly, our support for the Afghanistan Government's pursuit of a negotiated settlement in Afghanistan was underscored in June by Secretary Pompeo's statement that the United States was prepared to support, facilitate, and participate in peace talks between the Afghan Government and the Taliban and that such talks would necessitate discussions about our troop presence there. These statements have made clear that the Taliban cannot win on the battlefield, but that the United States actively supports a negotiated settlement in Afghanistan, bolstering the peace and the reconciliation process.

**Question 26.** Upon confirmation, do you anticipate playing a role in the reconciliation process?

**Answer.** If confirmed, I will oversee the work of the Bureau of South and Central Asian Affairs, including its efforts to support Afghan reconciliation by bringing the Taliban into direct negotiations with the Afghan Government. Through my own diplomatic engagements, I would support the effort underway under the leadership of Senior Bureau Official Ambassador Alice Wells. She has a dedicated team that focuses exclusively on initiating and supporting a peace process and coordinates with other regional and functional experts across the Department.

**Question 27.** The current administration is eroding support for democracy and human rights around the world. Abroad, the President routinely praises dictators and congratulates autocrats on winning rigged elections. The administration's budget request would decimate foreign assistance provided to support democracy and human rights in foreign countries. At home, the administration recently embarked on a policy of separating children from their parents with, apparently, no plan to reunite them, even when those parents sought asylum under U.S. and international law. How do you view the relationship between advancing democracy and human rights abroad, and the United States being seen as leading by example, in terms of its policies at home?

**Answer.** The promotion of democracy and human rights is central to our national interests and an essential element of our foreign policy. No other nation is equipped with the same blend of power and principle. I am proud of the Department's work to promote and protect fundamental freedoms around the world. If confirmed, our democracy, human rights, and governance efforts will be a priority for me.

**Question 28.** The National Security Strategy of the Trump administration (December 2017) states "We will not remain silent in the face of evil." Will you be willing to be public and outspoken in condemning violations of international human rights and democratic norms?

**Answer.** Yes. If confirmed, I commit to ensuring that United States foreign policy seeks to protect human rights and promote democratic norms. Promoting human rights advances the national security of the United States, as societies that respect human rights and the rule of law are more stable and make better allies.

**Question 29.** Do you believe that public criticism of violations of human rights or democratic norms committed by foreign governments can advance the cause of human rights and should be a technique used by the United States in appropriate cases?

**Answer.** Yes. Promoting human rights is in the best interests of the United States and calling out human rights violators is an important diplomatic tool.

**Question 30.** What is the right balance for the United States when it comes to engaging or, if necessary, even partnering with deeply abusive governments?

**Answer.** At times it is necessary to work with governments that abuse their citizens. But we should always avoid any implication that our working with them constitutes acquiescence in their abusive practices. We should use diplomatic tools to advance freedom, peace, and prosperity where governments abuse civil society, especially where we are compelled to work with such governments.

**Question 31.** How would you recommend the Secretary of State approach such partnerships?

**Answer.** The United States will evaluate and utilize the full scope of diplomatic tools and engagement when governments violate human rights. These include public and private dialogue and when appropriate, tools such as the Magnitsky Act, the Global Magnitsky Act, and the International Religious Freedom Act. These are powerful diplomatic instruments and it is important that the Department deploy them effectively and with discretion in encouraging partners to improve their human rights records.

*Question 32.* In general, how do you believe the U.S. can strike the right balance between addressing national security and human rights concerns?

Answer. I do not see the two objectives as in conflict with each other. Promoting democracy, human rights, and fundamental freedoms advances our national security. Our most valued, dependable, and effective partner governments and security forces around the world uphold democratic values, protect the human rights of their citizens and the civilians they protect, hold human rights violators accountable when necessary, and do not unduly restrict the fundamental freedoms of their people. I believe that we must continue to create and maintain strong security relationships with such partners through diplomacy, measured assistance, and frequent and ongoing cooperation.

*Question 33.* Do you believe there are cases where political isolation or sanctions are appropriate, either based on a country's human rights abuses or other foreign policy concerns?

Answer. Yes. The Department of State and interagency should use all available tools, including sanctions, the Magnitsky Act, the Global Magnitsky Act, and the International Religious Freedom Act. We must utilize these powerful instruments to full effect.

#### *Accountability for Rohingya*

*Question 34.* As you are aware, the Burmese military has committed mass killings, rape, and arson against the Rohingya minority, creating a massive refugee crisis. A number of independent groups, as well as United Nations experts, determined that these activities amount to crimes against humanity. The United States has described them as ethnic cleansing and a soon to be released State Department report may go further. Hundreds of thousands remain displaced throughout the country because of the conflict and gross violations of human rights, and over 700,000 refugees have fled to Bangladesh. If confirmed as Under Secretary, what steps will you take to ensure perpetrators are held accountable for the atrocities committed not just against the Rohingya but also against other ethnic minority groups in Burma, such as the Karen or the Kachin?

Answer. If confirmed, I will work with likeminded countries and international organizations to press for humanitarian access and to seek justice for victims and accountability for members of the Burmese security forces and others responsible for atrocities and other human rights violations and abuses. I will also continue to press the Burmese Government to cooperate with an independent and credible investigation into these allegations of atrocities and abuses in Rakhine State and conflict areas of Burma to identify perpetrators, uncover patterns of abuses and violations, map incidents, and determine the sequence of events.

*Question 35.* How do you believe the U.S. should be engaging on the question of accountability in multilateral fora, such as the United Nations?

Answer. The United States works with likeminded countries and international organizations to promote justice for victims and accountability for members of the Burmese security forces and others responsible for atrocities and other human rights violations and abuses. The United States supported the work of the U.N. Fact Finding Mission, which is mandated to establish the facts and circumstances of alleged human rights violations by Burmese security forces across Burma and will present its findings in the coming weeks, as well as that of the U.N. Special Rapporteur for the Situation of Human Rights in Burma and the Secretary-General's Special Envoy for Burma. If confirmed, I will work with our international partners to identify and support available and appropriate steps at the U.N. Security Council and General Assembly in pursuit of accountability.

*Question 36.* What are the appropriate avenues to pursue accountability for what Ambassador Nikki Haley has called a "brutal, sustained campaign to cleanse the country of an ethnic minority."

Answer. The United States is pursuing accountability in Burma through a whole of government approach. For example, the State Department has supported efforts, including U.N. efforts, to investigate and document human rights violations and abuses in Burma, which will help to identify perpetrators, uncover patterns of abuses and violations, map incidents, and determine the sequence of events. If confirmed, I will work with international partners to identify and pursue all available and appropriate steps that can be taken domestically within the United States and at the U.N. Security Council and General Assembly to promote justice for victims and accountability for those responsible for these abuses in Burma.

*Question 37.* The world is experiencing a refugee crisis larger than anything we have experienced since the end of World WWII. Many of our close allies host mil-

lions of refugees in camps, only a small percentage of which ultimately pass through the intense vetting required to be resettled in third countries. Last fiscal year, the Trump administration restricted the maximum number of refugees allowed into the United States to 45,000, the lowest since the program began in 1980 under President Reagan. Admiral Mike Mullen, the former Chairman of the Joint Chiefs of Staff, has said that "by welcoming refugees, the United States revitalizes its democracy and its economy, helps preserve or restore stability in volatile regions of the world, and builds respect. In slashing resettlement, the president is taking a recklessly narrow view of how best to put America first. Shutting out refugees would not only increase human suffering; it would also weaken the country and undermine its foreign policy." Do you agree with Chairman Mullen that by welcoming refugees, the United States leads by example, promotes its democracy and economy, and maintains stability in volatile regions of the world?

*Answer.* I understand that the United States continues to operate one of the largest refugee resettlement programs in the world, and it is consistent with our foreign policy goals of providing resettlement opportunities while focusing on assisting refugees as close to home as possible. The United States is the single largest donor of international humanitarian assistance, last year delivering more than \$8 billion in life-saving aid around the world. If confirmed, I will support the President's efforts to emphasize the importance of coordinated, effective, and efficient international responses, as well as the need for other governments, and other actors in the private sector, to step in to contribute to humanitarian efforts.

*Question 38.* Do you believe there are foreign policy or national security considerations if there is a downward retreat on resettlement numbers?

*Answer.* The U.S. Refugee Admissions Program is a reflection of our values and national security interests. The United States remains one of the largest resettlement countries in the world and the single largest donor of international humanitarian assistance. If confirmed, I look forward to participating in the process of determining the size and scope of our refugee resettlement program in FY 2019 and beyond, and our important role in providing critical humanitarian assistance to refugees in countries of first asylum.

*Question 39.* Ambassador Hale, I would like to ask you similar questions to those that I posed to Ambassador Nagy when he came before this committee for his confirmation hearing and to USAID Administrator Mark Green when he was here for his budget hearing. I am gravely concerned that the administration's approach to Africa is at best an afterthought, and at worst displays a lack of strategic thinking about how the U.S. should be approaching the continent, while other actors, such as Russia and China are engaged in ways inimical to ours. Last year the administration announced four strategic purposes in Africa: Advancing Peace and Security; Countering the Scourge of Terrorism; Increasing Economic Growth and Investment; Promoting Democracy and Good Governance. The approach that has been articulated is not that different an approach from the Obama policy, and I don't take issue so much with the purposes, but I would note problems with the administration's execution of its own approach. First, with regard to countering terrorism, I am not convinced we are making the right investments. The drivers and root causes of terrorism include political and economic marginalization, and recent research has pointed to human rights abuses by security forces as a major factor in radicalization. Military action alone will not stem the terrorist tide in Africa. However, while we are seeing action from the administration in the security space, there were deep cuts in the President's budget request for Fiscal Year 2019 for diplomacy and development. Do you believe that we should still emphasize the three D's—Defense, Diplomacy, and Development—in how we conduct international relations.

*Answer.* I agree that addressing terrorism in Africa requires a comprehensive and balanced 3D approach. The State Department, USAID, the Department of Defense, and several other agencies have vital expertise and capabilities to support the capacities of African Governments, regional organizations, and non-governmental organizations to prevent and mitigate drivers of violent extremism and address immediate terrorist threats. U.S. efforts do not focus solely on the security elements. Support for more capable and professional security services is vital, but must be a complement to efforts to strengthen democratic institutions; stimulate economic growth, trade, and investment; uphold human rights and the rule of law; and promote development.

*Question 40.* In your view, is the administration correctly balancing the three D's in Africa, and if not, how can we hope to be effective in countering terrorism and extremism, or in furthering any other administration priority?

**Answer.** The State Department, USAID, the Department of Defense, and several other agencies contribute vital expertise and capabilities to a 3D approach that supports the capacities of African Governments, regional organizations, and nongovernmental organizations to prevent and mitigate drivers of violent extremism and address immediate terrorism threats. Support for more capable and professional security services is vital, but must complement efforts to strengthen democratic institutions; stimulate economic growth, trade, and investment; and promote development, education, and economic opportunity.

**Question 41.** Given what research has shown about radicalization occurring due to abuses by security forces, how should we be weighing whether and when to sell arms to countries in Africa whose militaries have engaged in well document human rights abuses, even in the face of significant terrorist threats? How should that affect how and when we start and stop security assistance programs with alleged abusers?

**Answer.** I am firmly committed to supporting African-led efforts to defeat terrorism and improve security for all of their citizens. This includes promoting greater respect for human rights, accountability, fundamental freedoms, and the rule of law as indispensable elements of national counterterrorism strategies. Recipients of U.S. security sector assistance are thoroughly vetted in accordance with the Leahy law to prevent the United States from providing assistance to security forces with credible allegations of gross human rights violations. The United States monitors the performance of security services and halts or modifies security engagements in cases of credible allegations of human rights abuse or the failure of partners to credibly investigate and address violations.

**Question 42.** Second, the administration has talked a good game about promoting Democracy and Governance, in Africa, but is not providing adequate resources. The amount available for DG for Africa in 2017 was approximately \$330 million. The administration's request for the past two fiscal years has been less than half that amount. Secretary Pompeo indicated in response to the question I asked about achieving stated democracy and governance policy goals with such a limited budget that we would rely "on other nations to make greater contributions toward shared objectives, including advancing democracy worldwide." I asked Mark Green which nations were consulted about their contributions towards Democracy and Governance activities in advance of finalizing the Fiscal Year 2019 budget request; he indicated he didn't know. I agree with the notion of burden sharing with international partners, but I don't sense any coordinated effort to do so on this issue. Frankly, it sounds like the administration is engaged in buck-passing rhetoric. What is your position on the utility of investments in the Democracy and Governance sector? Can such investments realistically be outsourced to international partners? As I recall we are concerned about countries failing to meet their 2 percent commitment for contributions to NATO. If that's not happening, do we really expect them to devote more to D/G because we are pulling back? What's your plan, if confirmed, for garnering such contributions?

**Answer.** I believe in the utility of investments in the democracy and governance sector. Democracy programs are critical for defending national security, fostering economic opportunities for the American people, and asserting U.S. leadership and influence. I also agree that other nations need to do more to advance democracy around the world. We share this objective with many of our allies and if confirmed, I will work to encourage our partners to do more.

**Question 43.** Given your diplomatic experience, in your estimation, is it possible for us to truly promote and support democracy and governance by building strong institutions with such a drastic reduction? What is your intention in terms of advocating for democracy and governance funding for Africa and elsewhere for that matter?

**Answer.** I believe democracy programs, including those that build strong institutions, are critical for defending national security, fostering economic opportunities for the American people, and asserting U.S. leadership and influence. I also agree that other nations need to do more to advance democracy around the world, including in Africa. We share this objective with many of our allies, and if confirmed, I will work to encourage our partners to do more.

**Question 44.** The Gulf countries are influential actors in the Horn of Africa. The UAE, Saudi Arabia, and Turkey have increased their military presence along the coast of the Horn of Africa and analysts have expressed concern that the Gulf crisis may exacerbate regional tensions in the Horn. I asked both Secretary Pompeo and Ambassador Nagy as a part of their confirmation hearings about how the U.S. should respond. I have also written the administration about the need for an inte-

grated strategy for the Sahel-Maghreb; the response from State Department did not address my concern about the need for such a strategy. If confirmed as Under Secretary, coordinating the relevant regional and functional bureaus on cross regional issues will be part of your responsibilities. If confirmed, will you commit to returning to the committee within a reasonable time period to brief staff on the status of the development of a coordinated diplomatic approach to both the Horn and the Sahel-Maghreb?

Answer. I understand the Gulf States and Turkey are heavily engaged in and compete for political, security, and economic influence across the Horn of Africa. The State Department has stressed with our partners in the Gulf that any unilateral engagement that undermines Somalia's stability—including regional stability and ongoing reform efforts—is counterproductive. On the Sahel-Maghreb, the AF and NEA Bureaus meet on a quarterly basis at the Deputy Assistant Secretary-level to coordinate our strategy for addressing security challenges through the Trans-Sahara Counterterrorism Partnership (TSCTP).

If confirmed, I will regularly brief Congress on how the AF and NEA bureaus collaborate to achieve our foreign policy goals in these two important regions.

*Question 45.* If confirmed will you commit to returning to the committee within a reasonable time period to brief staff on your understanding of the aims and goals of both Russia and China in Africa, and your plans to counteract Chinese and Russian actions and policies that might run counter to U.S. interests?

Answer. If confirmed, I commit to being responsive to this committee's requests for information on this important issue. Countries around the globe can play a role as a source of capital and knowledge for African development, but they must apply the highest international standards of openness, inclusivity, transparency, and governance. If confirmed, I will continue to monitor China and Russia's involvement in Africa, and consider cooperation where our interests intersect, such as promoting peace and security, and work to mitigate and counter influences that run counter to U.S. interests. If confirmed, I will engage global partners on their role in Africa and work hard to promote peace and security and encourage U.S. trade and investment.

#### *Indo-Pacific*

*Question 46.* If confirmed, how will you make sure that the Indo-Pacific region remains a priority in our foreign policy, including receiving the resources needed to make any rhetorical strategy an actual reality, and balance it with other competing regional priorities?

Answer. The administration has been clear that future U.S. security and prosperity will depend on maintaining a free and open Indo-Pacific that advances peace, security, and good governance while prioritizing the efficient use of taxpayer resources. To that end, we are taking a whole-of-government approach, in consultation with Congress, which leverages expertise across agencies, streamlines our approach to development finance, and directs foreign assistance to achieve the most efficient return on investment. At the recent Indo-Pacific Business Forum and ASEAN Regional Forum, the Secretary announced packages of foreign assistance, including the largest package of security assistance for the region in over a decade, that advance U.S. economic, governance, and security objectives, demonstrating our commitment to freedom, openness, and prosperity in the Indo-Pacific.

#### *Alliances*

*Question 47.* Our alliances form the bedrock of our security and prosperity. Our NATO commitments, for example, are enshrined in Article V of the Washington Treaty—which our NATO allies invoked after we were attacked on September 11. We likewise have treaty commitments with Japan, the Republic of Korea, Australia, the Philippines and Thailand. These alliances are critical for maintaining peace and stability, deterring adversaries, and safeguarding our vital national security interests. Our allies represent some of our best and most stalwart friends, whose partnership has been critical in addressing a range of shared challenges. Yet repeatedly over the last eighteen months President Trump has suggested that he does not view our treaty obligations or mutual defense commitments as binding or indeed even as obligations or commitments at all, but rather as something transactional. What is your understanding of U.S. treaty alliance and mutual defense obligations and commitments?

Answer. The United States' mutual defense treaties have been the bulwark of international peace and security for decades and remain so. The U.S. commitment to its mutual defense obligations under those treaties is rock solid and unwavering.

*Question 48.* Does the president's rhetoric threaten to undermine the credibility of our treaty obligations?

Answer. The United States' treaty alliances are ironclad. U.S. mutual defense treaties have been the bulwark of international peace and security for decades and remain so. The U.S. commitment to its mutual defense obligations under those treaties is rock solid and unwavering.

*Question 49.* Does that erosion increase risk for U.S. allies and for the United States?

Answer. The United States' treaty alliances are ironclad. U.S. mutual defense treaties have been the bulwark of international peace and security for decades and remain so. The U.S. commitment to its mutual defense obligations under those treaties is rock solid and unwavering.

*Question 50.* Does the president's rhetoric and questioning of our alliances threaten to make cooperation with our allies more difficult and more challenging in forging partnerships necessary to tackle our shared global concerns?

Answer. The United States' treaty alliances are ironclad. U.S. mutual defense treaties have been the bulwark of international peace and security for decades and remain so. The U.S. commitment to its mutual defense obligations under those treaties is rock solid and unwavering. I fully support the United States' commitment to NATO's collective defense and to our Allies, and would continue to do so, if confirmed.

*Question 51.* In June, Secretary Pompeo said that "LGBTI persons—like all persons—must be free to enjoy their human rights and fundamental freedoms, including freedom of expression, peaceful assembly, and association, without fear of re-prisal." Do you agree with the Secretary's past statements on the role of the USG in promoting the human rights of LGBTI people abroad?

Answer. Yes. Throughout my career, I have advocated for governments to protect, respect, and uphold the dignity and fundamental freedoms of LGBTI persons, and if confirmed I will continue this advocacy. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. It is in our national interest to advance universal human rights.

*Question 52.* How did you address LGBTI rights in your previous position as an ambassador?

Answer. I believe that promoting human rights and defending the dignity of all persons is in the best interests of the United States. In both Pakistan and Lebanon, I personally met with LGBTI activists and developed programs to support their work in a quiet but meaningful way.

In addition, if the Department is to reap the benefits of its diverse workforce, all employees must have opportunities to serve where their contributions will be valued and recognized. I have sought to foster an inclusive and diverse work environment in the selection of my own staff and have reached out actively to engage with all groups that comprise our Foreign and Civil Service, including our LGBTI employees.

*Question 53.* The State Department notes on its website that it is committed to pursuing diplomacy that is inclusive and empowering of persons with disabilities and that the United States opposes discrimination against persons with disabilities everywhere and in all its forms. How will you contribute to the Department's mission to promote dignity and respect for persons with disabilities?

Answer. I am firmly committed to defend the human rights and dignity of all people, including those with disabilities. If confirmed, I will work to ensure that disability issues are integrated into U.S. foreign policy, and to increase knowledge of disability rights among our personnel. I will support Department efforts to identify and address challenges that persons with disabilities face, and encourage foreign governments to do the same.

*Question 54.* What would you do to ensure that disability issues are addressed globally?

Answer. If confirmed, I will support efforts to identify and address challenges and barriers persons with disabilities face, encourage foreign governments to do the same, and integrate these issues across the work of the State Department.

*Question 55.* Is it important for the U.S. to take a leadership role in advancing the rights of persons with disabilities at the agency and around the world?

Answer. Yes. I understand the State Department has a comprehensive strategy to promote and protect the rights of persons with disabilities internationally. If confirmed, I will support efforts to identify and address challenges and barriers persons

with disabilities face, encourage foreign governments to do the same, and integrate these issues across the work of the State Department.

*Question 56.* Statelessness remains a critical human rights challenge. UNHCR estimates there may be 10 million stateless persons globally, a third of whom are children. Factors such as ethnic and religious discrimination, the emergence of new states, and gender discrimination in nationality laws contribute to the problem. The Global Action Plan to End Statelessness (2014–24) seeks to galvanize political will to resolve protracted situations of statelessness, prevent new cases from emerging, and better identify and protect stateless populations. Will you continue the U.S. commitment to prevent and resolve statelessness by providing humanitarian assistance and actively engaging in diplomacy on this issue, both in bilateral relations and in multilateral fora?

Answer. Preventing and resolving statelessness is one of the priorities of the Department's Bureau of Population, Refugees, and Migration. I understand the United States remains a leader in global efforts to prevent and reduce statelessness, particularly through support to UNHCR's Global Campaign to End Statelessness by 2024, and by promoting women's equal right to nationality. If confirmed, I will continue to champion State Department efforts to end statelessness.

#### *News Media as "Enemies of the People"*

*Question 57.* Freedom of the press is enshrined in the first amendment to the United States constitution. Freedom of expression, including through a free news media, is also enshrined in Article 19 of the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights. Today, the President of the United States routinely labels members of the news media "enemies of the people." This is a term generally associated with Soviet dictators Lenin and Stalin, who applied the term to many of those executed by the communist state. Variations on the term were also used in the 20th century by Hitler and Mao. Today, dictators around the world, from Prime Minister Hun Sen in Cambodia, to President Recep Tayyip Erdogan in Turkey, to President Abdel Fattah el-Sisi in Egypt use similar language to delegitimize independent media. In these countries, journalists are routinely harassed, imprisoned, and killed. What are your views on the role of the fourth estate in functioning democracies?

Answer. A free press is an essential pillar of democracy. By promoting a free press, citizens are more informed, active, and engaged in political decision-making and can better hold governments accountable. If confirmed, I will work to advance press freedom, knowing that an informed citizenry is a fundamental requirement for free nations and people. I will also draw attention to the cases of journalists who have been imprisoned for their work and I will push for accountability for violence against or killings of journalists around the world.

*Question 58.* Do you believe that journalists are "enemies of the people?"

Answer. Journalists play an important role in keeping citizens informed, prompting robust debate, and holding governments around the globe accountable. If confirmed, I will work to advance press freedom.

*Question 59.* Will you be willing, if confirmed, to stand up for freedom of expression in your dealings with foreign governments who seek to delegitimize the news media as a means to repress members of their society?

Answer. Yes. If confirmed, I will work to advance press freedom and where countries fall short to uphold their commitments to free expression and a free press I will push to call out those countries and encourage reforms.

*Question 60.* How do you plan to respond to critiques from foreign governments, journalists, and activists that the U.S. president does not support the notion that a free press is an essential check on government power?

Answer. As an open society, the President and political leaders on either side of the aisle encourage people to scrutinize all information they receive and come to informed judgments. Media in the United States remains fiercely independent with multiple points of view represented. If confirmed, I will work to advance press freedom, I will also draw attention to the cases of journalists who have been imprisoned around the world for their work, and I will push for accountability for violence against or killings of journalists around the world.

#### *Democracy and Human Rights Foreign Assistance Funding*

*Question 61.* President Trump's National Security Strategy rightly recognizes that, "Governments that respect the rights of their citizens remain the best vehicle for prosperity, human happiness, and peace. In contrast, governments that routinely abuse the rights of their citizens do not play constructive roles in the world." De-

spite this pronouncement, the President's budget requests in both FY 18 and FY 19 sought to impose cuts of 30 to 40 percent on funding for democracy and human rights. Lawmakers on both sides of the aisle have roundly rejected these proposals, and will continue to do so. Both the Senate and the House are recommending a modest funding increase in support of democracy and human rights programming for FY 19. If the Trump administration is serious about implementing its own National Security Strategy, it should be bolstering, not cutting, the democracy and human rights assistance budget. This type of funding helps build the exact types of societies and governments with which the administration claims it wants to partner. DRG funding helps support political and civic organizations, safeguard elections, promote citizen participation, strengthen openness and accountability in government, and protect journalists, human rights defenders, and women and children. And DRG programs are a fraction of the cost of deploying U.S. military forces to respond to contingencies all too often brought about by governments that abuse their people at home and destabilize the international system. As Under Secretary, will you commit to supporting a budget that invests in DRG funding, and will you recommend that the President abandon his proposed cuts to DRG funding in future budgets?

Answer. I agree that democracy funding helps support political and civic organizations, safeguard elections, promote citizen participation, strengthen accountability in government, and protect journalists and human rights defenders. I understand the FY 2019 budget request upholds U.S. commitments to key partners and allies through strategic, selective investments that enable America to retain its position as a global leader, while relying on other nations to make greater contributions toward shared objectives, including advancing democracy worldwide. If confirmed, I will look to continue support for democracy programs.

#### *Protecting Human Rights Defenders*

*Question 62.* Part of the worldwide attack on civil society is the murder every year of hundreds of peaceful human rights defenders, including in countries that are partners and allies of the United States. In 2013, in response to calls from activists across the world, the State Department produced advice for U.S. missions on how to engage with and protect human rights defenders. Feedback from activists suggests that the document has not been adequately promoted within the Department, with many State Department officials, even those working in DRL or as human rights officers in embassies, not knowing that it exists. Will you commit that you will raise the profile of the guidelines on supporting human rights defenders and ensure that they are fully implemented?

Answer. Yes. If confirmed, I will both advance awareness of Department protocols for advocating for human rights defenders and will work to ensure that protection for human rights defenders continues to be incorporated into United States foreign policy. This includes the use of bilateral and multilateral diplomatic engagement, emergency assistance to civil society actors and human rights defenders, and visa restrictions and economic sanctions on those who would target human rights defenders, as appropriate.

#### *Child Soldiers*

*Question 63.* One of the crudest forms of human trafficking is child soldiering. The Child Soldiers Prevention Act was signed into law by President Bush in 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act. But each year since then, presidents of both parties have used national interest waivers to preserve military aid to countries where there are credible allegations of child soldiering. As you know, child soldiers are not only exposed to the trauma of war, but are frequently victims of sexual abuse. Will you pledge to work to ensure that this legislation is fully and faithfully implemented?

Answer. Yes. I pledge that I will never turn a blind eye to the plight of unlawful child soldiers or children who are sexually abused as members of security forces, nor fail to use any available means to help end these practices. If confirmed, I will work to ensure the Child Soldier Prevention Act is fully and faithfully implemented. Governments that use, condone, accept, or ignore unlawful child soldiers in their security forces must end all forms of unlawful child soldier use in order to be a dependable, effective, and durable security partner of the United States, including through the receipt of United States security force assistance.

*Question 64.* One of the crudest forms of human trafficking is child soldiering. The Child Soldiers Prevention Act was signed into law by President Bush in 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act. But each year since then, presidents of both parties have used national interest waivers to preserve military aid to countries where there are credible allegations of

child soldiering. As you know, child soldiers are not only exposed to the trauma of war, but are frequently victims of sexual abuse. Do you believe that the United States should grant waivers to countries that repeatedly ignore U.S. warnings and concerns about their use of child soldiers?

**Answer.** Governments that use, condone, accept, or ignore unlawful child soldiers in their armed forces are not the type of governments that make effective or long-lasting partners, and the United States should not continue to support such regimes without expecting such behavior to cease. I believe that the United States should use all available diplomatic means, including the measured provision and withholding of assistance, to end the scourge of unlawful child soldiering.

**Question 65.** One of the cruellest forms of human trafficking is child soldiering. The Child Soldiers Prevention Act was signed into law by President Bush in 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act. But each year since then, presidents of both parties have used national interest waivers to preserve military aid to countries where there are credible allegations of child soldiering. As you know, child soldiers are not only exposed to the trauma of war, but are frequently victims of sexual abuse. What criteria would you advise the Secretary and the President to use in determining to grant waivers?

**Answer.** The United States must make clear that we will not accept the unlawful use of child soldiers by any partner government or security force, and that we use all available diplomatic and assistance tools, to do so. Waivers should only be considered when the consequences of not granting a waiver would produce a worse outcome from the standpoint of the children we are seeking to protect—such as the conquest of their towns by violent extremists. If we find it necessary from that standpoint, and in accordance with all applicable statutory requirements, to grant waivers, we should at the same time fashion a strategy designed to convince the governments we are aiding to end the unlawful recruitment and use of child soldiers and establish benchmarks for their doing so.

**Question 66.** One of the cruellest forms of human trafficking is child soldiering. The Child Soldiers Prevention Act was signed into law by President Bush in 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act. But each year since then, presidents of both parties have used national interest waivers to preserve military aid to countries where there are credible allegations of child soldiering. As you know, child soldiers are not only exposed to the trauma of war, but are frequently victims of sexual abuse. What steps will you take to combat the scourge of child soldiers?

**Answer.** If confirmed, I will use a range of diplomatic tools to combat the scourge of unlawful child soldiers. I will work to ensure the United States is clear in its message to governments that use, condone, accept, or ignore unlawful child soldiers in their armed forces: this is unacceptable, contrary to our values, and detrimental to our security partnerships. Governments that allow their security forces to commit human rights violations with impunity are not good partners, and, if confirmed, I will work to ensure such governments understand this and to assist them to the extent possible in bringing an end to their unlawful use of child soldiers.

**Question 67.** One of the cruellest forms of human trafficking is child soldiering. The Child Soldiers Prevention Act was signed into law by President Bush in 2008 as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act. But each year since then, presidents of both parties have used national interest waivers to preserve military aid to countries where there are credible allegations of child soldiering. As you know, child soldiers are not only exposed to the trauma of war, but are frequently victims of sexual abuse. In advising the Secretary and the President, how would you balance national interest with the rights of trafficked children and the moral obligation of the U.S. to ensure that it is doing all it can to end this abuse?

**Answer.** It is in our national interest that partner governments and security forces cease the unlawful recruitment and use of child soldiers. The tools in the Act as well as other diplomatic and assistance tools available to us must be fashioned into an effective overall strategy to bring about this result. If confirmed, I will seek such an outcome in every country that still engages in this abuse.

#### *Burma*

**Question 68.** As you are likely aware, the Burmese military has committed mass killings, rape, and arson against the Rohingya minority, creating a massive refugee crisis. A number of independent groups, as well as United Nations experts, determined that these activities amount to crimes against humanity. The United States has described them as ethnic cleansing and a soon to be released State Department

report may go further. Beyond the atrocities perpetrated against the Rohingya, war rages unabated in the country's north where some of the very same units that committed the abuses in Rakhine have been seen operating. Hundreds of thousands remain displaced throughout the country because of conflict and gross violations of human rights. How should the U.S. address this continuing pattern of gross human rights abuses committed not just against the Rohingya but also against other ethnic minority groups in Burma, such as the Karen or the Kachin?

Answer. I share your grave concern regarding repeated gross violations of human rights perpetrated by Burmese security forces against civilians and members of ethnic minority groups in Burma's Rakhine State and conflict areas. If confirmed, I will work with likeminded countries and international organizations to promote justice and accountability. I will also press the Burmese Government to cooperate with an independent and credible investigation into these abuses. At the same time, I would leverage U.S. assistance to strengthen democratic institutions such as rule of law and respect for fundamental freedoms in order to create long term peace, stability, and respect for the rights of minority ethnic and religious groups in Burma.

*Question 69.* How do you believe the U.S. should be engaging on the question of accountability in multilateral fora, such as the United Nations?

Answer. The United States works with likeminded countries and international organizations to promote justice for victims and accountability for members of the Burmese security forces and others responsible for atrocities and other human rights violations and abuses. The United States supported the work of the U.N. Fact Finding Mission, which is mandated to establish the facts and circumstances of alleged human rights violations by Burmese security forces across Burma and will present its findings in the coming weeks, as well as that of the U.N. Special Rapporteur for the Situation of Human Rights in Burma and the Secretary-General's Special Envoy for Burma. If confirmed, I will work with our international partners to identify and support available and appropriate steps at the U.N. Security Council and General Assembly in pursuit of accountability.

*Question 70.* What are the appropriate avenues to pursue accountability for what Ambassador Nikki Haley has called a "brutal, sustained campaign to cleanse the country of an ethnic minority."

Answer. The United States is pursuing accountability in Burma through a whole of government approach. For example, the State Department has supported efforts, including U.N. efforts, to investigate and document human rights violations and abuses in Burma, which will help to identify perpetrators, uncover patterns of abuses and violations, map incidents, and determine the sequence of events. If confirmed, I will work with international partners to identify and pursue all available and appropriate steps that can be taken domestically within the United States and at the U.N. Security Council and General Assembly to promote justice for victims and accountability for those responsible for these abuses in Burma.

*Question 71.* Human Rights Watch, Amnesty International, the Associated Press, and the U.N. Panel of Experts have all published alarming reports exposing the torture, including sexual torture, of detainees by Yemeni forces affiliated with and supported by the United Arab Emirates. There are also credible allegations that UAE forces conducted the torture of Yemeni detainees. Given your extensive career working in countries where the U.S. must vet foreign security units for gross human rights violations in order to continue providing assistance or training, do these reports collectively constitute sufficiently alarming evidence to merit a U.S. investigation?

Answer. I understand the administration has raised concerns about these allegations with senior UAE officials. I also understand that the United States cannot corroborate these allegations at this time, and that UAE officials have denied any involvement in abuses. If confirmed, I will emphasize the importance of adherence to international law, including the law of armed conflict, and urge the UAE Armed Forces to investigate these allegations and take appropriate action.

#### Syria

*Question 72.* The State Department's August 6, 2018 statement on the Assad regime's recent issuance of death notices "affirms what the international community has long suspected and can never forget: the regime has systematically arrested, tortured, and murdered tens of thousands of Syrian civilians." The statement went on to call on the Assad regime "to adhere to international laws and norms pertaining to the treatment of prisoners, including by allowing access for independent monitors." How do you propose to pressure the Assad regime to adhere to these international laws and norms?

Answer. The administration continues to support efforts to hold the Assad regime accountable for its atrocities by calling attention to these at the U.N. Security Council and other fora and by sharing publicly information about the regime's abuses, such as its use of a crematorium at Sednaya prison to cover up mass prisoner killings. If confirmed, I will continue to support accountability and efforts to promote compliance with international laws, including those at the Organization for the Prohibition of Chemical Weapons to investigate and identify those responsible for chemical weapons attacks in Syria and those by the U.N. International, Impartial, and Independent Mechanism to gather and share evidence in support of prosecutions. I will also explore whether additional mechanisms are available to support accountability.

*Question 73.* Is the State Department also calling for adherence to international laws and norms in other countries, including Yemen, Iraq, Libya, and Egypt?

Answer. I believe that all countries, including Yemen, Iraq, Libya, and Egypt, must comply with their obligations under international humanitarian law and international human rights law.

*Question 74.* In each of these countries, what are specific steps that the administration is urging to ensure adherence to international laws and norms?

Answer. Each of these countries is either engaged in armed conflict or continues to face terrorist threats, including from ISIS. We have and will continue to urge these countries to comply with their obligations under international humanitarian law and international human rights law as they engage in these conflicts and/or seek to address the terrorist threat. This includes impartially and transparently investigating any alleged violations of international law.

#### *Iran*

*Question 75.* A major focus of the Helsinki summit last month was the future of Syria and Iran's presence in that country. In the last two months, fighting in Syria has moved south to areas adjacent to Israel. While the fighting has been led by the Assad regime, it is widely believed that Hezbollah and Iran-backed Shia militias are participating in the effort. Israel has made clear it will not accept the presence of Iranian backed forces on its northern border. If confirmed, how would you suggest the administration shape its strategy to counter Iran's influence in Syria?

Answer. The administration remains committed to countering malign Iranian influence throughout the region, including the removal of all Iranian and Iranian proxy forces from Syria. Iranian support to Assad, particularly the use of sectarian militias guilty of abuses against the civilian population, undermines the legitimate political process to resolve the conflict in Syria. Russia has approached the United States and international partners about providing assistance, but the United States and our allies will not provide international reconstruction assistance absent a credible political process in Geneva that leads to constitutional reform, U.N. supervised elections, and a political transition that reflects the will of the Syrian people.

#### *Iran Sanctions*

*Question 76.* Are you confident there are alternative supplies of oil that will allow countries to transition away from purchases of Iranian oil?

Answer. The President determined on May 14, 2018, pursuant to section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012, Public Law 112-81, and consistent with prior determinations, that there is a sufficient supply of petroleum and petroleum products from countries other than Iran to permit a significant reduction in the volume of petroleum and petroleum products purchased from Iran by or through foreign financial institutions. We are working with oil market participants, including producers and consumers, to ensure market stability.

*Question 77.* The European Union is updating its "blocking statute," in order to mitigate the impact of U.S. sanctions on European businesses. In what ways can the EU blocking statute undermine the re-imposition of U.S. sanctions?

Answer. The Department is aware of EU and European views on the administration's decision to cease participation in the JCPOA as well as the EU's revisions to the Annex of its "Blocking Statute." It is my understanding that companies are voluntarily withdrawing from Iran. Companies are aware of the inherent risks of doing business in a country where so much of the economy is controlled by the Islamic Revolutionary Guard Corps and where billions of dollars have been used to support terrorism around the world. If confirmed, I will work with the Department to ensure we continue to discuss our Iran policy with European counterparts, including the

implications of our re-imposition of sanctions previously lifted or waived under the JCPOA.

*Question 78.* What specific retaliatory measures could be used if the Chinese Government chooses not to comply with U.S. sanctions on Iran?

Answer. The Department is aware of China's views on the administration's decision to cease participation in the JCPOA, including recent statements by the Chinese Foreign Ministry regarding China's intent to continue commercial cooperation with Iran. It is my understanding that we continue to discuss our Iran policy with Chinese counterparts, including the implications of our re-imposition of sanctions previously lifted or waived under the JCPOA. As the President has said, the United States is fully committed to enforcing all of our sanctions. It is my understanding that we are prepared to work with countries that are reducing their imports on a case-by-case basis.

*Question 79.* Since Israel's revelation of Iran's secret nuclear archive this April, are you aware of any IAEA requests to visit the archive location or any other sites that were uncovered by the Israelis?

Answer. It is my understanding that the Department is carefully assessing the nuclear archive materials acquired by Israel, and the International Atomic Energy Agency (IAEA) is doing the same. A review will take time, but I am confident the IAEA will take appropriate action as soon as possible to verify safeguards-relevant information. It is of course troubling that Iran was carefully preserving its past research on nuclear weapons designs, rather than destroying them. This fact only reinforces the need for a negotiated outcome that permanently ends Iran's proliferation-sensitive nuclear activities.

*Question 80.* In the wake of the large-scale protests earlier this year in Iran, the administration voiced strong support for the people of Iran and their basic rights. Recently, we have again seen people throughout Iran protesting the regime's gross mismanagement of the economy and spending on regional adventurism. Beyond words of support, which are important, what should the U.S. strategy be to support the people of Iran?

Answer. The Iranian regime, which spreads instability across the globe, is to blame for the problems facing its people. Systematic human rights abuses inside the country, the lack of civil liberties, and pervasive government corruption and economic mismanagement are what hurt the Iranian people the most. The United States stands with the Iranian people who are longing for a country of economic opportunity, government transparency, fairness, and greater liberty. If confirmed, I will work to counter the totality of Iran's malign activity with our friends around the world. The hope is that ultimately the regime will make meaningful changes in its behavior both inside Iran and globally, which will help the Iranian people.

*Question 81.* What is the status of U.S. democracy and broadcasting programs in Iran?

Answer. We continue to support Voice of America Persia and Radio Farda, which is the Persian language branch of Radio Free Europe, to help ensure the Iranian people receive unbiased news and information to help them better understand world events. I believe democracy programs are critical for defending national security, fostering economic opportunities for the American people, and asserting U.S. leadership and influence.

*Question 82.* What are feasible confidence-building steps that the Saudi-Quartet and Qatar could each take to resolve the dispute and end the blockade?

Answer. The administration has engaged at the highest levels to press the Quartet countries and Qatar to resolve their dispute. We have strongly encouraged them to take steps toward normalizing relations, including re-establishing diplomatic ties and opening airspace, sea lanes, and borders. We continue to call on the Quartet and Qatar to end provocative rhetoric and attacks in the media that deepen resentment among governments and populations. The Department has stressed the dispute weakens regional cooperation to the benefit of Iran, disrupts the Gulf Cooperation Council, and hinders U.S. efforts to strengthen regional defense cooperation. The Department continues to urge the parties to resolve the dispute quickly.

*Question 83.* Do you assess that any of these governments are open to taking steps toward reconciliation?

Answer. The State Department has seen cooperation among these countries in jointly designating terrorists through the Terrorist Financing Targeting Center and limited defense cooperation and coordination through joint meetings and exercises, but the Quartet and Qatar have not yet engaged successfully on the issues that led to the dispute. The State Department has emphasized that it is in our mutual inter-

est for the Gulf Cooperation Council to have strong, inter-operable security institutions, integrated economies, and stable governments, which requires a resolution to this dispute. The United States continues to demonstrate our readiness to facilitate and support a mutually agreeable solution.

*Question 84.* There is public reporting on several proposed purchases by Arab countries from Russia, that if consummated, would constitute a “significant transaction,” in my view. Please provide at least three examples of weapons purchases that, if consummated by any government in the NEA Bureau with Russia, would constitute a “significant transaction,” under Section 231.

Answer. I understand that the Department examines all reports of transactions on a case-by-case basis using a multifactor approach to evaluate significance. These factors include but are not limited to: the nature and magnitude of the transaction, its impact on U.S. national security and foreign policy, and its significance for Russian defense or intelligence sectors. I understand that we do not prejudge the sanctionability of transactions.

*Question 85.* Under Egyptian President al-Sisi, there has been an expansive use of torture against prisoners, arbitrary arrests, enforced disappearances, a crackdown on LGBT people, and draconian restrictions on civil society—much of which is to silence dissent, ensure there is no viable or credible opposition and eradicate independent voices. Do you believe there has been meaningful progress on human rights and democracy Egypt in the last year?

- If yes, can you outline what progress has occurred and how you qualify meaningful progress?

Answer. The State Department has serious concerns regarding human rights and governance in Egypt and will continue to raise these concerns, including at the senior-most levels of the Egyptian Government and make clear the need for progress in addressing them. Egypt has committed to address U.S. Government concerns regarding the convictions of employees of U.S. NGOs and the new NGO law. The Department has made clear to the Egyptian Government that we expect progress on resolving these convictions and amending the law. Some of these requests to the Egyptian Government will take time to complete; however, Egypt has taken steps and made credible commitments to resolve these issues within a reasonable time-frame.

*Question 86.* A central hallmark of the U.S.-Israel relationship has been the close working relationship between the countries. As our two countries have faced common threats of terrorism and proliferation, cooperation between the U.S. and Israel has grown exponentially. The United States has helped underwrite some of the cost of developing Israeli military missile defense systems, like Iron Dome, and Israel has helped our forces in preparing to combat terrorism. The Joint Political Military Group—the JPMG—falls under your jurisdiction. What can be done to strengthen the strategic relationship between the U.S. and Israel and enhance Israel’s standing as an ally and partner of the U.S.?

Answer. If confirmed, I will continue to build on the strong cooperation that we have with Israel and use all the tools available to me to enhance its status as a partner. I strongly support Israel’s right to self-defense and recognize the legitimate security concerns Iran’s current force posture in Syria poses for Israel’s security. If confirmed, I will work extensively with likeminded countries, including Israel, to deter and disrupt Iranian threats.

*Question 87.* Over the last several months, Senior Advisor Jared Kushner and Special Representative for International Negotiations Jason Greenblatt travelled throughout the Middle East to discuss advancing peace between the Israelis and Palestinians and ideas on how to alleviate the humanitarian situation in Gaza. Given your extensive professional experience, can you provide examples of steps that the United States could take to help alleviate the humanitarian situation, and examples of steps that the PA, Israeli Government, European, and Arab Governments could also take?

Answer. The administration has stressed that addressing the humanitarian and economic situation in Gaza is a priority. Hamas’s continued control of Gaza remains our biggest challenge. As recent outbreaks of violence demonstrate, Hamas consistently puts its own destructive priorities above those of Gaza’s population, making it difficult for the international community to move forward with concrete steps to improve humanitarian and economic conditions. If confirmed, I look forward to working with Israel and our regional partners to find concrete and creative ways to improve conditions in Gaza.

*Question 88.* Is the objective of U.S. policy for a peaceful resolution to the Israeli-Palestinian conflict still a two-state solution?

Answer. The President has stated that the United States will support a two-state solution if it is agreed to by both sides. The administration has emphasized that in its efforts to advance a comprehensive and lasting peace between Israel and the Palestinians, it does not seek to impose a solution on the parties. Instead, it intends to present a plan that offers a brighter future to both Israel and the Palestinians when the time is right. If confirmed, I look forward to supporting the work of White House Senior Advisor Jared Kushner and Special Representative for International Negotiations Jason Greenblatt from the Department of State.

*Question 89.* Are there reforms you believe the U.S. should be seeking from UNRWA in order for the U.S. to continue our funding?

Answer. I understand that U.S. contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) are under review. The administration has publicly emphasized that UNRWA's model of operations is unsustainable and that UNRWA needs to seek out new voluntary funding streams, increase financial burden sharing among donors, and find ways to reduce expenditures. With regard to the broader review of assistance to the Palestinians, of which UNRWA is a part, I understand the intent is to ensure that U.S. assistance advances U.S. foreign policy and national security interests and provides value to the U.S. taxpayer.

*Question 90.* Pressure on independent media and civil society activists continues to grow in Hungary, calling into question the country's commitment to the rule of law and democratic values that underpin our NATO alliance. Since the April election, Prime Minister Orban's Government adopted a so-called "Stop Soros," package of legislation that further restricts operating space for civil society in Hungary and targets those who assist vulnerable migrants. Orban reportedly also endorsed an "enemies list," circulated in pro-government media (and which included some names of American citizens) and vowed revenge against those who oppose him. Academic freedoms are also being undermined in Hungary, with the U.S.-accredited Central European University (CEU) at risk of having to leave the country next year due to legislation targeting certain foreign institutions. Do you consider Orban's Government aligned with NATO values and goals, particularly on democratic governance and the rule of law?

Answer. The United States works closely with Hungary as a NATO ally and EU member state. We rely on our allies to be strong partners. As the President and Vice President have made clear, strong partnerships require that Allies meet all their commitments to uphold the values enshrined in the Washington Treaty. I understand that the State Department has engaged with the Hungarian Government both privately and publicly on independent media, civil society, and democratic governance issues. This includes at high levels, such as Secretary Pompeo's May 30 meeting with Foreign Minister Szijjarto, in which the Secretary underscored the importance of maintaining a vibrant civil society. If confirmed, I will continue this engagement.

*Question 91.* Do you commit to personally confront the Hungarian Government's anti-democratic and xenophobic behavior? How?

Answer. The United States relies on its allies and partners to be strong. That strength is founded on their commitments to uphold the values shared by members of NATO and of the Organization for Security and Cooperation in Europe. If confirmed, I will continue to work with Hungary to promote our shared transatlantic principles, including universal human rights and fundamental freedoms, as well as to foster bilateral cooperation that advances U.S. interests. This includes pressing—privately and publicly when necessary—in support of those values.

*Question 92.* Do you support U.S. foreign assistance being directed to Hungarian civil society activists, journalists, and independent media who are pushing back against anti-democratic trending in Hungary?

Answer. If confirmed, I will continue to identify opportunities to support independent media and NGOs as well as to combat corruption, Russian pressure, disinformation, and malign influence in Hungary. If confirmed, I will also continue to work with Hungary to promote our shared transatlantic principles, including the separation of powers, universal human rights, and fundamental freedoms, as well as to foster bilateral cooperation that advances U.S. interests.

*Question 93.* In particular, will you commit to review the decision made against proceeding to award Bureau of Democracy, Human Rights and Labor assistance

funds to support independent media after a request for proposals was issued earlier this year?

Answer. The United States wants to see a pluralistic media environment in Hungary and the broader region. A free press and separation of powers are key components of democratic governance and underpin the strength of our alliance. As the National Security Strategy emphasizes, we believe an informed and engaged citizenry is also a fundamental requirement to a free and resilient nation. If confirmed, I will work to identify opportunities to support independent media and NGOs as well as to combat corruption, Russian pressure, disinformation, and malign influence in Hungary.

#### *Northern Ireland*

*Question 94.* There are growing concerns that the Good Friday Agreement will be further jeopardized by the United Kingdom's departure from the European Union, and U.S. engagement to encourage full implementation of the agreement remains critical. Will you work to ensure the expeditious appointment of a Special Envoy to Northern Ireland, which the Trump administration has expressed intent to do?

Answer. The United States remains firmly committed to the Northern Ireland Peace Process including the 1998 Good Friday Agreement and subsequent agreements. We will continue to engage all parties and communities to work together to build a better, shared future. Through our Consulate in Belfast we promote reconciliation, two-way trade and investment, and cultural exchanges. We will work with the British and Irish Governments, as co-guarantors of the Good Friday Agreement, and the European Union to ensure twenty years of gains in the peace process are not sacrificed by the exit of the UK from the EU. We are looking into the possibility of naming an envoy to the region. No personnel decision has been made.

*Question 95.* Will you work to ensure the expeditious appointment of a U.S. Ambassador to Ireland, vacant since the beginning of the Trump administration?

Answer. The President is committed to nominating an ambassador to Ireland as soon as possible. In the meantime, the State Department continues to engage all parties and communities to work together to build a better, shared future through our Consulate General in Belfast and Embassies in London and Dublin.

*Question 96.* How does the lack of an ambassador there affect U.S. interests with respect to the Good Friday Agreement and issues surrounding Brexit?

Answer. The President is committed to nominating an Ambassador to Ireland as soon as possible. In the meantime, we continue to engage all parties and communities to work together to build a better, shared future through our Consulate General in Belfast and Embassies in London and Dublin. We will continue to work with the British and Irish Governments, as co-guarantors of the Good Friday Agreement, and the European Union to ensure twenty years of gains in the peace process are not sacrificed by the exit of the UK from the EU.

*Question 97.* Turkish aggression and provocations against Greece and Cyprus have continued this year, including Turkish naval efforts to block ships from exploring hydrocarbon resources in Cyprus' Exclusive Economic Zone and Turkish air force dog fights with Greek fighter jets over the Aegean. Turkey also continues to stall on efforts to renew progress on Cyprus peace talks. And while they were ultimately released this week, Turkey's five-month long detention of two Greek soldiers who had wandered across the border in bad weather conditions further strained ties between these two NATO allies. If confirmed, how will you approach combating Turkish threats against hydrocarbon exploration in the Eastern Mediterranean and reducing tensions in this region?

Answer. Turkey is a key NATO Ally and critical regional partner. It is in our interest to keep Turkey anchored to the West and aligned with the Euro-Atlantic community. The United States recognizes the right of the Republic of Cyprus to develop resources in its exclusive economic zone. We continue to believe the island's oil and gas resources, like all of its resources, should be equitably shared between both communities in the context of an overall settlement. We discourage any actions or rhetoric that increase tensions in the region. Turkey and Greece have been NATO Allies since 1952 and we expect that they will resolve any issues that arise between them in the spirit of cooperation maintained by all Allies.

*Question 98.* How will you approach renewing momentum on Cyprus peace talks and working toward the withdrawal of foreign troops from the island?

Answer. If confirmed, I will actively support Cypriot-led, U.N.-facilitated efforts to reunify the island as a bizonal, bicommunal federation and encourage the sides to build upon the progress achieved over the past three years of negotiations. The

status of military forces in Cyprus has been an important issue in these talks, which I hope will be addressed in a comprehensive settlement agreement.

*Question 99.* The administration's South Asia strategy launched in August 2017 adopted harsh rhetoric on Pakistan, but it is unclear whether the tactics it has deployed since then have influenced Pakistan to back away from its support for Taliban safe-havens that undermine peace prospects in Afghanistan, or its support for terrorist groups that threaten U.S. interests in the region. Meanwhile, the recent election of Imran Khan raises questions about the direction a new Pakistan Government will take toward the United States and other regional players. In your view, is the administration's pressure track on Pakistan working?

Answer. Our message to Pakistan on this issue has been clear and consistent: Pakistan stands to gain from a successful Afghan peace settlement and must play a more constructive role in the reconciliation process. We in particular want Pakistan's support in bringing the Taliban to the negotiating table, even as we pursue multiple channels to that end. In addition, since the rollout of the South Asia strategy, we have been clear with Pakistan that our relationship cannot continue as usual as long as Pakistan does not address U.S. concerns about its harmful policies, and have taken significant steps—including the suspension of security assistance—to convey that message. Discussions about next steps are ongoing, but we are prepared to use all of the tools at our disposal to encourage Pakistan to change its destructive policies and play its part to bring the Taliban to the negotiating table.

*Question 100.* What do you see as reasonable next steps to ratchet up pressure?

Answer. The President's South Asia strategy recognizes that the United States cannot continue with business as usual in our relationship with Pakistan as long as Pakistan does not address U.S. concerns about its policies, including its failure to address terrorist sanctuaries and fundraising. The administration remains committed to using the full range of tools at its disposal to encourage Pakistan to take action against all militant and terrorist groups operating on its soil. Discussions about which specific tools to use and when to use them are ongoing with the administration.

*Question 101.* What needs to be done to convince Pakistan to support, or at least not undermine, the renewed momentum toward peace talks seen in recent months in neighboring Afghanistan?

Answer. Under the administration's South Asia strategy, we have pressed Pakistan hard to end its practice of providing sanctuary for militant networks that operate beyond Pakistan's borders and use its leverage to push the Taliban to negotiate directly with the Afghan Government to advance that country's peace and reconciliation process. Our engagements with Pakistan have been clear and unambiguous on these issues. While we have seen some limited constructive steps, Pakistani actions to date have been insufficient. However, there is no doubt that U.S. pressure and the threat of international isolation has attracted Pakistan's attention. We will continue this pressure to try to induce Pakistan to play a more constructive role in the region and ratchet it up as appropriate; at the same time, the administration has many other tools at its disposal? and remains committed to engaging with Pakistan, particularly the new civilian Government, to build momentum on reconciliation efforts.

*Question 102.* South Sudan's civil war has been characterized by largescale attacks on civilians, destruction, and looting of civilian property, sexual violence including rape and gang rape, enforced disappearances, arbitrary arrests and prolonged detention, beatings and torture, and extrajudicial executions. Parties to the conflict signed another peace agreement last week. In the wake of that agreement, the administration along with the United Kingdom and Norway (the two other members of the Troika) released a statement expressing concern that the arrangements agreed to date are not realistic or sustainable. Is the recent agreement sustainable in your view, and if not, what adjustments, refinements or additions are needed to make it so?

Answer. It is my understanding that the United States and our Troika partners regard the most recent set of agreements as unsustainable without the addition of greater detail about how they will be implemented. For example, all sides must agree to security arrangements in Juba that are robust. We have repeatedly stated that the agreements should also be broadly based and inclusive of the needs and expectations of the people of South Sudan.

*Question 103.* Can a sustainable peace in South Sudan include Salva Kiir and Riek Machar in a transitional government?

**Answer.** As a first step, the parties must agree to specific arrangements that allow the opposition to return to Juba and take part in governance. We want free and fair elections that allow for a peaceful transition in leadership in the most expeditious and responsible manner. We also want the region to guarantee the integrity of any peace agreement by holding all of the parties to account.

*Question 104.* When will the assistance review for South Sudan be completed?

**Answer.** I understand that the White House is leading the interagency assistance review for South Sudan, and if confirmed, I will maintain open channels of communication with Congress as we move forward to specific recommendations.

*Question 105.* Who is leading this review?

**Answer.** It is my understanding that the ongoing assistance review for South Sudan is an interagency process that is being led under the direction of the White House.

*Question 106.* As assistance is connected to policy, is the administration undertaking a policy review as well, particularly in light of the skepticism expressed by the White House in its July 22 statement on the political process currently underway in Khartoum?

**Answer.** I understand that the administration continues to review and update our policy on resolving the conflict in South Sudan. Our diplomats in Khartoum will continue to engage with the Intergovernmental Authority on Development on our expectations for negotiations and communicate, as was done in the White House statement, any reservations we have on the process and to apply pressure on the parties who have lacked the political will and leadership to adhere to past agreements.

*Question 107.* When will the administration make a decision on whether to appoint a special envoy for Sudan and South Sudan?

**Answer.** It is my understanding that the Department, including newly confirmed Assistant Secretary Nagy, is reviewing an earlier decision to eliminate the position of the Special Envoy. Resolving the humanitarian crisis in South Sudan and civil conflicts in both Sudan and South Sudan remain policy priorities for the U.S. Government in Africa, as does continuing our effort to encourage Sudan to take additional positive actions regarding U.S. policy priorities. If confirmed, I will ensure that the Department, both in Washington and in the region, remains deeply engaged and has the diplomatic tools available to achieve our goals in Sudan and South Sudan.

*Question 108.* What role do individual members of the Intergovernmental Authority on Development have in helping achieve a sustainable peace?

**Answer.** The State Department, other agencies in Washington, the U.S. Embassy in Juba, and other U.S. Embassies in East Africa carefully coordinate on a daily basis our engagement with regional and international partners to advance the peace process in South Sudan. Our diplomats in Sudan maintain open channels of communication with the Government as it hosts the talks. We also have regular discussions with Ethiopia and Kenya, which assist the mediation. We anticipate Uganda will also provide expertise, particularly on security. I understand the Bureau of African Affairs is fully engaged in working to find a diplomatic solution to the crisis in South Sudan.

*Question 109.* What should the United States be doing to incentivize each member of the Intergovernmental Authority on Development to prioritize and pursue a sustainable peace in South Sudan?

**Answer.** The United States is closely engaged with the Governments of Sudan, Kenya, Ethiopia, and Uganda in the Intergovernmental Authority on Development process to reach a negotiated political settlement. With each government we have stressed the importance of unity of action on South Sudan as a regional security issue and have urged them to pursue solutions inclusive of the people of South Sudan, not just the elites. We want them to guarantee the integrity of any peace agreement by holding all of the parties to account.

*Question 110.* As the administration considers the next steps in the talks with the Government of Sudan on normalization of the bilateral relationship, what is the United States requesting of Sudan with respect to South Sudan?

**Answer.** I understand the primary focus of our bilateral engagement with Sudan will continue to be on issues internal to Sudan, including ending internal conflicts, improving protections for human rights and religious freedom, and expanding humanitarian access. However, the Department of State will also continue to cooperate on South Sudan negotiations, and insist that Sudan avoid any destabilizing actions

there. Moreover, we will maintain open lines of communications with the Government of Sudan, and others in the region, to support successful negotiations.

*Question 111.* What role should the U.S. play in ensuring the peace process includes all relevant stakeholders, not just those who were party to the 2015 Agreement on the Resolution of the Conflict in South Sudan?

Answer. The Department has stated repeatedly that any new peace arrangement must include the views of ordinary men and women in South Sudan. Within the region, the Department has stressed the importance of unity of action and concerted effort on South Sudan as a regional security issue, and has urged the region to pursue inclusive solutions, not just arrangements that suit the elites.

*Question 112.* What further steps do you believe the U.S. can take to support accountability for human rights abuses and crimes against humanity, including accountability for those at senior levels of the South Sudanese Government and opposition?

Answer. I understand that the United States continues to call for the Government of South Sudan to sign, without further delay and irrespective of other peace negotiations, the memorandum of understanding with the African Union in order to establish the Hybrid Court for South Sudan. If confirmed, I will continue to press the South Sudanese to make the Hybrid Court a reality. I will also continue to support efforts to collect evidence and documentation in support of the court and other transitional justice mechanisms.

*Question 113.* What is the administration doing, in particular Amb. Thomas Hushek, to secure the release of political detainees in South Sudan, including but not limited to Peter Biar?

Answer. I, too, am deeply concerned by the closing of space for civil society in South Sudan, as well as about the Government of South Sudan's continued holding of prisoners of conscience in direct violation of its obligations under international covenants and the December 2017 Agreement on the Cessation of Hostilities. I understand the Department has repeatedly made clear through official representations that Mr. Peter Biar Ajak's detention, under what appear now to be spurious charges, is unacceptable. Ambassador Hushek and eight other ambassadors in South Sudan called for his immediate release soon after he was detained, and we raise his case-and the plight of political prisoners generally-at every opportunity.

*Question 114.* When will the administration finalize the next steps in talks potentially leading to a normalization of relations with Khartoum?

Answer. I understand the administration is currently finalizing plans for a Phase II engagement plan with Sudan. While we cannot give a specific date, if confirmed, I will work to ensure that the process moves quickly so that leverage can be applied to see more sustainable progress related to our objectives in Sudan.

*Question 115.* What elements should such a plan include in your view?

Answer. Phase II is envisioned to require sustained progress on key U.S. priorities including, among others, progress in expanding counterterrorism cooperation, ensuring compliance with all U.N. Security Council resolutions on North Korea, improving humanitarian access, contributing to regional stability, ending conflicts within Sudan, improving protections for human rights and religious freedoms, and addressing outstanding U.S. court judgments in favor of victims of terrorism related to Sudan.

*Question 116.* When does the administration plan to brief Congress about its plans?

Answer. If confirmed, I will plan to ensure transparency with Congress on a next phase engagement plan with Sudan. As the plan is finalized within the interagency, the Department, led by the Bureau of African Affairs, plans to brief Congress and to continue briefings thereafter upon beginning a new engagement framework with Sudan.

*Question 117.* Cameroon is facing a terrorist threat in the Far North Region and a secessionist movement in the Anglophone regions. In July and August of this year two separate recordings purporting to show Cameroonian military executing civilians in the far north have surfaced. The Government has said it is investigating the latest video of soldiers killing civilians, and has arrested seven in connection with a video that came to light in July. Human rights organizations have alleged significant human rights abuses by both government security forces and non-state armed actors in the Anglophone regions. What role could the U.S. play in helping address the Anglophone crisis?

Answer. If confirmed, I will continue the Department's effort to urge for an end to the violence and to call for broad-based national dialogue without preconditions. The Department has consistently urged respect for human rights and accountability for those responsible for human rights violations and abuses in Cameroon. The responsibility to protect civilians and uphold the rule of law lies primarily with the Government of Cameroon. We continue to work with our partners to explore all options and opportunities for a solution towards peace and stability across Cameroon.

*Question 118.* If confirmed, what steps will you take to secure access to the Anglophone region for international and domestic observers to ascertain the veracity of the current accounts of widespread government abuses in the area?

Answer. It is important that humanitarian aid workers and rights advocates have access to areas where there are known concerns about alleged human rights abuses and violations, particularly with respect to ensuring accountability. The Department has urged Cameroon to allow our humanitarian partners and human rights observers access to the Anglophone region. If confirmed, I will continue to stress the importance of expanding and maintaining this access in support of humanitarian assistance, human rights monitoring efforts, and accountability while ensuring safety and security.

*Question 119.* How much has the United States provided by way of security assistance for Cameroon over the past three fiscal years?

Answer. The Department has provided Cameroon approximately \$73. 1 million obligated during fiscal years 2015 to 2017. A large amount of that security assistance comes from regional and centrally managed sources that are determined in the year of execution. This figure does not include assistance the U.S. Government provides through the Department of Defense.

*Question 120.* Should the United States continue security assistance to the Cameroon absent the Government making public the results of a transparent, thorough, credible investigation of military excesses in both the Far North and Anglophone regions?

Answer. I take the recent allegations of human right violations carried out by government forces very seriously, and support the Department's ongoing efforts to raise these concerns with the Cameroonian Government. Cameroon is a multi-faceted security partner in a sub-region of Africa facing significant security and governance challenges. If confirmed, I will work to maintain pressure on the Government to improve the human rights record of and accountability for its security forces while also supporting efforts to protect civilians and provide security in the region. I will work to remind the Government of Cameroon of the risks to peacekeeping, maritime security, and counter terrorism strategies that could result from poor performance and conduct by its security forces. If confirmed, I will continue to press the Government of Cameroon to make the findings of ongoing investigations transparent and public.

*Question 121.* Cameroon ranks 23 out of 178 countries on The Fund for Peace Fragile States Index. It scores just 25 out of 100 on Transparency International's Corruption Perception Index, ranking 153 out of 180 countries. Legislative and municipal elections which were slated to happen later this year have been postponed for 12 months; presidential elections are scheduled for October 7, and longtime President Paul Biya will stand for a 7th term. How much has the United States invested in democracy and governance funding in Cameroon?

Answer. The United States has invested more than \$500,000 in each of the past two fiscal years to build civil society capacity and advance human rights in Cameroon. The Department is working to establish a \$1 million bilateral Democracy, Human Rights and Governance program in Cameroon as mandated by Congress.

*Question 122.* In your view, are we correctly balancing the three D's—Defense, Diplomacy and Development in Cameroon?

Answer. Balancing the three D's in Cameroon is vitally important not only for Cameroon's domestic peace and stability, but for the entire sub-region. If confirmed, I will work with my colleagues in the Departments of State and Defense, USAID, and all other relevant agencies to ensure our current defense, diplomacy, and development efforts in Cameroon serve U.S. interests and bring about positive and sustainable outcomes for the people of Cameroon.

*Question 123.* Have we achieved an appropriate balance between DRG and security assistance?

Answer. There is a critical link between democracy, respect for human rights, and good governance on the one hand, and sustainable peace and security, on the other, including in Cameroon. Without sustained diplomatic efforts emphasizing the importance of human rights, accountability, and democratic institutions, peace and secu-

rity in Cameroon will remain unattainable. The Department and USAID continue to support core DRG programming in the region while promoting professional and rights-respecting security forces. Continued engagement with our security partners enhances our ability to mitigate human rights violations, protect civilians, and urge the Government to hold security forces accountable.

*Question 124.* What should the U.S. be doing to help strengthen political parties and support and strengthen democratic institutions in Cameroon?

Answer. If confirmed, I will ensure that the Department continues to provide capacity-building support for democratic institutions and civil society organizations in Cameroon through targeted technical assistance and advocacy, combined with consistent engagement and strategic public messaging. We will continue to call for respect for democratic norms, human rights, the rule of law, and accountability in accordance with Cameroonian and international law.

*Question 125.* What should the U.S. be doing to strengthen transparency in the public sector, and an independent judiciary?

Answer. The United States will continue efforts to support and empower reformers and institutions at all levels of government to promote transparency and democratic institutions, including the rule of law and access to justice. At the core of our efforts is the promotion of democratic, transparent, effective, and accountable governance, stressing the value of institutions that both empower citizens and respond to their aspirations. A foundation of citizen-centered democratic governance is essential for building confidence in Cameroon's future. An aspect of this effort will be providing civil society actors opportunities to increase their capacity to advocate for greater accountability and transparency on the part of the Cameroonian Government.

*Question 126.* President Kabila announced that he will not seek a third term, a significant step forward in At the same time, and despite multiple rounds of targeted sanctions from the United States and other donor governments, violence is escalating throughout the country, and the Government continues to crackdown against the political opposition, media and civil society groups. If confirmed, what steps will you take to reiterate the imperative that elections are held by the end of the year, and Kabila upholds his commitment to step down?

Answer. If confirmed, I will continue the administration's pressure on the Democratic Republic of the Congo (DRC) government to make clear that we expect the DRC to hold elections on December 23, 2018 and that President Kabila will not run for re-election, per his commitments made in the December 2016 Agreement and in accordance with the DRC's constitution. I will work with the interagency to advance our objectives, including targeted sanctions, public messaging, diplomatic engagement, senior-level visits, and technical assistance. We expect U.S. and international engagement will lead to greater implementation of the December 2016 Agreement and a credible and inclusive election that abides by the DRC constitution.

*Question 127.* What steps should be taken to ensure the human rights situation does not deteriorate further?

Answer. If confirmed, I will continue the administration's active engagement in pressing for greater respect for human rights in the Democratic Republic of the Congo (DRC). This includes condemning and seeking accountability for excessive use of force by security services against citizens, violations of human rights, and denial of basic civil and political rights. I will support the implementation of U.N. resolutions and efforts to protect human rights defenders and media freedoms. This includes consideration of further use of our sanctions authorities against human rights violators and abusers or those responsible for undermining democratic processes in the DRC.

*Question 128.* How will you coordinate with USUN and the Bureau for International Organizations on efforts to ensure elections by the end of the year?

Answer. If confirmed, I will continue the administration's pressure on the Congolese Government to underscore that the United States expects the DRC to hold transparent, credible, and inclusive elections on December 23. I will continue our close coordination with Ambassador Haley and USUN to urge the Congolese Government to increase political space for all stakeholders. If confirmed, I will support the ongoing efforts of the Bureau of International Organization Affairs and USUN to make the U.N. peacekeeping mission in the DRC, MONUSCO, responsive, flexible, and able to actively and effectively execute its mandate, including supporting a credible and inclusive electoral process and protecting civilians from potential election-related violence.

*Question 129.* Will you consider asking for the Appointment of a Special Envoy for the Great Lakes to assist with these efforts?

Answer. The Department of State currently has a senior coordinator for the Great Lakes region, who is an active liaison with international partners on critical Democratic Republic of the Congo and Great Lakes issues. The U.N. estimates over 100 armed groups operate in the east. A failed or flawed election in December 2018 threatens to further destabilize an already volatile region, including its borders with Uganda, Rwanda, and Burundi. If confirmed, I will work with the Bureau of African Affairs and our ambassadors in the Great Lakes region to ensure our policy objectives are aligned.

*Question 130.* In the wake of the July 30 elections, human rights organizations reported that opposition supporters have been abducted, beaten and raped. Opposition leader Tendai Biti was detained after being expelled from Zambia under dubious legal circumstances. Six civilians were killed by the military in response to protests prompting U.N. Secretary Antonio Guterres to call President Mnangagwa to ask that he reign in security forces. National observers indicated that the final voters' role was not released in time to analyze it for flaws, and international observers noted the lack of a level playing field. What is the status of sanctions under the Zimbabwe Democracy and Economic Recovery Act of 2001 as recently amended and signed into law?

Answer. The restrictions spelled out in ZDERA remain firmly in place. I understand that the recent amendments to ZDERA underscore reforms required for consideration of lifting ZDERA restrictions, and we will continue to rely upon this legislation as we assess our bilateral relationship. We continue to closely watch the results of the July 30 general election and its aftermath, but speaking broadly, it was not the election we would have wished for Zimbabwe. Going forward, any re-evaluation of our relationship remains directly linked to deep and meaningful reforms only the Government of Zimbabwe can undertake, including concrete, specific progress on democratic governance, respect for human rights, and the rule of law.

*Question 131.* Should sanctions be extended in your view?

Answer. Consistent with ZDERA, our restrictions on international lending to Zimbabwe remain in place, as do our visa sanctions and targeted financial sanctions under the executive orders. We will continue to encourage the Zimbabwean Government to implement deep political and economic reforms. The recent electoral process did not represent what we wished for the people or Zimbabwean Government and we are extremely disappointed by post-election violence, including the ongoing intimidation of opposition supporters. The onus is on the Government of Zimbabwe to carry out real reforms in the areas of human rights, the economy, and democratic governance before we can consider major changes to our current posture.

*Question 132.* What is the status of Tendai Biti?

Answer. I understand the trial of former Minister of Finance Tendai Biti is underway in Harare. He is accused of violating the electoral law and inciting violence. He has denied the charges and was released on bail while the trial continues. The Zimbabwean Government is now responsible for Biti's safety and welfare. I understand the Department has called on Zimbabwe's leaders to guarantee his physical safety and ensure his rights are respected, consistent with the rule of law and Zimbabwe's international obligations and commitments. I also understand the Department has conveyed these concerns to Zimbabwean officials in both Washington and Harare.

*Question 133.* What statements have we made to the Government of Zambia about his expulsion?

Answer. I understand on August 9, the Department spokesperson issued a statement in which we expressed our deep concerns about Zambia's decision to hand over Mr. Biti to the Zimbabwean authorities despite what we believed were credible concerns for his life and a Zambian court order blocking his expulsion. On August 9, Assistant Secretary Nagy also convoked Zambia's Ambassador to the Department to express the U.S. Government's grave concerns about Zambia's decision. The U.S. Ambassador in Zambia also relayed our concerns to officials in Zambia.

*Question 134.* Have other opposition leaders in Zimbabwe been similarly detained?

Answer. I understand the Department has received credible reports of numerous detentions, beatings, and abuses of Zimbabweans since the July 30 election, particularly targeting opposition activists.

We have expressed our serious concerns over these reports in our conversations with Zimbabwean officials in Washington and in Harare.

*Question 135.* What actions should the Government be taking in response in your view?

Answer. We should continue to encourage the Zimbabwean Government to implement deep and meaningful political and economic reforms. The responsibility continues to lie with the Government of Zimbabwe to set itself on a new path of robust reforms that may allow the United States and our international partners to engage the country in ways that have not been previously possible.

*Question 136.* Nigeria will hold presidential elections in February 2019 but the country remains engulfed by a number of security challenges, perhaps most notably the Boko Haram/ISIS West Africa crisis in the northeastern part of the country and the farmer-herder conflict in the middle belt. What do you believe is the right approach for the United States when it comes to security cooperation with Nigeria?

Answer. A robust U.S. interagency effort is required to help the Nigerian Government and civil society address instability while building more capable, professional, and accountable Nigerian security forces that respect human rights and protect civilians. The U.S. Government must continue to employ diplomacy—both public and private—and programs to achieve this goal. We must press the Nigerian Government for credible and transparent investigations into allegations of corruption and human rights violations, pursuing accountability for those responsible. If confirmed, I will ensure that our security cooperation with Nigeria continues to support our goals of increasing security, respecting human rights, and protecting civilians.

*Question 137.* What is the genesis, to the best of your knowledge, of the conflict in the middle belt?

Answer. It is my understanding that long-standing rural violence has worsened considerably this year. While the conflict dynamics vary, the violence largely stems from a competition for resources, especially over arable land. With farmers coming from majority Christian ethnic groups and herders from majority Muslim ethnic groups, the conflict seems to play out along ethnic and religious lines, although we do not assess that ethnicity or religion are the primary drivers. Conflict is also likely being inflamed due to identity politics as Nigeria's 2019 elections approach. The prevalence of arms, inadequate security and law enforcement responses, and impunity worsen the situation. Armed civilian self-defense forces, formed due to attacker impunity and long-standing indigene-settler tensions, exacerbate the situation as well.

*Question 138.* What steps should we be taking to mitigate violence there?

Answer. If confirmed, I will encourage a multi-faceted approach to helping Nigeria prevent and mitigate this conflict. In public messaging, we will continue to call for an immediate end to violence, for the swift and voluntary return of displaced communities, and for perpetrators to be brought to justice. We must help Nigerian political, religious, business, and community leaders speak out for peace, work together to implement reforms to modernize herding and farming practices, and improve employment opportunities and service delivery for rural populations. I understand the U.S. Government already works to improve the capacity of Nigerian security and judicial services to achieve an improved response and adherence to human rights. I welcome President Buhari's commitment to protect all Nigerians and to prevent religious conflict. If confirmed, I commit to working with Nigeria and other partners to achieve this goal.

*Question 139.* How can the U.S. strike the right balance between addressing terrorism concerns and human rights concerns as regards to accountability for human rights abuses by the Nigerian military?

Answer. To combat both ISIS-West Africa and Boko Haram, the Nigerian military must execute effective military operations against asymmetric threats. It must also be a force that protects its citizens and respects human rights. In the press conference during his April 30 visit to the White House, President Buhari reiterated his deep commitment to the principles of human rights as well as the promotion and protection of people's freedoms, even while fighting terrorism. He also committed to investigating all documented cases of human rights abuses and holding violators accountable for their actions. If confirmed, I will work to hold Nigeria to that commitment while bolstering Nigeria's ability to maintain peace and security.

*Question 140.* Has the administration finalized its election strategy?

Answer. In my understanding, the interagency Nigerian election strategy has been completed and will be updated and revised as needed.

*Question 141.* What are the major elements of the [election] strategy?

Answer. In my understanding, the interagency Nigerian election strategy states that the U.S. Government goal for Nigeria's 2019 elections are that they be free,

fair, transparent, and peaceful with results that reflect the will of the Nigerian people. The strategy plans and coordinates U.S. Government diplomatic engagement, public messaging, and programs related to the elections. The U.S. Government provides technical assistance to Nigeria's election institutions and parties, supports civil society election monitoring efforts, conducts its own elections observation across the country, works to prevent electoral violence, and supports Nigerian voter education and civic education efforts. If confirmed, I will ensure that the U.S. Government continues working with the Nigerian Government and civil society to strengthen democracy.

*Question 142.* The Nigerian Air Force mistakenly bombed an IDP camp in Rann in January 2017, killing as many as 200 people. There has been no report to the public about what went wrong. The Army is accused of massacring 300 people and burying them in a mass grave in Zaria in December of 2015. Recommendations made by the Kaduna Judicial Commission of Inquiry into the Zaria massacre have not been taken up by the Federal Government. In mid-2015, Amnesty International released a report alleging that the deaths of 8000 civilians are attributable to the Nigerian military in northeast Nigeria, and that specific commanders had knowledge of torture, extra-judicial killings and arbitrary detentions in overcrowded facilities. To your knowledge, has anyone been held accountable for the Rann bombing or the Zaria massacre through a transparent legal process?

Answer. I understand that the Nigerian Government established an independent, civilian-led Presidential Investigative Panel in 2017 with a broad mandate to investigate allegations of human rights abuses by the military, including the December 2015 events at Zaria in Kaduna State, but that the findings have not yet been made public. I am not aware that anyone accused of wrongdoing by the Kaduna state Judicial Commission of Inquiry into the Zaria attacks has been held to account. I understand that the Nigerian Air Force established a six-person panel to investigate the January 2017 Rann bombing, but I am not aware if that investigation has been made public or if anyone has been punished for wrongdoing. If confirmed, I will look into both cases.

*Question 143.* If confirmed, what specific actions will you take as Under Secretary of State for Political Affairs to support accountability for the Rann bombing and the Zaria massacre?

Answer. If confirmed, I will underscore that human rights abuses and impunity for such violations tarnish Nigeria's international reputation, undermine the trust of its citizens, impede counterterrorism efforts, and hinder U.S. ability to partner with Nigeria. I will urge the Nigerian Government to implement credible investigations into allegations of security force abuses to ensure accountability. The State Department will also continue to use reporting to document human rights concerns publicly. In 2017, the Nigerian Government created an independent, civilian-led Presidential Investigative Panel with a broad mandate to investigate allegations of human rights abuses by the military. If confirmed, I will press the Nigerian Government to release these findings publicly and hold those found guilty of wrongdoing to account. of the investigation into either [Rann bombing or Zaria attack] incident?

Answer. I understand that the sale of up to twelve A-29 aircraft to the Nigerian Government includes training and other components that aim to improve the professionalism of Nigerian security forces. This training will emphasize protecting human rights, preventing harm to civilians, and upholding the Law of Armed Conflict consistent with President Trump's new Conventional Arms Transfer Policy that prioritizes reducing harm to civilians. The sale must support efforts to create a more capable and professional Nigerian security force that respects human rights, upholds the law of armed conflict, and is better able to counter terrorism. If confirmed, I will urge credible investigations into allegations of human rights abuses, more transparent efforts to end impunity, and accountability for individuals implicated in wrongdoing.

*Question 144.* We continue to hear of concerns, particularly in the Bureau of International Organization Affairs, about targeting of and retaliation against career employees based on their perceived political affiliation or work on policy initiatives under the previous administration. As I mentioned in your nomination hearing, such actions have no place in the federal government. If confirmed, do you commit to familiarize yourself with these allegations, including reading the documents that the Department has made available to the Inspector General?

Answer. I find the alleged behavior described highly objectionable, if true, and am pleased to learn the State Department is appropriately investigating these allegations through the strong, independent Office of the Inspector General and the U.S. Office of Special Counsel. If confirmed, I am committed through my leadership to

ensure that our policies and protections for employees are rigorously enforced and that allegations of this nature are appropriately addressed.

*Question 145.* Do you also commit to report to the committee whether or not you determine that, as the Undersecretary of State for Political Affairs, there are steps you need to take before the Inspector General investigation is complete?

Answer. I understand that the Department has referred allegations of political reprisal against its career employees to the Department's Office of the Inspector General and the U.S. Office of Special Counsel. I understand that the Department is fully cooperating with those investigations. If confirmed, I will ensure the Department takes appropriate action in connection with those investigations, including keeping the committee appropriately informed.

*Question 146.* What will you do to ensure that all employees under your leadership understand that any retaliation, blacklisting, or other prohibited personnel practices will not be tolerated?

Answer. The Department is committed to adhering to the merit systems principles in its employment practices and ensuring that prohibited personnel actions are not tolerated. If confirmed, I would uphold these commitments without question by ensuring that Department employees continue to receive required training and notifications to be aware of their rights and protections under the law and that the Department takes appropriate action following any findings of prohibited personnel practices.

*Question 147.* As stated in a letter I sent to Secretary Pompeo on August 16, I am deeply concerned about the increasing challenges faced by Foreign Service Officers who have children with disabilities, such as the denial or revocation of medical clearances and the withdrawal of funding for services and support for their children abroad—which they would be entitled to in the United States. During your tenure as U.S. Ambassador in Pakistan, were you aware of any of these issues among your staff?

Answer. The Embassy in Islamabad and the three Consulates General in Lahore, Karachi, and Peshawar are unaccompanied posts due to the high threat security environment, although adult Eligible Family Members hired into full-time positions are allowed to reside at post. I was aware, however, that a number of Foreign Services Officers serving in Mission Pakistan were separated from their families, including some children with disabilities, for the duration of their assignment. Families are vital to the success of our diplomatic efforts abroad, and if confirmed, I will continue to strongly advocate for an environment that supports the well-being of all the Department's employees—and their families—as they carry out our important mission domestically and abroad.

*Question 148.* If confirmed as Undersecretary of State for Political Affairs, will you be a strong advocate within the Department for Foreign Service Officers, especially those who have children with disabilities?

Answer. If confirmed, I will support all Foreign Service Officers within the Department. In particular, I will support families to work with the relevant bureaus within the Department to ensure that FSOs who have children with disabilities receive allowances provided for under the law and Department policy.

*Question 149.* Under former Secretary of State Tillerson, the Department's talent base suffered from a damaging and inexplicable hiring freeze, as well as an unnecessary and stark reduction in the intake of new Foreign Service Officers. Please describe how these personnel policies effected the work of the U.S. Embassy in Pakistan during your tenure there as Ambassador.

Answer. The U.S. Embassy in Islamabad and our consulates in Karachi, Lahore, and Peshawar currently employ 437 U.S. direct hire staff, 31 eligible family members (EFMs), and 1,488 locally employed staff, who fill critical roles across the Mission in advancing U.S. foreign policy. Changes in the Department's personnel policies generated delays that led to staffing gaps, particularly for our EFM positions. As Ambassador, I successfully advocated for filling these positions as a cost-effective, morale-boosting measure to ensure my workforce was fully equipped to advance American interests in Pakistan.

*Question 150.* If confirmed, how will your personal experience navigating the effects of these disruptive policies inform your recommendations as a member of the Department's senior leadership?

Answer. Throughout my career, I have witnessed that effectively advancing U.S. interests around the world requires the Department to have a diverse, well-equipped workforce ready to meet the challenges we face. Secretary Pompeo's decisions in May to authorize Chiefs of Mission to hire eligible family members overseas

and lift the hiring freeze on Foreign Service and Civil Service employment, and subsequently to support hiring above attrition are crucial in this regard. If confirmed, I will draw on my over three decades of experience in the Department to urge the Secretary to continue to pursue policies that strengthen our Foreign Service and Civil Service through appropriate recruiting, hiring, training, promotion, and workforce management practices.

*Question 151.* The President's Executive Order 13769 restricted travel to the United States from a number of majority Muslim countries. Please describe your opinion of E. O. 13769.

Answer. I understand the restrictions imposed by the President were carefully considered to enhance the effectiveness of our security screening and to prevent the entry of foreign nationals for whom the U.S. Government lacks sufficient information to assess adequately the risk they may pose. U.S. foreign policy, national security, and counter terrorism goals were assessed in determining the restrictions. The restrictions and limitations are chosen to both encourage foreign governments to comply with the information sharing standards as well as to protect the United States until such time as the improvements occur.

*Question 152.* Are you concerned about the effect of that EO on our relationship with countries that are subject to it?

Answer. We will continue to work with identified countries to address information sharing deficiencies that resulted in the recommendation that their nationals be subject to travel restrictions. The Secretary of Homeland Security, in consultation with the Secretary of State and Attorney General, will regularly review and recommend countries for removal of these restrictions as circumstances warrant, such as an improvement in information sharing practices.

*Question 153.* Are you concerned about the effect of that EO on the United States' reputation around the globe?

Answer. The Department takes securing our nation's borders very seriously. Every visa decision is a national security decision and we engage with all foreign governments to communicate that information sharing is a top priority directly related to national security. After implementing Presidential Proclamation 9645, we continued working with identified countries to address information sharing deficiencies that resulted in the recommendation that their nationals be subject to travel restrictions. Per the Proclamation's provisions, the Department of State consulted with the Department of Homeland Security on a process to consider adjustments to the restrictions based on countries' compliance with information sharing and identity-management criteria. Since implementing these measures, many foreign governments have made significant improvements with identity management and information sharing practices.

*Question 154.* Have any of your subordinates ever made complaints, either to you or about you, of sexual harassment, racial discrimination, or a hostile workplace?

Answer. During my career as a senior leader at the Department of State, including as Chief of Mission in Jordan, Lebanon, and Pakistan, I have worked with the Office of Civil Rights to respond immediately to any complaints made by my staff of discrimination, harassment, or a hostile workplace. I am not aware of any such complaints made about me.

*Question 155.* If so, what were the circumstances and how was it resolved?

Answer. I am not aware of any such complaints made about me. When complaints of sexual harassment by my staff were brought to my attention, I worked with the Office of Civil Rights to respond immediately in accordance with applicable laws, regulations, and Department policies. In some cases, this resulted in disciplinary action.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR MARCO RUBIO**

*Question 1.* Do you believe the Chinese Government and Communist Party are currently executing information operations within the United States, including through Beijing-funded Confucius Institutes?

Answer. The United States objects to efforts by foreign governments to use coercive, criminal, or corrupt means to interfere with our democratic societies. The Department has a program to actively engage the higher education community to raise awareness of the concerns about Confucius Institutes, academic freedom, and the in-

tegration of foreign students into campus life. If confirmed, I will encourage the higher education community to continue sharing American values, including the importance of academic freedom, with Chinese and other international students. I will ensure we continue to monitor Confucius Institutes so that their operations are consistent with the policies of the host institutions and in accordance with all applicable laws.

*Question 2.* What sorts of Chinese information operations did you observe during your time in Pakistan?

Answer. China has further deepened its longstanding relationship with Pakistan since 2015, particularly economically, through the China-Pakistan Economic Corridor (CPEC). Since then, we have seen China's political, economic, and societal influence in Pakistan grow significantly. Chinese investment and populations in Pakistan have increased substantially, and China has worked with Pakistan to ensure widespread positive media coverage and publicity of its investment and assistance projects. China has also markedly increased people-to-people exchanges with Pakistan. The United States is concerned about the lack of transparency with Chinese investment through CPEC.

*Question 3.* How can the State Department better support the U.S. Government in countering Chinese information operations?

Answer. The United States objects to efforts by foreign governments to use coercive, criminal, or corrupt means to interfere with democratic societies. Countering foreign interference in democratic processes, institutions, and societies—be it from China or another foreign actor—is a critical priority for the United States and the State Department. Acts of foreign interference can limit or shape otherwise independent judgments, undermine confidence in our institutions, and impact market-based decision-making by the private sector. While details of these efforts can be discussed further in a classified setting, if confirmed, I will pledge to fully support ongoing efforts, led by the State Department, to track problematic activities and develop strategies to deal with them.

*Question 4.* In China's Xinjiang Uyghur Autonomous Region, Uyghurs and other primarily Muslim ethnic minorities have been subjected to arbitrary detention, torture, egregious restrictions on religious practice and culture. There are credible reports that as many as a million people are or have been detained in what are being called "political reeducation" centers, the largest mass incarceration of an ethnic minority population in the world today. How do you assess the human rights situation in China?

Answer. Overall, whether it is the shrinking space for foreign non-government organizations, crackdowns on dissidents and lawyers, repression of religious organizations, or the systematic restrictions placed on certain ethnic minorities, China's overall human rights situation is deteriorating. I am deeply troubled by the Chinese Government's worsening crackdown on the human rights and fundamental freedoms of Uighurs, Kazakhs, and other Muslims in Xinjiang. China's detention of hundreds of thousands, and possibly millions, of individuals in Xinjiang is horrific. If confirmed, in close coordination with our like-minded partners, I will continue to speak out against China's human rights violations and promote accountability for these abuses.

*Question 5.* Is China perpetrating religious-based violence against its own citizens?

Answer. I am deeply concerned about China's repression of religious freedom, such as the large number of Muslim ethnic minorities who have been detained in Xinjiang without due process. Elsewhere, there are reports of government crackdowns on other religious organizations, such as Buddhism in Tibet and Christianity throughout China. Secretary Pompeo, Vice President Pence, and others highlighted these troubling trends at the recent international Ministerial to Advance Religious Freedom. If confirmed, I will urge China to uphold its international commitments to promote religious freedom for all individuals, including ethnic and religious minorities and those who worship outside of official state-sanctioned institutions.

*Question 6.* Do you believe that the State Department should consider support for Global Magnitsky sanctions against Xinjiang officials?

Answer. The Department of State's role in the implementation of Global Magnitsky encompasses all of our diplomatic missions, regional bureaus, and many of our functional bureaus as well. If confirmed, I am committed to supporting the implementation of the Global Magnitsky sanctions program by promoting the pursuit of targets that are geographically diverse, at all levels of influence, and balanced between human rights and corruption targets. As with all of the State De-

partment's sanctions programs, the Department does not discuss ongoing or potential sanctions investigations.

*Chinese Coercion of the U.S. Private Sector*

*Question 7.* The Chinese Government is increasingly aggressive in its efforts to compel international companies to toe Beijing's line on sensitive topics like Taiwan, Hong Kong, and Tibet. This has been especially true when it comes to American companies, such as our domestic airlines. The Chinese Government has been pressuring them to stop acknowledging reality and instead to list Taiwan as part of China. What more can the State Department do to push back on Chinese coercion efforts against U.S. and international companies? Where does reciprocity come in to play?

Answer. I object to China's attempts to compel American firms to use specific language of a political nature in their publicly available content. The United States has raised this issue with our partners and urged them to join us in objecting to China's threats. We have worked closely with U.S. companies to push back against Chinese Government coercion, when it occurs. If confirmed, I will work with others in the Department to continue to forcefully call on China to stop coercing American companies.

In stark contrast, in the United States, all companies are free to operate their websites and publish marketing materials free of political interference.

*Question 8.* What should be our red lines when a U.S.-based employee for Marriott is fired, in response to Chinese coercion, for accidentally liking a tweet on Tibet?

Answer. The Chinese Government is well aware of our position. We have consistently conveyed to Chinese authorities that the United States strongly objects to China's attempts to coerce American companies and citizens.

While we do not tell American firms how to respond to China's threats, we let them know they have our full support in resisting such coercion. If confirmed, I will stress to my Chinese counterparts that we strongly object to Chinese Government coercion against our companies, and I will continue to support American companies in addressing these threats.

*Question 9.* Do you think it crosses a red line when China claims legal jurisdiction over the public-facing content of an American company's web site?

Answer. I object to Beijing dictating how American and other non-Chinese companies operate their websites. Chinese companies are free to operate their websites without political interference in the United States. If confirmed, I will stress to my Chinese counterparts that we strongly object to Chinese Government coercion against our companies, and I will continue to support American companies in addressing these threats.

*Cuban Entities Blacklist*

*Question 10.* The State Department controls the "List of Restricted Entities and Subentities Associated with Cuba," which is a blacklist of entities with which Americans cannot do business. However, this list does not include all entities or subentities owned or controlled by another entity or subentity on the list. This means that there are large numbers of military and government-controlled companies that are missing. If confirmed, do you commit to reexamining to the list to ensure that it matches the intent of President Trump's policy change on Cuba?

Answer. On June 16, 2017, the President signed a National Security Presidential Memorandum, "Strengthening the Policy of the United States Toward Cuba," that outlines how the United States will address our policy toward Cuba consistent with U.S. interests. The Departments of Commerce and the Treasury published changes to the Cuba sanctions regulations that generally prohibit direct financial transactions with entities and sub-entities under the control of, or that act for or on behalf of, the Cuban military, intelligence, or security services identified on the State Department's Cuba Restricted List. I am aware the Cuba Restricted List is a living document and if confirmed I will seek to ensure the appropriate entities and sub-entities continue to be listed.

*Question 11.* The State Department controls the "List of Restricted Entities and Subentities Associated with Cuba," which is a blacklist of entities with which Americans cannot do business. However, this list does not include all entities or subentities owned or controlled by another entity or subentity on the list. This means that there are large numbers of military- and government-controlled companies that are missing. If confirmed, do you commit to providing an update to my staff on the status of the list in your first 90 days?

Answer. If confirmed, I will ensure your staff receives an update on the status of the Cuba Restricted List within my first 90 days in office.

#### LIBERTAD ACT

*Question 12.* Title III of the LIBERTAD Act contains remedies to protect the interests of U.S. claimants. However, the right to action in Title III—the ability to recover damages—has been waived by the President or Secretary of State every six months for almost 22 years under the justification that doing so “is in the national interests of the United States and will expedite a transition to democracy in Cuba.” Do you believe that a transition to democracy in Cuba has occurred in Cuba or is being in anyway expedited?

Answer. Unfortunately, there is no indication the April 19 leadership transition in Cuba reflects an opening in the country’s political or economic system. Raul Castro, as the head of the Cuban Communist Party, remains Cuba’s primary decision-maker and the Party continues to prevent opposition parties from participating in public life. I understand since 1996, successive Presidents and Secretaries of State have waived the right to action in Title III. This has been based on an assessment of the U.S. national interest, including the effect non-suspension would have on international support to promote democratic reforms in Cuba.

*Question 13.* Title III of the LIBERTAD Act contains remedies to protect the interests of U.S. claimants. However, the right to action in Title III—the ability to recover damages—has been waived by the President or Secretary of State every six months for almost 22 years under the justification that doing so “is in the national interests of the United States and will expedite a transition to democracy in Cuba.” If it hasn’t, should the State Department continue to waive Title III of LIBERTAD Act?

Answer. As reflected in the President’s National Security Presidential Memorandum 5, “Strengthening the Policy of the United States toward Cuba,” the advancement of human rights and democracy in Cuba is a top priority of the administration. The current suspension of the right to action under Title III of the Libertad Act is in effect through January 31, 2019. I understand the Secretary’s decision to suspend the effective date of Title III reflects, among other considerations, an assessment of the effect non-suspension would have on international support to advance fundamental freedoms and democracy in Cuba. If confirmed, I will support the Secretary’s careful assessment of these factors in future determinations.

*Question 14.* A large question regarding the future of Syria is Iran’s presence in Syria. In the last two months, fighting in Syria has moved south to areas adjacent to Israel. While the fighting has been led by the Assad regime’s military forces, it is widely believed that Hezbollah and Iran-backed Shia militias are participating in the effort. Israel has made clear it will not accept the presence of Iranian-backed forces on its northern border. If confirmed, how would you suggest the administration shape its strategy to counter Iran’s influence in Syria?

Answer. The administration is committed to countering Iran’s malign influence in the region, including the removal of all Iranian and Iranian proxy forces from Syria. Iran’s support to Assad, particularly sectarian militias guilty of abuses against civilians, undermines the legitimate political process to resolve the conflict. Russia and Iran lack the material resources for the stabilization and eventual reconstruction of Syria. Russia has approached the United States and others about providing that assistance, but the United States and our allies will not provide assistance absent a credible political process that leads unalterably to constitutional reform, U.N. supervised elections, and a political transition reflecting the will of the Syrian people.

*Question 15.* What more should the United States be doing to ensure that Israel, our ally and a fellow democracy, has what it needs to defend itself against Iranian aggression emanating from Syria?

Answer. If confirmed, I will continue to build on the strong cooperation that we have with Israel and use all the tools available to me to enhance its status as a partner. I strongly support Israel’s right to self-defense, and recognize the legitimate security concerns Iran’s current force posture in Syria poses for Israel’s security. If confirmed, I will work extensively with likeminded countries, including Israel, to deter and disrupt Iranian threats.

#### *Iran Human Rights*

*Question 16.* The Iranian people continue to speak out and protest the Tehran regime’s gross mismanagement of the economy and spending on regional adventurism. After the wave of protests across Iran, the Trump administration has been vocal in its support for the Iranian people. Beyond words of support, how should the U.S. Government support the people of Iran?

**Answer.** The Iranian regime, which spreads instability across the globe, is to blame for the problems facing its people. Systematic human rights abuses inside the country, the lack of civil liberties, and pervasive government corruption and economic mismanagement are what hurt the Iranian people the most. The United States stands with the Iranian people who are longing for a country of economic opportunity, government transparency, fairness, and greater liberty. If confirmed, I will work with our friends around the world to counter the totality of the Iranian regime's malign activity. The hope is that ultimately the regime will make meaningful changes in its behavior both inside Iran and globally, which will ultimately help the Iranian people.

**Question 17.** How can the State Department make clear to the people of Iran that we support them and that our sanctions are targeted towards the regime and not them?

**Answer.** The administration has been clear that the Iranian regime is to blame for the problems with Iran's economy and that our sanctions are meant to put pressure on the Iranian regime so that it changes its malign behavior. The regime's systemic mismanagement and decision to prioritize an ideological agenda over the welfare of the Iranian people has put Iran into a long-term economic tailspin. The administration has underscored that Iran's increased oil revenues as a result of the nuclear deal could have gone to improving the lives of the Iranian people, but instead terrorists, dictators, proxy militias, and the regime's own cronies benefitted the most.

**Question 18.** The United Nations remains an outlet for anti-Israel sentiments and bias. It is regrettable that far too many of our allies and partners, particularly in Latin America, consistently vote for anti Israel resolutions. It is important that we emphasize to friendly governments that we hope to see voting patterns at the U.N. more in-line with U.S. positions in order to advance the goal of achieving a lasting peace between Israelis and Palestinians that is negotiated directly between the two parties. If confirmed, will you direct our ambassadors to work with their host governments and persuade them to vote no or abstain when it comes to anti-Israel resolutions at the United Nations?

**Answer.** The United States remains committed to combatting anti-Israel bias and efforts to delegitimize Israel across the U.N. system. We actively seek the support of other countries to join us in opposing all such efforts. The United States consistently uses its seat on the Security Council and membership in the General Assembly and other U.N. bodies to push back on bias against Israel. If confirmed, I will continue the administration's tireless efforts to publicly and privately call on every member state to oppose anti-Israel resolutions, reports, and programs.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR TIM KAINE**

**Question 1.** Hizballah made significant gains in the May parliamentary election. Meanwhile, some fear Hizballah's involvement in Syria's conflict, while stretching its resources and inflicting casualties on its ranks, is actually an ideal training ground for future hostilities with Israel. What are the short-term prospects for re-igniting of a conflict on the Israel-Lebanon border?

**Answer.** A near-term conflict between Israel and Hizballah would not serve the interests of either party. I share your profound concern about Hizballah's destabilizing role in Lebanon and in the region. If confirmed, I will continue to support all U.S. Government efforts to curb Hizballah's influence, including the use of our sanctions authorities on Hizballah to the fullest extent possible. I will also encourage our partners around the world to enhance their own efforts to degrade Hizballah's domestic and international capabilities and dismantle its global financial and material support network.

**Question 2.** Has Hizballah been weakened or strengthened by its involvement in the Syrian conflict and what will you do as Undersecretary to counter its impact on the region?

**Answer.** Hizballah's involvement in the Syrian conflict has allowed it to expand its corrosive influence outside of Lebanon. As such, I share your profound concern about Hizballah's destabilizing role in Lebanon and in the region. If confirmed, I will continue to support all U.S. Government efforts to curb Hizballah's influence, including the use of our sanctions authorities on Hizballah to the fullest extent possible. I will also encourage our partners around the world to enhance their own ef-

forts to degrade Hizballah's domestic and international capabilities and dismantle its global financial and material support network.

*Question 3.* We have seen a worrying uptick of arrests of women's rights activists in Saudi Arabia since May, culminating in the late July arrests of Samar Badawi and Nassima Sada. Many of these women were detained without charge; all have been outspoken for the need for Saudi Arabia to enact reforms to ensure basic civil rights and human rights for women, including reform of its guardianship regulations. Who is the highest level Saudi official with whom a U.S. official has had a direct conversation about the need to release these prisoners of conscience, and what was the result of that conversation?

**Answer.** The administration continues to have concerns about the human rights situation in Saudi Arabia. We are closely following the recent detention of activists, many of whom have campaigned for the types of reforms the Government is now initiating. As described in the President's National Security Strategy, the United States supports civic efforts to advance women's equality and protect the rights of women and girls around the world. Our Charge d'Affaires in Riyadh has discussed the arrests of the activists with senior Saudi officials, up to and including the foreign minister, and the Department has urged the Government of Saudi Arabia to provide information on the arrests and cases of women's rights and other activists.

*Question 4.* How is the State Department acting more broadly to support reform of the guardianship regime and what priority will you place on this issue?

**Answer.** Our relationship with Saudi Arabia ranges from combating ISIS and resolving regional conflicts to pursuing mutually beneficial economic and political issues. We support Crown Prince Mohammed bin Salman's reforms, including the revocation of the ban on women driving. Recognizing the guardianship regime is a feature of traditional Saudi culture, we highlight concerns with official gender discrimination in our annual Human Rights Report. An effective tool is facilitating the higher education of tens of thousands of Saudi men and women in the United States, where they are exposed to different values and experiences. We urge Saudi Arabia to honor norms of due process and rule of law for all citizens, male and female.

*Question 5.* Citing national security, President Sisi has authorized a crackdown on free speech in Egypt, charging citizens and foreign nationals, including Americans, with a variety of crimes for voicing their opinions and targeting well-known critics of his regime. An Egyptian court in late July sentenced 75 people to death for participating in the 2013 Rabaa al-Adawiya sit-in, with 660 more awaiting sentencing. What steps will you take to oppose the increasing limitations on free speech and dissent in Egypt?

**Answer.** Egypt is a country where we have complex challenges and where different interests come into play. If confirmed, I look forward to advancing our strategic partnership and addressing our common challenges, while emphasizing respect for and protection of human rights and fundamental freedoms. As Secretary Pompeo has said, when we come across a country that is engaged in human rights violations, things that are inconsistent with our values, we should call them out. We continue to engage in a frank dialogue about Egypt's highly restrictive NGO law, its arrests of non-violent activists, and its past conviction of employees of U.S. NGOs.

*Question 6.* How will you respond if the Grand Mufti upholds these death sentences?

**Answer.** If confirmed, I look forward to emphasizing respect for and protection of human rights and fundamental freedoms. We consistently raise our concerns with Egypt's lack of progress on democracy and human rights, including concerns over a lack of respect for fair trial guarantees, excessive use of preventative custody and pretrial detention, trials involving hundreds of defendants, and the use of military courts to try civilians.

*Question 7.* The U.S. Embassy in Damascus suspended operations in February 2012. Since then, five million Syrians have become refugees and an additional six million are internally displaced. In your testimony, you indicated a policy priority for the United States must be supporting conditions for the return of those refugees to Syria. However, many of those who departed would not be welcomed back by the Assad regime and fear returning to an authoritarian state that brutally murdered their countrymen and in many cases, their family members. What is your vision for the resolution of the Syrian refugee crisis?

**Answer.** If confirmed, I will continue to support a credible political process in Geneva that leads unalterably to constitutional reform, U.N.-supervised elections, and a political transition that reflects the will of the Syrian people. As part of the proc-

ess to resolve the conflict, if confirmed, I will support engaging on a U.N.-led comprehensive refugee return plan that would allow those Syrian refugees who wish to return home to do so in conditions that are safe, voluntary, and dignified.

*Question 8.* What conditions must be in place for the reestablishing of diplomatic relations with Syria?

Answer. The administration's top priorities in Syria are to ensure the enduring defeat of ISIS and other terrorist groups, and the full withdrawal of Iranian forces and their proxies. We believe that neither of these events will happen without irreversible progress toward a political resolution of the conflict in accordance with U.N. Security Council Resolution 2254.

We would likely not be in a position to reverse our suspended formal diplomatic relations until these conditions occur.

*Question 9.* A recently released U.N. report says that al-Qa'ida, like ISIS, roughly has about 30,000 members, and is stronger now in places including Somalia, Yemen, South Asia and the Sahel region. Other reports indicate that al-Qa'ida has been decimated in Afghanistan and that few senior figures remain there. We have been at war against al-Qa'ida for 17 years now. If not the death of Osama bin Laden, what is a tangible end state for the U.S. against al-Qa'ida?

Answer. Today's al-Qa'ida is a fluid, diverse, and decentralized organization. Despite significant leadership and other network losses since 2001, the al-Qa'ida organization continues to pose serious threats to Americans and U.S. interests worldwide. Al-Qa'ida is playing a patient "long game," and success against this adversary will take time and an enduring, comprehensive commitment. Success will be realized when the group is no longer able to conduct attacks against Americans and our interests. If confirmed, I will employ all of the Department's diplomatic tools against this dangerous network.

*Question 10.* As a diplomat who has served in Jordan, Israel, Lebanon and Pakistan since 9/11, tell me your lessons learned from this conflict. What 1–2 things have worked that you will continue if confirmed? What 1–2 things have we gotten wrong? What new policies or strategy shifts will you advocate for if confirmed?

Answer. The only long-term solution to the fight against terrorism is political, not military. Despite our achievements, I remain concerned about the lasting effects of recruitment of vulnerable populations resulting from the security vacuum and spillover effects of the conflicts in Syria, Yemen, and elsewhere. I believe that we, and our global partners, need to do more to build the resiliency of states in regions most threatened by terrorism, including through support for state institutions such as their security services. We also need to encourage international donors to continue being generous to bolster the resiliency of state institutions, something which I focused on during my time as Ambassador to Jordan and Lebanon. In Lebanon, for example, the United States has helped transform the Lebanese Armed Forces into a well-trained and agile security force that was able to expel the remaining pockets of ISIS from Lebanon last year. In Jordan, our partnership with the Jordan Armed Forces was critical to the campaign to defeat ISIS. Moreover, in Pakistan, through our efforts we have severely degraded al-Qa'ida leadership, even if we have more to do to press that country's leadership to end sanctuary to all terrorist groups. If confirmed, I look forward to continuing this discussion with you and your staff.

*Question 11.* A recent investigation by the Associated Press found that the Saudi-led coalition in Yemen cut secret deals with al-Qa'ida fighters, paying some to leave key cities and towns and letting others retreat with weapons, equipment and looted cash. Hundreds more were recruited to join the coalition itself. These compromises and alliances have allowed al-Qa'ida militants to survive to fight another day—and risk strengthening the most dangerous branch of the terror network that carried out the 9/11 attacks. According to these reports, key participants in the pacts said the U.S. was aware of the arrangements and held off on any drone strikes. Further north, al-Qa'ida remains the most powerful military force among the Syrian opposition today, located in northwest Idlib province with unimpeded access to the border with Turkey. What is your response to the Associated Press report and these findings?

Answer. I too saw the piece by the Associated Press earlier this month. I understand the U.S. intelligence community considers al-Qa'ida in the Arabian Peninsula (AQAP) to be one of the most dangerous branches of al-Qa'ida, and U.S. policy is to combat these terrorists. Extremist groups like AQAP take advantage of conflict and perpetuate instability to plot, launch, and inspire terror attacks against Americans and our regional partners. I understand the United States coordinates with the United Arab Emirates, Saudi Arabia, and Yemen in supporting a counterterrorism campaign in Yemen to disrupt the terror efforts of AQAP. The United States also

remains committed to defeating al-Nusrah Front, al-Qa'ida's Syrian affiliate, which continues to seek the ousting of Assad and the expansion of its reach regionally.

*Question 12.* Is the Yemen conflict enabling the survival of al-Qa'ida in the Arabian Peninsula?

Answer. The ongoing conflict in Yemen continues to create a security vacuum for al-Qa'ida in the Arabian Peninsula (AQAP) to exploit. I understand AQAP conducts attacks against the Government of Yemen and its Coalition partners, although Coalition counterterrorism operations have also rolled back AQAP's territorial control and the organization's freedom of movement. AQAP continues to indicate its intent to target the United States and is considered to be among the most dangerous of the al-Qa'ida affiliates. The administration firmly believes that preventing terrorist attacks against the homeland and ending the conflict in Yemen through a negotiated political settlement under U.N. auspices are in our national security interests.

*Question 13.* Which group more directly threatens U.S. national security interests, the Houthis or al-Qa'ida?

Answer. Both al-Qa'ida in the Arabian Peninsula (AQAP) and Iran, through the Houthis, are manipulating the security vacuum created by the conflict to expand their influence in Yemen and threaten U.S. interests. AQAP continues to indicate its intent to target the United States and is among the most dangerous of the al-Qa'ida affiliates. I understand the Houthis create instability in the region by repeatedly using Iranian ballistic missile and cruise missile technology, including to target Riyadh's international airport, Aramco facilities, and Red Sea shipping lanes. Over 80,000 U.S. citizens live in Saudi Arabia. Defeating AQAP and ISIS-Yemen and countering Iran's nefarious activities in the region all hinge on the resolution of this Yemen conflict.

*Question 14.* Is the threat from al-Qa'ida in Syria now greater than ISIS?

Answer. Although U.S. Government counterterrorism efforts have focused largely on defeating ISIS, the Department is concerned by the strength of al-Qa'ida elements in Syria and the growing threat they pose to the United States and our allies. Of particular concern is the al-Qa'ida presence in Idlib province in northwest Syria, which the Assad regime and its allies have allowed to fester. Al-Qa'ida is playing a patient "long game," with a continued intent to launch external operations against the West. Success against this adversary will take time and an enduring, comprehensive commitment. The United States remains committed to defeating al-Qa'ida, al-Nusrah Front, and other affiliated groups in Syria and is working with key allies and partners on efforts to counter the threat.

*Question 15.* What threat does it pose to the U.S.?

Answer. Al-Qa'ida has long made clear that it seeks to attack the United States and U.S. interests. Syria-based groups linked to al-Qa'ida, including al-Nusrah Front, Huras al Din, and Hayat Tahrir al Sham, share the same goals and ideology. While some of these groups are primarily focused on fighting the Assad regime, the Department is concerned about their growing capacity to undertake external operations that could threaten the United States, Europe, and allies in the region. Furthermore, the relocation of a number of al-Qa'ida leaders to Syria in recent years has increased the threat that Syria-based al-Qa'ida elements pose to the United States and our friends and allies.

*Question 16.* What is the strategy for reducing its presence in Syria?

Answer. The Department's primary counterterrorism objective in Syria is to defeat ISIS and other terrorist groups, such as al-Qa'ida, that threaten the United States and our allies. The Department works with allies and partners in the region to help choke off these groups' external movements of and access to fighters and resources. The Department continues to sanction al-Qa'ida groups, leaders, and operatives, including internationally through the U.N. Security Council sanctions regime on al-Qa'ida and ISIS. The Department helps build partner capacity to implement these sanctions effectively. We are also engaging diplomatically with partners to mobilize the international community to focus on the al-Qa'ida presence in Syria to ensure that al-Qa'ida-affiliated groups in Syria do not receive funds or circumvent sanctions. The U.S. Government also provides assistance to communities in Syria resisting al-Qa'ida's control and countering their extremist narratives.

*Question 17.* Israel passed a new basic law in July cementing the Jewish character of the state, altering the status of Arabic, previously an official language, and giving preferential treatment to Jewish settlement. In August, tens of thousands of Israelis demonstrated in Tel Aviv against the new legislation. What implications does the Nation-State Law have for U.S.-Israel relations and U.S. assistance pro-

grams like the Middle East Peace Initiative, which builds capacity in the minority communities most affected by the law?

**Answer.** I am aware of the “Basic Law: Israel as the Nation-State of the Jewish People,” passed by the Israeli Knesset in July and the political conversation about that legislation inside Israel. If confirmed, I look forward to discussing the issue further with members of Congress.

**Question 18.** What is the status of U.S. aid to the Palestinians, including \$200 million in relief aid “under review,” by the State Department, and the annual U.S. contribution to UNRWA?

**Answer.** I understand that U.S. assistance to the West Bank and Gaza and U.S. contributions to the U.N. Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) are under review by the administration to ensure they advance U.S. foreign policy and national security interests and provide value to the U.S. taxpayer. I support ensuring U.S. foreign assistance meets those criteria. I also understand the review remains underway, aside for \$61 million in security and demining assistance to the Palestinian Authority, which the administration has previously announced will proceed. While I have not participated in the review to date, if confirmed, I look forward to briefing Congress on the results at its conclusion.

**Question 19.** Do you believe that U.S. assistance to the Palestinians should be resumed?

**Answer.** I support ensuring that U.S. foreign assistance advances U.S. foreign policy and national security interests and provides value to the U.S. taxpayer, which I understand is the purpose of the review. However, I have not been briefed on the review of U.S. assistance to the West Bank and Gaza and U.S. contributions to the U.N. Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and so am not in a position to make a recommendation on the review’s conclusion.

**Question 20.** What will be your recommendation to the administration regarding this funding?

**Answer.** As I have not participated in the review to date, I am not in a position to preview a recommendation to the administration at this time.

**Question 21.** The Trump administration announced a “conditions-based,” approach to Afghanistan in its South Asia policy, and reports recently cite a shifting U.S. focus to maintaining control of key population centers, an approach critics say will return large swaths of territory to the Taliban. We have spent \$750 billion of U.S. taxpayer money on the military campaign in Afghanistan alone. What specific outcomes is the State Department working towards in Afghanistan over the next five years and how will these be measured?

**Answer.** Our approach clearly identifies measurable goals and objectives to reinforce the President’s South Asia strategy. Under the conditions-based approach of the President’s South Asia Strategy, we seek the cessation of violence, the Taliban’s rejection of terrorism, and respect for the Afghan constitution. Through military, diplomatic, and economic lines of effort, we are intensifying pressure on the Taliban to bring them to the negotiation table. Ultimately, a sustainable end to the conflict requires a political settlement negotiated between the Afghan Government and the Taliban that ensures Afghanistan will never again serve as a safe haven for terrorists to attack the United States or its allies. There is no military solution, and the United States is prepared to engage, facilitate, and participate in these talks.

The State Department supports these goals through a coordinated interagency strategy that includes extensive and thorough monitoring and evaluation plans for all programs. U.S. assistance supports the Afghan Government as it intensifies its reform efforts, combats corruption, and promotes inclusive governance for all Afghans. As the Afghan Government becomes more credible, efficient, and self-reliant and burden sharing among international donors increases, U.S. assistance levels to Afghanistan will continue to gradually decline.

**Question 22.** Despite its brevity, the recent three-day ceasefire injected a sense of hopefulness into the long dormant Afghan peace process. What are your takeaways from this ceasefire?

**Answer.** The overlap between the Afghan Government and Taliban ceasefires brought peace to Afghanistan during the Eid al-Fitr holiday in June, with Afghan soldiers and Taliban praying together, side-by-side. This situation showed that many Taliban fighters want peace as much as their fellow Afghans. The Taliban leaders who live outside Afghanistan should respond positively to President Ghani’s offer to negotiate.

**Question 23.** What positive incentives are there for the Taliban to agree to a peace process?

**Answer.** In his speech to the Kabul Peace Conference in February, President Ashraf Ghani offered peace talks without conditions to the Taliban, noting that his government supported opening an office for the Taliban leadership; providing Taliban leaders with passports and allowing them to travel freely; cooperating in lifting sanctions against them; and providing them with access to media and the resettlement of their families. Ghani also noted that a peace deal could include programs for economic and social development, including the participation of fighters returning from the battlefield. The United States supported Ghani's speech and supports the Afghan Government's efforts toward peace. As Secretary Pompeo noted in June, the United States seeks a negotiated settlement between the Afghan Government and the Taliban and is prepared to support, facilitate, and participate in talks between them.

*Question 24.* Why will 14,000 forces be able to pressure the Taliban to the negotiating table when 140,000 could not during the surge?

**Answer.** Military pressure is only one of multiple lines of effort we are pursuing to create conditions to bring the Taliban to the negotiating table. We are also using financial and diplomatic pressure, demanding an end to the sanctuary the Taliban have enjoyed for decades in Pakistan using our broad array of policy tools, and encouraging fighting elements within the Taliban to consider local arrangements to de-escalate the levels of violence.

The Afghans are leading the military effort, and they are a much more capable fighting force than they were in 2011 at the peak of the international presence. The Afghan Government assumed full responsibility for security of its country in January 2015. Since that time, the capabilities of Afghan forces have steadily improved, with Afghan forces now planning and executing independent operations. The Afghan National Defense and Security Forces (ANDSF) is increasingly successful in its use of air power; the Afghan Air Force is striking Taliban fighters, drug labs, and ISIS-K members with far greater ferocity.

International forces in Afghanistan enable the success of the Afghan security forces in leading the fight. We are making clear to the Taliban that they cannot wait us out. We will not announce a timeline for withdrawal or set arbitrary troop levels. With that commitment, we expect to leverage our resources to enable the success of the Afghan security forces. As the Taliban realize they will not be able to achieve a military victory, the Afghan Government will be in a better position to come to a political agreement with the Taliban that achieves peace. Our ultimate goal in Afghanistan is a negotiated political settlement between the Afghan Government and the Taliban.

*Question 25.* In this position, how would you ensure that the diplomatic effort is more effectively married up with the military effort than in the past?

**Answer.** Ambassador Bass and General Nicholson have already established an interagency Peace and Reconciliation Action Group (PRAG) to ensure unity of effort in the field and with Washington. If confirmed, I will continue to work with Afghan, regional, and international partners to exert military and diplomatic pressure on the Taliban to join a peace process that ends the war in Afghanistan with a sustainable political settlement that protects U.S. interests. Any political settlement in Afghanistan must involve negotiations between the Taliban and the Afghan Government. The United States can support and facilitate these negotiations, but it cannot substitute for the Afghan Government and the Afghan people. As of August 16, 2018, the Taliban have not responded to the Afghan Government's peace offer and their campaign of violence continues. The Taliban must come to understand that they can only advance their objectives at the negotiating table, not on the battlefield.

*Question 26.* China and the U.S. clearly overlap in how they view Afghanistan. What role do you think China can and should play in Afghanistan, including with respect to achieving a political settlement of the Afghan conflict?

**Answer.** The United States and China share some common goals in Afghanistan: to ensure regional stability, especially by reducing the threat posed by terrorist organizations operating in the region. We agree there is not a military solution to the conflict but rather the best avenue to achieve stability is through a negotiated political settlement between the Afghan Government and the Taliban. We welcome an effective Chinese role in supporting an Afghan-led peace process, including by urging the Taliban to negotiate with the Afghan Government. We will continue to work closely with the Chinese bilaterally and in constructive multilateral fora to bring the Taliban to the negotiating table. China can also play an important role in encouraging the Government of Pakistan to be a more constructive partner in our efforts to find a political solution to the Afghan conflict.

*Question 27.* Russia and Iran are likely increasing their support for the Taliban in part to gain leverage over the U.S. in their geopolitical competition with us. In this role, how will you balance achieving Iranian or Russian cooperation in Afghanistan with exerting maximum pressure on Russia and Iran to end their interference with U.S. interests in the Middle East?

Answer. We are aware of reports that Russia and Iran continue to provide weapons and other support to the Taliban. All countries should desist from such activity and support an Afghan peace process that includes direct negotiations between the Taliban and the Afghan Government. In direct and indirect conversations with Russia and Iran, we consistently emphasize that our security interests in Afghanistan are aligned and that we have a shared interest in eliminating ISIS, al-Qa'ida, and other terrorist organizations from Afghanistan as well as in preventing any future use of Afghan territory as a terrorist safe haven. We are committed to defending our interests in Afghanistan and the Middle East, just as we are in other parts of the world.

#### *Attacks on Diplomatic Personnel in Cuba and China*

*Question 28.* Reports of mysterious illnesses among our officers and their families in Havana and Guangzhou have left many in Congress worried about the safety of our diplomats abroad, especially should it be confirmed that these were state sponsored attacks. Deputy Secretary Sullivan is leading an effort to address this issue, including sending investigators to both posts. Please provide an update on these investigations and detail the measures the Department is taking to ensure the safety of our diplomats and their families from this new threat. Have there been any additional confirmed attacks since my office was last updated in June 2018?

Answer. If confirmed, the safety and security of our personnel overseas would be my top priority. Investigations into the health incidents affecting our personnel in Havana and Guangzhou are ongoing. As a result of the unexplained health attacks in Havana, the Department reduced our staffing levels and modified the Embassy's status to an unaccompanied post. The Department has ensured protocols are in place at our missions worldwide to respond to unexplained health security incidents, should they occur elsewhere. To date, 26 personnel and family members in Havana have been injured. In May, a U.S. Government employee stationed in Guangzhou, China was medically confirmed to have similar symptoms.

*Question 29.* What are your top three priorities for Latin America, and what level of engagement will you put on this critical region, including to counter growing Chinese presence and influence?

Answer. If confirmed, I would prioritize advancing democratic governance, security, and economic prosperity, working with our partners in the region. I would seek a constructive and results-oriented relationship with China where our regional goals are consistent. At the same time, we will make certain that China's activities in the region are not undertaken at our expense. I would work to ensure that China's economic engagement meet high international standards of transparency, adherence to anti-corruption standards, debt sustainability, labor rights, environmental best practices, and the needs and concerns of local communities.

*Question 30.* While observers of Honduras' December 2017 elections cited irregularities in polling significant enough to cause the Organization of American States to call for new elections, the State Department recognized President Hernandez's win, blunting efforts to encourage dialogue between his party and the opposition. Attempts at reconciliation since have founded, and government security forces have responded with violence to protests against Hernandez's reelection, killing dozens. Honduras remains unstable and its democracy in peril. At the same time, the State Department recommended to the Department of Homeland Security that it end TPS for the tens of thousands of Hondurans living and working in the United States, despite the significant negative impact on bilateral relations, the danger to returnees and their U.S. citizen children, and the likelihood of decreased compliance with immigration control measures the Department frankly acknowledged in its recommendation. While the original justification for TPS—Hurricane Mitch in 1998—may be over, the current conditions in Honduras are more dangerous now. How will you work to support political dialogue and accountability in Honduras?

Answer. I understand the Department acknowledged the election of President Hernandez after no evidence of specific and sufficient fraud emerged that would have changed the outcome of the election or necessitated a new one. I also understand the Department consulted with electoral missions monitoring the election, the European Union, Mexico, Canada, and the Honduran Supreme Electoral Tribunal. If confirmed, I will encourage the Honduran Government to make necessary electoral reforms to strengthen confidence in its institutions. I will also urge the Gov-

ernment to make the U.N. facilitated national dialogue a top priority and ensure accountability for those killed in post-electoral violence.

*Question 31.* As long as the decision to end TPS stands, how will you work with the Honduran Government to absorb these individuals and make sure their return does not undercut stability in Honduras or result in new waves of migration here?

Answer. If confirmed, I will work with our embassy to strengthen Honduras' ability to reintegrate migrants, including TPS returnees. I will continue to promote U.S. foreign assistance programs in Honduras that disrupt transnational criminal organizations, promote citizen security, deter illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity—the main drivers of illegal immigration. I will also ensure our embassy stands ready to provide appropriate consular services for U.S. citizens, including U.S. citizen children of TPS beneficiaries.

*Question 32.* Over the last few weeks, opposition to a change to the social security system and general discontent with President Ortega's Government sparked some of the worst rioting and protests in Nicaragua in recent memory. Are these protests an isolated incident, or a harbinger of further turmoil and destabilization in the country?

Answer. Over recent months, more than 300 Nicaraguans have been killed; hundreds have been detained and remain missing, and thousands have fled the country. While violent clashes in the streets have diminished in recent weeks, the Ortega Government, and armed groups loyal to it, continue to intimidate and arbitrarily detain hundreds of individuals. It is my understanding the framework for national dialogue is already in place. The only obstacle to progress is President Ortega's unwillingness so far to negotiate in good faith the legitimate issues that the Catholic Church and other civil society leaders have put on the table in the Nicaraguan church-led dialogue.

*Question 33.* What role can the U.S. play to limit violence between government forces and protesters?

Answer. It is my understanding the United States is working to raise the costs on the Nicaraguan Government thus pressing it to cease immediately all government-sponsored violence. The Department continues to help expose and hold accountable those responsible for the violence and intimidation campaign by imposing visa restrictions on Nicaraguans responsible for or complicit in human rights abuses or undermining democracy in Nicaragua. Placing financial sanctions under the Global Magnitsky Human Rights Act and working closely with our regional partners to maintain international monitoring of the situation and promote democratic solutions.

*Question 34.* Venezuela remains in disarray politically, economically and socially. The economic and humanitarian crisis is the worst the hemisphere has seen in modern history, estimates are 10 percent of the country's population, or four million Venezuelans, have already left the country, and that number is likely to increase rapidly. Given that the Venezuelan Government is not allowing external actors to provide humanitarian aid, what more can and should the U.S. be doing to pressure the Government to accept such assistance and to help Venezuela's neighbors address the massive wave of Venezuelan refugees?

Answer. Responding to the crisis in Venezuela requires a whole of government approach. This includes the continued provision of robust humanitarian assistance to Venezuelans throughout the region and continued diplomatic engagement with regional partners. If confirmed, I will coordinate closely with our regional partners who have assumed the burden of assisting those fleeing the Maduro regime and pursue policies that pressure the regime to address the root causes of the crisis and accept humanitarian assistance.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR EDWARD J. MARKEY

*China and Fentanyl*

*Question 1.* Mr. Hale, in 2017, more than 29,000 Americans died from an overdose of fentanyl or another synthetic opioid, which are being trafficked into the United States principally from China and Mexico through the mail and consignment carriers. If confirmed to this position, what advice would you provide to the Secretary about how best to bring State Department resources to bear to persuade or pressure

foreign governments—including the Chinese Communist Party—to crack down on fentanyl and other synthetic opioids and their shipment?

**Answer.** The rise in U.S. fentanyl-related deaths has created greater urgency for close cooperation with China, a major source of illicit fentanyl and its precursor chemicals. President Trump and President Xi have discussed ways to enhance coordination to counter the drug trade, including through expanded law enforcement cooperation and information exchange. I understand the Department and other U.S. agencies have regularly engaged Chinese counterparts to press for further progress on this critical issue. China has domestically controlled 143 substances at the United States' request, including five key fentanyl analogues and carfentanil. If confirmed, I will advise the Secretary to continue engaging China to stem the flow of synthetic opioids to the United States. I will also support foreign assistance efforts that expand global capacity to detect and interdict synthetic drugs shipped through the mail and express consignments.

**Question 2.** If you are confirmed, how would you weigh this issue against others in the bilateral relations with China and how would you ensure that Beijing is fully cooperating in efforts to regulate, prosecute, and otherwise hinder the production of fentanyl and other synthetic opioids? Would you commit to making this issue one of the top points you communicate to your Chinese counterparts when you engage with them?

**Answer.** President Trump has prioritized North Korea, trade, and counter-narcotics in the U.S. relationship with China. The Chinese Government has worked closely with U.S. law enforcement authorities to schedule fentanyl analogues and crack down on traffickers. China must do more in these areas, especially in controlling the entire class of fentanyl that contributes so much to the U.S. opioid crisis. If confirmed, I will promote improved law enforcement cooperation with China that combats the devastating effects fentanyl and other drugs are having on our communities.

#### *U.S. China Policy*

**Question 3.** Getting U.S. China policy right is critical for U.S. prosperity and security. China is the biggest strategic competitor to the United States and seeks to gain advantages where it senses weakness. How can the United States better protect a free and open liberal international order, intellectual property rights, and a democracy free from Chinese Government influence without overly risking a trade war, or worse, military conflict?

**Answer.** We seek a results-oriented, constructive bilateral relationship with China. We have areas of cooperation and of tension; our relations are not zero sum. When we disagree, we raise our concerns consistently, forcefully, and forthrightly. We will work closely with allies and partners to strengthen the rules-based order and implement President Trump's vision of a free and open Indo-Pacific. A stronger U.S. posture in the Indo-Pacific combined with constructive bilateral engagement with China will enable the United States to better safeguard our interests.

**Question 4.** If confirmed, how will you work with other U.S. Government agencies and like-minded governments to mitigate China's "influence operations," around the world?

**Answer.** We will not shy away from speaking forthrightly about and contesting policies and actions that aim to undermine the rules-based international order. Counteracting foreign interference in our democratic processes, institutions, and society—be it from China or another foreign actor—is a critical priority for the United States and the State Department. Acts of foreign interference can limit or shape otherwise independent judgments, undermine confidence in our institutions, and impact market-based decision-making by the private sector. If confirmed, I will coordinate with relevant U.S. Government agencies, allies and partners around the world to monitor, and as appropriate, react to Chinese activities abroad.

**Question 5.** Following the Singapore Summit, Kim Jong Un—as well as our allies and partners around the world—heard statements from the United States, China, and Russia that suggested that the international community can relax sanctions enforcement on North Korea. Do you believe that China and other countries are prematurely rewarding North Korea by relaxing sanctions in exchange for engagement rather than relaxing sanctions in exchange for denuclearization?

**Answer.** All U.N. Member States are required to implement the obligations contained in U.N. Security Council sanctions resolutions in good faith, and we expect them all to do so. The United States continues to work with governments around the world to ensure all nations are fully implementing these obligations. The pressure campaign will continue until the DPRK denuclearizes.

The State Department is engaging countries around the world for action to pressure the DPRK and ensure global compliance with U.N. Security Council resolutions. We are cooperating with many countries, including China, to take decisive action against entities involved in DPRK sanctions evasion activity.

If confirmed, I will not hesitate to support unilateral action against entities that continue to support the DPRK regime in contravention of U.N. sanctions.

*Question 6.* If so, what incentives remain for North Korea to negotiate in earnest, if the international community is prematurely relaxing sanctions?

Answer. Our goal is clear—we must achieve the final, fully verified denuclearization of the DPRK as agreed to by Chairman Kim. Should the DPRK follow through on its commitments to denuclearization, the United States looks forward to eventually helping North Korea develop economically and earn the respect of the world. The international community cannot let up on pressure until the DPRK denuclearizes.

*Question 7.* Which countries still provide the greatest revenue streams to North Korea?

Answer. I have not yet been fully briefed on this issue, but I know we have engaged all members of the international community on the importance of maintaining diplomatic and economic pressure on North Korea to achieve the final, fully verified denuclearization of the DPRK. We expect all countries to implement the U.N. Security Council resolutions and to cooperate fully with the 1718 committee and the Panel of Experts.

*Question 8.* When executing the so-called pressure campaign, how would you prioritize which countries would receive the greatest pressure?

Answer. We continue to engage all members of the international community on the importance of downgrading diplomatic and economic engagement with North Korea to achieve the final, fully verified denuclearization of the DPRK.

*Question 9.* What should the State Department's strategy be for ensuring countries around the world maintain pressure on North Korea as long as it is not making significant and tangible progress toward denuclearization?

Answer. As the Secretary has made clear, pressure is what opened the door for diplomacy, and pressure will ensure the DPRK's final, fully verified denuclearization. If confirmed, I plan to call on countries to strictly implement all sanctions, including the complete shutdown of prohibited ship-to-ship transfers to DPRK-flagged vessels of petroleum destined for North Korea.

#### *Burma and Trafficking in Persons*

*Question 10.* Burma was downgraded to Tier 3 in this year's trafficking in persons report because the government is not making significant efforts to meet minimum standards for the elimination of human trafficking. The annual report also noted "reports that government officials were complicit in both sex and labor trafficking." How combatting trafficking in persons should be addressed in the context of Burma's myriad human rights issues?

Answer. Protecting fundamental human rights and holding perpetrators of trafficking and abuses to account is integral to the success of Burma's democracy. Human trafficking in Burma deprives scores of Burmese of their dignity and freedom, undermines the region's security, and enriches transnational criminals. In order to promote human rights and accountability in Burma, if confirmed I will support the State Department's efforts to combat human trafficking in Burma, including to cease unlawful recruitment and use of child soldiers by both the Burmese military and ethnic armed groups. Further, I will support efforts to stop the Government of Burma from punishing trafficking victims, and to curtail any official involvement in compelling civilians to perform any type of forced labor.

#### *Iran*

*Question 11.* Mr. Hale, if confirmed, you will play a large role in executing the Trump administration's strategy toward Iran. I look forward to your answers to the following questions: Please explain in detail what this strategy is and the role of the newly created Iran Action Group.

Answer. It is my understanding that the newly created Iran Action Group will drive the implementation of the administration's Iran strategy, which includes increasing economic pressure on the regime through the re-imposition of economic sanctions and countering Iran's regionally destabilizing activities. The Iran Action Group will be housed within the State Department and work closely with the White House and the interagency. The group is committed to a whole-of-government effort to change the Iranian regime's behavior. The end goal is to achieve a deal that com-

prehensively addresses the Iranian regime's malign behavior—not just its nuclear program but also its ballistic missile program and support to terrorism.

*Question 12.* Please list which countries specifically have committed to re-impose now-waived sanctions or impose new sanctions on Iran as part of the Trump administration's efforts to exert pressure on Iran.

Answer. Administration officials continue to discuss our Iran policy with our allies and partners around the world and the implications of the re-imposition of sanctions previously lifted or waived under the Joint Comprehensive Plan of Action. I understand that companies are aware of the inherent risks of doing business in a country where so much of the economy is controlled by the Islamic Revolutionary Guard Corps and where billions of dollars have been used to support terrorism in the region and around the world. If confirmed, I will continue to work with our partners who share our concern and the urgency of addressing the full range of Iranian malign behavior.

*Question 13.* Does the Trump administration plan to issue "significant reduction," waivers when it re-imposes sanctions contained in the FY 2012 National Defense Authorization Act on countries importing Iranian crude oil?

Answer. As part of the campaign to exert maximum economic pressure on Iran, the administration is completely committed to the goal of reducing to zero Iran's revenues from crude oil sales. The administration is asking all current purchasers of Iranian crude oil to end their purchases as quickly as possible, ideally by November 4. The administration is prepared to work with countries that are reducing their imports on a case-by-case basis.

#### *Foreign Aid*

*Question 14.* In his State of the Union speech, President Trump asked Congress to pass legislation to help ensure U.S. foreign assistance dollars "always serve American interests, and only go to America's friends." How would a more transactional approach to U.S. foreign aid benefit U.S. interests?

Answer. State Department and USAID foreign assistance programs protect the American people, promote U.S. prosperity, and advance American interests and values. I believe it is important to assess our foreign assistance based on a number of factors with the top reason being that foreign assistance should serve American interests. Countries' support for U.S. priorities is one indicator to consider, but there are other important factors to consider as well, including our national security and economic interests.

*Question 15.* How would such a policy change shape U.S. foreign assistance in the Asia-Pacific?

Answer. State Department and USAID foreign assistance programs, including those in the Asia-Pacific, protect the American people, promote U.S. prosperity, and advance American interests and values. Foreign assistance funds the administration's strategic priorities in the Asia-Pacific by supporting U.S. treaty allies and emerging strategic partners to promote shared national security and economic interests. I believe it is important to assess our foreign assistance based on a number of factors with the top reason being that foreign assistance should serve U.S. interests. Countries' support for U.S. priorities is one indicator to consider, but there are other important factors to consider as well, including our national security and economic interests.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO HON. DAVID HALE BY SENATOR JEFF MERKLEY

*Question 1.* August 25 is the one-year anniversary of the latest wave of violence and start of ethnic cleansing by the Burmese military against the Rohingya. The Bureau of Democracy, Human Rights, and Labor is now preparing a report that will analyze over 1,000 interviews with Rohingya civilians, documenting the atrocities to which they have been subjected. The evidence collected in this report will be critical in holding Burmese military officials accountable. Secretary Pompeo made a commitment in testimony before the Senate Foreign Relations Committee on May 24 to publicly release the report immediately upon its conclusion. When can we expect the release of this report and will it also be sent to the State Department Legal Advisor for a determination about war crimes and genocide?

Answer. I share your strong belief that Burma's security forces must respect the human rights of all persons within its borders, and hold accountable those who fail

to do so. Secretary Pompeo has said he would like to make the report available to the public. If confirmed, I will support State Department efforts to promote accountability for human rights abuses against ethnic and religious minority groups across Burma, including for those that occurred in Rakhine State.

*Question 2.* In June, the European Union (EU) and Canada imposed sanctions on seven senior military officials from Burma for their involvement in ethnic cleansing against the Rohingya while to date, the United States has only sanctioned one. Why did the United States limit its initial sanctions to one Burmese general under the Global Magnitsky Human Rights Accountability Act? Do you believe the administration should follow the EU and Canada's lead and pursue additional sanctions against other senior Burmese military officials?

Answer. The United States is engaged in a whole-of-government response to the humanitarian and human rights aspects of the crisis in Rakhine state, as well as serious human rights abuses in other areas of Burma. In December 2017, we sanctioned former Major General Maung Maung Soe due to his role in serious human rights abuses against Rohingya in Rakhine State. Following our lead, our Canadian and EU partners imposed their own sanctions on Burmese security officials in February and June. Administration officials have publicly discussed the possibility of further targeted sanctions, among other actions, against those responsible for or associated with serious human rights abuses.

*Question 3.* The administration should be commended for pursuing potential openings for peace talks with the Taliban, as ending the war in Afghanistan should be a top priority. Yet, despite the importance of these talks, the administration has yet to nominate an Assistant Secretary of State for South and Central Asian Affairs (SCA). When can we expect a nominee for SCA, and who at State Department is leading peace efforts in Afghanistan in the meantime?

Answer. As Senior Bureau Official, Ambassador Alice Wells is focused on pursuing a negotiated settlement to the conflict in Afghanistan. She has a dedicated team that focuses exclusively on initiating and supporting a peace process and coordinates with other regional and functional experts across the interagency of the U.S. Government. Because of her broader responsibilities relating to other countries in the region, she is well positioned to ensure that U.S. engagement in South and Central Asia is both coherent and synchronized among decision-makers in Washington. Ambassador Wells works closely with Ambassador Bass and General Nicholson, who have established an interagency Peace and Reconciliation Action Group to ensure unity of effort in the field and with Washington. She has established a strong foundation for success to turn over to the eventual nominee, once he/she is nominated and confirmed.

*Question 4.* How has the recent fighting in Ghazni affected the potential for serious negotiations between the Taliban and the Afghan Government?

Answer. The fighting in Ghazni has not changed the potential for serious negotiations between the Afghan Government and the Taliban. President Ghani's offer to the Taliban of talks without preconditions, which he first articulated in February at the Kabul Peace Conference, underscores that the Afghan Government is prepared for peace. The United States is prepared to support, facilitate and participate in these talks.

*Question 5.* The United States is directly involved in the Saudi Arabia-led military campaign in Yemen that started in March 2015. The State Department's Human Rights Report stated, "Saudi-led coalition airstrikes in Yemen resulted in civilian casualties and damage to infrastructure on multiple occasions." On August 9 a Saudi air strike reportedly killed at least 51 civilians, including 40 children. The number of Senators voting to halt the sale of precision guided munitions and other weapons to Saudi Arabia increased this year over previous years' votes. What are the circumstances in which you think the United States should suspend or curtail its military assistance to Saudi Arabia? Does the Department of State believe that the August 9 airstrike noted above was in accordance with international humanitarian law and relevant provisions of international human rights law? How did you weigh the potential for civilian casualties when reviewing U.S. air strikes in Pakistan?

Answer. I am concerned by the attack of August 9 that hit a school bus, reportedly killing a large number of civilians, including children. I look forward to reviewing the results of the investigation, which must be transparent and thorough, that I understand the Saudis are undertaking. I understand that the United States consistently urges Saudi Arabia, as we do with other partners, to take all feasible measures to reduce the likelihood of civilian casualties, take appropriate steps when

such casualties occur, and draw lessons from operations to enhance the protection of civilians in accordance with international humanitarian and human rights laws.

*Question 6.* This administration is currently withholding all U.S. relief aid that Congress previously appropriated for Palestinian civilians in Gaza and the West Bank in what is reported to be an attempt to gain leverage for future Middle East peace negotiations. The administration has also cut off all U.S. funding to the United Nations Relief and Works Agency (UNRWA). Given your prior experience with the Middle East peace process, do you believe cutting off humanitarian assistance to the Palestinians will improve the prospects for peace? Please explain why or why not. What could the impact be on stability in the Middle East and on Israel's security of a prolonged cut-off in humanitarian aid? Do you believe a worsening humanitarian situation could lead to more radicalization within Palestinian communities?

Answer. I understand that U.S. assistance to the West Bank and Gaza and U.S. contributions to UNRWA are under review by the administration, aside from \$61 million in security and demining assistance to the Palestinian Authority (PA), which the administration has previously announced will proceed, to ensure they advance U.S. foreign policy and national security interests and provide value to the U.S. taxpayer. I support ensuring that U.S. foreign assistance meets those criteria. While I have not participated in the review to date, I look forward to briefing Congress on the results at its conclusion.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. DAVID HALE BY SENATOR CORY A. BOOKER**

*Question 1.* I had the opportunity to go to Afghanistan in May and met with General Nicholson and Ambassador Bass. We have been in Afghanistan for nearly two decades and I heard the word "stalemate," again and again to describe the state of play there. On Friday, the Taliban took over parts of Ghazni City, a strategic city less than 100 miles from the capital, Kabul, killing dozens of Afghan soldiers and police officers. This week, another U.S. service member serving in Afghanistan died from a roadside bomb in Helmand. Meanwhile, a report last week raises serious questions about our morphing, seemingly unending presence in Afghanistan when the mission to counter Al-Qaeda, whose Sept. 11 terrorist attacks provoked the U.S. invasion in 2001, has shrunk in relation to newer threats such as ISIS. Do you believe there is a military solution to this conflict?

Answer. There is no purely military solution to this conflict. As President Trump said last August, "Military power alone will not bring peace to Afghanistan or stop the terrorist threat arising in that country." The administration's overall goal for Afghanistan is to support a negotiated political settlement between the Government and the Taliban. To this end, we are using all tools, including military and diplomatic ones, in concert, to support Afghan efforts to secure peace.

*Question 2.* What concerns do you have, if any, that our initial mission to go after the perpetrators of 9/11 has morphed into a mission in Afghanistan that Congress has not authorized?

Answer. I believe the South Asia Strategy is the right approach to a complex problem. The core of our strategy in Afghanistan is to ensure Afghan territory is never again used as a safe haven from which ISIS, al Qaeda, and other terrorist organizations can threaten the United States or our interests. U.S. assistance appropriated by Congress is used to build partnerships and capacity to further these goals and set the conditions for a political settlement to end the Afghan conflict. Military training has enabled the Afghan National Defense and Security Forces to develop stronger capabilities—namely the much improved and expanded Afghan Special Forces and Air Force—and demonstrate to the Taliban that there is no military solution to the conflict. Civilian assistance makes critical contributions to improved governance, health, education, women's empowerment, and judicial reform, along with anti-corruption, sustainable economic growth, infrastructure, and counter-narcotic efforts.

*Question 3.* I understand that the U.S. will seek to directly engage the Taliban in negotiations. What does the U.S. hope to gain from direct talks? Do you believe direct negotiations between the U.S. and Taliban will lead to a reconciliation between the Taliban and the Afghan Government?

Answer. The core goal of the United States in Afghanistan is a peace agreement that brings stability to Afghanistan and prevents ISIS, al Qaeda, and other terrorist

organizations from establishing safe havens there. The only way to reach this goal is through an inclusive political settlement between the Afghan Government and the Taliban, and the United States stands ready to support, facilitate, and participate in negotiations to this end. The United States is using all tools, including military and diplomatic ones, to press the Taliban to begin formal negotiations with the Afghan Government, and we are exploring all avenues to advance a peace process in close consultation with the Afghan Government.

*Question 4.* I was pleased that Ambassador Bass said that he would like to have a dedicated office of technical experts working toward a peace process. Would you support appointing and fully supporting a senior official mandated to focus on negotiating a settlement of the conflict at the Embassy?

Answer. Our immediate focus is on using multiple lines of effort to make it possible for the Afghan Government and the Taliban to engage in direct negotiations with U.S. participation. Ambassador Bass and his team are fully integrated into this effort, which involves diplomatic engagement with multiple countries and is led from Washington by Senior Bureau Official of the South and Central Asia Bureau Ambassador Alice Wells. She has a dedicated team that focuses exclusively on initiating and supporting a peace process and coordinates with other regional and functional experts across the Department. Because of her broader responsibilities relating to other countries in the region, she is well positioned to ensure that U.S. engagement in South and Central Asia is both coherent and synchronized among decision makers in Washington. Ambassador Wells works closely with Ambassador Bass and General Nicholson, who have established an interagency Peace and Reconciliation Action Group to ensure unity of effort in the field and with Washington in support of Afghan peace.

*Question 5.* Do you believe Pakistan has done enough to counter insurgent groups that have found safe haven in their country?

Answer. As part of the South Asia strategy, the President has made it abundantly clear that our approach to Pakistan has changed, and that Pakistan must deny the ability of the Taliban and all terrorist groups to operate from Pakistani soil. We have repeatedly conveyed the message to Pakistan's leadership that there will be no business as usual in our relationship until we see sustained, decisive efforts on their part to play a more constructive role in the region, which we have not observed yet. While Pakistan has taken some constructive steps, they have not been sufficient, and we will continue to press Pakistan using our broad array of tools to achieve the outcome we demand.

*Question 6.* Do you believe that Pakistan has demonstrably changed its behavior since President Trump suspended nearly all U.S. security assistance to Pakistan?

Answer. As part of the South Asia strategy, the President has made it abundantly clear that our approach to Pakistan has changed, and that Pakistan must deny the ability of the Taliban and all terrorist groups to operate from Pakistani soil. Our suspension of nearly all U.S. security assistance is only one element of a broader effort to call on Pakistan to end the use of its territory as sanctuary by terrorist groups and to work with us to achieve a negotiated political settlement to the conflict in Afghanistan. While Pakistan has taken some initial constructive steps, they have not been sufficient, and we continue to convey to Pakistan's leadership that there will be no business as usual in our relationship until we see sustained, decisive efforts on their part to play a more constructive role in the region. We have a wide array of tools at our disposal, and the administration has a robust policy process to determine how and when to employ them to convince Pakistan it has no option but to comply with our demands.

*Question 7.* You currently serve as our Ambassador to Pakistan, where largely Chinese work crews are building a port, highways, railways, power plants, and others projects as part of China's Belt and Road Initiative. Throughout Africa, China is building infrastructure, and is one of the largest contributors to foreign direct investment in Africa, contributing one-sixth of all lending to Africa. What do you see as the strategic implications of the Belt and Road Initiative for host countries, for China, and for the United States?

Answer. The United States shares host country concerns about corruption, debt sustainability, good governance, and the environmental effects of BRI projects. We also want to ensure a level playing field for U.S. companies. If confirmed, I will work to help host countries understand the importance of choosing options that are consistent with free market competition and transparency, sustainable financing arrangements, and high standards of good governance over more harmful alternatives. I will urge China to uphold internationally accepted best practices for its overseas infrastructure projects.

*Question 8.* Beyond creating a new development finance agency and warning countries of the dangers of indebtedness to China, how should the United States respond to China's Belt and Road Initiative?

Answer. I recognize the importance of improving economic connectivity through sustainable development and creating jobs without exploiting the sovereign right of countries to develop on their own terms, principles which are core pillars of our free and open Indo-Pacific strategy. If confirmed, I will call on all countries, especially China, to apply the highest international standards of transparency and good governance to their development initiatives. Working with our allies and partners, I will support the Indo-Pacific strategy and other efforts to facilitate transparent, rule-based, market-oriented alternatives to the Belt and Road Initiative.

*Question 9.* It seems everyone but the U.S. is paying attention to the growth (not just in population, but also the middle class) and market opportunities Africa offers. What are the risks of ignoring Africa's role as an economic and security partner?

Answer. Africa has witnessed significant improvements in development, education, health, and good governance. U.S. engagement enabled much of that progress and will play an essential role in sustaining and building on those positive developments. Combating corruption and ensuring a level playing field for the private sector supports both American companies and Africa's continued economic growth. U.S. Government support for peace and security in Africa is critical to reaching the administration's democracy and governance, economic, and development goals. If confirmed, I will work to further strengthen our economic and security partnerships across the African continent.

*Question 10.* I have been concerned by the levels of violence and instability following the Zimbabwean election. I was in Zimbabwe in April with Senators Flake, Coons, Bennet, and Peters and we were excited by the prospect of witnessing a historic transition from Mugabe and a possible normalization of relations between our two countries. Unfortunately, however, that possibility seems distant. The State Department did not mention ZDERA (the Zimbabwe Democracy and Economic Recovery Act of 2001) or the Amendment to ZDERA, which President Trump signed into law last week in its otherwise strong statement about the elections. This was a missed opportunity because Congress provided the State Department with the tools to respond to what was happening in Zimbabwe. First, I want to thank Assistant Secretary Tibor Nagy, Ambassador Nichols, and Ambassador Foote for their personal involvement and responsiveness during the election and in the days following. Their efforts in the field demonstrate exactly why we need Ambassadors and leadership in place. Do you believe that Zimbabwe is now "open for business," as President Mnangagwa stated in his op-ed a few months ago?

Answer. President Mnangagwa has indicated he recognizes the need to turn around the sinking economy. While we welcome the legal and regulatory changes allowing majority foreign ownership in most sectors, we are still waiting for deeper fiscal reforms, including a plan to address the country's liquidity crisis. The private sector needs strong signals the business climate is improving before it will invest. Any changes in our engagement must also be linked to progress on democratic governance, respect for human rights, and the rule of law. I understand that the recent amendments to ZDERA underscore benchmarks needed to rebuild Zimbabwe, and we will rely upon this legislation as we assess our bilateral relationship.

*Question 11.* In light of the post-election climate, do you support normalization of relations between the two countries?

Answer. Zimbabwe had a historic opportunity to move the country toward a brighter future for all in Zimbabwe; however, the violence that occurred directly following the July 30 election was not a step toward that future. I am deeply concerned by the continuing reports of beatings and detentions of Zimbabweans, including the death of six unarmed protesters on August 1. My condolences go out to the families and friends of those whose lives were lost. Now the obligation is on the Zimbabwean Government to re-commit to deepening political and economic reforms. Meaningful reforms in the areas of human rights, the economy, democratic governance and deeper electoral reforms are necessary as we continue to assess our bilateral relationship.

*Question 12.* What should the U.S. posture be toward Zimbabwe?

Answer. We should continue to encourage the Zimbabwean Government to implement deep and meaningful political and economic reforms. The electoral process, including concerns both before and immediately after July 30, did not represent what we wished for the people or Zimbabwean Government. We are extremely disappointed by post-election violence, including the ongoing intimidation of opposition supporters. The responsibility continues to be on the Government of Zimbabwe to

set itself on a new path of robust reforms that may allow the United States and our international partners to engage the country in ways that have not been previously possible.

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## NOMINATIONS

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THURSDAY, AUGUST 16, 2018 (P.M.)

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

The committee met, pursuant to notice, at 2:32 p.m., in Room SD-419, Dirksen Senate Office Building, Hon. Ron Johnson, chairman of the committee, presiding.

Present: Senators Johnson [presiding], Jones, Murphy, Shelby.

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

Senator JOHNSON. Good afternoon. I think we will start the hearing, and when Senator Shelby comes we will yield to him so he can introduce Ms. Blanchard.

I want to welcome all the nominees. Thank you for your prior service to this country, those of you who are currently serving, and your willingness to serve in the future. I want to welcome your families and friends, and encourage you in your—in your opening statements to certainly introduce them to the committee.

Today we are gathering to consider four nominations, ambassadorships to Slovenia, Moldova, Kosovo, and to Montenegro. These are important ambassadorships. I personally believe that these countries, although they are not huge, they are important. They are on the cusp. We are kind of at a hinge point in history in terms of, you know, do they continue to seek out relationships with the West, and realize that their economic and political futures really lie to the West, or do they start looking back toward Russia.

So I think the most important thing that the West needs to do is pay attention, let them know that we really do want to help them proceed, shed legacies of corruption, install rule of law, advance economically. So, again, I really do appreciate the fact that you all are willing to serve these important posts.

We do have the pleasure of having Senator Doug Jones introduce Ms. Blanchard. So I know your time is precious like all of ours. So we will let you go first, and then we will kind of see how this all goes when Senator Shelby comes. But Senator Jones, the floor is yours.

**STATEMENT OF HON. DOUG JONES,  
U.S. SENATOR FROM ALABAMA**

Senator JONES. Thank you, Mr. Chairman. It is a great pleasure to be here, and it is always an interesting opportunity to go before Senator Shelby whenever you get the opportunity.

As you know, this is—I am still fairly new to this body, and this is my first opportunity to help introduce a nominee to one of our committees for nomination. I am honored to be here today.

I want to make sure that I first congratulate Ms. Lynda Blanchard and her family on this nomination, but more importantly, I want to congratulate the President on this nomination. Ms. Blanchard has distinguished herself in our State of Alabama and abroad as a true humanitarian and an advocate for children, which is important to all of us.

Ms. Blanchard has been the driving force as founder and CEO of several nonprofit organizations that have had a positive impact on children at home and around the world. In Montgomery, Alabama, she established an equestrian program for children with special needs and disabilities.

Internationally, her 100X Foundation has had a positive impact on development challenges on nearly every continent, through programs delivered by strategic partnerships with several universities in Alabama.

Her leadership has been critical to building innovative approaches to maternal, newborn, and child health, nursing education, and human trafficking. The work has touched people's lives in countries, including Malawi, Moldova, India, Peru, and Honduras.

In Alabama, we are very proud of our nationally renowned nursing and medical education programs. It is to Ms. Blanchard's credit that mothers and children in rural villages in Malawi may now benefit from the care of nurses trained by students and faculty from the University of Alabama, in Birmingham's doctoral nursing program.

Lyndy has experience as a liaison with many foreign governments in building these strategic partnerships. And I know that experience will serve her well in representing our nation's interest in Slovenia.

Mr. and Ms. Blanchard are also strong advocates for international adoption, and are proud parents of seven children, four of which were adopted from overseas.

Mr. Chairman, I believe Ms. Blanchard's experience as a leader in international development and an advocate for children will serve as well as our next Ambassador to Slovenia.

I thank you for the time in allowing me to be here today, and introduce her to the committee, and I am honored to do so.

Thank you, Mr. Chairman.

Senator JOHNSON. Thank you, Senator Jones. We certainly appreciate that. While we are waiting for Senator Shelby, Senator Murphy, do you have an opening statement?

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

Senator MURPHY. I can, if you would like me to. [Laughter.]

Senator MURPHY. No. I am very happy to have an esteemed panel of nominees before us today, focusing clearly on the Balkan region. This is a region that both the Chairman and I care a lot about, a place where we have been.

I always say if you want to tell a good news story about the Balkans, you can tell a good news story. We forget that there was a time in the very recent past when as a requirement to entry into the Senate or the House you had to know a whole lot about this region, because there was a big U.S. footprint in it, and there was great uncertainty as to whether it was going to be able to emerge from war. There has been a tremendous amount of progress made since those days.

At the same time, if you want to tell a bad news story about the Balkans, you can, because many of those ethnic tensions are still simmering. Borders are still unresolved, and progress has been slow recently on democracy promotion and the rule of law.

I tend to hue towards the good news story rather than the bad news story, but if you want that to be the future, not just the present, U.S. engagement is the key. And when you travel to that region, that is what you hear over and over again, that without the United States on the ground, without an active United States on the ground, those tensions that are still there that led to this part of the world being at the center of all of the global conflicts that we read about in the history books, then the bad news can overwhelm the good news. And I think we have got a great lineup here that will represent the United States ably, and look forward to the testimony.

Senator JOHNSON. Thanks, Senator Murphy.

So when confirmed, you will certainly have support from this committee in terms of paying attention and supporting your efforts as best we can. And excellent timing. We just see Senator Shelby entering right now. So if you are to get settled there, Senator Shelby, you can have the floor to introduce Ms. Blanchard.

**STATEMENT OF HON. SENATOR RICHARD SHELBY,  
U.S. SENATOR FROM ALABAMA**

Senator SHELBY. Thank you, Mr. Chairman. Sorry I was late, but we were trying to tee up, as you know, all of you know, the appropriations bill on the floor.

Mr. Chairman, Ranking Member Murphy, I appreciate the opportunity to appear before the Senate Foreign Relations committee today to introduce Ms. Lyndy Blanchard, of Montgomery, Alabama. She has been nominated by President Trump to serve as the United States Ambassador to Slovenia.

I have known and respected Lyndy for many years. I am proud of her philanthropic efforts and her many achievements, which have allowed her to be nominated for this ambassadorship.

Ms. Blanchard cofounded B&M Management, a leading real estate company, where she most recently served as a senior advisor. In this role, Lyndy was in charge of overseeing operations, managing maintenance, and deploying teams to locations nationwide.

Additionally, Ms. Blanchard cofounded and served as the CEO of 100X Development Foundation, an organization dedicated to creating solutions to eliminate poverty and improve the lives of children around the world.

Through the years she has gained experience working all over the globe, including Africa, Asia, South America, to mention some, to further the mission of the 100X Development Foundation. Along

with her vast business experience and international outreach, Ms. Blanchard has a passion for helping people with special needs.

She served on numerous nonprofit boards, supported education programs across my State of Alabama, and been an advocate for adoption. She has also been recognized for her philanthropic efforts through the years. She received the Distinguished International Humanitarian Award from the National Council of Women. And following her work to prevent human trafficking in Moldova, she was publically honored by John Bercow, Britain's Speaker of the House of Commons, and Mr. Peter Bone, a Member of Parliament, and Chairman of the All Party Parliamentary Group.

Ms. Blanchard's vast knowledge experience and dedication to forming and maintaining international relationships I think make her highly qualified to serve in this new capacity. I believe she will use this opportunity as a way to maintain our nation's policy of relationship with Slovenia.

I support this nomination, and I urge my colleagues in the Senate to do the same, and we are hopeful that the committee will act favorably on this nomination.

And thank you, Mr. Chairman and Ranking Member Murphy for letting me come ahead like this.

Senator JOHNSON. Thank you, Senator Shelby, and your timing was perfect. Your junior senator did a good job as well introducing Ms. Blanchard. So, again, thank you for coming here and providing that introduction.

Senator SHELBY. Thank you.

Senator JOHNSON. So without further ado, I also have an introduction, but I do not think I can really add much to what Senator Shelby and Senator Jones did, so Ms. Blanchard, the floor is yours for your testimony.

**STATEMENT OF MS. LYNDA BLANCHARD OF ALABAMA, NOMINEE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SLOVENIA**

Ms. BLANCHARD. Thank you Chairman Johnson, Ranking Member Murphy, and distinguished members of the committee. I would also like to thank my Alabama delegation, especially Senator Shelby and Senator Jones for their generous introductions, as well as their unfailing support and dedication to our great state.

I am blessed to be here today as the President's nominee to serve as Ambassador to the Republic of Slovenia. I understand and appreciate the immense importance of this post to the First Lady, and I am honored by President Trump's and Secretary Pompeo's faith in me.

If confirmed, I will work tirelessly on behalf of the people of the United States to strengthen our relationship with this friend and ally. I am here today with my family, and I would not be in this position today if it were not for their unwavering love and support. Do you mind if they stand up? Is that okay? Thank you.

Our country has afforded me many opportunities, for which I am ever grateful. I was married at 19, became a mom to a 3-year-old son 6 months later, and then earned my degree in my 30s, when we were finally able to afford it. I have served in a variety of pro-

fessional roles, at times just to make ends meet. This includes serving as an orthopedic assistant, business executive, and humanitarian. I have partnered with international business leaders and foreign dignitaries on projects to improve education, decrease poverty, and instill dignity and hope.

My family and I have accomplished this through our nonprofit organization that provides care to thousands of children across the globe. As an adoptive parent of children from around the world, I take my role in positively impacting lives both personally and seriously. I look forward to putting my humanitarian passion, business acumen, and large-scale management proficiencies to work for our country on the international stage.

If confirmed, I am confident that these experiences will make me an effective and reliable representative of the United States of America, and a friend to Slovenia. If confirmed, also, I realize that upon my arrival in Slovenia, I will not be the expert. In my experience working in different countries abroad, I have found that the first order of business is to learn from the experts in that country.

This includes our embassy officials at posts, as well as Slovenian Government officials, business people, academics, representatives of the media and NGOs, as well as the Slovenian public.

Slovenia has positioned itself as a reliable partner of the United States. However, there are many ways to improve relations between our countries. Though a young country, Slovenia has emerged as a regional leader in implementing democratic reforms, and has played a positive role in the Balkan region. Slovenia has built an impressive reputation for international cooperation, multilateral engagement, and respect for the rule of law.

As a member of the European Union and the North Atlantic Treaty Organization, Slovenia has supported many American initiatives abroad. Its military has supported our mission in Afghanistan and in Iraq. Its Government has adopted rigorous measures to combat human trafficking, its institutions safeguard civil liberties, and promote human rights domestically and around the globe. These commitments and the values that underpin them are not simple or easy, and they must be recognized and commended.

With 50 percent of the Slovenia economy under state ownership or control, there exists opportunities for increased private investment. In recent years the Government has taken steps to privatize state-owned enterprises, privatization has contributed to improved economic outcomes, such as higher wages, increased productivity, and growing consumer command.

Encouraging these reforms and initiative will help Slovenia attract U.S. companies and investors interested in doing business there. If confirmed, Senators, I will relentlessly advocate and use every available tool at my disposal to encourage Slovenians to accelerate reforms, to improve bilateral trade, and investment opportunities.

And lastly, relations between our two countries must continue to improve through direct outreach and engagement with Slovenian people. If confirmed, I will seek to expand and enhance further American standing by directly engaging the Slovenian public. I will build on my predecessor's efforts to foster a greater understanding

and cooperation by facilitating sustained dialog between our two peoples.

Thank you for your time and consideration. And I look forward to answering any questions.

Senator JOHNSON. Thank you, Ms. Blanchard.  
[Ms. Blanchard's prepared statement follows:]

**PREPARED STATEMENT OF LYNDA BLANCHARD**

Thank you Chairman Johnson, Ranking Member Murphy, and distinguished members of the committee.

I would also like to thank the Alabama delegation, and particularly Senator Shelby and Senator Jones, for their generous introductions as well as their unfailing support and dedication to our great state.

I am blessed to be here today as the President's nominee to serve as Ambassador to the Republic of Slovenia. I understand and appreciate the immense importance of this post to the First Lady, and I am honored by President Trump's and Secretary Pompeo's faith in me. If confirmed, I will work tirelessly on behalf of the people of the United States to strengthen our relationship with this friend and ally.

I am here today with my family. I would not be in this position today if not for their unwavering love and support.

Our country has afforded me many opportunities, for which I am ever grateful. I was married at 19, became a mom to a three year-old son six months later, and then earned my degree in my 30s when we were finally able to afford it. I have served in a variety of professional roles, at times just to make ends meet. This includes serving as an orthopedic assistant, business executive, and humanitarian. I have partnered with international business leaders and foreign dignitaries on projects to improve education, decrease poverty, and instill dignity and hope. My family and I have accomplished this through our non-profit organization that provides care to thousands of children across the globe.

As an adoptive parent of children from around the world, I take my role in positively impacting lives both personally and seriously. I look forward to putting my humanitarian passion, business acumen, and large-scale management proficiency to work for our country on the international stage. If confirmed, I am confident that these experiences will make me an effective and reliable representative of the United States and friend to Slovenia.

I realize that upon my arrival in Slovenia, I will not be the expert. In my experience working in different countries abroad, I have found that the first order of business is to learn from the experts in that country. This includes our embassy officials at post as well as Slovenian Government officials, businesspeople, academics, representatives of the media and NGOs, as well as the Slovenian public.

Slovenia has positioned itself as a reliable partner of the United States. However, there are many ways to improve relations between our countries.

Though a young country, Slovenia has emerged as a regional leader in implementing democratic reforms and has played a positive role in the Balkan region. Slovenia has built an impressive reputation for international cooperation, multilateral engagement, and respect for rule of law. As a member of the European Union and the North Atlantic Treaty Organization, Slovenia has supported many American initiatives abroad. Its military has supported our mission in Afghanistan and in Iraq; its Government has adopted rigorous measures to combat human trafficking; its institutions safeguard civil liberties and promote human rights domestically and around the globe. These commitments and the values that underpin them are not simple or easy, and they must be recognized and commended.

With 50 percent of the Slovenian economy under state ownership or control, there exists opportunities for increased investment. In recent years, the Government has taken steps to privatize state-owned enterprises. Privatization and deregulation have contributed to improved economic outcomes such as higher wages, increased productivity, and growing consumer demand. Encouraging these reforms and initiatives will help Slovenia attract U.S. companies and investors interested in doing business there. If confirmed, I will relentlessly advocate and use every available tool at my disposal to encourage Slovenians to accelerate reforms to improve bilateral trade and investment opportunities.

Lastly, relations between our two countries must continue to improve through direct outreach to and engagement with the Slovenian people. If confirmed, I will seek to expand and enhance further American standing by directly engaging the Slove-

nian public. I will build on my predecessor's efforts to foster greater understanding and cooperation by facilitating sustained dialogue between our two peoples.

Thank you for your time and consideration. I look forward to answering your questions.

Senator JOHNSON. Our next nominee is Mr. Dereck J. Hogan. And Mr. Hogan is the President's nominee to be the U.S. Ambassador to Moldova. Mr. Hogan, a career member of the Senior Foreign Service, has worked as an American diplomat for over 20 years.

Since 2017 he has served as deputy executive secretary of the U.S. Department of State. Mr. Hogan has served five tours working in or on Eastern Europe. On his most recent tour overseas he served in Azerbaijan as charge' d'affaires and deputy chief of mission.

Previously, he worked as a Department of State representative on the civilian military provincial reconstruction teams in Afghanistan.

Mr. Hogan.

**STATEMENT OF DERECK J. HOGAN OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOPTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOLDOVA**

Mr. HOGAN. Thank you, Senator.

Mr. Chairman, Ranking Member Murphy, and distinguished members of the Senate Foreign Relations committee, I am honored and humbled to appear here today as President Trump's nominee to be the next U.S. Ambassador to the Republic of Moldova.

I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with the Congress to advance our nation's important interest in Moldova.

I would not be here without the love and support of my wife, Anny, and our daughter, Hannah, right behind me. Anny and Hannah have kept me balanced, humble, and focused on the most important things in life. I also would like to introduce you to my father, Eric Hogan, and stepmother, Linda Hogan, who are behind me as well.

My father and my mother, Mickie Hogan, who passed away in 2005, and my stepmother, Linda, have taught me how to put my faith in God, and live to serve others. During my 21-year diplomatic career, I have had the opportunity to do just that, serve the American people by promoting U.S. interests and values in the Dominican Republic, Nicaragua, Afghanistan, Belarus, Russia, and Azerbaijan.

I believe my overseas assignments in countries in transition, and vulnerable to foreign maligned influence, along with multiple senior leadership positions in Department of State have prepared me well to lead a dynamic mission in a country on Europe's eastern frontier.

Our overarching foreign policy objective in Moldova is for the country to be a fully democratic, economically prosperous state, firmly anchored in Europe, secure within its internationally recog-

nized borders. In signing an association agreement and a deeper and comprehensive free trade agreement with the European Union in 2014, Moldova boldly chose a Euro-Atlantic path.

Despite active Russian interference and opposition, the Moldovan Government has taken important steps on that path. With donor aid, including considerable assistance from the United States, Moldova has strengthened its police force, efforts to combat trafficking in persons, and some of its key institutions, such as customs and tax collection agencies.

As a result of the often difficult economic reforms it has undertaken, today Moldova's economy is less dependent on Russia than ever before, with over 80 percent of exports now going to European, North American, and other markets outside of the former Soviet Union.

Moldova is also diversifying its sources and routes to break its dependence on Russian-supplied energy, building new connections to Europe. Moldova has actively contributed to and shown a greater regional security, and consistently participates in regional military exercises, and supports the NATO-led mission in Kosovo.

We also welcome the recent progress in the OSCE-led negotiations to resolve the longstanding Transnistria conflict, and reached an agreement on a special status for Transnistria within Moldova's internationally recognized borders.

If confirmed as Ambassador, I will continue to support Moldova's efforts to resist Russian pressure, and fully realize its potential as a prosperous Western-oriented democracy. The Moldovan Government and people undoubtedly recognize that much work still needs to be done.

Corruption, weak rule of law, and a non-transparent justice sector only hamper Moldova's economic growth, and facilitate its vulnerability to Russian pressure. The nontransparent invalidation of the June 3 mayoral elections in the capital, Chisinau, forwarded the electoral will of the Moldovan people, and undermined rule of law. Next February's parliamentary elections are a crucial opportunity to boost international and domestic confidence in Moldova.

If confirmed, my goal will be to consistently demonstrate to the Moldovan Government and public the benefits and responsibilities of deeper integration into the Euro-Atlantic community. I will direct our assistance to continue to promote needed democratic reforms, strengthen Moldovan institutions, and combat corruption at all levels.

With my team at the embassy I will support broad-based economic growth, work to reduce poverty, and encourage a rules-based system that is conducive to U.S. commercial activity. Direct engagement with the people of Moldova will figure prominently on my daily schedule.

If confirmed, the safety and security of our talented mission personnel and American citizens in the country will be my top priority. I will also continue to be a good steward of the American people's tax dollars and resources.

In closing, I would like to take this opportunity to thank each of you for your time today. If confirmed, I look forward to working with you and our U.S. mission team in Moldova to advance our important interests and strengthen our bilateral relationship.

Thank you. And I would be pleased to answer any questions you have.

[Mr. Hogan's prepared statement follows:]

PREPARED STATEMENT OF DERECK HOGAN

Mr. Chairman, Ranking Member Murphy, and distinguished members of the Senate Foreign Relations committee, I am humbled and honored to appear here today as President Trump's nominee to be the next U.S. Ambassador to the Republic of Moldova. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with the Congress to advance our nation's important interests in Moldova.

I would not be here without the support of my wife, Anny, and our 14 year-old daughter, Hannah, whom I am pleased to introduce to you. Anny and Hannah have kept me balanced, humble, and focused on the most important things in life. I also would like to introduce you to my father, Eric Hogan, and step mother, Linda. I am blessed to have been raised by a father and mother who taught me how to put my faith in God and live to serve others.

During my 21-year diplomatic career, I have had the opportunity to do just that—serve the American people by promoting U.S. interests and values in the Dominican Republic, Nicaragua, Afghanistan, Belarus, Russia, and Azerbaijan. I believe my overseas assignments to countries in transition and vulnerable to foreign malign influence, along with multiple senior leadership positions in the Department, have prepared me well to lead a dynamic mission in a country on Europe's eastern frontier.

Our overarching foreign policy objective in Moldova is for the country to be a fully democratic, economically prosperous state firmly anchored in Europe, secure within its internationally recognized borders. A strong and secure Moldova is a better partner for the United States and the region.

In signing an Association Agreement and a Deep and Comprehensive Free Trade Agreement with the European Union in 2014, Moldova boldly chose a Euro-Atlantic path. Despite active Russian interference and opposition, the Moldovan Government has taken important steps on that path. With donor aid, including considerable assistance from the United States, Moldova has strengthened its police force, efforts to combat trafficking in persons, and some of its key institutions, such as customs and tax collection agencies. As a result of the often difficult economic reforms it has undertaken, today Moldova's economy is less dependent on Russia than ever before, with over 80 percent of exports now going to European, North American, and other markets outside the former Soviet Union. Moldova is also diversifying its sources and routes to break its dependence on Russian-supplied energy, building new connections to Europe with international donor support. Moldova has actively contributed to ensure greater regional security and consistently participates in regional military exercises and supports the KFOR mission in Kosovo.

We also welcome the progress in the OSCE-led negotiations to resolve the long-standing Transnistria conflict and reach agreement on a special status for Transnistria within Moldova's internationally recognized borders. The negotiations, which are commonly known as the "5+2" talks and involve the United States as an official observer, have produced real results over the past year and will improve the lives of the people on both sides of the Nistru River. We continue to call for the withdrawal of Russia's remaining forces and equipment from Moldova, consistent with its 1999 Istanbul OSCE Summit commitments.

If confirmed as Ambassador, I will continue to support Moldova's efforts to resist Russian pressure and fully realize its potential as a prosperous, Western-oriented democracy. The Moldovan Government and people undoubtedly recognize that much work still needs to be done. Corruption, weak rule of law, and a non-transparent justice sector only hamper Moldova's economic growth and facilitate its vulnerability to Russian pressure. Moldova's financial sector is still recovering from the 2014 embezzlement of over a billion dollars—almost 15 percent of Moldova's GDP at the time. The non-transparent invalidation of the June 3 mayoral elections in Chisinau thwarted the electoral will of the Moldovan people and undermined the rule of law in Moldova. Next February's parliamentary elections are a crucial opportunity to boost international and domestic confidence in Moldova. The United States, along with Moldova's other international partners, will actively support and encourage initiatives to promote free, fair, and transparent elections.

If confirmed, my goal will be to consistently demonstrate to the Moldovan Government and public the benefits and responsibilities of deeper integration into the Euro-Atlantic community. I will direct our assistance to continue to promote needed

democratic reforms, strengthen Moldovan institutions, and combat corruption at all levels. With my team at the Embassy, I will support broad-based economic growth, work to reduce poverty, and encourage a rules-based system that is conducive to U.S. commercial activity. Direct engagement with the people of Moldova will figure prominently on my daily schedule. I am keenly aware that robust public diplomacy and people-to-people exchanges foster deeper bilateral ties and undermine Russia's anti-West narrative.

Serving as the U.S. Ambassador to Moldova would not only be a great honor but also a great responsibility. If confirmed, the safety and security of our talented Mission personnel and American citizens in the country will be my top priority. I will also continue to be a good steward of the American people's tax dollars and resources.

In closing, I would like to take this opportunity to thank each of you for your time today. If confirmed, I look forward to working with you and our U.S. Mission team in Moldova to advance U.S. interests and strengthen our bilateral relationship with Moldova. I would be pleased to answer any questions you may have.

Senator JOHNSON. Thank you, Mr. Hogan.

Our next nominee is Mr. Philip Kosnett. Mr. Kosnett has been nominated to be the U.S. Ambassador to Kosovo. Mr. Kosnett is a career member of the Senior Foreign Service. From 2016 to 2018 he served as the charge d'affaires and deputy chief of mission to the U.S. Embassy in Ankara, Turkey.

Prior to his post in Turkey he served as the director of the State Department's Office of Southern European Affairs, and as Deputy Chief of Mission at the U.S. Embassy in Uzbekistan. He previously served in Kosovo in 2003 as the political director at the U.S. office in Pristina.

Mr. Kosnett.

**STATEMENT OF PHILIP KOSNETT OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO**

Mr. KOSNETT. Chairman Johnson, Ranking Member Murphy, Senator Kaine, it is an honor to appear before the committee today as the President's nominee as Ambassador to the Republic of Kosovo. I deeply appreciate the trust and confidence the President and the Secretary of State have placed in me to represent the American people, and I hope to earn your trust as well.

I am accompanied today by my wife, Alison Kosnett, a development professional, who has served with me in Iraq, Afghanistan, Uzbekistan, and Turkey.

The U.S. relationship with Kosovo is rock solid. Kosovo credits the United States as its closest strategic partner. Kosovo remains staunchly pro-American, and our partnership is rooted in a shared belief that a sovereign democratic Kosovo is essential to Balkan stability. Having served in Kosovo earlier in my career, I have experienced for myself the deep connection between the people of Kosovo and the United States.

The U.S. investment in Kosovo has yielded concrete results. Since 1999, \$1.9 billion in U.S. assistance has helped Kosovo build institutions, achieve the highest GDP growth in the region every year since 2015, and improve integration of minority communities.

Thanks to U.S. advocacy, over 100 countries now recognize a sovereign independent Kosovo. U.S. businesses have found Kosovo a welcome environment for building world-class highways, opening

franchises, and developing a \$1.4 billion power plant that will revolutionize Kosovo's economy.

Despite its notable achievements, Kosovo continues to face challenges which impact U.S. interests in the Balkans and beyond. If confirmed, I will lead a whole of government effort to help Kosovo overcome these obstacles, focusing the work of the embassy on several priority areas.

First, enhancing dialog with Serbia. The U.S. Government's most pressing priority is normalization of Kosovo's relationship with Serbia, which would bolster regional stability, and pave the way for both country's regional—for both country's Western integration.

The United States strongly supports the EU-facilitated dialog, and welcomes the intensification of high-level talks. If confirmed, I will encourage Kosovo to pursue a resolution that improves the lives and ensures the safety of all citizens of Kosovo and Serbia. NATO's KFOR mission, trusted by Albanians and Serbs alike, and which U.S. forces play a leadership role, remains essential to providing the stability and security necessary to allow these negotiations to take place.

Second, countering corruption and strengthening rule of law. Corruption in Kosovo remains endemic. Strengthening the rule of law is essential to attracting foreign investment, and increasing public trust in Kosovo's institutions. Justice for victims of all ethnicities remains vital and a prerequisite for reconciliation.

If confirmed, I will urge the government to support the work of the special court in The Hague to deal responsibly with Kosovo's past.

Third, supporting human rights and minority integration. If confirmed, I will actively support the protection of Kosovo's rich heritage, and will hold officials to account when they fail to uphold Kosovo's rigorous legal protections for human rights. I will continue the missions focus on increasing interethnic cooperation, ensuring equal access to justice and services for all of Kosovo's citizens.

Fourth. Combatting terrorism and violent extremism. With U.S. support, Kosovo has become a regional leader in counterterrorism. Since 2015, Kosovo has arrested over 200 individuals suspected of supporting terrorism. Twenty NGOs with extremist links have been closed. If confirmed, I will continue our broad collaboration with Kosovo in confronting this challenge.

Fifth, enhancing Kosovo's capabilities for self-defense. Like any country, Kosovo has the sovereign right to establish armed forces for its defense. The United States supports transition of the Kosovo security force into a NATO interoperable army, with a limited defense mandate. Kosovo should remain in close coordination with us, and continue its outreach to Kosovo Serbs to ensure a successful transition.

If confirmed, I will work with NATO allies and Kosovo to create a Kosovo armed forces that is capable, inclusive, and a positive element for regional stability.

And finally, developing energy security. Unreliable energy costs the Kosovo economy \$415 million annually, or roughly 6 percent of GDP. If confirmed, I will advocate for implementation of Kosovo's comprehensive energy security strategy, which includes a diversified portfolio of traditional and renewable fuels.

In conclusion, Kosovo's emergence as an increasingly stable, confident, and prosperous democracy, a reliable partner in the pursuit of common security and economic interests is a success story for American diplomacy. If confirmed, I will work with the government and people of Kosovo, with the exceptional interagency team at Embassy Pristina, with partners in the administration, and in the Congress, with American businesses and NGOs, and with international counterparts to realize the vision of a democratic and stable Kosovo.

I thank you for your time, and would be pleased to take questions.

[Mr. Kosnett's prepared statement follows:]

#### PREPARED STATEMENT OF PHILIP KOSNETT

Chairman Johnson, Ranking Member Murphy, it is an honor to appear before the committee today as the President's nominee as Ambassador to the Republic of Kosovo. I deeply appreciate the trust and confidence the President and the Secretary of State have placed in me to represent the American people, and I hope to earn your trust as well. I am accompanied today by my wife Alison Kosnett, a development professional who has served with me in Iraq, Afghanistan, Uzbekistan, and Turkey.

The U.S. relationship with Kosovo is rock-solid. Kosovo credits the United States as its closest strategic partner. Kosovo remains staunchly pro-American, and our partnership is rooted in a shared belief that a sovereign, democratic Kosovo is essential to Balkan stability. Having served in Kosovo earlier in my career, I have experienced for myself the deep connection between the people of Kosovo and the United States.

The U.S. investment in Kosovo has yielded concrete results. Since 1999, \$1.9 billion in U.S. assistance has helped Kosovo build institutions, achieve the highest GDP growth in the region every year since 2015, and improve integration of minority communities. Thanks to U.S. advocacy, over 100 countries now recognize a sovereign, independent Kosovo. U.S. businesses have found Kosovo a welcome environment for building world-class highways, opening franchises, and developing a \$1.4 billion power plant that will revolutionize Kosovo's economy.

Despite its notable achievements, Kosovo continues to face challenges, which impact U.S. interests in the Balkans and beyond. If confirmed, I will lead a whole-of-government effort to help Kosovo overcome these obstacles, focusing the work of the Embassy on several priority areas:

##### *Enhancing Dialogue with Serbia*

The U.S. Government's most pressing priority is normalization of Kosovo's relationship with Serbia, which would bolster regional stability and pave the way for both countries' Western integration. The United States strongly supports the EU-facilitated Dialogue, and welcomes the intensification of high-level talks. If confirmed, I will encourage Kosovo to pursue a resolution that improves the lives and ensures the safety of all citizens of Kosovo and Serbia. NATO's KFOR mission, trusted by Albanians and Serbs alike, and in which U.S. forces play a leadership role, remains essential to providing the stability and security necessary to allow these negotiations to take place.

##### *Counteracting Corruption and Strengthening Rule of Law*

Corruption in Kosovo remains endemic. Strengthening the rule of law is essential to attracting foreign investment and increasing public trust in Kosovo's institutions. If confirmed, I will focus on improving transparency and will press the Government to combat political influence in the justice sector. Justice for victims of all ethnicities remains vital and a prerequisite for reconciliation. If confirmed, I will urge the Government to support the work of the "Special Court" in The Hague to deal responsibly with Kosovo's past.

##### *Supporting Human Rights and Minority Integration*

If confirmed, I will actively support the protection of Kosovo's rich heritage and will hold officials to account when they fail to uphold Kosovo's rigorous legal protections for human rights. I will continue the Mission's focus on increasing inter-ethnic

cooperation, ensuring equal access to justice and services for all of Kosovo's citizens, including minorities.

*Combatting Terrorism and Violent Extremism*

With U.S. support, Kosovo has become a regional leader in counterterrorism. Since 2015, Kosovo has arrested over 200 individuals suspected of supporting terrorism and 20 NGOs with extremist links have been closed. If confirmed, I will continue our broad collaboration with Kosovo in confronting this challenge.

*Enhancing Kosovo's Capabilities for Self-Defense*

Like any country, Kosovo has the sovereign right to establish armed forces for its defense. The United States supports transition of the Kosovo Security Force into a NATO-interoperable army with a limited defense mandate. Kosovo should remain in close coordination with us and continue its outreach to Kosovo Serbs to ensure a successful transition. If confirmed, I will work with NATO Allies and Kosovo to create a Kosovo Armed Forces that is capable, inclusive, and a positive element for regional stability.

*Developing Energy Security*

Unreliable energy costs the Kosovo economy \$415 million annually, or roughly six percent of GDP. If confirmed, I will advocate for implementation of Kosovo's comprehensive energy security strategy, which includes a diversified portfolio of traditional and renewable fuels. U.S. support for this effort includes a \$49 million Millennium Challenge Corporation threshold program to encourage greater energy efficiency and develop new power sources, and for the aforementioned U.S.-designed power plant.

**CONCLUSION**

Kosovo's emergence as an increasingly stable, confident, and prosperous democracy—a reliable partner in the pursuit of common security and economic interests—is a success story for American diplomacy. If confirmed, I will work with the Government and people of Kosovo, with the exceptional interagency team at Embassy Pristina, with partners in the administration and in the Congress, with American businesses and NGOs, and with international counterparts to realize the vision of a democratic and stable Kosovo.

I thank you for your time and would be pleased to take questions.

Senator JOHNSON. Thank you, Mr. Kosnett.

Our fourth nominee is Ms. Judy Rising Reinke, and she is the nominee to be U.S. Ambassador of Montenegro. Ms. Reinke is a senior career member of the Department of Commerce's Foreign Commercial Service.

Most recently, Ms. Reinke served as deputy director general of the Global Markets Division of the Department of Commerce. Over the course of her career that has spanned three decades, she has served at six U.S. missions overseas. Ms. Reinke.

**STATEMENT OF MS. JUDY RISING REINKE OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONTENEGRO**

Ms. REINKE. Thank you, Mr. Chairman, Ranking Member Murphy, distinguished members of the panel. Thank you for the time and the opportunity to appear before you as President Trump's nominee as U.S. Ambassador to Montenegro.

I am very grateful for the opportunity to serve, and the confidence that the President and the Secretary have placed in me. If confirmed, I want to pledge to you that I want to work closely with you in achieving U.S. objectives in Montenegro.

I am really proud today to be accompanied by my husband, Edwin Reinke, my daughter, Katherine Reinke. She is a sophomore

at Johns Hopkins. We are very proud of her. The two of them have sat by my side everywhere we have gone. They have been my most committed supporters. I want to publically thank them for their patience and love.

The path to my own career as a public servant started in my youth. I am the daughter of an American U.S. Army officer, and a nurse, and public service was in my veins. I am very proud that my grandfather, my father, two of my uncles, and my brother, Harry Rising, who is watching by Livestream, they were all West Point graduates. And I have heard the words "duty, honor, country" growing up in my ears. I was proud that they served our country. And I chose my own path towards an international public service career, and found it fortunate to become a member of the U.S. and Foreign Commercial Service, part of the U.S. Department of Commerce, as a Foreign Service Officer.

In fact, I am only the fifth Commerce Department official to appear before this committee for consideration as a chief of mission. And I am the first woman, and I am proud of that. In fact, I am proud, and I said proud again, but I am proud to represent the men and women of the Foreign Commercial Service. They bring a unique set of skills to the Foreign Service in order to help grow jobs and prosperity in America through trade and investment.

My experience as a Foreign Commercial Service Officer overseas and the skills that I have developed while leading our worldwide programs as the deputy director general, which you mentioned, sir, have prepared me for the position to which I am nominated.

My early assignments were in Europe, and I later returned to manage our regional operations in Western Europe and EU affairs. My early postings were in Germany and Switzerland. From these positions I was able to watch the fall of the Berlin Wall, and eventually the dramatic breakup of Yugoslavia.

I admired my Foreign Service colleagues who partnered with the Balkan region to rebuild and enter a new era of independence and growth. And now I am grateful to have an opportunity to serve in this region if confirmed.

Montenegro reemerged, as you know, as an independent country only in 2006, and has shown itself to be a positive example in the region. The country's commitment to freedom and democracy was cemented by Montenegro's accession to NATO in June of last year.

In fact, members of the Montenegro armed forces have served side by side with U.S. forces in Afghanistan since 2010. And happily, this newest NATO member is firmly on a path to achieve its two percent of GDP target for defense spending by 2024.

Thus, while the country is small in size, it has demonstrated an outsize commitment to mutual operations. So just as Montenegro has committed to the mutual defense of its alliance partner, if confirmed, I will reassure our Montenegrin partners of our own robust commitment to the principle of mutual defense, as enshrined in article five of the Washington Treaty.

The next step in this country's path to Euro-Atlantic integration is Montenegro's application for membership in the European Union, which is well under way. Supporting the integration of Montenegro into Euro-Atlantic institutions has been an overriding

policy of the United States to date, and this will certainly be my top priority as Ambassador.

And my second priority flows from the first. That is to support the Government of Montenegro's efforts to liberalize and strengthen its economy, including stamping out the scourge of corruption and bureaucratic overreach. As Montenegrin reforms begin to create a more effective and transparent legal and regulatory environment, economic growth and prosperity are sure to follow. And this, in turn, will bring more opportunities for U.S. firms in areas such as energy, tourism, health, agriculture. And if confirmed, I commit that the U.S. Embassy in Podgorica will make these deals happen.

Finally, a third goal. As U.S. Ambassador to Montenegro will be to assure a deepening and a broadening of our public engagement in the country to help the people of Montenegro understand American values, and principles, and policies, to build trust, and to correct misperceptions. The people of Montenegro have been engaged in a vital and exciting dialog on the direction of the country's future. And the stellar team at Embassy Podgorica is working hard to support these important discussions. Members of the committee, I am eager to join them.

If confirmed, I assure the committee that I will protect American interests, ensure the fair treatment of American citizens, and promote American values with every single engagement I have with the Government of Montenegro, and its people.

Thank you so much for the opportunity to be here today, and I look forward to answering your questions.

[Ms. Reinke's prepared statement follows:]

PREPARED STATEMENT OF JUDY RISING REINKE

Mr. Chairman, Ranking Member Murphy, and distinguished members of the committee, thank you for allowing me this opportunity to appear before you today as President Trump's nominee for U.S. Ambassador to Montenegro. I am deeply grateful for the confidence that the President and Secretary Pompeo have placed in me. If confirmed, I pledge to work closely with you to advance our nation's interests in Montenegro.

I'm proud to be accompanied by my family, specifically my husband, Edwin Reinke, and my daughter, Katherine. They have been at my side throughout my career and have been my most energetic and committed supporters; I want to thank them for their patience and love every step of the way. Katherine was a 3-month-old baby when we moved to Jakarta, Indonesia, and grew up in a Foreign Service environment, moving frequently and saying goodbye to more friends than I can count. She is now a sophomore at Johns Hopkins University, and I am grateful and proud that the Foreign Service experience has shaped a future leader who is as committed to the United States and our strong place in the world as I am.

The path to my career as a public servant was shaped by my own upbringing. The daughter of an Army Officer and a nurse, I was raised with the words "Duty, Honor, Country" ringing in my ears. If that sounds familiar, it is because that is the motto of West Point, and I am proud that my grandfather, my father, two uncles, and my brother, Harry Rising, are all West Point graduates who proudly served their country. I might have been in the first class of women at West Point, but I chose my own path towards public service with an international focus, an interest sparked by time spent in Frankfurt, Germany as a little girl. The Foreign Service has been like a home to me for 25 of the 35 years I have been a public servant. I have been proud of each opportunity I have had to represent America while stationed abroad.

I am deeply honored to have been nominated for the position of U.S. Ambassador to Montenegro, and I am committed to representing the interests of the United States there to the best of my ability. While the majority of career Foreign Service officers who appear before this committee come from the Department of State, I am

proud to have served in the Foreign Commercial Service of the U.S. Department of Commerce. In fact, I am only the fifth Commerce

Department officer to sit before this committee for consideration as a Chief of Mission, and the first woman. I am proud to represent the men and women of the FCS who bring a unique set of skills and experiences to the Foreign Service of this country. This nomination demonstrates to each of these colleagues the value of their service as officers advancing the commercial and diplomatic goals of the United States overseas and the importance of their hard work supporting free, fair and reciprocal trade and investment flows to help grow jobs and prosperity in America.

My experience as a Foreign Commercial Service officer overseas and the skills I've developed while leading our worldwide programs as the Deputy Director General of the FCS have prepared me for the position to which I am nominated. My early assignments were in Europe, and later I returned to manage the regional operations of our Western Europe and EU programs. From my early postings in Switzerland and Germany in the early 1990s, I watched the fall of the Berlin Wall and later the dramatic breakup of Yugoslavia and transformation of the Western Balkans as war engulfed the region. My career then took me to Asia, but I watched from afar the work of my former Ambassador, Richard Holbrooke, as he brokered peace in Bosnia and Herzegovina and learned from my new Ambassador, Robert Gelbard, who arrived in Jakarta fresh from implementing the Dayton Peace Accords. I admired my Foreign Service colleagues who partnered with the people of the Balkan region to rebuild and enter a new era of independence and growth.

Montenegro re-emerged as an independent country in 2006 and has shown itself to be a positive example in the region. The people of the country are strong and independent, and they have bravely embarked on the vital path of Euro-Atlantic integration and the principles that this decision represents. Their commitment to freedom and democracy was cemented by Montenegro's accession to NATO in June of last year, and the country's pledge to contribute to the mutual defense of its alliance partners was demonstrated well before its accession.

Members of the Montenegrin armed forces have served side by side with U.S. troops in Afghanistan since 2010, and this newest NATO member is firmly on track to meet its two percent of GDP target to NATO by 2024.

Thus, while the country is small in size, it has demonstrated an outsized commitment to mutual defense operations, and it continues to play a constructive and stabilizing role in the Western Balkans. Stability and security are good for Montenegro's economic development and investment climate, and this, in turn, is good for America. Montenegro's accession to NATO reflects the country's embrace of democracy, rule of law and strong institutions that benefit all its people. And, just as Montenegro has committed to the mutual defense of its alliance partners, if confirmed, I will reassure our Montenegrin partners of our robust commitment to the principle of mutual defense as enshrined in Article 5 of the Washington Treaty.

The next step in the country's path to Euro-Atlantic integration is Montenegro's application for membership in the European Union, which is well underway. If confirmed, I will provide U.S. support and guidance, as needed, to assist with this process. Supporting the integration of Montenegro into Euro-Atlantic institutions has been an overriding priority of the U.S. Government to date, and this will certainly be my own top priority as Ambassador.

My second priority flows from the first: to support the Government of Montenegro's efforts to liberalize and strengthen its economy, including stamping out the scourge of corruption and bureaucratic overreach. As Montenegrin reforms begin to create a more effective and transparent legal and regulatory structure, economic growth and prosperity are sure to follow. American firms want to partner with Montenegro, and will look for a commitment to stability, rule of law and growth. U.S. businesses also seek transparency and predictability in business practices; programs such as the recent Balkan Coordinated Border Management workshop in Podgorica organized by the Commerce Department's Commercial Law Development Program in collaboration with the Customs committee of Montenegro and its regional partners is an example of how our countries can work together to successfully strengthen and facilitate trade flows within the region. I see other exciting developments in the country, such as the Krnovo Wind Farm which is the first in Montenegro and the most powerful in the region. Funded through the European Bank for Reconstruction and Development, this project, proudly powered by 26 General Electric turbines, came on-line in November of 2017 and is now supplying electricity to 45,000 households. Thanks to this project, Montenegro can now deliver 40 percent of its domestically generated electricity from clean energy sources. There are many more opportunities for U.S. firms to partner with Montenegro in sectors such as energy, tourism, health and agriculture and, if confirmed, I will commit the U.S. Embassy in Podgorica to help make these deals happen.

Finally, my third goal as U.S. Ambassador to Montenegro will be to assure a deepening and broadening of our public engagement in the country to help the people of Montenegro understand American values, policies and principles. I commit to personalized engagement with the Government, with civil society, and with people on the street with a goal of building trust and correcting misperceptions. Working with the Embassy's stellar staff of American and Montenegrin professionals, we will build on my predecessor's effective legacy of people-to-people engagement. I am personally driven to explore partnerships that will help to preserve this country's rich cultural patrimony, to advance inclusion and diversity, and to address environmental issues that threaten to degrade the country's precious touristic resources.

The people of Montenegro have been engaged in a vital and exciting dialogue on the direction of the country's future, and the team at the U.S. Embassy is working hard to support these important discussions. I am eager to join them. If confirmed, I commit myself to demonstrate to the people of Montenegro by my words, and by my actions, that the U.S. is a friend, a partner and a committed Ally. Moreover, I assure the committee that I will protect American interests, ensure the fair treatment of American citizens, and promote American values with every engagement I have with the Government of Montenegro and its people. Thank you for this opportunity to appear before you, and I look forward to answering your questions.

Senator JOHNSON. Thank you, Ms. Reinke.

Out of respect to my colleagues' time, I will defer my questions to the end. So Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman. Thank you again all of you for being here. Thank you for bringing your families with you. I know this is a joint concern representing the United States abroad, and so I thank all of the family who are here for their service to the country as well, and to those family members who will serve, we thank you in advance.

Mr. Kosnett, I wanted to start with you in part because there is some relative news of the day surrounding the U.S. position on dialog between Kosovo and Serbia that maybe we can try to clear up here today as you are heading off to this post.

Serbian Foreign Minister Dacic, who is a good friend of many of us on this committee, met behind closed doors with Jared Kushner in late July. And after that meeting he said something to the effect of the U.S. position is now more tuned to our positions. That has set off some wild speculation in the region as to what the change in U.S. position is.

The worry amongst many is that the United States is now much more amenable to something called land swaps, the idea that you would incorporate some Serbian populations that are currently in Kosovo into Serbia in exchange for other pieces of land. This is something that has been off limits in the past.

Phil Gordon said in 2013 that there is no way for borders in this region to be redrawn along ethnically clean lines, as such partition and land swaps are unacceptable solutions.

What instructions do you have going to Kosovo with respect to the U.S. position on land swaps, and has it changed, given these comments from Dacic?

Mr. KOSNETT. Senator Murphy, thank you very much for raising this key question. I would say that our position has not changed. The position of the administration is that we support the EU-facilitated dialog between Pristina and Belgrade. We think it is important that both governments and other stakeholders in these countries move forward with creative thinking about ways to overcome the longstanding tensions between Kosovo and Serbia.

We think it is critical that both countries be able to discuss new ideas. But that is not a code word for land swap or any specific—any specific course of action. We very much want to see what sort of ideas the two governments come up with in the context of the dialog.

But our overall strategic goal is to see stability in the region, a resolution of the longstanding tensions, disagreements between Serbia and Kosovo, in a manner that will facilitate both countries stronger ties with the West.

Senator MURPHY. My understanding is that the State Department has received no readout on this meeting between the Serbian foreign minister and Mr. Kushner. Do you know if my understanding is wrong? Do you know whether the State Department has a readout of what was discussed?

Mr. KOSNETT. Senator, I will tell you honestly, this is the first I have heard of that particular meeting.

Senator MURPHY. Okay.

Mr. KOSNETT. I certainly look forward to finding out more about it.

Senator MURPHY. Okay. Thank you.

Mr. Hogan, what a time to be heading to Moldova. This is a population that seems to be slowly shifting in favor of European integration. It obviously remains a key question, and one in which the outside player of the Kremlin has a lot to say about.

Senator Portman, and I, and many others worked on setting up a capacity inside the State Department called the Global Engagement Center. And the idea was to try to help seed independent objective journalism in places that did not have a long history of it.

Moldova is a place in which if you are willing to sell the rights to the stories you tell, you will have a willing buyer across the border in Russia. So it seems like a place where the United States could really help stand up real objective story telling about what the stakes are for Moldova moving forward.

That is one way that the U.S. can help, trying to tell the true story of what European and Euro-Atlantic integration will mean for Moldova. What are some other ways that you think that the U.S. can play a constructive role here as Moldova decides which way they want to go?

Mr. HOGAN. Thank you, Senator, for that—for that question. And I have had the opportunity to meet with the leadership with the Global Engagement Center, and talk about if confirmed how we could work together to really counter this barrage of Russian disinformation.

I believe our embassy, and with the strong support of the inter-agency back here in Washington, is actively working on just this very problem set, which is to provide the Moldovan people with accurate information, and as well as to improve the media literacy in the country as well, so that the Moldovan people know what real news looks like, what it actually is, accurate information.

And so there is a lot of effort going. A lot of our technical assistance capacity ability, both when it comes to the Government entities that regulate a media, but as well as civil society, political parties, how they can play a greater role in this effort to provide the Moldovan people with accurate information.

Senator MURPHY. Great. Thank you.

Ms. Blanchard, I certainly do not expect you to be as read in as career members of the Civil Foreign Service are, and into the book of business that you are going to undertake. But you are showing up or will be showing up in Slovenia at a very interesting political moment. The anti-immigrant SKS Party has won the most seats in Parliament, but nobody really seems to want to partner with them. So as of this hearing we do not have a government.

There is a range of anti-immigrant parties in Europe. Some are too hot for the taste of others, and for the United States. Others are a little bit more mainstream. In getting ready for this post, what is, what is your sense of the SKS party? Is this somebody that the United States—is this a party that the United States can do business with, or is this a political movement that we should be worried about from an American perspective?

Ms. BLANCHARD. Thank you for that question, Senator. From what I have read on the issue I believe that the U.S. should be excited about this new partnership, the new government. From what I have learned, they are interested in similar things with keeping with the EU, as always. And we encourage that as a U.S. partner or EU partnerships to strengthen them. And I am encouraged to work with the new government and try to make a difference with their trade increase amounts. To me it is an opportunity.

Senator MURPHY. Are you talking about the potential new government that is going to be formed?

Ms. BLANCHARD. Yes. Yes.

Senator MURPHY. Okay. Yeah. I think you may—we may want to—you may want to clarify those views. I think the SKS party is a pretty hardline anti-immigrant party that no one is willing to partner with right now. And so the party who has got the second leading number of seats is going to be attempting to form a government. So I think you are probably referring to the potential new government, not necessarily to the SKS Party.

Ms. BLANCHARD. I am. You are correct. I am referring to that. I was told that they might form as soon as tomorrow.

Senator MURPHY. Right. Okay. Great. I will leave it at that. I might have a second round, if we are doing it, but I will let others go.

Senator JOHNSON. Senator Kaine.

Senator KAINE. Thank you. And I want to applaud the Chair and Ranking for your very careful focus on this area of the world, which is not my area of focus, and I am here to learn. And I want to congratulate all of you for being nominated. I think a panel like this shows the sort of best of what the career Foreign Service is, career diplomats are, and it also shows why political diplomats are important to people who have a demonstrated track record of philanthropy, and nations around the world wanting to represent our country, but also to help people elsewhere. That is exactly the kind of person that we intend to have and should have as political ambassadors. So thanks to all of you.

And I will also say, Mr. Chair, that, you know, Virginia does not demand every Senate confirmable position, but three-quarters seems about right to me. [Laughter.]

Senator KAINE. That seems to be about a good ratio.

Senator JOHNSON. Did you want to do an introductions? [Laughter.]

Senator KAINES. I love this committee, because it is educational. And Mr. Kosnett, I am going to do something that I ever do at a committee. I am not going to ask you for what you—I am not going to ask you about what you have been nominated for. I am going to try to take advantage of the fact that you have been in Turkey for the last 2 years.

We spend a lot of time in this committee, and I am also on the Armed Services committee, talking about the U.S.-Turkey relationship. And it is very, very tough right now. When we ask our military leadership and Armed Services committees to give us advice about the U.S.-Turkey relationship, they say it is one of the toughest challenges that they have.

We have had a wonderful long relationship with Turkey as a NATO ally, incredibly important, the use of Incirlik Air Force base at Adana has been really important to us in the anti-ISIL campaign, for example. And yet, we have some very serious challenges, differences of opinion with Turkey with respect to U.S. partnership with the Kurds and Northern Syria. They are deeply worried about Muhammed Gulen's presence in the United States. We are deeply worried about their imprisonment of Pastor Brunson. They have recently put him in house arrest out of a prison. Yet still, he is in Turkey against his will.

We are grappling with a challenge Turkey, where they are contemplating purchase of Russian military technology that would require that we sanction them. And yet, components to the F-35 that we are relying upon for our military air advantage in the future are manufactured in Turkey.

The back and forth on sanctions has created a lot of very, very difficult rhetoric between Turkey and the United States. And so what I really wanted to just ask you, and this is the only question I really wanted to ask is, based on your experience there, can you give us some advice, as Congress, not the Executive, but as Congress, what might we do, based on your experience, to improve the U.S.-Turkey relationship, and hopefully get it into a better place?

Mr. KOSNETT. Thank you very much, Senator Kaine. And before I attempt to answer that question, I should note for the record that I have completed my tour as chargé in Ankara, and the developments in the relationship between Turkey and the United States are changing every day. So I need to be careful—

Senator KAINES. Yeah.

Mr. KOSNETT [continuing]. About not speculating about the future. Okay. Having said that, as you said, Senator, the relationship, the partnership between the United States and Turkey has been of great value to both countries for more than half a century. And even in the past 2 years, when there have been, you know, great tensions, great frustrations on both sides, out of the—out of the spotlight our cooperation has continued in many fields, in counterterrorism, including the war against ISIS, in regional security, trade, and investment. There are many great opportunities in the relationship.

And I would like to believe, and I do believe that the people and governments of both countries recognize how much is at stake

when relations are in the sort of situation we are now, and how important it is for us to overcome the existing problems.

To specifically answer your question about the role of Congress, I have observed in the past 2 years how very important it has been for the Government of Turkey to understand that on the key issues between us, most notably the status of American citizens and employees of the U.S. diplomatic mission, who are being detained on what we consider to be unreasonable spacious charges, without any compelling evidence, that there is no daylight between the Congress and the administration.

And I believe that we have also demonstrated that there is, you know, complete consensus on both sides of the aisle that there is nothing more important in our relationship with Turkey than making sure that American citizens overseas are not subject to unreasonable prosecution, and that we will do our part to make sure that our people abroad have due process and are treated in a transparent fashion by the judicial system. Okay.

Long answer. I think that—if I may, I think the Congress is doing exactly the right thing, partnering very closely with the administration, demonstrating to the Government and people of Turkey that these are not tactical political issues. These issues get to the very heart of who we are as Americans, and we are going to continue to protect our people overseas no matter how difficult that makes other aspects of the relationship.

Senator Kaine. One of the issues that has gotten a lot of attention is the imprisonment of Pastor Brunson, and there have been suggestions in the past from Turkey, well, you know, we have one of your pastors, but you have a pastor, Muhammed Gulen, living in Pennsylvania. Give us yours and we will give you ours.

My understanding of the U.S. policy, which I would agree with, and I hope this is still the policy, is we would not want to harbor anybody in the United States who has done bad things elsewhere, and would be subject to extradition pursuant to the rules of law, and the treaty between the United States and Turkey, dealing with extradition issues.

If anybody is here who, subject to the rule of law and that treaty, should be extradited, I would like the U.S. to follow the laws, follow the process to do that. But I also believe that we should not be swapping people in contravention of laws or contravention of treaties.

Is that your understanding of the current U.S. posture with respect to the Turkish demands, with respect to Gulen, or anybody else? Our position is if there is evidence that would suggest that pursuant to legal process and the U.S. treaty, extradition treaty, that somebody should be extradited, then we can talk. But if there is not, that it is not like we just sort of swap people around. Is that your understanding?

Mr. Kosnett. Senator Kaine, that is exactly correct. The U.S. Justice Department has consulted at great length with its Turkish counterparts to make sure that the Turks understand the terms of our extradition treaty, and make the best case possible whenever they wish to extradite any suspect.

Senator Kaine. Uh-huh.

Mr. KOSNETT. I should note, because this sometimes does not get as much attention as it should, that the coup attempt in—  
Senator KAINE. 2016.

Mr. KOSNETT [continuing]. July of 2016 was a serious assault, not just on the Erdogan Government, but on the Turkish nation.

Senator KAINE. Uh-huh.

Mr. KOSNETT. And we respect the need for Turkey to do everything reasonable to ensure that nothing like that happens again.

Senator KAINE. Uh-huh.

Mr. KOSNETT. But as you said in your statement, Senator, we have to take the actions we are going to take in accordance with our laws. And we cannot just, you know, treat people as trade goods.

Senator KAINE. Mr. Chair, thanks for indulging me on that. I could not resist the opportunity to learn from somebody who has been there for 2 years on an issue that is really important to the committee. I appreciate it.

Senator JOHNSON. No. It was a good—this line of questioning is what we talked about in my office yesterday, as a matter of fact. So thank you. Appreciate your attendance.

I always tend to, in these hearings, go back to economic issues. Ms. Reinke, it is noteworthy, obviously, that you were with the Commerce Department, and congratulations on this nomination.

We spoke a little bit in terms of Montenegro, and I was there. Some pretty, from my standpoint, surprising polling results. Fifty percent of young people in Montenegro, their aspirations join the Government, where—well, let us face it, that, in these countries, is where security, economic security has always presided. The problem is that does not help grow an economy.

Bosnia, the result was 70 percent. And I do not have the polling results on the other nations being represented here. But my guess is it is a similar type of problem. So I guess, having discussed that yesterday, I am just wondering if you have given any thought in what as an ambassador you could potentially do to help break through that.

Ms. REINKE. Thank you, Senator Johnson. I am glad you asked the question. I enjoyed the discussion yesterday, and I think it is really part of what I am hopefully going to be able to bring to the job, if confirmed.

I made reference in my second point, my second priority, that I really want to work with the Government of Montenegro as they strengthen the institutions and the environment that will allow businesses to flourish. Rule of law, transparency, predictability, these are all things that are, first of all, necessary for their efforts to accede to the European Union, which is a process.

But those reforms and the implementation of those reforms will create an environment where businesses can flourish in Montenegro, both their own businesses and, of course, in our case, the United States has businesses who would love to partner with companies in Montenegro. But entrepreneurship, and I think that is going to your point, is not yet something that has grabbed hold of the heart of the young people, and those who are looking for opportunity.

And I hope that I can work with the Government to identify ways to, we talk about marketing the beauty of the country, marketing the goods of the country, unique products, such as their prosciuttos and their cheeses, and I think you know of cheeses. So it is the kind of thing that would—

Senator JOHNSON. We do not want a whole lot of competition. [Laughter.]

Ms. REINKE. No. Not yet. I have said they punch above their weight, and I think that these are the kinds of things that the country will bring to the world. And these are opportunities to bring strength in the economy, prosperity to the people, and I believe a prosperous and stable Montenegro is good for the region, and it is good for America.

Senator JOHNSON. The table stakes is you need security. But that is not only national security, but you need the economic security. These nations are under pressure from Russia. You know, Montenegro, that was—that was an act of war that had actually been carried out. Russia does not recognize Kosovo, which is why they are so wildly popular in Serbia.

We know the throes of conflict in Transnistria with Moldova, so they have those challenges. They really do need to proceed economically. So I will just keep going down the list.

Mr. Kosnett, what can we do in terms of Kosovo, you know, utilizing our relationship between the U.S. and Kosovo to help build their economy, because that also helps their economic and national security.

Mr. KOSNETT. Thank you, Mr. Chairman.

Well, I think right now we are seeing that some foreign companies, not only American companies, are reluctant to invest in a significant fashion in Kosovo, in large part because of their concerns about rule of law. Companies have to know that if they are going to get involved in business overseas, and they get into a dispute with a local partner, that they are going to get a fair shake. And this is just one of the many reasons why helping the Government and people of Kosovo to strengthen rule of law, to counter corruption is so important to us.

There has been an increase in interest from American business, you know, small businesses like food franchises, but also a major hotel company that is opening there. And the biggest project is ContourGlobal's proposal for a \$1.4 billion power plant. I mentioned that in particular because we believe that being able to regularize the power grid in Kosovo is going to have a potentially huge effect for the economy, and create opportunities in manufacturing that do not exist now, because there is just no reliable power grid. And as I mentioned in my opening statement it is costing something like \$415 billion a year.

So I think, of course, we can continue to encourage American business to take a close look at Kosovo, but, as you know, companies are only going to invest where it makes business sense.

Senator JOHNSON. Mr. Hogan, basically same question.

Mr. HOGAN. Thank you, Senator. I would say that there is an entrepreneurial spirit in Moldova. The Government has set up a number of free trade zones, where businesses can come in and set up shop there. We see 60 percent—67 percent of the goods and

services from Moldova going to Europe. Years ago, the numbers were going in the opposite direction, in terms of the trajectory. So there is some—there is some progress there.

Just as my colleague, Mr. Kosnett said, of course, rule of law, corruption serve as major impediments. Businesses, U.S. businesses, in particular, want to go where they know that the playing field is level, it is fair, transparent. And so we are actively working in that regard, in terms of our U.S. assistance, as well as public diplomacy, and even diplomatic engagement. So we take that point very seriously.

I would also like to add that energy security is similarly important, in terms of the country's ability to be able to receive electricity, to be integrated into the European markets, both on electricity, as well as gas. That also serves as a firm foundation for this economic growth that we are both so interested in.

Thank you.

Senator JOHNSON. I was struck when we visited Moldova how the Soviet Union basically tapped that country as their wine region. So that is some more potential.

Ms. Blanchard, just talk again about the potential economic co-operation between the U.S. and Slovenia.

Ms. BLANCHARD. Well, our trade is small, and I encourage all trade through our partnership, our bilateral partnership. Working with Slovenia, if confirmed, I am excited that there is a lot of opportunity, because we have such small trade. I am encouraged that at the moment, for 2017, there was five percent GDP growth. 2018 seems to be the same. And I am excited to partner in trying to bring in business and profit opportunities for the country of Slovenia.

Senator JOHNSON. Thank you. Senator Murphy.

Senator MURPHY. A few more questions.

Ms. Reinke, you know, our incentive system around Montenegro and reform was NATO membership for a long time. And we are glad to now have them as part of the coalition. But now the series of incentives that remain to make progress that still needs to be made is EU integration. And that dream seems more like a dream than a reality as time goes on for a lot of countries in the Balkan region, that there are others that fit the same bill.

How do you see the Ambassador's role to try to make clear that there is still reason to engage in reform, that the EU is still a potential landing spot for Montenegro, regardless of the turmoil that is happening today inside the association? How do you push them to keep reforming now that NATO has been settled, at least for the time being?

Ms. REINKE. Thank you, Senator Murphy. It is an excellent question. And it is the kind of thing I am thinking about, because, EU is a very attractive goal for the country. I think the decision to pursue accession is a brave one. It is the right one. But it does not seem as immediate for the people or the Government, with a target right now as early as 2025. People get impatient.

What I hope to convey is the kind of reforms we are talking about, the chapters that remain to be addressed and closed provisionally as they pursue accession, involve the same things my colleagues have talked about. The rule of law, and how the Govern-

ment treats businesses. And if Montenegro is able to recognize that those reforms in and of themselves will attract business, will stimulate entrepreneurship, will bring in investment, those are the messages I would like to convey.

And I think the benefit of pursuing that very long, maybe very bureaucratic accession procession, I will try to put that aside and talk about the more immediate benefits of making the reforms and giving an opportunity for the businesses to respond. So those are the messages I will be discussing.

Senator MURPHY. Well, I am glad you have given some thought to that already. Two more questions.

Mr. Kosnett, I actually had a question relative to your experience in Turkey as well. You know, most people here in the United States and across the world may have forgotten about the Ottoman Empire, but the Turks have not. And Kosovo was part of the Ottoman Empire, as well as much of the region, for 500 years. And so we tend to talk a lot in this committee about Russia's interest in the Balkan region, but the Turks have a lot of interest in the region as well, and specifically in Kosovo.

I would love just for you to talk a minute about what Turkey's interests are in the Balkans, and how those either align or conflict with U.S. goals in the region. And you can drill down on Kosovo or not. I am more interested in the broader answer.

Mr. KOSNETT. Well, thank you, Senator. I think Turkey sees itself very much as a rising power, and not just in military terms, but in soft power terms, in the Middle East, in the Balkans, in Central Asia. And I think there is a renewed interest in Turkey among Turks of all backgrounds, a renewed sense of pride in their heritage, in their Ottoman past. And you see that in pop culture, where T.V. shows about the Ottoman Empire are all the rage. But beyond that, I think they see themselves as on the upswing now, as a country of increasing importance.

And there are many areas where our interests do align, and I would submit that Kosovo is one of those areas, that there is significant Turkish investment there. There are Turkish troops in KFOR who play an important role, not just in providing security, but also in professionalizing the Kosovo security forces.

I think that if confirmed, you know, I can look forward to working with my Turkish counterpart to try to find ways for us to sync up our efforts to support anti-corruption and economic development in Kosovo.

Senator MURPHY. I think it is a real opportunity to have someone with your backgrounds in Pristina. So I have one more question for Ms. Blanchard, but we are running long, so I will let it go. Thank you all for your testimony here today.

Senator JOHNSON. I just want to follow-up a little more in terms of Kosovo. We talked about Turkish influence. I think one of the concerns of people in the region would be potentially radicalization of the Muslim population there. Can you speak a little bit about any knowledge you have, either you or Mr. Hogan, having been in the Middle East, and seeing Wahhabism spread, and that concern in that region.

Mr. KOSNETT. Okay. Well, I will be happy to start, and then Dereck—my friend Dereck can expand and correct my remarks.

I think that the Government of Kosovo has made a real effort in the last 3 years to tackle head-on the problem of radicalism, of violent extremism in Kosovo. As I mentioned in my opening remarks, they made a good start with legislation, which is a model for the region, and beyond that, they have arrested more than 200 people. They have shut down NGOs.

Beyond that, and that is, in a sense, dealing with the symptoms, you know, I think that the Government of Kosovo and other stakeholders are making a real effort to look at, to coin a phrase, the root causes of terrorism in Kosovo. And I look forward, if confirmed, to digging into this more deeply, you know, when I get there. But my understanding is that there have been problems in the past because of extreme poverty, and people's alienation. Some young people sense that they do not have a future there, that they have been attracted to ISIS ideology. This is certainly not unique to Kosovo.

Earlier in my career I spent many years working on counterterrorism issues, so this is a particular interest of mine, and I think it continues to be a priority on an interagency basis for our team in Pristina.

Senator JOHNSON. Thank you, Mr. Hogan.

Mr. HOGAN. Thank you, Senator. I am not aware of any serious concern of radical Islam in Moldova, but, of course, I will look into that, and if there is, I will get back to you on that.

And I would just say that I—my understanding is that there is a fair sense of—or a good measure of tolerance and inclusivity in Moldova. So I would be surprised if there were, but like I said, when I get on the ground, if confirmed, I would get into that. Thank you.

Senator JOHNSON. Okay. Anybody have any further questions?

Senator MURPHY. I do not have a question. Just a follow-up, I think, on your very good first question, which is, you know, we do increasingly hear these reports of, you know, if not radicalization, increasing influence of Wahhabism and conservative Islam in the region.

For instance, if you walk around the Albanian sections of Montenegro today you will see women wearing head coverings in a way that you did not even 5 to 10 years ago. And the stories are that some of them have made the choice to do that. Others are being paid to do that by certain clerics and certain mosques that are being funded from the outside.

And so I just raise it as something that I hope, you know, in particular, those that are going to countries with large Muslim populations will pay attention to, because I think we are really endeavoring to try to get information here. So appreciate you guys paying attention to that.

Senator JOHNSON. Again, we want to thank our nominees for your willingness to serve, your families. It is an all-consuming type of occupation. So we really do appreciate that.

With that, the hearing record will remain open for statements or questions until the close of business on Friday, August 17th. This hearing is adjourned.

[Whereupon, at 3:41 p.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### **RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO LYNDA BLANCHARD BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career I have focused on several areas related to fostering human rights, including advocating for the rights of orphaned children as well as providing opportunities to further their education and become active members of the future generations of leaders. My work in Malawi began 15 years ago. The organization I founded partnered with a tribal chief and opened an orphanage that has housed approximately 150 children and employed 44 locals each year. Over time our focus broadened from providing nurturing homes to affording educational opportunities for the future. Our organization now facilitates partnerships between universities here in the United States and universities and government agencies in Malawi. These partnerships have created the opportunity for online education to be introduced to Malawi, created the first PhD in Nursing program, and most importantly, they have doubled the number of university-awarded degrees in Malawi. These programs have and will continue to supply educational opportunities for generations of young people there.

Building on the experience in Malawi, my organization expanded our efforts to Moldova, where we endeavored to create secondary housing for orphans who were being released at an early age by edicts from the Government. Because these individuals were still quite young, they were at risk of becoming victims of many nefarious pursuits, including human trafficking. Starting with one secondary home, we then grew to five homes as well as a refurbished government orphanage. Based on our efforts in Moldova, my organization was presented in British Parliament as a best practice for Trafficking Prevention.

Due to the success of our efforts in Malawi and Moldova, we have built homes in Mexico and Peru to provide room and board as well as an education for 160 orphans. Similarly, in India we joined with other organizations to construct three orphanages in three different states. Each orphanage provides housing, educational programs, and spiritual services. Additionally, though my organization does not own these properties, we have supported orphan care in Honduras, China, Russia, and Haiti. Finally, we have also supported other projects in Zimbabwe, including a church and a medical clinic.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Slovenia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Slovenia has a strong record on human rights and democracy. Among the challenges Slovenia faces, according to The State Department's annual Human Rights and International Religious Freedom Reports, is localized discrimination against minority groups, such as Roma. Additionally, while Slovenian law prohibits discrimination based on sexual orientation, some societal discrimination still occurs.

The United States Government engages the Slovenian Government regarding a small number of outstanding Holocaust-era restitution claims, and the Slovenian Government has recently agreed to conduct a joint-research project with the World Jewish Restitution Organization to identify heirless properties in Slovenia.

If confirmed, I will continue our work advocating for increased tolerance for all.

*Question 3.* What steps will you take—if confirmed—to support democracy in Slovenia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Slovenia and the United States share common values, including the importance of protecting human rights and supporting democracy. The country has a diverse and active civil society, with independent groups that report and advocate on the issues they care about around the country.

If confirmed, I will continue the U.S. Embassy's regular engagement with these groups on some of the most pressing issues, and I will continue our work with Slovilians to ensure the coordination of our efforts on promoting tolerance through civil society empowerment and coalition building. By ensuring that we keep lines of communication open, we will maximize our joint impact on this and other challenges.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. As an EU member and World Bank-designated “high income country,” Slovenia has “graduated” from U.S. development assistance. The U.S. Government nevertheless remains committed to using public diplomacy and other resources at our disposal to support small-scale projects to promote democracy and good governance, and to counter Russian disinformation.

Recent examples of such projects include the following: support for International Military Education and Training (IMET)-funded opportunities for the Slovenian Armed Forces; organization of a series of regional training events for government communicators, with an emphasis on fighting disinformation; support for robust civil society and NGO programming on migration; work with incubators and accelerators to promote entrepreneurship; and extensive outreach to journalists. The U.S. Embassy has also doubled the number of participants in various exchange programs over the past two years.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Slovenia? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Slovenia, including human rights activists and religious groups and the organizations that represent them. If confirmed, I will pay close attention to developments in this sector and am prepared to speak privately—and publicly if necessary—if there are any efforts to restrict NGOS and civil society through legal or regulatory measures.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Slovenia's constitution and laws provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. No laws limit the participation of women and minorities in the political process. In the last presidential election, five of the nine candidates were women, and the cabinet included eight women ministers. Slovenia's citizens elected a new parliament on June 3, which on August 17 is expected to give the leader of a new party, Marjan Sarec, a mandate to form a new government. The constitution guarantees that the National Assembly always includes one member each from the Hungarian and Italian minorities.

If confirmed, I am committed to meet with a broad array of democratically-oriented political opposition figures and parties and will advocate for broad access to and inclusion in political processes.

*Question 7.* Will you and your embassy team actively engage with Slovenia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Slovenia?

**Answer.** Slovenia has a strong record of press freedom. If confirmed, I am committed to sustained engagement with Slovenia on freedom of expression, including freedom of the press and addressing any political or economic forces that might be designed to undermine press freedom. If confirmed, I am committed to meeting regularly with the professional press in Slovenia.

**Question 8.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country? On corruption and illicit financial activity used by outside actors to influence political developments in the country?

**Answer.** If confirmed, I will actively engage with media, civil society and government counterparts on countering disinformation and propaganda disseminated by foreign states or non-state actors, as well as on corruption and illicit financial activity by outside actors to influence political developments in Slovenia. If confirmed, I will ensure Embassy Ljubljana is equally engaged and reports through regular State Department channels on these issues.

**Question 9.** Will you and your embassy teams actively engage with Slovenia on the right of labor groups to organize, including for independent trade unions?

**Answer.** Slovenia has a strong record of labor freedom and advocacy. If confirmed, I will ensure Embassy Ljubljana will actively engage with Slovenia on the right of labor groups to organize, including for independent trade unions.

**Question 10.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Slovenia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Slovenia? What specifically will you commit to do to help LGBTI people in Slovenia?

**Answer.** If confirmed, I am committed to using my position to defend the human rights and dignity of all people in Slovenia, no matter their sexual orientation or gender identity. While Slovenian law prohibits discrimination based on sexual orientation, there is still societal discrimination. The Slovenian Government formally established an independent Office of the Advocate of the Principle of Equality in 2017 to investigate claims of discrimination and safeguard the rights of LGBTI persons.

If confirmed, I will pay close attention to developments in this sector and am prepared to speak privately—and publicly if necessary—about the importance of human rights and dignity of all people in Slovenia, no matter their sexual orientation or gender identity.

#### *Russia Sanctions*

**Question 11.** Unity with European partners on Russia sanctions is critical to their success. What is your diplomatic plan to build support within Slovenia for stronger EU sanctions on Russia?

**Answer.** Slovenia is a NATO Ally that shares our interests and values. Slovenia is also a strong proponent of U.S.-EU cooperation and a strong supporter of EU solidarity. It is a vocal supporter of Ukrainian sovereignty and territorial integrity and has been a steadfast partner in sustaining EU consensus on Ukraine-related sanctions on Russia pending implementation of the Minsk Agreements and reversal of its illegal attempted annexation of Crimea. Slovenia has been firm in its position that Russia's purported annexation of Crimea is a violation of international law. If confirmed, I will actively engage with the Slovenian Government and public to reinforce U.S. policy objectives on Russian sanctions and strengthen support for policies that align with U.S. Government interests.

**Question 12.** How will you seek to boost resilience to Russian meddling within Slovenian institutions and civil society? What assistance and regional coordination priorities will you push with Slovenian counterparts to shore up resilience elsewhere in Europe?

**Answer.** Although many Central European countries, including Slovenia, have “graduated” from U.S. development assistance, the U.S. Government remains committed to helping these countries to build resilience to Russian pressure. The United States is seeking additional ways to work with Central European Governmental and non-governmental partners to counter disinformation, enhance energy security, and strengthen governance, including initiatives to bolster regional partnerships to counter Russian malign influence efforts. Embassy Ljubljana’s priorities include partnering with Slovenian public and private entities in public diplomacy efforts to counter Russia’s malign activities by a variety of means.

*Question 13.* Given concerns that an anti-immigrant party which took the most votes in Slovenia's June elections will boost space for xenophobia in the country, how will you seek to promote the human rights of minorities and migrants?

Answer. The United States and Slovenia share common values and interests, including the importance of combatting all forms of intolerance, and the U.S. Government regularly engages on these issues, to include a robust, on-going campaign of public outreach. If confirmed, I will sustain this engagement, speak out against discrimination against minorities, and urge like-minded partners to join me in denouncing hate speech, attacks, and discrimination and xenophobia in all forms. I believe the best approach to addressing intolerance is through education, open dialogue, and unfettered discussion. If confirmed, I would promote interfaith initiatives, as well as Holocaust, and related tolerance education efforts, especially among young Slovenians.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
LYNDA BLANCHARD BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my career I have focused on several areas related to fostering human rights, including advocating for the rights of orphaned children as well as providing opportunities to further their education and become active members of the future generations of leaders. My work in Malawi began 15 years ago. The organization I founded partnered with a tribal chief and opened an orphanage that has housed approximately 150 children and employed 44 locals each year. Over time our focus broadened from providing nurturing homes to affording educational opportunities for the future. Our organization now facilitates partnerships between universities here in the United States and universities and government agencies in Malawi. These partnerships have created the opportunity for online education to be introduced to Malawi, created the first PhD in Nursing program, and most importantly, they have doubled the number of university-awarded degrees in Malawi. These programs have and will continue to supply educational opportunities for generations of young people there.

Building on the experience in Malawi, my organization expanded our efforts to Moldova, where we endeavored to create secondary housing for orphans who were being released at an early age by edicts from the Government. Because these individuals were still quite young, they were at risk of becoming victims of many nefarious pursuits, including human trafficking. Starting with one secondary home, we then grew to five homes as well as a refurbished government orphanage. Based on our efforts in Moldova, my organization was presented in British Parliament as a best practice for Trafficking Prevention.

Due to the success of our efforts in Malawi and Moldova, we have built homes in Mexico and Peru to provide room and board as well as an education for 160 orphans. Similarly, in India we joined with other organizations to construct three orphanages in three different states. Each orphanage provides housing, educational programs, and spiritual services. Additionally, though my organization does not own these properties, we have supported orphan care in Honduras, China, Russia, and Haiti. Finally, we have also supported other projects in Zimbabwe, including a church and a medical clinic.

*Question 2.* What are the most pressing human rights issues in Slovenia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Slovenia? What do you hope to accomplish through these actions?

Answer. Slovenia has a strong record on human rights and democracy. Among the challenges Slovenia faces, according to The State Department's annual Human Rights and International Religious Freedom Reports, is localized discrimination against minority groups, such as Roma. Additionally, while Slovenian law prohibits discrimination based on sexual orientation, some societal discrimination still occurs. The United States Government engages the Slovenian Government regarding a small number of outstanding Holocaust-era restitution claims, and the Slovenian Government has recently agreed to conduct a joint-research project with the World Jewish Restitution Organization to identify heirless properties in Slovenia.

If confirmed, I will continue our work advocating for increased tolerance for all.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Slovenia in advancing human rights, civil society and democracy in general?

Answer. Slovenia and the United States share common values, including the importance of protecting human rights and supporting democracy. The country has a diverse and active civil society, with independent groups that report and advocate on the issues they care about around the country. If confirmed, I will continue the U.S. Embassy's regular engagement with these groups on some of the most pressing issues, and I will continue our work with Slovenians to ensure the coordination of our efforts on promoting tolerance through civil society empowerment and coalition building. By ensuring that we keep lines of communication open, we will maximize our joint impact on this and other challenges.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Slovenia? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to sustaining engagement with a broad spectrum of civil society in Slovenia, including human rights activists and religious groups and the organizations that represent them. If confirmed, I will make sure the Embassy applies all appropriate laws and regulations to ensure eligibility and compliance under the Leahy law.

*Question 5.* Will you and your embassy team actively engage with Slovenia to address cases of key political prisoners or persons otherwise unjustly targeted by Slovenia?

Answer. The State Department's 2017 Human Rights Report states that there were no reports of political prisoners in Slovenia.

*Question 6.* Will you engage with Slovenia on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I am committed to continuing engagement with a broad spectrum of civil society in Slovenia, including human rights activists and religious groups, and the organizations that represent them.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Slovenia?

Answer. No.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I am a firm believer that diversity makes teams better. I see this in my own family, which is both ethnically and culturally diverse. I have also seen it in teams that I have worked in both in business and in my nonprofit work. In my nonprofit work in particular, I have had the privilege of working with diverse people in several countries.

If confirmed, I would work to engage with my staff, including staff that come from diverse backgrounds and underrepresented groups, in a number of ways. At the most basic level, I hope to be approachable by my entire staff--whether actively working to engage my entire team on a personal level or becoming part of the embassy community through having my children in the same school as my staff, I want to ensure that all members of my team feel comfortable engaging with me. Addition-

ally, if confirmed I hope I can mentor and support my team, giving them the resources they need to be successful, including ensuring that those from diverse backgrounds and underrepresented groups have any additional/unique resources or mentoring that might be useful to ensuring their success.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. As a mother of children who have been adopted from multiple countries and cultures, I am very focused on fostering an environment that is diverse and inclusive. If confirmed, I would first intend to lead by example-ensuring that my entire team understands well the value I place on diversity and inclusion and making it part of our daily work life. Additionally, I would intend to engage routinely with my supervisors to ensure that they have the resources they need to foster an environment that is diverse and inclusive. Whether it is training and development, setting or revising policies, supporting efforts for new programs and engagement, or simply being present and supportive of my supervisors' efforts, if confirmed, I want to make sure that I am doing everything I can to foster and maintain a diverse and inclusive work environment.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DERECK HOGAN BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have had the privilege to promote human rights and democracy in numerous countries in transition and while working in senior leadership positions in the Department of State. I am particularly proud to have designed an intensive capacity building program to help the then-newly elected Nicaraguan members of parliament develop stronger ties to their constituents, crafted a tougher sanctions regime against the Belarusian Government for egregious human rights violations and anti-democratic practices, partnered with the U.S. Helsinki Commission to shine the international spotlight on the mistreatment of Roma populations in Europe, drafted or spearheaded numerous critical statements against democratic backsliding in Belarus and Azerbaijan, and worked with the Azerbaijani Government to partner with the OSCE Office of Democratic Initiatives and Human Rights (ODIHR) to send an electoral observation mission to monitor its crucial presidential elections. If confirmed as Ambassador to the Republic of Moldova, the active promotion of human rights and democracy will remain a top priority for me.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Moldova? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The most pressing challenges to democracy or democratic development in Moldova include corruption, a weak justice sector, restrictions on freedom of the media, weak rule of law, and discrimination against persons with disabilities, domestic violence, and trafficking in persons.

In FY 2017, The United States provided over \$65.5 million in State/USAID assistance to combat these challenges. Our assistance supports programs that promote democratic reforms and sustainable economic growth, strengthen the justice sector, promote media independence and literacy, combat corruption and trafficking-in-persons, and improve the capabilities of law enforcement and border security, among other objectives. In 2017, our assistance helped the International Organization for Migration to launch an anti-trafficking in persons project with the Moldovan Government to assist vulnerable Moldovans.

This year in particular, ahead of the parliamentary elections, we are supporting initiatives that promote free, fair, and transparent elections. If confirmed, I will ensure that our assistance and programming continue to focus on resolving these challenges. I will also continue to work with our international partners, especially the EU, to coordinate our efforts.

*Question 3.* What steps will you take—if confirmed—to support democracy in Moldova? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, and with Congress's generous support, I will continue our assistance efforts which support programs that promote democratic reforms and sustainable economic growth, strengthen the justice sector, promote media independence and literacy, combat corruption and trafficking-in-persons, and improve law enforcement and border security, among other objectives. The biggest obstacles to democracy in Moldova include corruption, human rights issues, and the apparent lack of political will to implement necessary reforms. Moldova also faces resource constraints in addressing some of its human rights issues. Moldova is the poorest country in Europe. There are increased reports of selective justice efforts against the opposition, intimidation of journalists and pollsters, as well as increased pressure on NGOs, independent media, and civil society. The Supreme Court's unusual and non-transparent invalidation of the June mayoral elections in Chisinau further increased the perception that Moldova's judiciary lacks independence. This year in particular, ahead of the parliamentary elections, we plan to support initiatives that promote free, fair, and transparent elections. If confirmed, I will ensure that our assistance and programming continue to work to resolve these challenges. I will also continue to work with our international partners, especially the EU, to coordinate our efforts.

**Question 4.** How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** If confirmed, I will continue to work with the interagency team at Embassy Chisinau to ensure our funding continues to support democracy and governance programs. Our assistance supports programs that promote democratic reforms and sustainable economic growth, strengthen the justice sector, promote media independence and literacy, combat corruption and trafficking-in-persons, and improve law enforcement and border security, among other objectives. A new USAID project aims to strengthen local governance and citizen engagement. Local public administrations that demonstrate a commitment to open, inclusive, and accountable governance will unlock a technical assistance package that will allow communities to implement and manage needed infrastructure programs. This year in particular, ahead of the parliamentary elections, we are supporting initiatives that promote free, fair, and transparent elections. I will also continue to prioritize programs that contribute to building strong democratic institutions, including as a means to develop Moldova's resilience to Russian malign influence.

**Question 5.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Moldova? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** Civil society, human rights activists, and non-governmental organizations play an essential role in encouraging governments to be more responsive and accountable. Partnering with civil society is critical to advancing the human rights of Moldova's citizens. This includes eliminating corruption and ensuring a transparent justice sector, fostering economic opportunities for the Moldovan and American people, and asserting U.S. positive influence. If confirmed, I will continue our assistance programming that supports civic organizations, NGOs, and others involved in addressing the variety of human rights concerns in Moldova. Meetings with civil society will be a priority on my calendar. I will engage directly, at the highest levels, with Moldovan Government officials to emphasize our commitment to the proper treatment of civil society organizations. I will continue to direct our assistance to help Moldovan Government implement legislative changes that protect and promote the role of civil society in Moldova.

**Question 6.** If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** Representing American interests requires promoting America's ideals, values, and priorities. If confirmed, I look forward to engaging with democratically-oriented political opposition figures and parties in Moldova. If confirmed, I will continue to advocate and support the presence of the International Republican Institute and the National Democratic Institute in Moldova, both of which are organizations that promote genuine political competition and civic literacy. I will continue to promote programming that supports women, ethnic minorities, and youth civic participation within political parties and the Government writ large.

*Question 7.* Will you and your embassy team actively engage with Moldova on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Moldova?

Answer. Freedom of the press is paramount for any democracy. Freedom House rates Moldovan media as partially free. The Moldovan Government continues to develop an Audio Visual Code that is compliant with EU standards, as required by Moldova's EU Association Agreement. If confirmed, I will meet with the Moldovan Government at the highest levels to promote media freedom and ensure that Moldova implements the Audio Visual Code. I will engage regularly with independent press in Moldova. I will continue to direct assistance toward programs that promote independent media, media literacy, and efforts aimed at countering Russian propaganda.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country? On corruption and illicit financial activity used by outside actors to influence political developments in the country?

Answer. Russian disinformation in Moldova is pervasive. Embassy Chisinau is working with other allied missions to promote a number of programs that support independent news broadcasts. This includes supporting key independent media outlets in Moldova. Embassy Chisinau is also helping to promote the production of local language media content to supplant the Russian programing that permeates Moldova's airwaves. If confirmed, I will ensure that Embassy Chisinau continues to engage with independent media, civil society, and government counterparts to promote media freedom while also educating the Moldovan public on how to recognize disinformation.

Corruption, weak rule of law, and a non-transparent justice sector only hamper Moldova's economic growth and facilitate its vulnerability to illicit financial activities. Moldova's financial sector is still recovering from the 2014 embezzlement of over a billion dollars—almost 15 percent of Moldova's GDP at the time. If confirmed, I will continue to engage with Moldovan civil society and NGOs and seek their input on how best to address these challenges. I will continue to stress the need for increased efforts to ensure that all persons responsible for the theft are prosecuted to the fullest extent of the law and that efforts are made to optimize the level of money recovered.

*Question 9.* Will you and your embassy teams actively engage with Moldova on the right of labor groups to organize, including for independent trade unions?

Answer. In Moldova, the law provides workers the right to form and join independent unions, bargain collectively, and conduct legal strikes. If confirmed, I look forward to continuing Embassy Chisinau's active engagement with labor groups and with the Moldovan Government to ensure they continue to monitor and enforce these rights.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Moldova, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Moldova? What specifically will you commit to do to help LGBTI people in Moldova?

Answer. In Moldova, the law prohibits employment discrimination based on sexual orientation. Societal discrimination based on sexual orientation and gender identity is common. LGBTI individuals are often victims of discrimination, which has included both verbal and physical abuse. In most cases, police officers are reluctant to open cases against the perpetrators. This year, however, with Embassy Chisinau's support and engagement with the local police, participants completed the annual LGBTI Pride march in Chisinau for the first time since the event started 17 years ago. If confirmed, Embassy Chisinau will continue to support the rights of LGBTI people in Moldova.

*Question 11.* How will you seek to boost resilience to Russian Government meddling within Moldovan institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address Moldovan political actors engaged in illicit dealings with Russia or otherwise enabling malign Kremlin influence in the country?

Answer. Moldova is on the frontlines of Russian malign influence, and its capacity to withstand these kinds of external threats ultimately depends on the strength of Moldovan civil society, access to free and unbiased media, government's credible efforts to combat corruption at all levels, and the durability of its democratic institu-

tions. If confirmed, Embassy Chisinau will continue to support concrete steps to reduce Moldova's vulnerability to Russian aggression. I will continue to direct assistance to bolster Moldova's cyber security capabilities, promote media freedom and literacy, and engage with civil society and NGOs to ensure Moldovan citizens' voices are heard. I will also continue to work with International Republican Institute and National Democratic Institute to promote grassroots public engagement and build civic literacy. If confirmed, I will press the Government to implement reforms required by Moldova's Association Agreement with the EU and other international commitments. Meeting these commitments and undertaking these reforms will enable Moldova to inoculate itself against Russian interference, a goal that the Moldovan Government has publicly stated that it seeks to achieve.

*Question 12.* What approach will you take, if confirmed, toward the Russian-supported breakaway region of Transnistria and specifically, to restore Moldovan control over its sovereign territory and deny space to transnational organized crime groups and malign Kremlin-affiliated actors in this region?

Answer. If confirmed, I will continue Embassy Chisinau's active support for the 5+2 settlement process to resolve the long-standing conflict in Transnistria. The 5+2 format includes Moldovan and Transnistrian authorities, with Russia, Ukraine, and the OSCE as mediators, and the United States and EU as active observers. The goal of the process is a special status for Transnistria within Moldova's internationally recognized borders. Over the past year, these negotiations have produced real results. While Russia has been a constructive participant in these negotiations, it has not lived up to its commitment to remove its forces from Moldova, consistent with its 1999 Istanbul OSCE Summit commitments. The United States continues to call for withdrawal of Russia's remaining forces from Moldova, consistent with its 1999 Istanbul OSCE Summit commitments. The United States also supported Moldova's June 22, 2018 resolution at the United Nations, which calls for the complete and unconditional withdrawal of the Operational Group of Russian Forces from the territory of the Republic of Moldova.

If confirmed, I will continue to pursue opportunities, through our assistance programs and public affairs outreach, to engage the people living in the Transnistrian region. We will encourage the people in Transnistria to strengthen rule of law, implement international commercial best practices, rebuild ties between the people on both sides of the Nistru river, and continue to strengthen economic links with European markets.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DERECK HOGAN BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* How would you assess the progress of OSCE engagement with Moldova, especially regarding the conflict in Transnistria?

Answer. The United States is an active participant in the OSCE-led 5+2 settlement process to resolve the conflict in Transnistria. The goal of the process is a special status for Transnistria within Moldova's internationally recognized borders. Over the past year, these negotiations have produced real results that would improve the lives of people on both sides of the Nistru river. These included reopening of a key bridge, restoring educational opportunities for Moldovan school children, recognition of Transnistrian diplomas by Moldovan Government officials, return of certain farmlands to Moldovan farmers, and agreement on a mechanism to allow Transnistrian vehicles to participate in international traffic.

In addition to our efforts to resolve the conflict in Transnistria, Embassy Chisinau works closely with the OSCE mission in Moldova on a wide range of issues. These include empowering Moldova's civil society, working to help ensure free and fair Parliamentary elections, implement good governance measures, and support freedom of religion initiatives. If confirmed, I will ensure we continue our successful cooperation.

*Question 2.* Do you believe that Russia will interfere in the February 2019 parliamentary elections in Moldova?

Answer. I believe Moldova is vulnerable to potential Russian interference in its upcoming parliamentary elections. In the past, Russia has demonstrated its willingness and capability to interfere in several European elections, and Moldova is on the frontlines of Russian malign influence.

*Question 3.* If so, what form will it take in light of Moldova's January "media propaganda" law targeting broadcasts of Russian origin?

**Answer.** Moldova's Audio VisualCode prohibits rebroadcast of certain Russian-originated media in Moldova, including political and military shows. In the past, Russia has sought to employ a wide range of influence tools in European countries, including campaign financing, malicious cyber activity, social media manipulation, media propaganda, and other means.

*Question 4.* Should the United States support Moldova in combatting Russian influence? If so, how?

**Answer.** Yes, the United States should support Moldova in combatting Russian influence. Russian efforts to undermine democratic processes and the sovereignty of European countries are unacceptable and require a whole-of-government response in concert with our allies and partners. It is in the interest of the United States for Moldova to be more stable, prosperous, and democratic, which in turn affects the stability and prosperity of the entire region. The Moldovan Government's stated aspiration is for Moldova to be anchored to the West.

The best way to help Moldova resist Russian interference is to strengthen the country's democratic institutions and civil society. If confirmed, I will continue to direct assistance that supports independent media and media literacy, modernizes and increases the capacity of Moldova's law enforcement and criminal justice institutions, improves Moldova's defense capabilities, including against cyber attacks, and increases Moldova's energy security by promoting interregional connectivity in the natural gas and electricity sectors to reduce reliance on Russian resources.

The United States works to strengthen Moldova's economy by undertaking programming that improves the business environment and opens up trade opportunities with the West. Such assistance fosters investment opportunities for American businesses and counters Russian malign influence by reducing Russia's economic leverage over Moldova.

The United States is also an active observer in the 5+2 Transnistria settlement process, which seeks an agreement on a special status for Transnistria within Moldova's internationally-recognized borders. The United States also supported Moldova's June 22, 2018 resolution at the United Nations, which calls for the complete and unconditional withdrawal of the Operational Group of Russian Forces from the territory of the Republic of Moldova.

*Question 5.* What effect will restricting Russian-language broadcasts have on ethnic minorities in the country, many of whom must use Russian as a lingua franca?

**Answer.** All major Russian television stations are rebroadcast in Moldova. In January, Moldova passed a controversial amendment that prohibits rebroadcast of certain Russian-originated media in Moldova, including political and military shows. The United States supports media freedom and has worked with the Moldovan Government, civil society, and independent journalists to develop the nascent independent media and original content in Moldova, while at the same time building resiliency against Russian propaganda. The United States also continues to support Moldova's efforts to implement an Audio Visual Code law compliant with EU norms as per its Association Agreement with the EU. If confirmed, I will continue to support these engagements.

*Question 6.* How can Moldova better protect its ethnic minority populations, including Roma, and is it steadily progressing toward the goal of further integration?

**Answer.** As national governments and EU bodies have remarked, bias against ethnic minority populations, including anti-Roma bias, remains a disturbing fixture of many societies in the region, and Moldova is no exception. Roma, in particular, lag behind in nearly all social indicators and often face intense prejudice in the school systems, the workplace, and elsewhere. The Government of Moldova has taken positive steps to address the plight of the Roma community. In 2016, the Government signed the Action Plan for Supporting the Roma Ethnic Population and continues to collaborate today with a vibrant and active Roma community to create solutions to improve access to resources and education.

The United States plays an active role in helping foster tolerance in Moldova. The Embassy monitors and reports on anti-Roma sentiment, as well as sponsors public events, outreach to concerned civil society groups, and educational opportunities and internships for Roma youth. If confirmed, I will continue this work and urge the Government to achieve the goals they have laid out. I will also continue to engage with other international partners, including the OSCE, to address these concerns.

*Question 7.* What are Moldova's prospects for overcoming systemic problems, especially with regard to the rule of law and corruption? What obstacles does it face, and how might they be confronted?

**Answer.** In signing an Association Agreement and a Deep and Comprehensive Free Trade Agreement with the European Union in 2014, Moldova boldly chose a

Euro-Atlantic path. The Moldovan Government's stated aspiration is for Moldova that is anchored to the West. With donor aid, including considerable assistance from the United States, Moldova has taken concrete steps to improve its financial and banking sectors and strengthen some of its key institutions, such as the police and customs and tax collection agencies. The biggest obstacle Moldova faces with regard to the rule of law and corruption is the apparent lack of political will to implement reforms that would strengthen Moldova's justice sector, improve rule of law, and eliminate corruption. If confirmed, I will ensure that our assistance and programming continue to focus on resolving these challenges. I will also engage with civil society and NGOs to empower Moldova's citizens to hold their elected officials accountable. I will also continue to work with our international partners, especially the EU, to coordinate our efforts?

*Question 8.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have had the privilege to promote human rights and democracy in numerous countries in transition and while working in senior leadership positions in the Department of State. I am particularly proud to have designed an intensive capacity building program to help the then newly elected Nicaraguan members of parliament develop stronger ties to their constituents, crafted a tougher sanctions regime against the Belarusian Government for egregious human rights violations and anti-democratic practices, partnered with the U.S. Helsinki Commission to shine the international spotlight on the mistreatment of Roma populations in Europe, drafted or spearheaded numerous critical statements against democratic backsliding in Belarus and Azerbaijan, and worked with the Azerbaijani Government to partner with the OSCE Office of Democratic Initiatives and Human Rights (ODIHR) to send an electoral observation mission to monitor its crucial presidential elections. If confirmed as Ambassador to the Republic of Moldova, the active promotion of human rights and democracy will remain a top priority for me.

*Question 9.* What are the most pressing human rights issues in Moldova? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Moldova? What do you hope to accomplish through these actions?

Answer. The most significant human rights issues include corruption, a weak justice sector, and restrictions on media freedom (especially in Transnistria), violence and discrimination against persons with disabilities, domestic violence, and trafficking in persons. In FY 2017, The United States provided over \$65.5 million in State/USAID assistance to combat these challenges. Our assistance supports programs that promote democratic reforms and sustainable economic growth, strengthen the justice sector, promote media independence and literacy, combat corruption and trafficking-in-persons, and improve the capabilities of law enforcement and border security, among other objectives. This year in particular, ahead of the Parliamentary elections, we are supporting initiatives that promote free, fair, and transparent elections. If confirmed, I will ensure that our assistance and programming continue to promote democracy and human rights. I will also continue to work with our international partners, especially the EU, to coordinate our efforts.

*Question 10.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Moldova in advancing human rights, civil society and democracy in general?

Answer. The biggest obstacle Moldova faces in improving the human rights is corruption and non-transparent justice. There are reports of increased selective justice efforts against the opposition, intimidation of journalists and pollsters, as well as increased pressure on NGOs, independent media, and civil society. The non-transparent and highly criticized judicial nullification of the Chisinau mayoral elections by Chisinau's Supreme Court on June 25 further decreased the public's faith in the justice sector and government more broadly. Another key obstacle Moldova faces in addressing some of the human rights issues is lack of funds. Moldova is the poorest country in Europe. Moldova must allocate the necessary budget to hire, train, and equip personnel to deal with the variety of human rights issues. Only then can capacity building programs supported by the donors provide maximum benefits.

*Question 11.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Moldova? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Yes, I am committed to meeting with human rights, civil society and other NGOs in the U.S. and with local human rights NGOs in Moldova. Civil society, human rights activists, and non-governmental organizations play an essential role in encouraging governments to be more responsive and accountable. Partnering with civil society is critical to advancing the human rights of Moldova's citizens. This includes eliminating corruption and ensuring a transparent justice sector, fostering economic opportunities for the Moldovan and American people, and asserting U.S. positive influence. If confirmed, I will continue our assistance programming that supports civic organizations, NGOs, and others involved in addressing the variety of human rights concerns in Moldova. I will meet regularly with such groups to ensure their voices are being heard by the United States and incorporated into our policy decisions. If confirmed, I will make sure Embassy Chisinau continues to uphold the Leahy Law and all other similar provisions to ensure that U.S. security assistance and cooperation activities reinforce human rights.

**Question 12.** Will you and your embassy team actively engage with Moldova to address cases of key political prisoners or persons otherwise unjustly targeted by Moldova?

**Answer.** There are currently no political prisoners in Moldova, and, if confirmed, I will continue to promote Embassy Chisinau's active engagement with the Government of Moldova to address the international community's growing concerns about reports of selective justice in the country.

**Question 13.** Will you engage with Moldova on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** If confirmed, I will continue Embassy Chisinau's history of engagement with the Moldovan Government to address human rights, civil rights, and governance concerns. I will emphasize that the Moldovan Government must continue to improve democratic accountability, increase media freedom, reform its justice sector, and enhance its respect for and protection of civil society. I will continue to direct our assistance to programming that supports those objectives and the further development of Moldovan civil society. If confirmed, I will continue Embassy Chisinau's work with other international donors to coordinate and amplify our efforts.

**Question 14.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 15.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 16.** Do you or do any members of your immediate family have any financial interests in the Republic of Moldova?

**Answer.** Neither members of my immediate family nor I have any financial interests in the Republic of Moldova.

**Question 17.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

- What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** I strongly believe in the power of—and have consistently promoted—a diverse workforce. I was one of the original recipients of the Thomas Pickering Fellowship, a competitive program that selects and prepares university and graduate students from diverse backgrounds and underrepresented groups for a successful career in the Foreign Service. I actively support Department's commitment to diversity. If confirmed, I would take the following actions, among many others, to promote greater diversity in Embassy Chisinau: reach out to the leadership of the Department's numerous affinity groups to encourage their members to consider Embassy Chisinau, organize recruitment teleconferences, direct my Deputy Chief of Mission and the section heads to rank diversity as a top consideration in the selection of Embassy personnel, partner with the Pickering and Charles B. Rangel Fellowships

to host Fellows at Embassy Chisinau for their summer internships and mentoring, and organize brown bag sessions for supervisors and staff at the Embassy on the power of a diverse workforce.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
PHILIP KOSNETT BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have served several tours in which my duties focused on conflict resolution, post-conflict reconciliation, and promotion of human rights. In Iraq in 2004, I served as the Coalition Provisional Authority administrator for the province of Najaf during the event known as the “Shi’ite Rebellion” led by the cleric Moqtada Sadr. A firm whole-of-government response combining diplomatic, development, and military tools led to the restoration of legitimate Iraqi Governing Council authority over Najaf and Southern Iraq and led rebel leaders to abandon the rebellion and enter Iraq’s political process.

As Deputy Chief of Mission in Uzbekistan 2011–2014, I coordinated interagency efforts that successfully encouraged a sharp reduction in the use of child labor in Uzbekistan’s cotton harvest and set the stage for evolving improvements in Uzbekistan’s judicial system. As Deputy Chief of Mission and subsequently Charge d’Affaires in Turkey 2016–2018, I spearheaded efforts to ensure due process for unjustly detained American citizens and local Embassy staff, resulting in the release of some of our people and a sustained whole-of-government campaign—still underway—to ensure justice for all our people. This highlighted for the people of Turkey the American commitment to justice and rule of law.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Kosovo? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Failure to ensure accountability and uphold the rule of law stand in the way of Kosovo’s full democratization. Powerful figures are rarely held to account for corruption, human rights abuses, or other major offenses. This erodes public trust in government, entrenches damaging patronage networks, denies justice to victims, prevents full implementation of minority protections, and hampers economic growth. Reforming Kosovo’s judiciary, which faces a significant backlog of cases and often dismisses human rights-related cases on procedural grounds, is a priority challenge.

*Question 3.* What steps will you take—if confirmed—to support democracy in Kosovo? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Bolstering the rule of law is a Mission priority, implemented through both political advocacy and programming. If confirmed, I will press the Government of Kosovo at the highest level to end impunity, and I will make clear that our ability to advocate successfully for Kosovo’s international recognition depends on the Government’s willingness and ability to progress in this area. I will utilize our assistance programming to bolster rule of law and strengthen government institutions to fight impunity and corruption. I will also direct assistance programming to support youth and civil society, enabling Kosovo citizens to hold the Government to account and laying the foundation for responsible governance. Finally, I will explore opportunities to support transitional justice efforts as a means of dealing with the past and aiding societal reconciliation.

Kosovo faces many impediments to ending impunity, including entrenched patronage networks and weak judicial institutions. I will make it a priority to challenge political impediments to progress and support institutional advancement.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will utilize assistance from the State Department, USAID, and other agencies at post to fight corruption and end impunity by strengthening weak institutions and giving voice to civil society. I will continue to prioritize rule of law, using our resources to strengthen transparency and accountability in

Kosovo's justice system and improve parliamentary oversight. In particular, our continued work to support civil society and media monitoring of procurement and public expenditures will help strengthen transparency in the central and municipal governments. I will work to safeguard Kosovo from malign external pressure by supporting independent media, building civil society capacity, and improving energy security.

The Democracy Commission Small Grants program continues to be a vital tool in empowering smaller, community-based organizations. If resources are available, I intend to use this tool to support those organizations that advocate for the rights of Kosovo's minorities and other marginalized groups, and to raise the profile of these issues at the national level.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Kosovo? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I plan to continue the Embassy's practice of meeting with these groups—from all communities—on a regular basis and empowering their voices in policy debates. Despite my stated concerns about rule of law, impunity, and judicial backlogs, in general, Kosovo is a permissive environment for civil society, with strong legal and regulatory protections. I will engage the Government to remain accountable for those protections and challenge any measures that may undermine them.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will meet with parties across the political spectrum. With the exception of the four northern municipalities, political competition in Kosovo is unrestricted, and Kosovo's recent elections have been free and credible. U.S. assistance programs will continue supporting improvements to Kosovo's electoral systems and political party development, including inclusivity for women, minorities, and youth.

*Question 7.* Will you and your embassy team actively engage with Kosovo on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Kosovo?

Answer. If confirmed, I will continue the current practice of advocating for freedom of expression, including freedom of the press, and pushing back on legislative efforts to limit press freedom. Kosovo has strong legislative protections for media in place. I will advocate for the protection and full implementation of this legislation.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country? On corruption and illicit financial activity used by outside actors to influence political developments in the country?

Answer. If confirmed, I will continue the Embassy's practice of building the capacity of local media and NGOs to counter disinformation and malign external pressure. I will partner with and amplify the voices of civil society organizations working to counter corruption and illicit financial activity.

*Question 9.* Will you and your embassy teams actively engage with Kosovo on the right of labor groups to organize, including for independent trade unions?

Answer. Kosovo law protects the right of labor groups to organize. If confirmed, I will advocate as necessary for its full implementation.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Kosovo, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Kosovo? What specifically will you commit to do to help LGBTQ people in Kosovo?

Answer. Kosovo law protects marginalized communities against hate crimes, largely thanks to U.S. and other international advocacy. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people, like all marginalized communities in Kosovo, face discrimination and occasional abuse despite strong legislation. A critical Embassy role is to use its credibility to induce attitude shifts toward LGBTI

people over time by publicizing our engagement with this community and messaging on social media. If confirmed, I will press Kosovo to adopt and implement revisions to the Criminal Code and Criminal Procedure Code—currently before the Assembly—which further enhance protections for LGBTI and other marginalized groups.

*“Border Adjustment” Proposals*

*Question 11.* You said in your confirmation hearing that the position stated by Trump administration officials to consider agreements that Serbia and Kosovo may reach does not constitute a “code word” for endorsing the border adjustment/land swap proposals the two sides are currently touting. But U.S. silence on the border adjustment idea could be perceived by the parties as consent, since U.S. Government officials over successive administrations have repeatedly stated our opposition to any shifting of borders or territory in the Balkans, including with respect to Serbia and Kosovo. Such shifting could destabilize the region and play into the hands of the Kremlin, which aims to keep Western Balkan countries out of Euro-Atlantic institutions. It also breaks unity with some of our major EU allies, who have continued to reiterate the inviolability of borders in the region.

- Does the Trump administration maintain that borders in Europe are inviolable and should not be altered?
- What is your view on the current Serbia-Kosovo border adjustment proposal, and what risks do you see in it? Does the proposal increase the chance that players elsewhere in the region will attempt to redraw borders in their favor, and that Moscow will use such border adjustments as a way to destabilize Europe? If not, why?
- What do you see as the best way forward to address the dispute between Serbia and Kosovo? How will you encourage compromises by the two sides to reach a deal that meets parameters acceptable to the international community and does not increase the risk of instability elsewhere in the Western Balkans?

Answer. The United States strongly supports the EU-facilitated Dialogue, with the goal of full normalization of relations between Kosovo and Serbia. Normalization is essential for regional stability and would open a clear path for both countries’ further integration into the Western community of nations. Now is the time for the parties to be creative and flexible. The United States is ready to listen and help support the parties in finding a mutually agreed solution.

The substance of any agreement on normalization must come from the parties themselves. Kosovo and Serbia should reach an agreement that is implementable, durable, and does not create instability in either country or the region. This will require vision and flexibility on both sides, as well as both parties working together constructively and reducing negative rhetoric. The parties have yet to put forward a proposal that meets these conditions, and it would be premature to presume what agreement the parties may reach that has mutual consent. When they do, the United States will take a serious look at the solutions that emerge and if we have concerns will make them clear to the parties.

*EU Accession*

*Question 12.* Does the administration support EU accession for Kosovo? If confirmed, how will you support democratic and rule of law reforms in Kosovo that are necessary to make progress toward the 2025 EU enlargement goals?

Answer. The United States continues to support Kosovo’s full international integration, including by adopting the reforms necessary to move toward EU membership. The United States will contribute to Kosovo’s eventual success by continuing to help Kosovo intensify its fight against corruption, improve the rule of law, strengthen democratic institutions and civil society, foster economic growth, and improve security. Throughout its first ten years of independence, Kosovo focused on building and developing sovereign, democratic institutions. Kosovo must now work to fight impunity and increase the integrity of its institutions to better deliver democratic services to all Kosovo citizens.

Kosovo continues to implement the 2014 EU Stabilization and Association Agreement (SAA). The SAA obligates Kosovo to align its legislation with EU standards. Compliance with the SAA will enhance bilateral EU-Kosovo trade, and further ongoing political dialogue between EU and Kosovo institutions. Additionally, Kosovo has made great strides in fulfilling all prerequisites for the EU to extend visa free travel to Kosovo citizens. Kosovo must continue fighting organized crime and corruption, but the United States encourages the EU and member states to extend visa liberalization to the last Western Balkan aspirant country that does not enjoy this status.

If confirmed, I will work to advance ties and deepen the relationship between Kosovo and the EU.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
PHILIP S. KOSNETT BY SENATOR BENJAMIN L. CARDIN**

*Serbia*

*Question 1.* There are reports that Serbian officials are suggesting a change of borders with Kosovo or a possible territorial swap in exchange for recognition by Belgrade and a full normalization of relations.

- What is the U.S. response to such a proposal?
- Is the United States encouraging Pristina to agree to include this proposal in negotiations, urging Pristina to reject such an idea, or something in between?
- Are concerns about the precedent this might set elsewhere justified and being considered in developing a U.S. response?

Answer. The United States strongly supports the EU-facilitated Dialogue, with the goal of full normalization of relations between Kosovo and Serbia. Normalization is essential for regional stability and would open a clear path for both countries further integration into the Western community of nations. Now is the time for the parties to be creative and flexible. The United States is ready to listen and help support the parties in finding a mutually agreed solution.

The substance of any agreement on normalization must come from the parties themselves. Kosovo and Serbia should reach an agreement that is implementable, durable, and does not create instability in either country or the region. This will require vision and flexibility on both sides, as well as both parties working together constructively and reducing negative rhetoric. The parties have yet to put forward a proposal that meets these conditions, and presuming what agreement the parties may reach that has mutual consent would be premature. When they do, the United States will take a serious look at the solutions that emerge from these negotiations and if we have concerns will make them clear to the parties.

*Post-Conflict Justice*

*Question 2.* Ever since the conflicts of the 1990s, the provision of justice for crimes committed during those conflicts has been critically important, regardless of the perpetrator and regardless of the victim.

- What are your views regarding the special chamber that has been created in Kosovo's judicial system but based in The Hague to prosecute crimes committed during the period of conflict in the late 1990s?
- Does the United States still support that chamber, and what will you do to encourage Kosovo officials to cooperate with it, including by respecting any indictments it issues?

Answer. The United States remains committed to the institution of the Specialist Chambers, which will hear indictments focused on allegations of serious crimes and abuses committed in Kosovo from 1998–2000. If confirmed, I will support the Specialist Chambers and Specialist Prosecutors Office to ensure justice for victims, including by continuing to support an American in the position of the Chief Prosecutor with foreign assistance resources. The United States looks forward to the arrival of a new Specialist Prosecutor, the third U.S. official to serve in this role.

It is essential that Kosovo continue to make the maximum effort to cooperate with the Specialist Chambers, in line with its international commitments, or it risks reversing the progress it has made since independence. Kosovo officials' continued cooperation with the Special Court is a bellwether of Kosovo's ability to uphold its international agreements and our shared values. If confirmed, I will urge Kosovo's leaders to uphold their commitment to support the Specialist Chambers. I will also urge leaders to respect indictments and to refrain from incendiary language that could undermine local support for the court.

*Minority Populations in Kosovo*

*Question 3.* How would you assess the treatment of minorities in Kosovo today, not only Serbs but also Roma, Turks, Bosniaks and all others?

- How do you intend to engage the Serbian and other minority communities in Kosovo?
- What do you believe can be done to encourage their effective integration in the political, economic and social life of the country, and what barriers exist to their ability to do so?

Answer. Kosovo's legal framework for minority protections is strong, but implementation regularly falls short. Officials who refuse to implement unpopular minority protections often do so with impunity. The 2017 integration of the judiciary in the four northern Serb-majority municipalities improved access to justice for Kosovo Serbs, and a May 2018 decision to allow civil registration using Serbia-issued documents will improve the daily lives of Kosovo Serbs if properly implemented. However, Kosovo Serbs remain subject to discrimination, harassment, and occasional violence, including by security forces. Non-Serb minorities are subject to discrimination in education and government employment despite legally binding quotas for both. Minorities are represented in parliament through protected seats, but non-Serb minority communities around the country lack access to services despite this representation.

If confirmed, I will engage regularly with representatives from all of Kosovo's minority communities, and will advocate with the Government for the protection and promotion of minority rights in Kosovo. U.S. assistance programs will continue to focus on increasing constructive inter-ethnic cooperation, empowering all citizens to participate actively in government, ensuring equal access to services, and improving economic opportunities for minority citizens.

#### *Energy*

*Question 4.* In your testimony before the committee, you mentioned supporting Kosovo's comprehensive energy security strategy, which includes energy diversification and support from the Millennium Challenge Corporation?

- What additional steps can the U.S. take to encourage foreign investment and diversification in Kosovo's energy supply?
- Are you aware of how much of Kosovo's current energy comes from Russia?
- Do you envision energy politics becoming a more divisive issue in Kosovo?

Answer. Energy security is essential for Kosovo's future economic growth and overall stability. We support Kosovo's efforts to create a stable base load using modern technologies to increase efficiency, improve reliability of supply, and decrease pollution. The stable base load power provided by the *Kosova e Re* power plant (KRPP) will foster greater economic growth and investment, while helping to facilitate the introduction of renewable sources, thereby helping diversify Kosovo's energy supply. The Government of Kosovo is also encouraging diversification by providing generous subsidies for electricity from renewable sources. While some Kosovo opposition parties and NGOs oppose the KRPP project, the Government of Kosovo and the administration stand firmly behind this \$1.4 billion dollar investment by a U.S. company in Kosovo's future.

Kosovo has limited exposure to Russian energy imports. Almost 100 percent of Kosovo's electricity comes from two domestic power plants, known as Kosovo A and Kosovo B. Kosovo does not have a functional gas distribution system so does not have access to natural gas.

*Question 4.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have served several tours in which my duties focused on conflict resolution, post-conflict reconciliation, and promotion of human rights. In Iraq in 2004, I served as the Coalition Provisional Authority administrator for the province of Najaf during the event known as the "Shi'ite Rebellion" led by the cleric Moqtada Sadr. A firm whole-of-government response combining diplomatic, development, and military tools led to the restoration of legitimate Iraqi Governing Council authority over Najaf and Southern Iraq and led rebel leaders to abandon the rebellion and enter Iraq's political process.

As Deputy Chief of Mission in Uzbekistan 2011–2014, I coordinated interagency efforts that successfully encouraged a sharp reduction in the use of child labor in Uzbekistan's cotton harvest and set the stage for evolving improvements in Uzbekistan's judicial system. As Deputy Chief of Mission and subsequently Charge d'Affaires in Turkey 2016–2018, I spearheaded efforts to ensure due process for unjustly detained American citizens and local Embassy staff, resulting in the release of some of our people and a sustained whole-of-government campaign—still underway—to ensure justice for all our people. This highlighted for the people of Turkey the American commitment to justice and rule of law.

*Question 5.* What are the most pressing human rights issues in Kosovo? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Kosovo? What do you hope to accomplish through these actions?

**Answer.** The 2017 Kosovo Human Rights Report noted endemic government corruption; lack of judicial independence, including failures of due process and selective implementation of decisions; assaults on journalists; and violence against minorities as problems. Rule of law lies at the core of all these challenges; powerful figures are rarely held to account for human rights abuses or other major offenses. Impunity denies justice to victims and prevents full implementation of minority protections.

If confirmed, I will press the Government of Kosovo at the highest level to end impunity, and I will make clear that our ability to advocate successfully for Kosovo's international recognition depends on the Government's willingness and ability to progress in this area. I will continue to utilize our assistance programming at post to advance inclusion of minorities, women, and youth, and to improve judicial accountability. I will also continue to use our assistance to strengthen parliamentary bodies to fight impunity. In addition, I will continue the current practice of advocating for freedom of expression, including freedom of the press, and pushing back on legislative efforts to limit press freedom. Finally, I will explore opportunities to support transitional justice efforts as a means of dealing with the past and aiding societal reconciliation.

**Question 6.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Kosovo in advancing human rights, civil society and democracy in general?

**Answer.** Kosovo faces many impediments to ending impunity, including entrenched patronage networks and weak judicial institutions. If confirmed, I will make it a priority to challenge political impediments to institutional advancement, and will empower and support civil society voices seeking to hold politicians to account.

**Question 7.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Kosovo? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** If confirmed, I plan to continue the Embassy's practice of meeting civil society groups—from all communities—on a regular basis and empowering their voices in policy debates. Our implementation of the Leahy Law and other vetting programs is robust, drawing on diverse information regarding war crimes and other gross violations of human rights during Kosovo's war. I will continue existing Embassy programming aimed at professionalizing the Kosovo Security Force and strengthening the relationship between the Kosovo Security Force and the communities it serves, to include areas of predominately ethnic minorities.

**Question 8.** Will you and your embassy team actively engage with Kosovo to address cases of key political prisoners or persons otherwise unjustly targeted by Kosovo?

**Answer.** According to the State Department's 2017 Country Report on Human Rights Practices, there were no reports of political prisoners or detainees in Kosovo. With the exception of the four northern municipalities, political competition in Kosovo is unrestricted, and Kosovo's recent elections have been free and credible. If confirmed, I plan to continue the Embassy's practice of meeting with representatives across the political spectrum, including voices seeking to hold the Government to account for corruption, impunity, or other challenges to human rights.

**Question 9.** Will you engage with Kosovo on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Bolstering the rule of law—the key to improving human rights and securing fully democratic governance—is a Mission priority. If confirmed, I will continue to press for progress through both political advocacy and programming.

**Question 10.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 11.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 12. Do you or do any members of your immediate family have any financial interests in Kosovo?*

Answer. No.

*Question 13.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my career I have emphasized the importance of hiring, and providing promotion and assignment opportunities, to colleagues of diverse backgrounds. I have sought to ensure all personnel under my authority understand both the laws and regulations governing respect for workplace diversity and the moral and ethical imperatives behind the law. As a supervisor, I have been personally involved in promoting workplace diversity through training and other professional development activities and, if confirmed as Ambassador, pledge to lead by example. I would also work to ensure that all members of the community—employees and family members, Americans and locally employed staff—feel respected and included, including by continuing my past practice of establishing a formal open door policy for all members of the community to raise concerns and suggestions directly with me.

*Question 14. What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?*

Answer. If confirmed, I would highlight for all members of the Embassy community the importance of hiring and providing professional development opportunities for all, including representatives of all Kosovo's communities and Americans of all backgrounds. In accordance with State Department practice, I will make respect for Equal Employment Opportunity principles as well as providing access to professional development opportunities to colleagues of diverse backgrounds a formal performance goal for Embassy supervisors. I will ensure that the Embassy EEO Counseling program is fully staffed and that we maintain energetic outreach to all employees on the importance of respect for diversity and the remedies available to employees who believe they have been treated unfairly.

#### *Corruption*

*Question 15. How does political corruption impact democratic governance and the rule of law?*

- What is your assessment of corruption trends in Kosovo and efforts to address and reduce them by the Government of Kosovo?
- If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Kosovo?

Answer. Corruption remains widespread throughout Kosovo, hampering its democratic and economic development. Not only does corruption limit the willingness of investors to commit funding to the country, it also weakens public confidence in Kosovo's institutions. With U.S. assistance, the Government is making efforts to improve transparency and institutional capacity to root out corruption. However, entrenched patronage networks remain a critical problem.

If confirmed, I will advocate for increased commitment to addressing corruption at all levels of government. U.S. assistance will continue to provide technical assistance to support transparent procurement and hiring, and will continue to develop civil society and an independent media, which are vital to hold officials accountable. Our assistance will continue to promote judicial integrity, reducing opportunities for corruption and enabling Kosovo institutions to hold high-level officials to account.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO JUDY RISING REINKE BY SENATOR ROBERT MENENDEZ

*Question 1. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?*

Answer. As a Foreign Commercial Officer overseas, I have been responsible for helping U.S. firms do business in challenging markets in a manner consistent with human rights principles. One example was my role in an informal working group

focused on the extractive industry in the Philippines. This group, composed of representatives of U.S., Australian, and Canadian businesses and embassies, met regularly to share information and creatively address challenging issues in the mining sector. Together we initiated efforts to promote adoption of the Extractive Industries Transparency Initiative (EITI) in the Philippines to enhance governance of natural resource extraction, to establish a more credible fiscal regime, create audits for environmental compliance, and, ultimately, protect local peoples from exploitation, such as the displacement of indigenous peoples. This effort continued after my departure from Manila, and ultimately resulted in the decision by the Government of the Philippines to join the EITI in 2013.

While serving as the Deputy Director General, I ensured that all Officers of the Foreign Commercial Service understood and promoted the principles of Human Rights in their daily work. During my tenure, my training and development team developed and launched a mandatory, on-line Human Rights training module. The training addresses rule of law, the Foreign Corrupt Practices Act, and the principles of Human Rights, including the concepts of corporate social responsibility. FCS Officers are trained to support human rights in the field by advising U.S. firms of the impact of their activities in a given country; ensuring that U.S. firms carry out due diligence on business partners; and helping U.S. firms make sound decisions to avoid and report host country practices that perpetrate human rights abuses.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Montenegro? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. While Montenegro has made great strides in advancing respect for human rights in the last decade, much work remains. As the State Department has documented in its annual 2017 Human Rights Report, pervasive corruption—marked by nepotism, political favoritism, weak controls, and conflicts of interest in all branches of the Government, including in law enforcement agencies—contributes to serious human rights problems. This is a priority for our policy engagement.

A second major serious problem is societal discrimination and violence against minorities, including the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community, and the Romani, Ashkali, and Balkan Egyptian ethnic minorities, which has the effect of stigmatizing these populations.

A third serious major problem is the chilling effect created by attacks and harassment of journalists, as well as the failure to resolve several past cases of violence and threats against journalists and government critics.

*Question 3.* What steps will you take—if confirmed—to support democracy in Montenegro? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. I would, if confirmed:

- ♦ support efforts to make Montenegro's law enforcement institutions more professional and competent;
- ♦ support the work of the independent human rights ombudsman in Montenegro; and
- ♦ continue to U.S. support for civil society and independent media, which serve as important watchdogs over the Government, including the police and justice system.

In this regard, I would strongly support ongoing civil society programs, that support NGOs involved in raising public participation in, and awareness of, on-going reform efforts necessary for greater Euro-Atlantic integration.

I would ensure that the Embassy continues advocacy on these issues in public and in private, which has proved effective in drawing attention to the deficiencies and encouraging better compliance with international norms.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Assuming the availability of resources, I will continue to use the Democracy Commission Small Grants program and other mechanisms to empower community-based organizations to fight corruption, strengthen the rule of law, build support for Montenegro's continued Euro-Atlantic integration, and counter violent extremism. I will also support ongoing programs to strengthen justice sector institutions and increase judicial independence. Additionally, if confirmed, I will continue to prioritize assistance supporting media freedom, media professionalization, and

media literacy, with a focus on giving Montenegrins the tools needed to identify and counter disinformation.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Montenegro? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Civil society plays an indispensable role in preserving fundamental human rights, rule of law, and transparency. If confirmed, I am committed to meeting with human rights NGOs, other members of civil society in Montenegro, and other NGOs, both domestic and abroad, in support of promoting and securing democratic values in Montenegro. I will make sure that our Embassy continues to abide by the Leahy Law and actively assesses the bona fides of any and all would-be recipients of U.S. security assistance and participants in security cooperation activities to reinforce our commitment to human rights.

Furthermore, if confirmed, as Ambassador, I will be a vocal defender of civil society, and strongly oppose any local efforts to restrict or penalize civil society or NGOs via legal or regulatory measures, including through direct bilateral engagement and public diplomacy efforts.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I am committed to supporting democratic values in Montenegro, including meeting with democratically oriented political opposition parties and figures. I will actively promote inclusion of women, minorities, and youth within political parties and strongly advocate for minority rights.

*Question 7.* Will you and your embassy team actively engage with Montenegro on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Montenegro?

Answer. Yes. Freedom of expression, including of the press, is a cornerstone of democracy, and I pledge to advocate for media freedom in Montenegro. As part of this effort, I commit to meet regularly with Montenegro's independent media outlets.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. My team and I will support efforts by Montenegro's Government and civil society to counter disinformation and propaganda. In addition to our public outreach, we will team with partners to identify and push back on disinformation designed to undermine the U.S.-Montenegrin partnership. We will also work to improve the ability of Montenegrin citizens to critically analyze news content and detect false and misleading information.

*Question 9.* Will you and your embassy teams actively engage with Montenegro on the right of labor groups to organize, including for independent trade unions?

Answer. Montenegrin law provides for the rights of labor groups to organize, including independent trade unions. However, leaders of the Union of Free Trade Unions of Montenegro have claimed that the Government continues to engage in anti-union measures, such as pressuring public sector employees not to unionize or taking retaliatory measures against those who joined a union. If confirmed, I commit to working with labor groups to strengthen workplace protections.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Montenegro, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Montenegro? What specifically will you commit to do to help LGBTI people in Montenegro?

Answer. If confirmed, I will use my position to defend the human rights and dignity of all people in Montenegro, regardless of their sexual orientation or gender identity.

Over the last decade, Montenegro has developed a fairly robust legal framework to protect the rights of LGBTI persons. Government officials often cite the Government of Montenegro's national strategy for protection of human rights of LGBTI persons, an anti-discrimination law, amendments to the criminal code, and expanded health benefits to the transgender population as signs of progress. However, negative public perception of LGBTI persons leads many to conceal their sexual ori-

entation, and NGOs reported the number of attacks against LGBTI persons rose in 2017.

In 2018, the Government of Montenegro introduced a draft same-sex partnership law (“Law on Life Partnership of Same-Sex Persons”), which would legalize same sex unions in the country. Under the draft law, which is expected to be adopted before the end of the year, same-sex couples will be acknowledged as legal unions, but will not receive all the same rights as married heterosexual couples. If passed, Montenegro would become the second Balkan country (after Croatia) to adopt a same-sex partnership law. If confirmed, I would support the law’s adoption and strongly advocate for the rights and social acceptance of LGBTI people.

*Question 11.* How will you seek to boost resilience to Russian Government meddling within Montenegrin institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address Montenegrin political actors engaged in illicit dealings with Russia or otherwise enabling malign Kremlin influence in the country?

Answer. Montenegro’s accession to NATO in 2017—a watershed moment for this small, multi-ethnic country—was, in part, a reflection of sustained U.S. engagement and support. The United States is committed to helping Montenegro advance the reforms needed to continue its Euro-Atlantic integration while countering Russian efforts to derail this integration. In particular, U.S. foreign assistance helps Montenegro fight organized crime and corruption and strengthen independent media and civil society as the country seeks to join the EU by 2025. If confirmed, I will continue to support these ongoing programs, including those funded through the FY 2017 Security Assistance Appropriations Act (SAAA).

Our assistance also helps to counter vulnerabilities that make Montenegro susceptible to Russian malign influence by strengthening judicial institutions; combatting trafficking in persons, organized crime, and corruption; reducing avenues for corruption, including in the economic sector; and supporting exchange programs to bolster civic participation and civil society.

*Question 12.* Does the administration support EU accession for Montenegro? If confirmed, how will you support democratic and rule of law reforms in Montenegro that are necessary to make progress toward the 2025 EU enlargement goals?

Answer. Yes, the administration supports Montenegro’s EU accession. If confirmed, I will continue our work to depoliticize the judiciary, advance the independence and efficiency of judges and prosecutors; improve anti-corruption efforts; strengthen the fight against organized crime by enhancing law-enforcement capacities and coordination; and safeguard media freedom—all necessary reforms for EU accession.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JUDY RISING REINKE BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* The shooting of investigative journalist Olivera Lakic in Montenegro in early May was a stark reminder not only of the dangers of investigative journalism in Montenegro, but also of the existence of organized crime and official corruption which needs to be addressed.

- Even though Montenegro is a NATO ally a favorable toward the United States, will you be open and frank in condemning the intimidation of investigative journalists and in pointing fingers, if necessary, at those we believe are allowing and even encouraging this situation?

Answer. Yes. Freedom of expression, including of the press, is a cornerstone of democracy, and I pledge to advocate for media freedom in Montenegro. As part of this effort, I commit to meet regularly with Montenegro’s independent media outlets.

*Question 2.* It is widely known that Russian influence in Montenegro is strong, and that the Kremlin was involved in the 2016 coup attempt in Montenegro. Russian foreign investment is usually the basis upon which such political meddling is subsequently based, and Russian investment in Montenegro is reported to be very significant.

- Does corruption give Russian investment an edge over U.S. or other European investment, and what can be done about this?

Answer. The United States is committed to helping Montenegro advance the reforms needed to continue its rapid Euro-Atlantic integration, counter Russian efforts to derail this integration, and boost U.S. and European investment. In particular, U.S. foreign assistance helps Montenegro fight organized crime and corruption and

strengthen Montenegrin justice sector institutions as the country seeks to join the EU by 2025.

Our assistance also helps to counter vulnerabilities that make Montenegro susceptible to Russian malign influence by reducing avenues for corruption in the economic sector, promoting exchange programs to bolster civic participation and civil society, supporting independent media outlets producing objective news, and improving the Montenegrin public's ability to detect and push back on disinformation.

*Question 3.* It is widely known that Russian influence in Montenegro is strong, and that the Kremlin was involved in the 2016 coup attempt in Montenegro. Russian foreign investment is usually the basis upon which such political meddling is subsequently based, and Russian investment in Montenegro is reported to be very significant.

- What will you do as Ambassador to encourage U.S. investment in Montenegro and to encourage Montenegro to make itself a more attractive place for U.S. investment?

Answer. Since regaining independence in 2006, Montenegro has adopted a legal framework that encourages privatization, employment, and exports. However, Montenegro remains an economy in transition, and implementation lags behind its legal structures. If confirmed, I will work with the Montenegrin Government to encourage U.S. investment stalled by bureaucratic red tape. I will also support Montenegro's participation in regional economic growth programs designed to strengthen the business environment, lower barriers to entry, and facilitate business operations, thereby reducing avenues for corruption and establishing a level playing field for U.S. I will also work to encourage the Montenegrin Government to adopt policies that are welcoming to entrepreneurs and private enterprise.

*Question 4.* Montenegro has been on the State Department's Tier 2 Watch List regarding its performance in combating trafficking in persons for two years in a row. Being at Tier 2, let alone on the Watch List, should be considered unacceptable for any country, but particularly for a member of the NATO alliance, which stresses the common values of its members. It also makes it more difficult for the United States to raise problems in other countries around the world when our close friends and allies have poor records.

Will you commit to giving this problem greater attention as the U.S. Ambassador to Montenegro, and to press Montenegrin officials to meet the minimum standards for the elimination of trafficking?

Answer. Yes, absolutely. If confirmed, I will strongly urge the Montenegrin Government to make more progress in meeting the minimum standards of the Trafficking Victims Protection Act and more aggressively combat this terrible scourge.

*Question 5.* Montenegro has been on the State Department's Tier 2 Watch List regarding its performance in combating trafficking in persons for two years in a row. Being at Tier 2, let alone on the Watch List, should be considered unacceptable for any country, but particularly for a member of the NATO alliance which stresses the common values of its members. It also makes it more difficult for the United States to raise problems in other countries around the world when our close friends and allies have poor records.

- Do you have any thoughts of specific action areas where you will encourage Montenegrin authorities to focus their attention?

Answer. Yes, the Government has not convicted any traffickers under its trafficking law since 2014 and victim identification efforts remain low. If confirmed, I will urge the Government to increase efforts in prosecution and victim protection, such as increasing proactive identification by first responders and fixing coordination issues between prosecutors and investigators.

*Question 6.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As a Foreign Commercial Officer overseas, I have been responsible for helping U.S. firms do business in challenging markets in a manner consistent with human rights principles. One example was my role in an informal working group focused on the extractive industry in the Philippines. This group, composed of representatives of U.S., Australian and Canadian businesses and embassies, met regularly to share information and creatively address challenging issues in the mining sector. Together we initiated efforts to promote adoption of the Extractive Industries Transparency Initiative (EITI) in the Philippines to enhance governance of natural resource extraction, to establish a more credible fiscal regime, create audits for environmental compliance, and, ultimately, protect local peoples from exploitation, such

as the displacement of indigenous peoples. This effort continued after my departure from Manila, and ultimately resulted in the decision by the Government of the Philippines to join the EITI in 2013.

I also ensured that all Officers of the Foreign Commercial Service understood and promoted the principles of Human Rights in their daily work while serving as the Deputy Director General. During my tenure in this position, my training and development team developed and launched a mandatory on-line Human Rights training module. The training addresses rule of law, the Foreign Corrupt Practices Act, and the principles of Human Rights, including the concepts of corporate social responsibility. FCS Officers are trained to support human rights in the field by advising U.S. firms of the impact of their activities in a given country; ensuring that U.S. firms carry out due diligence on business partners; and helping U.S. firms make sound decisions to avoid and report host country practices that perpetrate human rights abuses.

*Question 7.* What are the most pressing human rights issues in Montenegro? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Montenegro? What do you hope to accomplish through these actions?

Answer. According to the Department's 2017 Human Rights Report on Montenegro, the most significant human rights issues include: use of force by police and prison guards to obtain confessions and information from detainees and prisoners; lack of judicial independence; some infringements on media freedom; corruption, including law enforcement agencies and the courts; violence against LGBTI persons; and reports of forced labor and child labor. Impunity remains a problem, and there are reported instances where the Government has not punished officials who committed human rights abuses.

To address these problems, I would, if confirmed:

- ♦ support efforts to make Montenegro's law enforcement institutions more professional and competent;
- ♦ support the work of the independent human rights ombudsman in Montenegro; and
- ♦ continue to support and strengthen civil society and independent media, which serve as important watchdogs over the Government, including the police and justice system.

In that regard, I would strongly support ongoing civil society programs which provide support to NGOs involved in raising public participation in, and awareness of, on-going reforms required for greater Euro-Atlantic integration. I would ensure that the Embassy continues advocacy on these issues in public and in private, which has proved effective in drawing attention to deficiencies and encouraging better compliance with international norms.

*Question 8.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Montenegro in advancing human rights, civil society, and democracy in general?

Answer. There are some positive examples of progress in the advancement of human rights in Montenegro. Over the last decade, Montenegro has developed a fairly robust legal framework to protect the rights of LGBTI persons. Government officials often cite the Government of Montenegro's national strategy for protection of human rights of LGBTI persons, an anti-discrimination law, amendments to the criminal code, and expanded health benefits to the transgender population as signs of progress.

Nevertheless, negative public perception of LGBTI persons leads many to conceal their sexual orientation, and NGOs reported the number of attacks against LGBTI persons rose in 2017. In 2018, the Montenegrin Government introduced a draft same-sex partnership law ("Law on Life Partnership of Same-Sex Persons"), which would legalize gay marriage in the country. Under the draft law that is expected to be adopted before the end of the year same-sex couples will be acknowledged as legal unions, but will not receive all the same rights as married heterosexual couples. If passed, Montenegro would become the second Balkan country (after Croatia) to adopt a same-sex partnership law.

*Question 9.* Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Montenegro? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Civil society plays an indispensable role in preserving fundamental human rights, rule of law, and transparency. If confirmed, I am committed to meeting with human rights, civil society, and NGOs, both domestic and abroad, in support of democratic values in Montenegro. If confirmed, I will ensure that our Embassy continues to abide by the Leahy Law and actively assesses the bona fides of any and all would-be recipients of U.S. security assistance and participants in security cooperation activities, to reinforce our commitment to human rights.

**Question 10.** Will you and your embassy team actively engage with Montenegro to address cases of key political prisoners or persons otherwise unjustly targeted by Montenegro?

**Answer.** The State Department's 2017 Human Rights Report states that there were no reports of political prisoners in Montenegro. I will, if confirmed, actively engage with Montenegro, in the unlikely event of politically motivated targeting or imprisonment.

**Question 11.** Will you engage with Montenegro on matters of human rights, civil rights, and governance as part of your bilateral mission?

**Answer.** If confirmed, I will promote human rights, civil rights, and governance issues across the full range of actors in Montenegro, from host government interlocutors to members of civil society, faith-based organizations, and local activists.

**Question 12.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 13.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 14.** Do you or do any members of your immediate family have any financial interests in the Montenegro?

**Answer.** No. Neither I, nor my immediate family members, have any financial interests in Montenegro.

**Question 15.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** I am committed to promoting and supporting an Embassy workplace that is tolerant and embracing of diversity in all its forms. Diversity results in better decision-making and more impactful programs. I will encourage all members of my team to actively contribute their talents and ideas. If confirmed, one of my priorities will be to encourage Foreign Service officers from varied backgrounds and groups to join my team and contribute their energies and talents. I look forward to mentoring all of my staff, both American and Montenegrin, to achieve their full professional potential during my tenure.

**Question 16.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** If confirmed, I fully intend to lead by example, and demonstrate my commitment to diversity and inclusion in all of my interactions with members of my team. Early in my tenure, I will establish my clear expectations regarding fairness, tolerance, and respect for all, and I will ensure that any behaviors that fail to meet this standard are quickly corrected. I look forward to the opportunity to mentor the future leaders of the Foreign Service on my team what a fair, respectful and inclusive workplace can bring to the work we do on behalf of the American people.

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## NOMINATIONS

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**WEDNESDAY, AUGUST 22, 2018**

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

The committee met, pursuant to notice, at 10:14 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Marco Rubio presiding.

Present: Senators Rubio [presiding], Flake, Gardner, Young, Menendez, Cardin, Shaheen, Murphy, Markey, and Booker.

**OPENING STATEMENT OF HON. MARCO RUBIO,  
U.S. SENATOR FROM FLORIDA**

Senator RUBIO. The Senate Foreign Relations committee will come to order.

This is the committee nominations hearing for the Honorable Kevin Sullivan of Ohio, a career member of the Senior Foreign Service, Class of Minister-Counselor, to be the Ambassador to the Republic of Nicaragua; Mr. Francisco Palmieri of Connecticut, a career member of the Senior Foreign Service, to be the Ambassador to the Republic of Honduras; and Ms. Karen Williams of Missouri, a career member of the Senior Foreign Service, to be the Ambassador to the Republic of Suriname. I thank you for being here with us and for your continued willingness to serve our country.

If you are confirmed, each of you will have a critical role in advancing U.S. foreign policy and objectives in your respective posts abroad to which you have been nominated. And your nominations, I would say, are timely. Nicaragua is in the middle of a violent political crisis that I fear could even become a civil war and that I believe increasingly poses a threat to the national security interests of the United States and to regional security. The Ortega regime has already murdered hundreds of Nicaraguan citizens through the use of irregular paramilitary groups and its attempts to quell protests against the Ortega-Murillo oppressive and corrupt regime.

The situation in Nicaragua has all the necessary ingredients to spiral out of control and destabilize the region even further, and that includes a deteriorating economy, a government rotten with corruption and cronyism, a military divided between the Government and the people, paramilitary groups, as I said earlier, that swear allegiance to Ortega but whose chain of command is unclear, and citizens who want their voice to be heard.

Florida is home to a vibrant Nicaraguan American community, and I have watched with great concern the repressive response by the Sandinista regime, led by Ortega and his wife, the vice presi-

dent, toward student demonstrators protesting corruption and demanding early elections.

Nicaragua continues to align itself with Cuba and Russia and Venezuela in international forums, often against the interests of the United States and other democracies, and we need a strong ambassador in Managua to give the people of Nicaragua a clear and consistent message that the United States stands with them and their demands and expectations for democracy, for respect for human rights, and for the rule of law.

Honduras has its own set of challenges. Many of its citizens are having to choose between street violence and fleeing their country. One of the most effective answers to the migratory crisis that our nation is facing on our southern border, perhaps the most effective, would be to work with the Governments in Central America to improve the security situation so that their citizens do not feel like they have to leave these countries. Our foreign assistance can help in improving policing and training prosecutors and decreasing corruption and improving local economies, all of which give people a reason to stay where I believe they want to stay, in their own country.

In Honduras, what we need is a highly visible ambassador who stands for our ideals and who supports the Honduran Government while also holding it accountable for creating an environment where everyday Hondurans feel safe and have access to jobs that allow them to feed their families and provide for a better future and not have to flee their country.

Lastly, Suriname has been a relatively stable democracy since the late 1990s, with an economy mostly centered on natural resources extraction, especially gold and oil. Like many countries in the region, it has unfortunately been a source of transit and destination for men, women, and children subject to sex trafficking and forced labor. Combatting human trafficking is an issue of personal importance to me, as it is to most of the members of this committee, and we have made it a legislative priority of our work here during my time in the Senate and during many of the careers of those on this committee to deal with this issue as a legislative priority.

Many trafficked persons are used as forced labor in mining camps, as well as in the agriculture and fishing industries. While the country continues to make good efforts, it does not fully comply with minimum standards for the elimination of trafficking. They are currently on the Tier 2 Watch List. I hope that, if confirmed, our new ambassador will work with the Government to improve their efforts to combat trafficking in all of its forms.

Again, I thank each of you and your families for your willingness and your commitment to continue to serve our country. Our diplomats are some of the finest, if not, I would say, the finest in the entire world, and they are the building blocks of our efforts to defend freedom, security, and prosperity for ourselves and for our allies.

I now turn it over to the Ranking Member, Senator Cardin.

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

Senator CARDIN. Thank you, Chairman Rubio. I thank you for your leadership on many issues, but particularly on the Western Hemisphere. There are significant challenges that we have in our own region, and your leadership has been very, very important in that.

I first want to acknowledge the three individuals who are before us, all who have devoted their life to public service. These are career diplomats with extremely difficult assignments. You chose early in your careers to serve our country, and we are deeply grateful for that.

The three posts that are being considered today are all challenging posts. These are not places that you would normally pick to spend your time, recognizing the challenges in all three of these countries. So we thank you for your willingness to continue to serve, and we thank your families because you cannot do this without the support of your family. They also are sacrificing for our country.

It was appropriate that this year's Summit of the Americas topic was democratic governance against corruption, because when I think about the three countries that are being considered for our representatives today, all three have challenges in good governance and fighting corruption, something that this committee has taken a leadership role on, and we look for you to use our presence in these countries, our mission of promoting American values, as Chairman Rubio said, including democracy, good governance, human rights, and rule of law.

In Nicaragua it is very challenging, no question about that. The corruption of Nicaraguan officials blatantly abusing their power against the people of their country has caused a circumstance, as Chairman Rubio indicates, close to civil war. Human rights abuses, corruption with impunity, these are all issues that we need to deal with, and I thank Chairman Rubio and Chairman Menendez for their leadership on this issue over the years, including their work in this Congress.

In Honduras, I have seen firsthand—I have visited Honduras. I have seen firsthand the gang violence, the political instability, corruption and poverty that played out in the 2017 elections. Although there is now an elected leader, the question about the integrity of that election lingers on.

The anti-corruption commission needs to be supported, and the support for it has been inconsistent, and we look forward to our commitment to making sure that people of Honduras have the support for honesty in their system.

I do also want to mention the Berta Caceres case. Her daughter yesterday called for international observers at the trial, and I think we all are somewhat suspect as to how that case will proceed. We know there is an effort, but I think the U.S. involvement there is going to be particularly important.

In Suriname, as the Chairman pointed out, they are on Tier 2 Watch, but they were on Tier 3. It is a country that has challenges on trafficking of human labor, and on narcotics, drug issues. I would be interested in hearing how we can use the Caribbean

Basin Security Initiative as it relates to Suriname to be able to have a more effective policy.

I want to mention a couple of issues in conclusion that affect all countries. The Chairman mentioned about safety in the countries so that people want to stay there. I fully support that. That has been our policy. We have a robust amount of foreign aid to try to improve the economics and security and governance, particularly in Central America. We have many individuals that are legally in this country under temporary protected status, particularly from Honduras and Nicaragua, in the State of Maryland and throughout our country.

I look for leadership in those that are going to be Chief of Mission in these countries to get the best advice possible to the State Department for decisions made by Homeland Security on the extension of temporary protected status, because we know today the circumstances in those two countries do not warrant the return of these individuals even though this administration has revoked the temporary protected status. We are going to try in Congress to do something about that, but we need the help of those who are on the ground in the country working with the country as to the best way to handle those who are legally in this country today that sought refuge because of the instability in their country.

We know about significant human rights violations. We recently passed new tools under the global Magnitsky to use against human rights violators. It has been used in Central America. Many of us believe it could be more effectively used, and we will need the help and advice of those that are leading our missions as to who should be candidates for this type of sanction to improve the human rights and give hope to the people of the country that, yes, the United States is paying attention to the human rights needs of their country.

Now, last on migration, today's report shows that we have problems on the Nicaragua-Costa Rica border with violence coming about because of misinformation that was there. Migration causes problems. In Venezuela, Mr. Chairman, the numbers will soon exceed Syria in the number of those that have been displaced as a result of the problems in Venezuela. The country that has had the greatest impact from that is Colombia. I mention that because Senator Roy Blunt and myself are co-chairing a task force to follow up on Colombia. Clearly, Venezuela is—the migration issues in that region are very much affecting the stability of the region.

So I very much welcome the three nominees that we have here. Your qualifications are well known. I think most of our questions are going to deal with the challenges that you are going to have in-country so that you recognize that we can work together in order to deal with those challenges.

Senator RUBIO. Thank you.

I want to recognize the Ranking Member of the full committee, who has a deep interest in the Western Hemisphere, for some opening comments.

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

Senator MENENDEZ. Well, thank you, Mr. Chairman, for that opportunity. Let me salute you and Senator Cardin for not only having this nomination hearing but for the work you are collectively doing on the Western Hemisphere. I appreciate Senator Cardin taking up a lot of the issues that are critical in the hemisphere. He has been a strong champion of many of the things I care about, as well as independently through his global leadership on Magnitsky, pursuing it in the Western Hemisphere.

Let me just say to all the nominees, I appreciate your long service to our country. I always feel that way when we see career members of the Foreign Service to be nominated for ambassadorships, and these three countries are incredibly important.

In a region that largely otherwise is committed to human rights and democracy, for four months the international community has watched in horror as Daniel Ortega and Rosario Murillo have authorized their police and paramilitary groups to wield extreme force against their own citizens, resulting in more than 450 deaths, hundreds in prison, and dozens forcibly disappeared.

The administration has rightfully imposed global Magnitsky sanctions on three Nicaraguan officials, but I believe stronger action is needed. That is why I introduced bipartisan legislation last month with Senator Rubio to increase targeted sanctions against Nicaraguan officials involved in human rights abuses and efforts to undermine democracy, and I am pleased that Chairman Corker has agreed to consider our bill.

Turning toward Honduras, in recent months Americans have watched in horror as the Trump administration has adopted an inhumane policy of ripping children from their Honduran and Central American parents at the U.S. border. Moreover, former Secretary Tillerson's deliberate disregard of the expertise of career diplomats and his recommendation to end TPS for Honduras put at risk our national security and the safety of TPS beneficiaries and their U.S. citizen children, something that I join Senator Cardin in hoping that we can find a way to turn the clock back on. It is not in the national interests of the United States, or of its security, to send people back when our own career diplomatic people tell us that the situation on the ground is not conducive to return a large number of those nationals.

Additionally, while President Hernandez has been an important U.S. security partner, we must support reform efforts to promote the rule of law and transparency, and to confront impunity, notably, as Senator Cardin said, for the 2016 murder of indigenous leader and environmental activist Berta Caceres and the two dozen people killed in protests following last year's election.

So I look forward to our nominees' testimony, Mr. Chairman, and the opportunity for questions.

Senator RUBIO. I know Senator Gardner has another meeting, and he just wanted to make a brief comment because he won't be able to stay for the questioning.

Senator GARDNER. Thank you, Mr. Chairman. Thank you very much for the opportunity to do this.

Thanks to the nominees here today. I apologize. I have legislation in another committee that I am going to have to go to right now.

But to our nominees Mr. Sullivan and Mr. Palmieri, Honduras and Nicaragua maintain relationships with Taiwan, and as we have seen in recent hours, El Salvador has made the unfortunate decision to take a very significant step backwards with its relationship in regard to the United States as a result of its de-recognition of Taiwan.

So I hope that upon your confirmation you will both make it a high priority to emphasize how important Taiwan is to the world, its responsibility, its voice, its leadership, and their relationship with Taiwan matters very much to the relationship they have going forward with the United States.

Mr. Chairman, thank you.

Senator RUBIO. Thank you all for being here. You are all veterans of this process, so the less time you talk, the more time we can ask you questions and let you talk. But it is up to you. You have your 5 minutes for opening statements. We have it in writing.

With that, Ms. Williams, I will begin with you. Thank you for being here.

**STATEMENT OF KAREN L. WILLIAMS, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME**

Ms. WILLIAMS. Thank you, Senator. Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear here today as President Trump's nominee to be the next U.S. Ambassador to the Republic of Suriname. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with the Congress to advance our nation's interests in Suriname.

I have had the honor to serve our country for nearly 27 years as a Foreign Service Officer. I was raised with strong role models of commitment to our nation, to service, and to helping others. My father, a Korean War veteran, retired Army Master Sergeant, and retired police officer, ensured that his sons and daughter valued our nation and its ideals. My British-born mother, an avid U.S. citizen and patriot for more than 30 years, gave her children a commitment to helping others in need. I am blessed they are still with me, and although age and health preclude their appearance here, they are watching from home in Springfield, Missouri. I am equally and also blessed and very happy that a number of wonderful friends are in the room today.

I am fortunate to have a diverse career ranging overseas from Afghanistan to Paraguay and domestically at Main State and U.S. Special Operations Command. I am privileged to have worked alongside outstanding diplomats, development professionals, military members, and other interagency colleagues. Together in my various postings, we have utilized programs and engagement opportunities to further U.S. national security objectives such as counter-terrorism, counter-narcotics, and U.S. regional security, as

well as working for a peaceful and prosperous world through democratic institution building and supporting civic education. I am pleased, if confirmed, to return to the Caribbean region, in which I have gained experience pertinent to Suriname in roles as Deputy Director of Caribbean Affairs and as Deputy Chief of Mission and Chargé d'Affaires to Guyana and to CARICOM.

If confirmed, I will proudly represent the United States in Suriname, an ethnically and religiously diverse nation in which Christianity, Hinduism, Islam, Judaism, and indigenous religions live peacefully and productively together.

If confirmed, I will work with the Surinamese Government to further develop existing mutually beneficial opportunities for economic growth and increased trade, as well as explore new opportunities. U.S. companies are currently conducting oil exploration off the coast of Suriname and hope to find the same success as has occurred in neighboring Guyana. The gold fields of Suriname have also drawn U.S. companies and, in cooperation with these companies and the Government of Suriname, the U.S. Government is supporting efforts to curb illicit mining and the damaging use of mercury.

Citizen security is a key mutual interest of the U.S. and Suriname and is in keeping with the goals of the Caribbean Basin Security Initiative and the Caribbean 2020 Strategy. If confirmed, I will continue to support bilateral and regional assistance that provides technical training to law enforcement officers, seeks to combat money laundering and financial crimes, and supports strengthening of the rule of law. Suriname is on the Trafficking in Persons Report Tier 2 Watch List for the second year in a row after being upgraded to that level in 2017. While Suriname has been making significant efforts to meet the minimum standards, there are additional steps needed. If confirmed, I pledge to work with the Surinamese Government to meet minimum standards for the elimination of trafficking in persons.

My highest priority as Chief of Mission, if confirmed, will be to safeguard the welfare of U.S. citizens and embassy staff, both U.S. and local, to the utmost limits of my ability.

In closing, if confirmed, I look forward to building the relations between our two great nations and defending and promoting the interests of the United States in the Republic of Suriname.

Thank you, and I welcome your questions.

[Ms. Williams's prepared statement follows:]

#### PREPARED STATEMENT OF KAREN WILLIAMS

Mr. Chairman, Ranking Member Cardin, and distinguished members of the committee, I am honored to appear here today as President Trump's nominee to be the next U.S. Ambassador to the Republic of Suriname. I am grateful to the President and to Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with the Congress to advance our nation's interests in the Republic of Suriname.

I have had the honor to serve our country for nearly 27 years as a Foreign Service Officer. I was raised with strong role models of commitment to our Nation, to service, and to helping others. My father, a Korean War veteran, retired Army Master Sergeant, and retired police officer, ensured that his sons and daughter valued our Nation and its ideals. My British-born mother, an avid U.S. citizen and patriot for more than 30 years, gave her children a commitment to helping others in need. I am blessed they are still with me and although age and health preclude their pres-

ence here, they are watching from home in Springfield, Missouri. I am equally blessed that a number of wonderful friends are present for the hearing.

I am fortunate to have a diverse career ranging from Afghanistan to Paraguay overseas and at Main State and U.S. Special Operations Command domestically. I am privileged to have worked alongside outstanding diplomats, development professionals, military members, and other interagency colleagues. Together in my various postings, we have utilized programs and engagement opportunities to further U.S. national security objectives such as counter-terrorism, counter-narcotics, and U.S. regional security, as well as working for a peaceful and prosperous world through building democratic institutions and supporting civic education. I am very pleased to return to the Caribbean region, in which I have gained experience pertinent to Suriname in roles as Deputy Director of Caribbean Affairs and in my time as Deputy Chief of Mission and long-serving Chargé d'Affaires a.i. to Guyana and CARICOM.

If confirmed, I will proudly represent the United States in Suriname—a peaceful and relatively young democracy that is among the most ethnically and religiously diverse in the world. It is a nation in which Christianity, Hinduism, Islam, Judaism, and indigenous religions live peacefully and productively together.

If confirmed, I will work with the Surinamese Government to further develop existing mutually beneficial opportunities for economic growth and increased trade, as well as explore new opportunities. U.S. companies are currently conducting oil exploration off the coast of Suriname and hope to find the same success as has occurred in neighboring Guyana. The gold fields of Suriname have also drawn U.S. companies and, in cooperation with these companies and the Government of Suriname, the U.S. Government is supporting efforts to curb illicit mining and the use of mercury, which not only damages the environment in Suriname, but affects mercury levels in the U.S. Citizen security is another key mutual interest of the U.S. and Suriname and is in keeping with the goals of the Caribbean Basin Security Initiative (CBSI). If confirmed, I will also continue to support bilateral and regional assistance that provides technical training to law enforcement officers, seeks to combat money-laundering and financial crimes, and supports strengthening rule of law. Suriname is on the Trafficking in Persons Report Tier 2 Watch List for the second year in a row and while it has been making significant efforts to meet the minimum standards, there are additional steps needed. If confirmed, I also pledge to work with the Surinamese Government to meet minimum standards for the elimination of trafficking in persons.

Elections are also on the horizon for Suriname. In May 2015, President Desiré Bouterse's party won a majority, and he was reelected to a second five-year term in what international observers found to be a generally free and fair election. The next general election is slated for May 2020 and campaigning has already begun.

If confirmed, I will seize upon opportunities to work with the Surinamese Government, civil society, and the media to again ensure free and fair elections.

If confirmed, my highest priority as Chief of Mission will be to safeguard the welfare of U.S. citizens and Embassy staff—both U.S. and local—to the utmost limits of my ability. If confirmed, I look forward to building the relations between our two great nations and defending and promoting the interests of the United States in the Republic of Suriname.

Senator RUBIO. Thank you so much.

Mr. Palmieri?

**STATEMENT OF FRANCISCO LUIS PALMIERI, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS**

Mr. PALMIERI. Mr. Chairman and distinguished members of the committee, I am honored to be nominated to represent the United States as the U.S. Ambassador to the Republic of Honduras by President Trump. I thank Secretary of State Pompeo for his confidence in me.

I could not be here without the love and support of my family, beginning with my wife, Suzanne, and our children, Ellis and Mad-

eline. As the son of a Colombian immigrant and grandson of Italian immigrants, I am acutely aware of the debt my family and I owe this great nation.

I would like to introduce my mother, Hannah Trujillo Palmieri, who is here as well today. (Applause.)

Mr. PALMIERI. I am proud to have served the United States as a career member of the Foreign Service for more than 32 years. Our work at the State Department seeks to advance the United States interests in this region by promoting a democratic, secure, stable, and prosperous hemisphere, goals that members of this committee told me are important.

The United States has a long and close strategic partnership with Honduras. Honduras' economic prosperity, democracy, security, and development are inextricably linked to U.S. national security.

But there is no denying that the significant flow of migrants from Honduras has created complex challenges, a key concern to many senators on this committee. Honduras is addressing those underlying conditions driving migration, including the lack of jobs and economic opportunity, high levels of crime, and inefficient and sometimes corrupt government institutions.

With important assistance from the United States Congress, Honduran Government institutions and social services for receiving returned migrants have improved. Honduras is also strengthening its border controls to prevent illicit trafficking and human smuggling.

A national dialogue is vital to address the violence that occurred following the November 2017 election, to reform the electoral process, and most importantly to reconcile a deeply divided country. If confirmed, I will also make it a priority to assist the Honduran National Police make reforms. I learned during my service in Iraq how important an effective police force can be to a country.

If confirmed, I will continue working with the Honduran Attorney General, Oscar Chinchilla, and the Public Ministry to expand its capacity to investigate and prosecute crimes, including human rights violations by security forces. I understand Honduras wants to do more to protect human rights defenders, labor activists, community leaders, and journalists, among many others.

Corruption continues to be one of Honduras' most significant challenges. The OAS Mission to Support the Fight Against Corruption and Impunity in Honduras has been instrumental in supporting the Attorney General's work to dismantle longstanding corruption networks in Honduras. If confirmed, I will continue to support their work.

Honduras is not the same country I lived and worked in 17 years ago. But I know from that time that Honduras is a vital and loyal partner to this nation. Hondurans always stand by our side. On 9/11, I remember exactly where I was in Tegucigalpa when our country was attacked. I also remember how the Government and Hondurans of all political beliefs rallied to our side and our defense.

The late Honduran musician, Guillermo Anderson, wrote in his song "En Mi País": "Para quererte el corazón mio no alcanza, Pero esta luz multiplica la esperanza." It is an ode to the natural beauty

of Honduras, to the indomitable spirit of the Honduran people, and to the possibility of a brighter, better future for his country. With that inspiration, if confirmed, I will work to advance U.S.-Honduran relations and ensure that working together we create conditions so that every Honduran can have a better alternative than to make that dangerous journey north to our border.

Thank you, Mr. Chairman. I look forward to responding to your questions and to working closely with you and the members of this committee on your priorities in Honduras.

[Mr. Palmieri's prepared statement follows:]

PREPARED STATEMENT OF FRANCISCO LUIS PALMIERI

Mr. Chairman and distinguished members of the committee, I am honored to be nominated to represent the United States as the U.S. Ambassador to the Republic of Honduras by President Trump. I thank Secretary of State Pompeo for his confidence in me.

I could not be here without the love and support of my family, beginning with my wife, Suzanne, and our children, Ellis and Madeline. As the son of a Colombian immigrant and grandson of Italian immigrants, I am acutely aware of the debt my family and I owe this great nation. If confirmed, I am committed to representing the President and the American people to advance our national interests in Honduras and the Western Hemisphere.

I am proud to have served the United States as a career member of the Foreign Service for more than 32 years. Throughout my career, I focused my service primarily on the Western Hemisphere, including a tour of duty in Honduras from 2001 through 2005. Our work at the State Department seeks to advance America's interests in this region by promoting a democratic, secure, stable, and prosperous hemisphere. I will work first and foremost to always advance American interests.

The United States has a long and close strategic partnership with Honduras. Honduras' economic prosperity, democracy, security, and development are inextricably linked to U.S. national security. Joint Task Force Bravo, located at Soto Cano Air Base inside Honduras, is an important element in our regional defense posture.

There is no denying the significant flow of migrants from Honduras and the two other Northern Triangle countries of El Salvador and Guatemala have created complex challenges. But, Honduras is addressing the underlying conditions driving migration, including the lack of jobs and economic opportunity, high levels of crime, and inefficient and sometimes corrupt government institutions. Hondurans must once again have hope for their future in Honduras.

With important help from the United States, the Honduran Government's institutions and social services for receiving returned migrants have improved significantly under its Alliance for Prosperity plan. Honduras is strengthening its border controls to prevent illicit trafficking and human smuggling. Honduras and the other Northern Triangle countries are working to help their people find safety and opportunity at home. Under its Alliance for Prosperity plan, Honduras is committing four dollars for every one dollar of U.S. assistance.

Honduras continues to face serious human rights challenges. If confirmed, I will work with the Honduran Government to address these problems. A national dialogue is vital to address the violence that occurred following the November 2017 election, to reform the electoral process, and most importantly to reconcile a deeply divided country. If confirmed, I will make it a priority to assist the Honduran National Police make reforms. I learned during my service in Iraq in 2010 how important an effective police force can be to a country. President Hernandez and the Honduran people all want to create a more professional and accountable police force that can earn their trust.

If confirmed, I will continue working with the Honduran Attorney General Oscar Chinchilla and the Public Ministry to expand its capacity to investigate and prosecute crimes, including human rights violations by security forces. I understand Honduras wants to do more to protect human rights defenders, labor activists, community leaders, and journalists, among many others.

Corruption continues to be one of Honduras' most significant challenges. The OAS Mission to Support the Fight Against Corruption and Impunity in Honduras, (MACCIH) has been instrumental in supporting the Attorney General's work to dismantle long-standing corruption networks in Honduras that threaten citizen security and undermine government institutions. If confirmed, I will continue to work

with the OAS and the Honduran Government to support MACCIH and the Attorney General's new anti-corruption unit and the anti-corruption courts.

Honduras is not the same country I lived and worked in 17 years ago. But I know from that time that Honduras is a valued and loyal partner to our nation.

Hondurans always stand by our side. On 9/11 I remember exactly where I was in Tegucigalpa when our country was attacked. I also remember how the Government and Hondurans of all political beliefs rallied to our side and our defense. Then National Assembly Whip, now President, Juan Orlando Hernandez led the effort to pass the resolution committing Honduran troops to the international coalition in Iraq and then Minister of Security Oscar Alvarez made sure our Embassy had enhanced police protection. Across all of Honduras, there is a deep abiding respect and affection for the United States, even among those who are our harshest critics.

The late great Honduran musician, Guillermo Anderson, wrote in his song *En Mi País*, "Para quererte el corazon mio no alcanza, Pero esta luz multiplica la esperanza."<sup>1</sup> It is an ode to the natural beauty of Honduras, to the indomitable spirit of the Honduran people, and to the possibility of a brighter, better future for his country. With that inspiration, if confirmed, I will work to advance U.S.-Honduran relations and ensure that working together we create conditions so that every Honduran can have a better alternative than to make that dangerous journey north to our border.

Thank you, Mr. Chairman. I look forward to responding to your questions.

Senator RUBIO. Thank you.

Mr. Sullivan?

**STATEMENT OF KEVIN K. SULLIVAN, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NICARAGUA**

Mr. SULLIVAN. Thank you. Mr. Chairman, members of the committee, I am honored to appear before you today as President Trump's nominee to serve as the U.S. Ambassador to Nicaragua. I am deeply grateful to President Trump and Secretary Pompeo for their support and confidence, and if confirmed I look forward to working closely with you and other members of Congress to advance the interests of the U.S.

With your permission, I would like to begin also by thanking my family, including my wife, Mariangeles, who is with us, and my daughter, Sophie, who could not be, as well as the rest of my family for their unwavering love and support. Today I would especially like to salute the personal sacrifices that our embassy families evacuated from Managua are making in support of our vital mission there.

Mr. Chairman, I have spent much of my 30-year career in the State Department working in the Western Hemisphere. I have worked overseas building strong bilateral relationships with Chile and Argentina, in the latter case as Charge d'Affaires for 18 months. In my most recent position as Deputy Permanent Representative of the U.S. Mission to the Organization of American States, where I also served as Chargé, I was proud to work with other member state representatives to pass groundbreaking resolutions in defense of human rights and fundamental freedoms of the Venezuelan and Nicaraguan people. If confirmed, I believe this experience, as well as my familiarity with the region's enduring chal-

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<sup>1</sup> Loosely translated: *In My Country*, "My heart is not filled with enough love for you; but this [country's] light multiplies hope."

lenges, would enable me to lead the U.S. Mission in Managua effectively.

I am convinced that strong, mutually beneficial relationships with our Western Hemisphere neighbors are essential to our national security as well as to our future prosperity. Greater regional integration is an essential element of the U.S. strategy for Central America, so the current crisis in Nicaragua not only jeopardizes the well-being of Nicaraguans but also negatively affects the prospects of its Central American neighbors.

Mr. Chairman, we have all witnessed the deeply troubling developments in Nicaragua over recent months, as peaceful protests over changes to pensions quickly transformed into a much broader public repudiation of the Nicaraguan Government. Since protests and repression began in April, the United States has been outspoken in denouncing the Government-instigated violence and intimidation campaign which has cost the lives of over 300 people, and some estimates, as mentioned, are much higher. As both Vice President Pence and Secretary Pompeo have said, "We join with nations around the world in demanding that the Ortega Government respond to the Nicaraguan people's demands for democratic reform and hold accountable those responsible for violence."

Governments throughout the Americas and around the world have added their voices to the chorus calling for an end to the killing in Nicaragua. The administration will continue working with its diplomatic partners in the region and international organizations, including the OAS, to seek an end to state-sponsored violence and restore Nicaragua's degraded democratic institutions.

If confirmed, I will urge the Nicaraguan Government to cease this repression and release those who have been arbitrarily detained. I applaud the courageous work of the Inter-American Human Rights Commission, the U.N. Human Rights Commission, and Nicaraguan human rights organizations who have been investigating these tragic events. I also strongly support the leading role of the Catholic Church and its brave efforts to mediate a peaceful resolution of this situation. I will ensure that the U.S. Government maintains regular contact with and support for a wide range of Nicaraguan civil society groups and human rights advocates. Every Nicaraguan deserves a government that upholds his or her human rights and fundamental freedoms, and fully respects the rule of law.

Sustainable solutions can only be found through early, free and fair elections with international observation, through which the Nicaraguan people can freely decide their nation's destiny.

Despite a decade of economic growth that has out-performed the region, Nicaragua remains the second poorest country in the Western Hemisphere. The current social unrest has added major uncertainty to what had been a relatively promising economic trajectory. Truly transformative economic growth to lift Nicaragua out of poverty will require new attitudes and approaches in key institutions. Nicaragua's promising university students, for example, cannot be seen as terrorists but rather as the young men and women who will lead their country towards a more prosperous future.

If confirmed, I will look for new ways for the United States to support the Nicaraguan people on their road to freedom and pros-

perity. I will also pursue cooperation on issues of U.S. national security such as counter-narcotics, as appropriate, bearing in mind the evolution of the current crisis. And I will ensure, as a matter of the highest priority, the protection of U.S. citizens and Mission personnel in Nicaragua.

Mr. Chairman, committee members, I thank you for your consideration of my nomination and welcome your questions.

[Mr. Sullivan's prepared statement follows:]

STATEMENT OF KEVIN K. SULLIVAN

Mr. Chairman, members of the committee, I am honored to appear before you today as President Trump's nominee to serve as the U.S. Ambassador to Nicaragua. I am deeply grateful to President Trump and Secretary Pompeo for the support and confidence they have placed in me, and, if confirmed, I look forward to working closely with you and other Members of Congress to advance the interests of the United States.

With your permission, I would like to begin by thanking my family, including my wife Mariangeles and my daughter Sophie, for their unwavering love and support. Like many Foreign Service family members, they have made enormous sacrifices so that I can continue to serve our country, a privilege for which I will always be grateful. Today I would especially like to salute the personal sacrifices that our Embassy families evacuated from Managua are making in support of our vital mission there.

Mr. Chairman, I have spent much of my 30-year State Department career in the Western Hemisphere. I have worked overseas with dedicated colleagues building strong bilateral relationships with Chile and Argentina, in the latter case as Charge d'Affaires for 18 months. In positions here in Washington, I have focused on our regional priorities, like promoting inclusive economic growth, and advancing democracy and human rights. In my most recent position as Deputy Permanent Representative of the U.S. Mission to the Organization of American States, where I also served as Chargé for over a year and a half, I was proud to work with other member state representatives to pass groundbreaking resolutions in defense of the human rights and fundamental freedoms of those in Venezuela and Nicaragua. If confirmed I believe this experience, as well as my familiarity with the region's enduring challenges, would enable me to lead the U.S. Mission in Managua effectively.

I am convinced that strong, mutually beneficial relationships with our Western Hemisphere neighbors are essential to our national security as well as to our future prosperity. As you know, the United States Strategy for Central America is a multiyear plan focused on promoting prosperity, enhancing security, and improving governance in the region. The plan advances U.S. national security by addressing the drivers of illegal immigration and illicit trafficking, and also reflects the aspirations and commitments of the regions' governments. Greater regional integration is an essential element for this joint strategy to succeed, and so the current crisis in Nicaragua not only jeopardizes the well-being of Nicaraguans, but also negatively affects the prospects of its Central American neighbors.

Mr. Chairman, we have all witnessed the deeply troubling developments in Nicaragua over recent months, as peaceful protests over changes to pensions quickly transformed into a much broader public repudiation of the Ortega Government. Nation-wide demonstrations were fueled by anger over violent repression that had taken the lives of dozens of demonstrators, as well as by deep resentment over the steady erosion of Nicaragua's democratic institutions.

President Ortega rejected a proposal from the opposition Civic Alliance, put forward by the Nicaraguan Episcopal Conference, for electoral reforms and early presidential elections in 2019. At the same time, the Government's ongoing violence and intimidation campaign against its own people intensified. Over 300 Nicaraguans have been killed, including many students, hundreds have been detained and remain missing, and tens of thousands have fled the country in the face of this brutal repression. That repression has even included physical and reputational attacks on representatives of the Catholic Church, as well as the arrests of several other prominent civil society leaders involved in the talks. While violent clashes in the streets have diminished in recent weeks, the Ortega Government, and armed groups loyal to it, continue to intimidate and arbitrarily detain hundreds of individuals.

Mr. Chairman, since protests and repression began in April, the United States has been outspoken in denouncing the government-instigated violence and intimidation campaign. Vice President Pence said at the Organization of American States on May 7, and Secretary of State Pompeo reiterated on June 6, "We join with na-

tions around the world in demanding that the Ortega Government [respond] to the Nicaraguan people's demands for democratic reform and hold accountable those responsible for violence."

Governments throughout the Americas and around the world have added their voices to the chorus calling for an end to the killing in Nicaragua. The administration will continue working with its diplomatic partners in the region and international organizations, including the OAS, to seek an end to state-sponsored violence and restore Nicaragua's degraded democratic institutions.

The administration has also taken a number of concrete steps to sanction individuals in Nicaragua involved in serious human rights abuses and large-scale corruption. If confirmed, I will work to expose those responsible for the Nicaraguan Government's ongoing violence and intimidation campaign against its people and promote accountability for their misdeeds.

If confirmed, I will urge the Nicaraguan Government to cease all government-sponsored violence and intimidation, and release those who have been arbitrarily detained. We applaud the courageous work of the IACMR, the U.N. Human Rights Commission, and Nicaraguan human rights organizations investigating these tragic events; those responsible for these abuses and violations must be held accountable. I strongly support the leading role of the Catholic Church and its brave efforts to mediate a peaceful resolution. I will ensure the U.S. Government maintains regular contact with and support for a wide range of Nicaraguan civil society groups and human rights advocates. I will also convey this administration's view that every Nicaraguan deserves a government that upholds and protects his or her human rights and fundamental freedoms, and respects the rule of law.

Mr. Chairman, the violence and repression of the last several months have transformed Nicaragua's political reality. The people of Nicaragua, and the international community, will not simply forget the systematic human rights abuses perpetrated by government forces and their agents since mid-April. The United States, other members of the international community, and most importantly the people of Nicaragua have expressed their support for dialogue mediated by Church leaders. Sustainable solutions can only be found through early, genuinely free and fair, and transparent elections with international observation, through which the Nicaraguan people can freely decide their nation's destiny.

Despite a decade of economic growth that outperformed the region, Nicaragua remains the second poorest country in Western Hemisphere. The current social unrest has added major uncertainty to what had been a promising economic trajectory. Transformative economic growth to lift Nicaragua out of poverty will require fundamental changes to the country's institutions and better strategic planning. Nicaragua's promising university students are not "terrorists," but rather represent the engine capable of leading their country towards a more prosperous future. They can only do so if they are able to safely and freely develop their talents and dreams in their own country.

If confirmed, I will look for new ways for the United States to support the Nicaraguan people on their road to freedom and prosperity. I will also pursue cooperation on issues of U.S. national security, such as counter-narcotics, as appropriate, bearing in mind the evolution of the current crisis. And I will ensure, as a matter of the highest priority, the protection of U.S. citizens and Mission personnel in Nicaragua.

Mr. Chairman, committee members, I thank you again for your consideration of my nomination, and I welcome your questions.

**The CHAIRMAN.** Thank you all for being here again.

I will begin with the Ranking Member, Senator Cardin.

**Senator CARDIN.** Well, thank you, Mr. Chairman.

Again, thank you all for your willingness to do this.

I want to start with the fact that you are here today for confirmation. The separation of our branches but the importance of the confirmation process and our diplomats, particularly career diplomats, but all diplomats, that you need the support of the Senate, you need the support of the President, and we expect you to be an independent voice to us in the United States Senate on critically important issues.

So I want to start with TPS because I am deeply concerned about the safety of people who are currently residing in Maryland and throughout our country that have a date on their back on leaving

this country. We know that the recommendations from the Mission in-country was to extend the TPS. That is well known. We have bipartisan support to protect those who are on TPS status because we know the circumstances on the ground are such that it is not safe for their return. We know that the country, host country, wants the individuals to be able to stay here for various reasons. So we know the economics, we know the political, we know the safety issues.

What we need is a path forward to protect these individuals, and we are going to need the help of our Chief of Mission, our ambassadors from these countries. My question is will you commit, referring now, of course, to Nicaragua and Honduras, will you commit to give this committee independent information in regards to the circumstances and the safety for those that are on TPS status here in the United States for the return to their countries so that we can develop the policies here which may be different than what the administration's position is?

Mr. PALMIERI. Senator, yes, I can commit that I will report to this committee and to the State Department the accurate conditions I encounter on the ground in Honduras if I am confirmed.

Mr. SULLIVAN. Thank you, Senator. I also can commit to remaining in touch with the committee in offering a similarly honest assessment of the conditions on the ground in Nicaragua.

Senator CARDIN. We ran into this problem under the previous administration when we dealt with TIP classifications on the TIP Report. It is important that we have unfiltered information in order to be able to make our judgments.

There is another area where we are going to need your help, and that is information about individuals who should be sanctioned in all three of these countries in regards to human rights violations under the newly-passed global Magnitsky law. I mention that because in that statute there is a cooperative effort between the executive and legislative branches. We have a role to play in those sanctions, so we need information, and we rely upon those in country to give us that type of information.

Do you commit, all three of you, that you will make available to this committee information about human rights violators in your country that should be considered for Magnitsky-type sanctions?

Ms. WILLIAMS. Yes, Senator, I will commit to do so, if confirmed.

Mr. PALMIERI. Absolutely, Senator. You have my full commitment.

Mr. SULLIVAN. Yes, Senator, I will also. Thank you.

Senator CARDIN. Thank you.

You all have mentioned the OAS and the role that it plays particularly in Honduras with regard to the anti-corruption commissions, but it has been disappointing with regard to its inability to deal with Venezuela as aggressively as we would like them to. Part of it is the Caribbean nation problem, and I would welcome Ms. Williams' thoughts on that, particularly the Caribbean Basin Security Initiatives.

I am a supporter of regional organizations. I am the ranking Democrat on the Helsinki Commission for the Organization for Security and Cooperation in Europe. Senator Shaheen serves on that commission as well. So we believe in regional organizations.

One of the challenges of OAS, it has very little parliamentary involvement, and therefore it does not have the same degree of support that the OSCE has within the Congress itself because we are part of the process, we are more involved in the process.

So I would like to know how you all believe our regional organizations in that region can be strengthened in order to make them more effective in dealing with problems such as Venezuela.

Mr. SULLIVAN. Senator, just as the outgoing deputy representative at the OAS, to the U.S. Mission to the OAS, I will be happy to take the first crack at that. I certainly agree that the situation in Venezuela has been an enormous concern for many reasons, and it has been a very high priority for the OAS and for our Mission to the OAS.

Although there is still much more to do to promote a peaceful democratic solution in Venezuela, I think certainly in the two years that I served in our Mission we have come a long way from the standpoint of initially the OAS was incapable of taking any significant action with respect to Venezuela because of the strong influence of the Venezuelan Government in the hemisphere.

But over the past two years we have seen the OAS Permanent Council pass a series of resolutions condemning human rights violations there and also highlighting the inadequate nature of the elections that have been held there. In fact, at our last general assembly in June, we for the first time passed a resolution at that level that called the May 20th elections in Venezuela illegitimate, which sent a very strong signal to the rest of the hemisphere and the rest of the world about the nature of those elections.

I do agree with your suggestion that stronger parliamentary involvement with the OAS would strengthen the political statements that it can make and would better reflect the range of views around the hemisphere, and I would be happy to discuss that further with you, as I am sure would our excellent new Ambassador, Carlos Trujillo, to the OAS.

Senator CARDIN. I have talked to him about that.

Let me just ask, Mr. Palmieri, one question. I talked to you in my office. Do you commit to monitor the Berta Caceres case to make sure that we get independent evaluations as to the fairness of that trial?

Mr. PALMIERI. Yes, sir, and I believe the embassy has assisted in that investigation and does plan to attend sessions of that training. If confirmed, when I arrive in Honduras, I will also personally pay attention to that trial.

Senator CARDIN. Thank you.

Senator RUBIO. Thank you, Senator.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you and congratulations to each of you for being willing to accept these nominations at this difficult time in the world and given the challenges that you have already referenced in the countries that you will be going to, if confirmed.

I want to start, Mr. Sullivan, with Nicaragua, because as I read reports, Russian influence in Nicaragua has been increasing. They spent \$80 million to buy tanks and military equipment from Russia in 2016. They have increased their cooperation with the military

leadership in both countries, and unfortunately it is not just Nicaragua, it is also other countries in Latin America.

So what will be your approach, if confirmed, to address that growing influence from Russia, and how do you think we should be approaching it throughout Latin America?

Mr. SULLIVAN. Thank you for your question, Senator. I and my colleagues at the State Department are concerned about increasing Russian involvement both in Nicaragua and in other countries in the hemisphere. We are concerned about what their agenda is. We know that in the case of Nicaragua they have been involved in supplying military equipment, as you pointed out, equipment that may not serve much useful purpose for Nicaragua. There are certainly other things that they need more. And we are concerned that the Russian Government in that sense has become the partner of choice on military and security matters.

I know that Secretary of Defense Mattis is traveling in the region right now, talking with a number of partners in the region about why the United States would like to be the partner of choice for our allies in the region. We believe that we have a lot to offer and can be a much better partner for countries like Nicaragua. If confirmed, I would certainly work with colleagues in the embassy to discuss with Nicaraguan leaders and with the media about what the U.S. has to offer and why that might be a better choice for the Nicaraguan people.

Senator SHAHEEN. Yesterday we had a hearing in this committee on Russia and its influence, and one of the things that Assistant Secretary of State Wes Mitchell talked about was the strategy that we have to address Russia. Do you know if Latin America is included in that Russia strategy? Do any of the three of you know that?

Mr. PALMIERI. Yes, Senator, it is an excellent point. We work very closely with our colleagues in the European bureau and on the Russia desk to ensure that any presence of Russia in our hemisphere is addressed consistent with that strategy and that we are calling attention to the European bureau when we see Russian maneuvers in our area.

Senator SHAHEEN. And I assume that is mutual, that they are also letting you all know when they pick up any information that might affect Latin American countries?

Mr. PALMIERI. Yes, Senator.

Senator SHAHEEN. Thank you.

I have been working for the last couple of months with a family from Honduras who came across illegally because they were affected by violence in Honduras. Sadly, the mother's son was separated and they did not know where the other was for several months.

What kind of message does that send to our Honduran allies when they see what happens to families that are seeking asylum from violence?

Mr. PALMIERI. The Honduran Government has approached us on multiple different levels here in Washington, in capital. The Government has made it very clear that they are concerned that family members be reunited. The State Department and I, if confirmed as the Ambassador in Honduras, will do all I can to help reunite fami-

lies that have been separated. We have at the State Department facilitated meetings between Honduran Government officials, as well as Guatemalan and Salvadoran officials, with the Department of Homeland Security and Health and Human Services to provide information about separated families. I accompanied Secretary Nielsen to a meeting in Guatemala in the first week of July with foreign ministers and security ministers for the region to discuss how we can improve information exchange, but how we can also better address the underlying conditions so that people do not make that journey to our border, that the violence in their countries is being addressed, that there is greater economic opportunity there so that folks do not put themselves in a position of being separated.

Senator SHAHEEN. I appreciate that and I thank you for that answer. I think this is something that we have all got to continue to work on. We have got to make sure that people feel like they have a future in their own countries.

My last question is really for all three of you. New Hampshire has, sadly, been dramatically affected by the opioid and substance use crisis that we have in this country. Many of those opioids and drugs are coming from countries south of our border. Even in Suriname, the current president has been convicted in the Netherlands of trafficking in drugs.

So can each of you talk about what you see as your role as an ambassador in trying to address this pervasive problem that we are facing in the United States? And I will start with you, Ms. Williams.

Ms. WILLIAMS. Thank you. It is true. You are correct that there was a conviction prior to his presidency of President Bouterse in the Netherlands.

The issue in regards specifically to Suriname is that most of the narcotics flow is actually going to Europe, but nevertheless some may be coming here to the U.S. as well. One of the things that I as Ambassador can do is to maintain that issue at the forefront of the agenda with the Bouterse Government, with that administration, to continue to work with that administration on improving administration of justice, rule of law. We are working with them via regional programs, from the Caribbean Basin Security Initiative on Evidence-Based Decision-Making and training for law enforcement. So I would continue all of these things and also keep it at the forefront of the diplomatic dialogue.

Senator SHAHEEN. Thank you.

Mr. Palmieri?

Mr. PALMIERI. Senator, if you could indulge a proud son for a moment, my mother—this is an issue that has been important to our family. My mother was instrumental in establishing one of the first Spanish-speaking drug rehabilitation programs in the State of Connecticut in the late 1960s and early '70s.

Senator SHAHEEN. Thank you.

Mr. PALMIERI. I myself volunteered here in Washington, D.C. for a residential drug rehabilitation program on its board in the last decade.

If confirmed as an Ambassador to Honduras, this problem of narcotics trafficking and ensuring that we are working with the host

government to encourage them to do all they can to stop drugs that are transiting through Honduras north to our borders will be a top priority. It is something that I have personally seen and am committed to addressing.

Senator SHAHEEN. Thank you very much for that.

Mr. Sullivan?

Mr. SULLIVAN. Senator, in the case of Nicaragua, as you know, we have had a challenging relationship with the Government for some time, but counter-narcotics is one of the areas in which we have been cooperating, and that is because particularly the Caribbean coast of Nicaragua is an area where narcotics trafficking has taken place. It is part of broader patterns in the region. In order to address that, we have shared some equipment and training with the Nicaraguan Government.

As I mentioned in my opening statement, I would hope, if confirmed as Ambassador, to be able to continue and improve that co-operation, bearing in mind the overall evolution of the crisis there. And I certainly share your concern about the impact of the problem here in the U.S.

Senator SHAHEEN. Well, thank you all very much for your commitment to addressing that challenge.

Thank you, Mr. Chairman, for letting me go over my time.

Senator RUBIO. Thank you.

Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Mr. Sullivan, with more than 450 people left dead and a growing body of evidence that Nicaraguan security forces have engaged in torture, including torturing a United States citizen, there is no space left for ambiguity about the reign of violence that Daniel Ortega and Rosario Murillo have unleashed against their own population.

So, if confirmed, what steps will you personally take to ensure accountability for human rights abuses in Nicaragua?

Mr. SULLIVAN. Thank you for that question, Senator. In my previous job in the U.S. Mission to the OAS, I was happy to have participated in our efforts to promote resolutions in the Permanent Council addressing the situation in Nicaragua, including human rights aspects, democratic reform, and I hope that that has increased international pressure on the regime, which we think is one of the key factors in pushing the Nicaraguan Government to, first of all, cease the killing and, second of all, address the underlying concerns about democratic institutions that brought people into the streets in the first place.

In addition, I have also supported the efforts of the Inter-American Human Rights Commission to get on the ground in Nicaragua and carry out what I think has been a very successful mission in verifying the reports of massive human rights violations there. And if confirmed as Ambassador, I would certainly continue to work with our colleagues in the U.S. Mission to the OAS and provide whatever assistance we can and as required to the various human rights commission bodies on the ground.

Senator MENENDEZ. So is it fair to say that you will, if confirmed, make this a priority of your ambassadorship?

Mr. SULLIVAN. Absolutely, Senator.

Senator MENENDEZ. Now, let me ask you, Trudeau's Government and the European Union have both imposed targeted sanctions similar to global Magnitsky. Will you work with our allies to ensure they join us in deploying this powerful tool, particularly as it relates to the other embassies you will find yourself on the ground with?

Mr. SULLIVAN. Yes, Senator.

Senator MENENDEZ. Okay. Have you had an opportunity to look at Senator Rubio's and my legislation, the Nicaragua Human Rights and Anti-Corruption Act, by any chance?

Mr. SULLIVAN. Yes, I have seen it, Senator.

Senator MENENDEZ. And do you find elements of that—I know you cannot speak for the Department as a whole, I do not expect you to, but do you believe that additional sanctions here could affect the course of the Nicaraguan Government's actions moving forward?

Mr. SULLIVAN. Senator, as you know, I am not in a position to comment on the legislation, per se, on behalf of the Department, but I can say, first of all, that if confirmed I would be happy to continue working with the committee and discussing the application of sanctions on Nicaragua. Sanctions play an essential part in demonstrating our seriousness about our concerns on human rights issues, and I am pleased that we have been able to, using existing authorities, apply a large number of sanctions, both visa sanctions and global Magnitsky, and I know that additional sanctions are under consideration. So I would be happy to continue working with the committee on that.

Senator MENENDEZ. All right, fair enough.

Now, let me ask you this. I get increasingly concerned that—let me piggyback off of Senator Shaheen's comments about Russia's engagement here with Nicaragua. According to various reports, including from the Washington Post, Russia has established a new counter-narcotics facility in Managua, has opened a new satellite facility, and is alleged to be tampering with telecommunications infrastructure. I would expect that that will be one of your focuses of attention if you are confirmed?

Mr. SULLIVAN. Yes, it will, Senator. As you know, we share your concern about those developments.

Senator MENENDEZ. Now, to date, the Nicaraguan military at an institutional level has refused to participate in Ortega's Government's campaign of violence against its own citizens, which is a good thing. However, they have also failed to defend their own population against the repression carried out by Nicaraguan police and a growing number of paramilitary actors.

What is your assessment of the role of the Nicaraguan military to date, and how would you direct our embassy, particularly our defense attaché, to engage with Nicaragua's military?

Mr. SULLIVAN. Thanks for that question, Senator. It is clear that the Nicaraguan military remains an important player in this situation. It has been encouraging that they have not participated actively in the repression that has gone on, but certainly it was striking that even when armed bands were traveling around the country in pickup trucks committing terrible acts of violence, they did not interfere with that. Normally, Nicaragua has had a better han-

dle on its own domestic security than some other countries in the region. So clearly there is a role for them to play, and it will be important to remain engaged with them.

We understand that many members of the Nicaraguan military value relationships that they have had for many years with their American colleagues, and I hope that those will pay dividends.

Senator MENENDEZ. The last question for you. There is widespread evidence that Ortega, his family, and his political allies have plundered Nicaragua state coffers and have personally profited from the Albanista accounts funded by the Venezuelan Government. One only needs to look at the extensive properties amassed in Costa Rica and Spain by Roberta Rivas, the president of the Nicaraguan Electoral Tribunal and an individual sanctioned under the global Magnitsky Act.

If confirmed, will you work to address officials in the Ortega Government profiting off funds stolen from Nicaraguan citizens?

Mr. SULLIVAN. Yes, Senator.

Senator MENENDEZ. Okay.

And finally, Mr. Palmieri, I do not want you to feel neglected.

(Laughter.)

Senator MENENDEZ. Or Ms. Williams, but particularly Mr. Palmieri, for whom we have a history.

First, this is going to be your first ambassadorial appointment, right?

Mr. PALMIERI. Yes, it is.

Senator MENENDEZ. Well, I am glad the State Department is finally diversifying.

(Laughter.)

Senator MENENDEZ. I am seriously concerned about Honduras in two ways—well, in many ways, but let me just focus on two. When it comes to strengthening democratic institutions, I appreciated some of what Honduras' president has done. By the same token, I am worried about other elements of it. And secondly, the end of TPS for Hondurans is going to be a huge challenge if, in fact, that ends up being the last chapter of that issue. So we are going to have a lot of people who are going to get repatriated to Honduras who have U.S. families.

So I want to hear how you will approach, if confirmed, those two issues, strengthening institutions, especially in a country that has a long history here, notwithstanding that we like its president doing certain things, cooperating with us, but by the same token not being as forceful as I would like to see on strengthening institutions; and secondly, how you will deal with, if that is the last chapter, the repatriation of Hondurans, including U.S. families, to be able to help in that regard and work with them. Give me a sense of that.

Mr. PALMIERI. Thank you for those questions, Senator.

On the first question, the U.S. Congress and American taxpayers have been very generous with foreign assistance in Honduras. We need to make sure those funds are being used effectively, that we are getting the results and the impact on those institutions. We have seen some improvements. The homicide rate has dropped 50 percent in Honduras since 2011, but the police force needs further

reforms to become a more effective, responsive, community-oriented policing force, as an example.

With respect to the American citizen family members that may return with TPS beneficiaries who return to Honduras, as the U.S. Ambassador, if confirmed, it will be among my most important priorities, the top priority, to assist American citizens to ensure that each and every one of them has the American citizen documentation that they will need on return to the country and for the future; and then second, to advocate on their behalf to Honduran Government institutions to ensure that they have educational opportunities, access to health care where appropriate, and I believe our embassy will need to be prepared to assist those Americans as best we can. Thank you.

Senator MENENDEZ. I appreciate that. I just hope we can end that chapter in a different way than it is right now.

Thank you, Mr. Chairman.

Senator RUBIO. Senator Markey, are you ready?

Senator MARKEY. Ready to go. Thank you, Mr. Chairman.

I went down to Honduras in 1983, 1985, and it is clear that there is now a deep-seated problem down there, and that the U.S. historically has played a role in this condition that has been created.

So, Mr. Palmieri, do you think the United States should continue to train, equip, and fund Honduran security forces that kill peaceful protesters and bystanders with impunity? What should the role of the United States be?

Mr. PALMIERI. Thank you for that question, Senator. It is a very important issue, the issue of human rights abuses in Honduras, and in Venezuela, obviously. But our assistance, first and foremost, is carefully vetted so that it never goes to those individuals or units that have been involved in any gross violations of human rights.

Second, I do believe U.S. assistance can help professionalize and improve the capability of the Honduran police forces to be a more responsive community-based police force that is reducing the level of violence and threat that Honduran citizens feel.

Senator MARKEY. Well, it is one of the worst countries in the world when it comes to violent crime. It is rampant, and it affects the most vulnerable groups who need their rights to be protected, and yet we continue to send our funding down there into the country. So in your opinion, what steps should the United States take in order to ensure that there is a prompt removal of Honduran military from domestic policymaking? Otherwise there is just going to be a repetition over and over again of the very same situation, because right now it looks a lot like it did back in the 80s. Unless we do something different, then we just should not expect anything to change. So what is your recommendation?

Mr. PALMIERI. Thank you for the important observation. The U.S. assistance currently does not go to any Honduran military unit engaged in civilian policing. I think we will maintain that posture. In addition, I think we need to work with the Honduran Government so that it can execute and implement its own plan to continue its reform of the Honduran national police so that it can assume the policing function and then have clear, established benchmarks and off-ramps so that Honduran military units that are involved in civilian policing can be withdrawn from that activity.

Senator MARKEY. No, I understand what you are saying, but at the same time we are not doing enough, by far. I was down on the Mexican-Texas border talking to women especially fleeing from Honduras, and in each instance there was a conversation about the military or the police and why they felt they had to escape from that country, and yet at our borders we have an administration which is saying, well, we do not want them, they are the worst, they are the most terrible people who are coming here. That is not what I saw. I saw people who were fleeing, who were fleeing conditions that were absolutely inhumane, not just poverty but injustice, crime, threats of violence to them and their children, in some instances even talking about how they were fleeing the military who wanted to compromise the woman's children's own well-being.

So this is an integrated conversation that gets simplified by President Trump in terms of who they are coming to our border, not wanting to even give them asylum hearings. But much of it is funded by U.S. dollars going down into this country still without the proper strings attached to ensure that our values are brought to the military in this country. Unfortunately, from my perspective, we are going to see more and more coming to our border, but we are implicated. We are part of it. Our funding streams are helping those who, to a very large extent, are creating this problem.

If I can just move quickly to this recognition of Taiwan in Honduras and Nicaragua, country after country is switching sides and undermining U.S. policy and our recognition of Taiwan. So I would like you briefly, if you could, to speak about it; and you too, Mr. Sullivan.

Mr. PALMIERI. We are reviewing our relationship with El Salvador following this decision. Although we recognize the right of a country to determine its diplomatic relations, we are deeply disappointed by the decision. China's efforts to unilaterally alter the status quo are harmful and do not contribute to stability. Rather, they undermine the framework that enables peace, stability, and development for decades in that part of the world.

Taiwan is a democratic success, a reliable partner, and the United States will continue to support Taiwan.

Senator MARKEY. Can you talk a little bit, Mr. Sullivan, about this coercion that is taking place in country after country and what you feel the U.S. position on it should be? What can we do?

Mr. SULLIVAN. Yes, Senator. Thank you. First of all, I fully share the thoughts that my colleague, Paco Palmieri, just shared in terms of the overall Chinese push and the importance of not making changes in relationships with Taiwan at this time given the tensions that do exist in that part of the world.

If confirmed, in the case of Nicaragua, I would certainly make that case to the Nicaraguan Government and urge them to retain their existing relationship with Taiwan.

Senator MARKEY. Yes, and I think that is going to be very important. Salvador is gone now, and you can feel this domino effect in this region taking hold. So again, we have a lot of leverage, and we have to exercise it, especially this military aid which we provide in Honduras, so that we can create some kind of wall against further incursion by the Chinese. I think it is absolutely critical.

Thank you, Mr. Chairman, for having the hearing.

Senator RUBIO. And thank you for focusing on that issue. Senator Gardner was here earlier as well, and he referenced that in his comments before he had to leave.

It is an unusual hearing because while you are nominated for new posts, both Mr. Palmieri and Mr. Sullivan are either currently or just recently in posts of great regional importance and I think will give us insight into your service as well in these new posts. So I wanted to just begin on the El Salvador question.

Mr. Palmieri, it is your understanding that the U.S. Government worked hard and made very clear to El Salvador that we did not want them to switch recognition from Taiwan, but they did so anyway. I have confirmed that independently, but that would be your understanding as well?

Mr. PALMIERI. Yes, Senator.

Senator RUBIO. They knew how we felt about it, and they did it anyway.

Mr. PALMIERI. Absolutely, Senator.

Senator RUBIO. And the second thing I want to clear up, because Senator Markey asked this question, you have been the Assistant Secretary for Western Hemisphere, the Alliance for Prosperity, assistance to Honduras is a big part of that portfolio, and he was describing the situation in which government forces, both police and army, are currently involved in widespread abuses against the population of Honduras. In your time there, I am not saying have there been any abuses. I mean, there is no country in the world in which police forces have not stepped outside the line, and hopefully they have a criminal justice system to address it. But in the time since the Alliance for Prosperity has been functioning, have you seen widespread evidence of police and/or government forces conducting widespread abuses of the population?

Mr. PALMIERI. There were reports of security forces that were involved in human rights violations in the wake of the November 2017 elections. That is an area where a national dialogue has been proposed in Honduras to address those specific incidents. So that is an area that, if confirmed, an area of human rights concerns that I would be engaged in; yes, sir.

Senator RUBIO. He described also speaking to some in the migratory pattern and them citing examples of these abuses as reasons why they were coming. Have you seen evidence that the migratory crisis has in some way—some of the migrants are coming to get away from government abuses? Because what we have heard mostly is that it has to do with the criminal gangs that act with impunity in areas in which there is no police and/or government presence, or not a sufficient amount, and our program is designed to build their capacity to address it. But have you seen widespread evidence that some of the migratory pressures being created on the U.S. is being driven by government abuses?

Mr. PALMIERI. Senator, I think you are correct in pointing out that it is not widespread government abuses that are driving the migratory process but the endemic violence caused by these gangs. Yes, sir.

Senator RUBIO. Both you, Mr. Palmieri, and you, Mr. Sullivan, as I said, have a broad view of the region, and I tie this in to both of your potential posts here in a second, but we never talk enough

about the Western Hemisphere with regard to the national security interests of the United States and the region, and in particular the role that stability plays in that.

I would ask both of you, is it your opinion that the migratory situation that has been created by Venezuela, the pressures it is now putting on Brazil, which has deployed troops to the border to quell what sounds like individuals going into a camp or village and attacking people in response to something else that had happened allegedly by one of the Venezuelan migrants, in Ecuador, that now faces a significant government shortfall, a government, by the way, that has been much friendlier to the United States than the previous government in Ecuador and more cooperative, which is a positive result, but they now face a massive budget shortfall partially driven by the fact that close to 600,000 Venezuelan migrants have been driven there; the situation in Colombia, which continues to absorb a large number of migrants.

As Senator Cardin pointed out to me up here at the dais before we began our hearing, the numbers in Venezuela, the migratory pressures now are approximating and perhaps even surpassing what we saw in Syria. Has the catastrophe of Maduro and his regime and the migratory situation it has created on its neighbors—is it your opinion it is undermining regional security and those of our allies and partners in the region?

Mr. PALMIERI. Yes, Senator. The migratory flows out of Venezuela due to the man-made disaster caused by President Maduro's rule is a growing problem throughout the hemisphere. It is creating enormous pressures in Colombia. As you just noted, we have seen the reaction now in northern Brazil to a relatively small number when you compare it to Colombia's more than 1.5 million migrants. It is the, I think, number-one problem that we need to be engaged with in this hemisphere in the months ahead.

Senator RUBIO. And the reason I ask is because the situation in Venezuela is no longer simply about the loss of democracy and human rights violations. It is a significant destabilizing influence on the region, undermining our regional allies, particularly in Colombia. Regional stability is in the national security interest of the United States, is it not?

Mr. PALMIERI. Yes, sir, it completely is.

Senator RUBIO. And so as this further destabilizes the region, it further threatens the national security of the United States.

Mr. PALMIERI. Yes, sir.

Senator RUBIO. And you would agree with that assessment, Mr. Sullivan?

Mr. SULLIVAN. Yes, absolutely, Senator.

Senator RUBIO. And let me ask you similarly in Nicaragua, which certainly has not been a democracy in any sense for a long period of time. The one thing it was, it was not a transit point for drugs the way we have seen in some of the other countries in Central America. Would any further chaos in Nicaragua that undermines that and opens up now in Nicaragua a new route by which drugs could enter the United States, that would pose a national security risk to the United States, would it not?

Mr. SULLIVAN. Yes, Senator.

Senator RUBIO. And if, in fact, the situation in Nicaragua begins to appear more and more like Venezuela, creating a Nicaraguan migratory pressure on Costa Rica, which is also facing its own set of challenges with drug transit, and other neighbors, migratory pressures on Guatemala, Honduras, El Salvador, and Costa Rica would be deeply destabilizing to these countries, would it not?

Mr. SULLIVAN. Yes, Senator. I agree.

Senator RUBIO. Creating the potential that that too would be a risk and a threat to the national security of the United States.

If, for example, let's say a Russian long-range bomber were to make a visit to Venezuela at some point in the near future, what would that tell us about Russian engagement and influence in the region and Venezuela's willingness to be a host for their engagement?

Mr. PALMIERI. It would be a very disturbing signal to have a Russian bomber visit a country that is so unstable right now, as is Venezuela, sir.

Senator RUBIO. What about this? What if the Russian Federation were to make a \$200 or \$300 million loan to help bail out the Nicaraguan Government for the situations that they are facing now? Mr. Sullivan, that would not be something they would do out of the kindness of their heart. They would want something in return, right?

Mr. SULLIVAN. I agree, Senator. The Russians have their agenda.

Senator RUBIO. And their agenda would potentially be not just greater influence in Nicaragua but the potential for, at a minimum, some rotational military presence in the country of Nicaragua?

Mr. SULLIVAN. Yes, Senator.

Senator RUBIO. And if that were the case, if somehow the Russian Federation under Vladimir Putin were to establish either a permanent or a rotational military presence in the Western Hemisphere, be it Nicaragua or Venezuela, that would certainly create a national security threat to the United States, would it not?

Mr. PALMIERI. Yes, sir. There is no benign influence that Russia could play in our hemisphere.

Senator RUBIO. And as far as Nicaragua, a Russian military base in Nicaragua of any capacity would be a national security threat to the United States.

Mr. SULLIVAN. Yes, Senator. I know we are already paying very close attention to the Russian activity that is already taking place there, and that would be a further concern.

Senator RUBIO. And on this issue of China, we talked about the recognition of China and away from Taiwan by El Salvador. That follows on the heels of the Dominican Republic a few months ago, and Panama before that, and there are a series of other countries now. One of the ones that is rumored is Honduras, that Honduras could be next.

If confirmed, Mr. Palmieri, would you commit to this committee that one of your first acts would be to clearly communicate to the Honduran Government that de-recognition of Taiwan and recognition of China would harm the relationship with the United States?

Mr. PALMIERI. Yes, Senator. I commit to making that a top priority, if confirmed, upon my immediate arrival, and to report back to you what I hear.

Senator RUBIO. Mr. Sullivan, on Nicaragua, one of the things that we have seen Maduro do for some period of time is—and you saw this firsthand from your perch at the OAS—is he used negotiations as a ploy to buy time. What he hoped to do, first with the Vatican-sponsored one, and then later with the one with the Dominican Republic, was to create this perception that there are talks going on, let's let the talks work through. But in reality they turned out to be nothing but delay tactics to buy him time to further stabilize his grip. Is that also not a risk in Nicaragua already?

Mr. SULLIVAN. Yes, Senator, it is. I think we have already seen in the national dialogue a lot of this occur already, a lack of the kind of good faith that would be needed to get to a good result.

Senator RUBIO. And so I would hope that there could be some dialogue that leads to a positive outcome. I think, of course, that has been made very difficult by the fact that Ortega and Murillo now have their hands covered in blood, but we would still love to see a resolution of that situation that is peaceful and democratic. But we need to be very cautious about it because the reality of it is that regimes such as these habitually and routinely use negotiations, which civilized people are in favor of, as a way to buy time to further their grip on power.

Is that something that you will commit to being wary and cognizant of in your role there?

Mr. SULLIVAN. Yes, very much, Senator.

Senator RUBIO. Mr. Palmieri, on the issue of migration, I think we are all troubled by images at the border and some of the things that it has brought about and the problems that we have seen. I made the comment earlier, and I think almost everyone would share it, that the most effective thing we can do is to take away the reasons why people are leaving these countries in the first place. I have made the argument—and, as an example, I read an account recently of a young woman who came to the United States because I believe her sons had been abducted, her husband had been killed because they refused to pay protection money to a criminal gang. Someone facing those sorts of threats is going to flee.

That does not mean we should not have immigration laws. That does not mean we should not have border security. But the reality of it is, when someone is leaving that, when your children have been abducted and potentially killed and your husband has been killed under threat by a criminal gang that if you do not pay them protection money they are going to do these things to you, and then they do it, almost nothing will stop someone from fleeing that.

And therefore, one of the most effective things that we can do to limit migratory pressure is to eliminate the causes of that migratory pressure. In the case of Honduras, the number-one driver of migratory pressure from Honduras to the United States, coming unlawfully, is criminality on the part of these gangs and drug trafficking organizations and mafias, and the best thing we can do is to help the Honduran Government create the capacity to confront and defeat them both through law enforcement and through judicial systems. Is that your assessment?

Mr. PALMIERI. I share that assessment completely, Senator, yes.

Senator RUBIO. And so when we engage in these endeavors to provide aid and assistance, it is not charity. It is in the national security and national interest of the United States to help nations build capacity to prevent these things from happening.

Mr. PALMIERI. Yes, sir.

Senator RUBIO. As far as you know, by the way, there is no migratory pressure from Costa Rica, right?

Mr. PALMIERI. Not that I am aware of.

Senator RUBIO. Or Panama?

Mr. PALMIERI. Or Panama.

Senator RUBIO. Or Paraguay, or Chile, or Argentina, or Colombia, or other countries that do not face this challenge at this point.

I am not ignoring Suriname. I have my questions here.

(Laughter.)

Senator RUBIO. And they will be my final ones.

Let me start with this, and I think this was raised earlier. It is concerning that the president of Suriname's son was sentenced in New York to just over 16 years in prison on drug trafficking and weapons charges and, most troubling, for agreeing to allow Hezbollah to establish a base in Suriname in exchange for \$2 million. The money was not paid since it was part of an undercover sting operation with U.S. agents. It was not actually a Hezbollah operative. But nonetheless, the willingness to do so was frightening.

In July of 2017, two brothers and Dutch nationals were arrested for suspicion of involvement in terrorist activities in Paramaribo. The brothers allegedly had been recruiting in Suriname for ISIS.

Let me just begin. Is it your view, Ms. Williams, that Hezbollah has a presence in Suriname?

Ms. WILLIAMS. Thank you for the question, Senator. From what I have learned, the answer to that question is no, that there is not a presence in spite of those activities by the president's son. There does not at this time appear to be a major issue in that arena in the country.

However, it is an issue on which, as we must be everywhere in the world, vigilant at all times and to be looking for what may transpire for the future, and to ensure that as there are people who leave the war zones from ISIS fighters, et cetera, that they are not coming into the nations in which we are serving.

Senator RUBIO. If I can ask, are you aware of the status—I do not know offhand the status of the case of the two brothers, the Dutch nationals?

Ms. WILLIAMS. I know they were arrested. I know it is in the legal processes in Suriname, but further than that I do not know.

Senator RUBIO. On our relationship with them, as you said, we do not speak a lot about it. They do not have huge problems. They do not have some of these situations that we are seeing in these other parts of the world. So, first of all, congratulations on picking a pretty good spot. But that said, we do have some bilateral issues. They have been very reluctant, Suriname has, to support strong action against Venezuela at the OAS. In June of this year, they were one of the seven CARICOM nations that abstained on a resolution that was meant to be an initial step that could potentially lead to

Venezuela's suspension. I imagine abstention is better than supporting Venezuela. Some still do.

Why is it that Suriname continues to at least not fully support what has become sort of a regional consensus in condemning the Maduro regime?

Ms. WILLIAMS. Thank you for the question, sir. It is an historical affinity. It has been an ideological affinity going back many years. Even though it may not seem to be, the abstention is a move forward versus the outright no votes that have occurred in the past. President Bouterse is very close with the Venezuelan Government, and much of the administration in Suriname has been very close for many years with the nonaligned movement. So it is something that goes back quite a long time.

Senator RUBIO. When you say "close to," does that mean they received funds from Petrocaribe and initiatives such as that?

Ms. WILLIAMS. They have in the past, but they have not I think in the last three or four years, have not received anything through Petrocaribe.

Senator RUBIO. My final question is that we have limited partnerships with the Government of Suriname, including one on HIV/AIDS reduction through PEPFAR, which is a program that continues to receive strong bipartisan support, and I would daresay deserves even more support. They have also an initiative through the Caribbean Basin Security Initiative. But there is still a lot of room to expand that relationship.

Have you thought of or identified areas that we could potentially expand cooperation with Suriname? And if you have, what are the obstacles to doing so?

Ms. WILLIAMS. Senator, thank you. Of course, one of the obstacles always is not just what capacity we have to bring to bear against an issue, but also the capacity of the host nation, and it is a very small nation, roughly 600,000 people.

One of the areas that I would like to work very closely with them on, if confirmed, is in the arena of trafficking in persons. There are some things that they could do that are not necessarily cost intensive, such as putting together a national action plan that would, if not move them off of the Tier 2 Watch List, at least ensure that they have more possibility of a waiver.

There are also, I think, other cooperative things that we could do, just taking advantage of the regional programs that exist in terms of the evidence-based decision-making in the legal regimes in the administration of Justice.

Also, with elections coming up in 2020 for the Government of Suriname, there are opportunities there I think for us to be a strong voice for democratic processes for peaceful, free, and fair elections. That is something that I would like to, if confirmed, array some effort.

Senator RUBIO. That was supposed to be my final question, but I forgot to ask one more, Mr. Palmieri, and it is really more of a suggestion, to explore your openness to it. As I said, I continue to be a supporter of the Alliance for Prosperity and always look for ways to tailor it to the new threats.

There is a growing body of evidence that these drug trafficking networks that bring fentanyl and its precursors from China and

then traffic it into the United States through Mexico are increasingly, because of Mexican Government pressure against them, increasingly relying on trafficking networks in Guatemala and in Honduras, and I am not sure that the current status of the Alliance for Prosperity, which is largely geared towards cocaine trafficking and the like, has fully stood up to confront this new threat.

I would both want to hear your comments on and perhaps your openness to committing to working on an adjustment to the Alliance for Prosperity, particularly with regards to Honduras, to help them with two things: first, to sort of identify and intercept and stop the fentanyl trafficking that might be using their networks to traffic it into the United States, subsequently through Mexico; and second, potentially providing them like an incinerator, which Guatemala has, although my understanding is it is not exactly working. We need to make that work again. The incinerator is used to destroy the precursor chemicals that are used to create some of this.

Is that an issue you have come across in your time at the desk in the Western Hemisphere, and is that the sort of adjustment that we should be constantly looking for in our Alliance assistance?

Mr. PALMIERI. Thank you, Senator. That is exactly the kind of adaptive flexibility we should have in our own programs because we know these criminal organizations are constantly adapting and looking for new routes and new ways. I would welcome the opportunity, if confirmed, and in Honduras to work closely with you and the committee to ensure that we are helping the Hondurans attack those networks wherever they may be coming from to prevent the transshipment of fentanyl. And, yes, we have heard that as Mexico has made fentanyl a priority, that they are beginning to look for other routes throughout our hemisphere to get fentanyl to the United States.

Senator RUBIO. And Senator Cardin has one final question.

I just want to leave one more thing on the record here, and I continue to say it to my colleagues. I am in favor of stronger border security. I am in favor of more personnel. I believe we have to have immigration laws, and they need to be enforced. And I also believe that things like the Alliance for Prosperity are in some ways, in many ways, about border security by preventing the crisis to begin with.

I just hope that in your time there, if confirmed, that you will be and continue to be a strong advocate for how important that program is, because there is a view among some that this is a charity program. It is in the national security interest of the United States to address these issues, and if we can address it in Honduras—Guatemala too, but in Honduras, we have to spend less time and less effort on the back end to address it.

So that is why I think this sort of assistance is important for us to say at every forum. It is not charity. It is in our interest, and it is actually more cost-effective if it is being done appropriately.

Senator CARDIN. Ms. Williams, I want to ask you about the Caribbean nations generally. Suriname obviously is a country that is not as well-known as Nicaragua or Honduras. We have seen a concern, an attempt made, perhaps by Hezbollah, as the Chairman pointed out, to get influence in Suriname. So as we look at Russia's

engagement in our hemisphere, there are other characters that want to get involved that are not in our interest.

We know the number of states and their impact on the OAS policies and on the United Nations, the number of votes that they have. These are all small nations in which it does not take a lot of contact to have impact in those countries, whether it is financial or just giving them more attention.

So I guess my point is there are those of us who believe that the United States may not be giving enough attention to the Caribbean states, that the Caribbean Basin Security Initiative may be a forum for greater impact. But what is your view as to how the United States can have stronger allies in the Caribbean, among Caribbean states?

Ms. WILLIAMS. Thank you for that question, Senator. I will harken back to my days a decade back working in Caribbean Affairs and working on the U.S.-Caribbean CARICOM Summit when we brought all the nations of the CARICOM members up to the United States and met with them at the presidential level.

Engagement is one of the most important things you can do with the Caribbean. It is not necessarily—although they would always welcome additional and higher levels of assistance, presence is relevance—being there, talking with them, engaging with them, exerting our diplomatic tools in terms of explaining our positions, trying to keep that dialogue going, and treating the Caribbean, as they are, as partners and not as our backyard, so to speak, as has been the term in the past.

These are nations with long histories, with very proud traditions, and when we work with one another from that common standpoint and are able to engage continually with them, I think that actually carries us a great way.

Mr. PALMIERI. Senator, if I could just add that in the wake of the Summit of the Americas, as we were gearing up for important votes on Nicaragua and Venezuela at the OAS, we did reach out. But Senator Rubio made a very important visit to the Bahamas where we had not had a CODEL in a long time, and we had feedback again that that kind of engagement, not just by our ambassadors and executive branch but by the Congress also, makes a huge impact, and we will welcome in the Western Hemisphere bureau attention and a presence by members of the committee in the region. It really does make a difference, Senator.

Senator CARDIN. I agree with that.

Senator RUBIO. I just want to be clear: I was in a suit and tie. I did not wear shorts and I was not on vacation.

(Laughter.)

Senator RUBIO. It was a work visit.

Senator CARDIN. You know, the Russians have the photos. Do not worry about a thing.

(Laughter.)

Senator CARDIN. I do not want to get off topic here, but at the Climate Summit in Paris I headed a delegation, and we met with the Island states, including Caribbean nations, and it was an incredibly important meeting to give them the access to U.S. senators. So I agree with you. I think giving attention—the point is we need a road map here. There are votes that are taking place

in the United Nations, there are votes that are taking place in the OAS where we are not getting the type of support that you would normally think from close neighbors. So paying attention is very important.

Also, I would add that the amount of assistance that they need is relatively small and can be a major advantage to security in our region. So things that the Congress should consider, the administration could, but we need cheerleaders in the region, and that comes from our Missions. So, Ms. Williams, we are going to be looking to you to give us the way that we can make your job a little bit easier to advance American national security.

To all three of you, again, thank you for being here and for your service to our country.

Senator RUBIO. Just before we wrap up, to build on what you just said, one of the toughest things to do is to visit a country like the Bahamas, which I believe has not had a U.S. Ambassador in seven years, nine years—seven years. It is embarrassing. You know, we spend a lot of time thinking about it on our end, but for a country like that, it is almost like the ultimate sign of disrespect.

So we view this calendar, and I think just today Jamaica was on the agenda. We have all these sorts of ambassadors stacked up. As we get consumed in our domestic politics and the back and forth, these things have real implications.

One of the key things that we have to make happen—and that includes hopefully your nominations—is to get them on the calendar and get them confirmed, because the lack of confirmation—and I would say some of them have been slow to appoint, too, by the way. So I want to be fair. But the lack of confirmation actually has a foreign policy consequence for the United States. So that is why it is critical that we get through some of those, especially in the Caribbean region, because the Bahamas is seven years without a U.S. Ambassador, and that predates this administration, which means it was obviously some lack of cooperation from the other side here in the Senate. So for whatever reason, we have to get to it.

Senator CARDIN. And I would also add that I think it is important that we send to some of these countries the same proportion of career diplomats. I think that also says that we take the position as being important by sending a career diplomat. So I think in regards to Suriname it was the right message, and I agree with Chairman Rubio that we need to have confirmed ambassadors in these positions.

Quite frankly, Congress has acted, the Senate has acted rather quickly on most of these nominations. It has been getting through the vetting process within the administration, et cetera, which predates this administration. We still have had problems in getting these nominations to us.

Senator RUBIO. Blame all around. I only say that for my colleagues and the general public, who sometimes think the Ambassador to some smaller country—it has real repercussions. It reflects poorly on us and makes it difficult to do ultimately what you are saying. So we all have to do better.

With that, I thank you again, all three, for being here.

As I have said before, the record will remain open until the close of business this Friday.

And, without objection, the hearing is adjourned.

[Whereupon, at 11:45 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO KAREN WILLIAMS BY SENATOR ROBERT MENENDEZ

*Question 1.* If confirmed, how will you work to ensure that U.S. counter-narcotics goals are met in Suriname?

Answer. If confirmed, I am committed to strengthening our partnerships with Suriname and the region to combat narcotics trafficking.

Our regional cooperation with Caribbean countries on anti-drug trafficking efforts is strong. The United States supports a wide range of efforts designed to reduce illicit drug trafficking through the Caribbean Basin Security Initiative (CBSI). CBSI support to the region includes training, equipment, and logistical assistance for interdiction of narcotics and enhancing maritime law enforcement capabilities. Our Drug Enforcement Administration, Department of Homeland Security, and U.S. Coast Guard work effectively on joint operations and information gathering to detect and dismantle drug trafficking organizations. The U.S. Government provides training to Surinamese law enforcement personnel on topics such as counternarcotics, anti-money laundering, correctional management, and small arms trafficking.

*Question 2.* If confirmed, how will you advocate for countries like Suriname to support efforts to address Venezuela's political, economic, and humanitarian crisis?

Answer. If confirmed, I will urge Suriname to join the Western Hemisphere's emerging diplomatic consensus against the Maduro regime and in support of policies that will enable Venezuelans to forge the peaceful, democratic, and prosperous future for themselves they deserve. I will encourage Suriname to coordinate with the international community to hold regime officials accountable for their actions, including supporting efforts at the Organization of American States, and to press the Maduro regime to accept humanitarian assistance.

*Question 3.* If confirmed, how will you work to increase awareness about child labor, as well as women and children subjected to sex trafficking, which are the main reasons for Suriname's ranking in the TIP report?

Answer. If confirmed, I will urge Suriname to vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; and develop and implement formal procedures to refer identified victims for care.

If confirmed, I would recommend the Government hold public officials complicit in human trafficking criminally accountable and conduct targeted labor inspections in risk-prone areas, such as the interior of the country. I would also advocate that Suriname increase the compulsory education age to at least 14, which could help reduce the incidence of child labor. Suriname should develop social programs to prevent and eradicate child labor in agriculture and mining and to improve secondary school attendance, particularly in the interior. Additional recommendations are to provide further training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims. I would urge Suriname to provide reintegration support for all trafficking victims and offer specialized processes for assisting foreign victims.

Finally, if confirmed, I would also press for the creation of a formal mechanism to refer victims of child labor, forced labor, and human trafficking identified by labor or criminal law enforcement authorities to the appropriate social services. I will also advocate for three low-cost measures Suriname could implement in short order: 1) increasing collaboration with and support of local civil society 2) developing a National Action Plan on the elimination of child labor, and 3) completing and implementing a national anti-trafficking action plan.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** As a long-time Public Diplomacy Officer, I implemented and administered a large number of programs that sought to build democratic institutions, support freedom of the press, and promote defense of human rights. These programs and activities ran the gamut from administration of justice/rule of law to election monitoring to civil liberties awareness trainings.

The program of which I am most proud, and in my estimation has had the longest-term impact, is CIVITAS in Bosnia and Herzegovina, for which I served as the responsible U.S. Embassy program officer from 1998–2000. This program taught the rights and responsibilities of citizens in a democracy to students in that country. Students also learned problem-solving skills and how to take civic action, which they put into practical use. During my tenure a common curriculum was adopted by the school districts across ethnic lines, an incredible program that continues to this day.

More recently, in Guyana in 2009, I took personal action when a group of 40 Mormon missionaries, ranging from young people to senior citizens, were detained by the Government under a rarely enforced visa rule as they were trying to leave the country. The group (some, but not all, of whom were U.S. citizens) was held in an office space not designed for detentions. When the Ministry of the Interior refused our requests to release the detainees, or at least transfer them to facilities with beds and adequate sanitary conditions, I made a high-profile visit as Chargé d’Affaires, a.i. to the detainees to draw attention to the situation. I also made an in-person plea to the President of the country. The situation was resolved within a few hours of my actions and made clear that harassment of religious groups would not be tolerated.

**Question 5.** What issues are the most pressing challenges to democracy or democratic development in Suriname? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** The Surinamese people demonstrated their commitment to democracy in May 2015 when the country held its sixth consecutive free and fair national election. The next election in 2020 is also widely expected to be free, fair, and transparent. One of the challenges to democracy or democratic development in Suriname is corruption. Transparency International ranks Suriname 77 out of 180 for perceptions of corruption, which saps economic growth, hinders development, destabilizes governments, and undermines democracy.

Surinamese law protects freedom of expression and the press, which are guaranteed by the country’s constitution. There are indications, however, self-censorship due to government pressure significantly hampers freedom of expression in the Surinamese media. Although physical harassment is rare or absent, government officials often refuse to give information to journalists affiliated with opposition media and instead limit their media contacts to state television. Suriname also has criminal defamation laws that carry harsh penalties of three months to seven years. In 2017, Suriname formed a National Information Institute to control the flow of information from the Government.

**Question 6.** What steps will you take—if confirmed—to support democracy in Suriname? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I will commit to sustained engagement with a broad spectrum of civil society in Suriname, including political parties, human rights activists, religious groups, and watchdog organizations. I will champion existing embassy programs designed to foster democracy and human rights aligned with U.S. strategic interests. I will also engage directly with local leaders at all levels of society on resolving pressing democracy and human rights concerns.

Suriname enjoys a strong and stable democracy, but needs to take action to address corruption in sectors of the Government and society. If confirmed, I will continue to support U.S. training to military and law enforcement personnel, prosecutors, government employees, and policymakers to build capacity and bolster democratic institutions in Suriname and the region.

If confirmed, I will push back on the Government pressure on journalists that leads to self-censorship of journalists due to historical legacy and the small-town nature of the country. I will advocate for freedom of the press, including passage of freedom of information legislation, as a key component of democratic governance. I will encourage the press to foster active debate, increase investigative reporting, and serve as a forum to express different points of view, particularly on behalf of those who are marginalized in society.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will work with USAID and my public diplomacy colleagues at Embassy Paramaribo and our contacts in Washington to source funding to support democracy and governance in Suriname via programming, public events, and grants to Surinamese NGOs, where applicable. If confirmed, I will prioritize programs that focus on combatting corruption, trafficking in persons, and self-censorship in the press.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Suriname? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will commit to sustained engagement with a broad spectrum of civil society in Suriname, including human rights activists and religious groups. I will ensure the Department continues to vet thoroughly all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy to ensure those implicated do not participate in U.S.-funded assistance.

If confirmed, I will engage with the Government to advocate the continued open environment for NGOs and civil society groups to operate without unnecessary legal or regulatory restrictions. To the extent possible, I will also urge that the perpetrators of gross violations of human rights be held accountable.

*Question 9.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with all democratically-elected Surinamese political opposition figures and parties. In my interactions with Surinamese officials, I will emphasize the importance of a free, open, and fair political system as the basis to modern democracy. If confirmed, I will also advocate for the inclusion of underrepresented and historically marginalized groups, including women, minorities, and youth, in political parties.

*Question 10.* Will you and your embassy team actively engage with Suriname on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Suriname?

Answer. If confirmed, I will support freedom of the press in Suriname as an essential pillar of democracy. I will commit to advocating for the rights of journalists in the print, broadcast, and digital space. Suriname has well-developed print and broadcast media and, if confirmed, I will fully support the U.S. embassy's efforts to preserve and strengthen the capacity of journalists on all of these platforms, including training in investigative skills, transparency, accountability in reporting, and digital security. I will work closely with interagency colleagues and the international community to broaden resources for start-up outlets and established media organizations. If confirmed, I look forward to meeting regularly with independent and local press in Suriname to underscore my commitment to a free and well-informed press.

*Question 11.* Will your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. The Department of State is concerned by any efforts to disseminate disinformation and anti-U.S. propaganda in Suriname and the region. If confirmed, I, along with my Embassy team, will work to promote accurate messages about the United States and other nations in the pursuit of freedom, prosperity, and security in the Western Hemisphere. One of the best defenses against disinformation is a free and transparent news media environment. If confirmed, I would work to monitor and counter any such efforts in Suriname, including by encouraging digital media literacy, independent journalism, and supporting civic-tech groups and other local stakeholders to inform the public and stem the malign spread of disinformation.

*Question 12.* Will you and your embassy teams actively engage with Suriname on the right of labor groups to organize, including for independent trade unions?

Answer. Yes. If confirmed, my embassy team and I will actively engage with Suriname on the right of Surinamese labor groups, including independent trade unions, to organize.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Suriname, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Suriname? What specifically will you commit to do to help LGBTI people in Suriname?

Answer. If confirmed, I will commit to use my position to defend the human rights and dignity of all people in Suriname, regardless of their sexual orientation or gender identity. Although Suriname does not criminalize consensual same-sex sexual activity and has laws against LGBTI discrimination and hate speech, homophobia is widespread and same sex marriage is not legal. LGBTI people continue to face discrimination and violence and are vulnerable to human trafficking.

If confirmed, I will work to strengthen existing programs to build capacity in local civil society organizations to promote social inclusion and advance the human rights of LGBTI people. I will also engage the Government regarding human rights issues in general, including the human rights of LGBTI persons.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KAREN WILLIAMS BY SENATOR MARCO RUBIO

*Question 1.* If confirmed, do you commit to prioritizing combatting trafficking-in-persons with the Government of Suriname?

Answer. Yes. If confirmed, I commit to prioritizing combatting trafficking-in-persons with the Government of Suriname. As part of this, if confirmed, I will urge Suriname to vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; and develop and implement formal procedures to refer identified victims for care.

*Question 2.* If confirmed, will you work with the Government on a national action plan to combat trafficking in persons?

Answer. Yes. If confirmed, I will absolutely work with the Government to complete and implement a national action plan to combat trafficking in persons.

*Question 3.* If confirmed, do you commit to focusing on this issue and developing a strategy to encourage the Government of Suriname to tackle illicit mining?

Answer. Yes. If confirmed, I commit to focusing on and encouraging the Government of Suriname to develop a strategy for tackling illicit mining.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KAREN WILLIAMS BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What does increased U.S. presence and engagement look like to you in Suriname specifically, and throughout the Caribbean and Central/Latin America more broadly?

Answer. The administration's long-term strategic goal is a bilateral relationship based on a positive and cooperative partnership through which both countries can advance shared goals.

Suriname is included in Caribbean 2020, the United States' multi-year strategy for engagement with the nations of the Caribbean. Through this platform, the United States works with Suriname within the broader scope of our engagement in the Caribbean region in the areas of security, diplomacy, prosperity, energy, education, and health.

In the short term, the United States will continue efforts to fight against HIV/AIDS; strengthen evidence-based decision making in citizen security; help professionalize the press and the military; strengthen the police and the judiciary; and encourage measures to facilitate economic growth and investment.

*Question 2.* In your view, what additional assistance programming, bilateral or multilateral engagement and diplomacy would garner increased support for U.S. national security priorities at the OAS and U.N.?

**Answer.** Suriname support for Venezuela and Nicaragua in the OAS and opposition to U.S. priorities at the United Nations is problematic. If confirmed, I will work closely with my colleagues at the U.S. Missions to the United Nations (USUN) and to the Organization of American States (USOAS). This close coordination will allow me to serve as their advocate on the ground in Paramaribo. I will make it a point to engage with the Surinamese Government early and often on votes and resolutions in multilateral institutions, and explain why they matter to the United States.

**Question 3.** Would you say our engagement in the region too focused on security at the cost of other goals like economic prosperity or social justice? Are we investing enough in programs and activities that address the root causes of criminal activity, instability and conflict, such as economic development, good governance, rule of law, civil society support, and human rights?

**Answer.** Security is just one of the six pillars of the U.S. strategy for engagement in the Caribbean, which identifies the priorities for United States engagement with the region in the areas of security, diplomacy, prosperity, energy, education, and health.

On security, the Caribbean Basin Security Initiative supports regional programs such as good governance, rule of law, and respect for human rights to address the root causes of criminal activity, instability, and conflict.

If confirmed, I will seek to increase our own and our neighbors' prosperity by promoting sustainable growth, open markets for U.S. exports, and private sector-led investment and development. On energy, exports of U.S. natural gas and the use of U.S. renewable energy technologies provide cleaner, cheaper alternatives to heavy fuel oil and lessen reliance on Venezuela.

On education, I will focus our resources on exchanges and programs for students, scholars, teachers, and other professionals that provide mutual benefits to U.S. and Caribbean communities and promote economic development and entrepreneurship. In the area of health, I will continue to partner with countries in the region in the fight against infectious diseases, like HIV/AIDS and Zika, recognizing deadly pathogens are threats that know no borders.

**Question 4.** How does impunity for Bouterse's crimes affect the integrity of Suriname's democracy?

**Answer.** President Bouterse is the democratically elected leader of Suriname. Although I am cognizant of President Bouterse's legal problems, the Surinamese people demonstrated their continued commitment to democracy in May 2015 when the country held its sixth consecutive free and fair national election. I respect the will of the Surinamese people and I will, if confirmed, officially engage with the President accordingly.

Although the December Murders Trial, in which President Bouterse is a defendant, began in November 2007 and the case has been plagued by prolonged delays, it is in its final arguments phase and is expected to be completed in 2018, leaving only a ruling due in 2019. Impunity is not a foregone conclusion. Nine defendants, including Bouterse, have already received sentence recommendations of 20 years. Given the glacial pace of these proceedings, one cannot guarantee when the judges will decide the case. I cannot comment on the merits of the case against the defendants. If confirmed, I will encourage all parties to support the process to its conclusion, without interference or political pressure on the judiciary.

**Question 5.** How do you plan to engage if the Bouterse Government faces political unrest?

**Answer.** The Surinamese people have demonstrated a continuing commitment to democracy, most recently in May 2015 when the country held its sixth consecutive free and fair national election. The next elections are expected to be equally free and fair. President Bouterse remains the undisputed leading contender for the 2020 elections. In the event of political unrest in Suriname, as with any government facing unrest, the United States Government would condemn any violence or excessive force used by police and others against civilians who exercise their right to freedom of expression and assembly. We would call for a broad-based dialogue involving all sectors of society to resolve any conflict, maintain respect for human rights, and preserve a democratic future for the Surinamese people.

**Question 6.** How has the Caribbean Basin Security Initiative helped to stem drug trafficking through Suriname?

**Answer.** The Caribbean Basin Security Initiative (CBSI) budget for FY 2017 was \$57.7 million and included support for regional security and information sharing programs that benefited Suriname. In FY 2017, Suriname also received \$269,000 in bilateral assistance from the United States.

The United States Government provides training to military and law enforcement personnel, prosecutors, government employees, and policymakers to build capacity and bolster institutions in Suriname and the region. Specifically, U.S. assistance facilitates respect for civilian authority over the military, and builds capabilities in Surinamese law enforcement to counter narcotics trafficking and to collect and investigate evidence. In the last two years, more than 100 police officers from Suriname have attended specialized training courses on topics as diverse as police professionalization, money laundering, prosecution and interdiction techniques, enhanced police river patrol capabilities, and trafficking. The CariSECURE Project supports the establishment of a National Task Force, led by Suriname's Ministry of National Security, to implement evidence-based decision-making tools in the criminal justice system. In 2017, the United States provided two boats and a trailer to Maritime Police Units to facilitate riverine monitoring and interdiction. The United States also supports Suriname's participation in a regional United Nations project that addresses port security.

*Question 7.* Given Suriname's dense forests and lack of enforcement capacity, how is the United States working to ensure Suriname is no longer a transit country for narcotics?

Answer. The United States remains concerned that remote and unpatrolled areas of Suriname could become safe havens for narcotics traffickers and other criminals. President Desiré Bouterse has supported limited cooperation with the United States in recent years on efforts to combat narcotics trafficking, but given the country's sparsely populated coastal region and isolated jungle interior, together with weak border controls and infrastructure, narcotics detection and interdiction efforts remain difficult. As a result, the Government of Suriname will continue to face significant resource, capacity, and law enforcement personnel challenges.

The U.S. Government works closely with elements of the Government of Suriname to build its institutional capacity in a number of sectors, ranging from law enforcement, narcotics trafficking, transnational crime, and counterterrorism. If confirmed, I will continue to support these programs, especially those that build law enforcement capabilities to combat narcotics trafficking.

*Question 8.* How are elements of the strategy being implemented in Suriname?

Answer. The United States strategy for engagement in the Caribbean identifies priorities for engagement with the region in the areas of security, diplomacy, prosperity, energy, education, and health. On security, as part of the Caribbean Basin Security Initiative and through its CariSECURE Project, USAID produced and customized a Dutch language Caribbean Citizen Security Toolkit for Suriname. The project also established a National Task Force led by the Ministry of National Security intended to improve citizen security in Suriname by working together to implement evidence-based decision-making tools within the criminal justice system and agencies working in crime and violence. INL programs continue to develop Suriname's ability to professionalize police and address transnational crimes such as money laundering and narcotics trafficking.

On health and education, as part of the PEPFAR, USAID works to reduce transmission and address care gaps for key populations and those living with HIV/AIDS. USAID also worked to reduce the spread of Zika by engaging community leaders to educate about Zika and to coordinate community clean-up campaigns to eliminate mosquito breeding sites to prevent the spread of Zika infection. USAID provides psychosocial support to women and families affected by Zika. The Department of State assists in fighting the stigma and discrimination against people with HIV/AIDS through the Ambassador's HIV Prevention Program. The Centers for Disease Control supported Suriname's fight against HIV/AIDS through assistance to the Ministry of Health.

On prosperity and energy, Suriname's emerging economy creates new possibilities for U.S. exports and investments. The United States remains one of Suriname's principal trading partners. U.S. companies have long-standing investments in the extractive industries including bauxite and gold, and Surgold, a subsidiary of U.S.-based Newmont Mining, opened a gold mine and refinery in Suriname in 2016. U.S. companies also have agreements for offshore oil exploration with state oil company Staatsolie. Opportunities for U.S. exporters, service companies, and engineering firms will likely continue to expand over the next decade with increased activity in the mining and oil sectors by American companies. Suriname is looking to the United States and other foreign investors to assist in the commercial development of its vast natural resources and to help finance infrastructure improvements.

*Question 9.* As Ambassador, what recommendations would you make for increasing U.S. engagement with Suriname?

**Answer.** If confirmed, I would seek to deepen existing relations and broaden the dimensions of our current relationship with Suriname. I believe we have opportunities to increase engagement in several areas. I would continue our security cooperation to help the Government address the challenges of its porous borders and vast uninhabited terrain. I would fully support the new three-year money-laundering program that was launched this year and seek to deepen our engagement to support the Government's efforts to bolster Suriname's anti-money laundering framework. Exciting new energy prospects in the region offer opportunities for the U.S. Government to engage with Suriname on a commercial and technical assistance basis. To do this, I would draw on the wide range of tools the U.S. Government has to offer, including regional programs such as the Caribbean Basin Security Initiative. I would also use our public diplomacy expertise to help magnify our messaging throughout the country. I would also encourage high-level visits to help demonstrate U.S. interest in the country, much like the congressional delegation that will be visiting Suriname on August 26 and 27. To that end, I would welcome and encourage visits by members and staff of this committee at any time.

**Question 10.** In your view, what accounts for Suriname's reluctance to support strong action on Venezuela? What is the current state of Suriname's relations with Venezuela?

**Answer.** Venezuela garnered support in Suriname with scholarship programs and its oil-financing program, PetroCaribe. Recent high-level engagement includes President Bouterse's August 2017 meeting with Foreign Minister Arreaza in Venezuela and Arreaza's visit to Paramaribo in February 2018. Suriname retains close relations with Venezuela and regularly votes with Venezuela or abstains on U.S. initiatives in international organizations.

**Question 11.** To what extent in the past did Suriname benefit from Venezuela's oil financing program known as PetroCaribe?

**Answer.** Suriname has been a PetroCaribe member since 2005 and renewed its cooperation agreement in 2011 with a quota of 10,000 barrels per day; however, Suriname has not received any crude or fuel oil supplies under PetroCaribe since 2015. PetroCaribe lending to Suriname this decade peaked in 2013 at \$55.6 million (\$48.3 million in 2012 and \$52.2 million in 2014). In 2017, Suriname's PetroCaribe debt stood at 1.5 percent of GDP.

**Question 12.** How would you assess Suriname's progress in improving its anti-money laundering regime?

**Answer.** Despite Suriname's assertions that strengthening the rule of law is a high national priority, it could do more to make institutional changes for effective enforcement of money laundering laws. Although the majority of Suriname's significant informal economy is not linked to money laundering proceeds, there are indications that money laundering occurs through the non-banking financial system and other means, such as foreign exchange businesses and casinos, as well as the sale of gold purchased with illicit funds. Suriname has a legal framework in place to combat money laundering; however, enforcement remains weak and inconsistent. This year, in partnership with our Dutch and Organization of American States counterparts, we launched a new three-year anti money-laundering program with INL funds, which deepens our engagement to bolster Suriname's anti-money laundering framework.

**Question 13.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** As a long-time Public Diplomacy Officer I implemented or administered a large number of programs that sought to build democratic institutions, support freedom of the press, and promote defense of human rights. These programs and activities ran the gamut from administration of justice/rule of law to election monitoring to civil liberties awareness trainings.

The program of which I am most proud, and in my estimation has the longest-term impact, is CIVITAS in Bosnia and Herzegovina, for which I served as the responsible U.S. Embassy program officer from 1998–2000. This program taught students the rights and responsibilities of citizens in a democracy. Students also learned problem-solving skills and how to take civic action, which even then the students put into practical use. During my tenure a common curriculum was adopted by the school districts across ethnic lines. It is an incredible program that continues to this day.

More recently, in Guyana in 2009, I took personal action when a group of 40 Mormon missionaries, ranging from young people to senior citizens, were detained by the Government under a rarely enforced visa rule as they were trying to leave the

country. The group (some, but not all, of whom were U.S. citizens) was held in an office space not designed for detentions. When the Ministry of the Interior refused our requests to release the detainees, or at least transfer them to facilities with beds and adequate sanitary conditions, I made a high-profile visit (as Chargé d’Affaires and with media coverage) to the detainees to draw attention to the situation and I also made an in-person plea to the President of the country. The situation was resolved within a few hours of my actions and made it clear that harassment of religious groups would not be tolerated.

*Question 14.* What are the most pressing human rights issues in Suriname? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Suriname? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues include the unresolved trial of President Bouterse and 18 codefendants for the 1982 extrajudicial killings of 15 political opponents; arbitrary arrest of protest leaders; threats made against the judiciary; restrictions on the right to peaceful assembly; widespread government corruption; violence and abuse against women and children; trafficking in persons; police violence toward lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons as well as persons with HIV and other minorities; and child labor.

If confirmed, I would champion existing embassy and U.S. Government programs designed to address these and other human rights issues. I will also use my platform as Ambassador to deliver public and private messages to the Surinamese people and the country’s leadership to make clear the United States’ expectations with regard to human rights protections as well as the measures we intend to take to address our concerns.

*Question 15.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Suriname in advancing human rights, civil society and democracy in general?

Answer. Domestic crime, corruption, and an overburdened judicial system are the biggest obstacles to progress on human rights in Suriname. The independence and authority of the judiciary are also directly threatened by members of the executive and legislature, as well as by agents of the Government. Although the Government has taken some steps to investigate, prosecute, and punish officials who have committed human rights abuses or violations, a general sense of impunity remains, particularly with respect to credible allegations of arbitrary arrest and detention.

Suriname’s challenge is to promote respect for the rule of law with its limited resources while respecting human rights in a high-crime environment. If confirmed, I will work with my embassy staff to augment existing training programs for Surinamese justice-sector officials, while ensuring that Leahy vetting is properly conducted where applicable. I will also encourage plea bargaining and case management reforms to reduce the backlog of criminal cases, and promote the role of civil society to strengthen human rights and governance.

*Question 16.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Suriname? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to sustained engagement with a broad spectrum of civil society in Suriname, including human rights activists and religious groups. If confirmed, I will ensure the Department continues to vet thoroughly all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy to ensure those implicated do not receive U.S.-funded assistance. To the extent possible, I will also urge that the perpetrators of gross violations of human rights be held accountable.

*Question 17.* Will you and your embassy team actively engage with Suriname to address cases of key political prisoners or persons otherwise unjustly targeted by Suriname?

Answer. Last year’s State Department Human Rights Report notes there were no reports of political prisoners or detainees in Suriname in 2017. If confirmed, however, I will work actively with the embassy team to address any cases of political prisoners or persons unjustly targeted by government entities to ensure their rights and fundamental freedoms are respected.

*Question 18.* Will you engage with Suriname on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will engage with Suriname on matters of human rights, civil rights and governance.

*Question 19.* In your opinion, are Suriname's continued efforts to counter trafficking in persons sufficient enough to at minimum maintain its Tier 2 watch-list status in future reporting years?

Answer. Although the Government demonstrated significant efforts during the reporting period for the 2018 Trafficking in Persons Report by increasing investigations, increasing victim identification efforts in the country's interior, and passing two laws to regulate labor recruiters and prevent trafficking related to criminal or fraudulent recruitment, it is insufficient to guarantee Suriname will maintain its Tier 2 watch-list status. To maintain its status as a Tier 2 watch-list country, or to reach Tier 2 status, the Government must demonstrate increasing efforts compared to the previous reporting periods. Suriname risks a return to Tier 3 status if convictions and victims identified continue to decrease; courts continue to impose weak sentences on convicted traffickers; and the Government does not develop victim referral and protection protocols.

*Question 20.* What more should Suriname be doing to counter TIP and prevent a backsliding to Tier 3?

Answer. Suriname should vigorously investigate and prosecute trafficking offenses and convict and punish traffickers with sufficiently stringent sentences; increase efforts to identify victims, including forced labor victims in the interior; develop and implement formal procedures to refer identified victims for care.

The Government should hold public officials complicit in human trafficking criminally accountable and conduct targeted labor inspections in risk-prone areas, such as the interior of the country. Additional recommendations are to provide additional training to law enforcement, immigration, health care, labor, and judicial officials to better identify and protect victims. Suriname should also provide reintegration support for all trafficking victims and offer specialized processes for assisting foreign victims.

Two low-cost measures Suriname could implement in short order are to increase collaboration with and support of local civil society and to complete and implement a national anti-trafficking action plan.

*Question 21.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 22.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 23.* Do you or do any members of your immediate family have any financial interests in Suriname?

Answer. No. Neither I nor any members of my immediate family have any financial interests in Suriname.

*Question 24.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I look forward to leading the team of U.S. and Surinamese nationals at Embassy Paramaribo and to tapping the unique and diverse talents each person brings to advance our bilateral relationship with Suriname and to promote U.S. foreign policy objectives. At the State Department's core are its people. The Department is committed to fostering a workforce that reflects the diverse people it represents. Diversity not only enhances our effectiveness but also promotes a workplace culture that values the efforts of all members and enhances the professional experience of our valued public servants. The Department's diversity efforts are outlined in its 2016 Diversity and Inclusion Strategic Plan. If confirmed, I will prioritize a variety of training opportunities, mentoring, and career development

programs to ensure employees have the skills necessary for current and future work assignments.

*Question 25.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. The State Department is committed to equal employment opportunity (EEO) and to ensuring the Department's work environment is free from discrimination and harassment in all phases of employment—including hiring, evaluation, promotion, and training. This includes improving and enhancing mentorship programs, expanding outreach to managers who make hiring decisions, and encouraging collaboration with external partners. If confirmed, I will communicate strongly the Department's EEO policies in my mission and ensure they are followed. I will also take advantage of the variety of programs the Department offers to help supervisors work with a multicultural staff.

*Question 26.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Suriname specifically?

Answer. Corruption saps economic growth, hinders development, destabilizes governments, undermines democracy, and provides openings for dangerous groups like criminals, traffickers, and terrorists. The Department has made anti-corruption a national security priority and works across the globe to prevent graft, promote accountability, and empower reformers. Ranking 77 out of 180 on Transparency International's Corruption Perceptions Index, Suriname suffers many of the effects of political corruption and inconsistent enforcement, but fares better than many of its neighbors in the Western Hemisphere.

*Question 27.* What is your assessment of corruption trends in Suriname and efforts to address and reduce it by that government?

Answer. According to Transparency International's Corruption Perception indices, Suriname has slightly increased transparency since 2010, but the Government must do more to counter corruption. Suriname has a legal framework in place to combat corruption; however, enforcement remains weak and inconsistent, and the Government and president have been accused of complacency in addressing official corruption.

*Question 28.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Suriname?

Answer. If confirmed, I will continue to make anti-corruption a national security priority and work in Suriname to prevent graft, promote accountability, and empower reformers. I will highlight and assist groups committed to tackling corruption through strengthening democratic institutions and empowering citizen advocates to hold the Government accountable for corruption.

If confirmed, I will work with global partners to enhance law enforcement cooperation across borders, improve data sharing between major financial hubs, and develop tools to recover stolen assets.

If confirmed, I will address corruption in the security arena, explaining how corruption threatens Suriname's national security and its ability to protect citizens, hold terrorists at bay, and defend national sovereignty.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCISCO L. PALMIERI BY SENATOR ROBERT MENENDEZ**

*Question 1.* If confirmed, how do you plan to work with Honduras to address the problems of violence, poverty and weak security and justice institutions driving children and families from their countries?

Answer. U.S. programs and engagement aim to secure U.S. borders and protect U.S. citizens by addressing the security, governance, and economic drivers of illegal immigration and illicit trafficking. Those programs are guided by the U.S. Strategy for Central America, which seeks to enhance regional economic opportunity, reduce insecurity and violence, and fight impunity and corruption. Our assistance complements the Plan of the Alliance for Prosperity, a reform initiative of the Northern Triangle governments designed to stimulate the productive sector, develop opportunities for citizens, improve public safety, enhance access to the legal system, and strengthen institutions. The Northern Triangle governments committed \$5.4 billion to address these goals.

If confirmed, I commit to advancing our partnership with the Honduran Government through U.S. programs and assistance that complement the Plan of the Alliance for Prosperity.

*Question 2.* If confirmed, how will you work to support efforts to address the ongoing aftermath of the Honduran elections and strengthen democratic institutions?

Answer. Honduras invited the United Nations to facilitate a national dialogue for reconciliation, and the United Nations is leading a series of meetings with the three leading political parties (National Party, Libre, and Liberal Party) to identify parameters for a potential national dialogue. This dialogue is vital to foster social reconciliation in the aftermath of the November 2017 elections. If confirmed, I will advocate for a robust national dialogue, the enactment of significant electoral reforms to strengthen confidence in Honduran institutions and bolster Honduran democracy, and a significant role for civil society in these process.

*Question 3.* If confirmed, do you commit to advocating for and/or supporting efforts to investigate the incidents of military police killing civilians?

Answer. If confirmed, I will reinforce the Department's long-standing position that policing is best done by civilian police who are properly trained and equipped and I will continue to support Honduran efforts to reform its national police. U.S. foreign assistance is helping to develop a professional, accountable, and effective civilian police force that upholds the rule of law. I view this support as critical to the Honduran Government's efforts to professionalize and reform its police force. If confirmed, I will support U.S. assistance to strengthen law enforcement in Honduras and I will also continue to press the Honduran Government to hold accountable the perpetrators and intellectual authors of cases of violence, including members of security forces.

*Question 4.* If confirmed, what role do you think the U.S. Embassy can play in mitigating the effects of a potential disorderly repatriation of more than a hundred thousand individuals to Honduras?

Answer. As a part of its Temporary Protected Status (TPS) review, DHS decided on a delayed effective date of 18 months to permit an orderly transition, providing time for TPS beneficiaries to arrange for their departure and for Honduras to prepare for the reception and reintegration of its citizens. Our embassy continues to strengthen Honduras' ability to reintegrate returned citizens, including TPS returnees, through U.S. foreign assistance programs that disrupt transnational criminal organizations, promote citizen security, reduce illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity. If confirmed, I will encourage our Honduran counterparts to develop programs to reintegrate their nationals, including TPS returnees.

*Question 5.* What can the U.S. do to strengthen the MACCIH's work in its last two years before the agreement between the Government of Honduras and the OAS ends?

Answer. The Department welcomed the Honduran Government's June 18 appointment of a new Chief of Mission of the OAS' Mission of Support Against Impunity and Corruption in Honduras (MACCIH), Dr. Luiz Antonio Marrey Guimaraes of Brazil. If confirmed, I will continue to work with the OAS and the Honduran Government to ensure Dr. Marrey Guimaraes is able to exercise authority over budgetary, personnel, and operational decisions. Following this important appointment, the Department underscored its appreciation to the Honduran Government and the OAS for reaffirming their ongoing collaboration and commitment to advancing MACCIH's mandate and fostering its future success. MACCIH has been instrumental in supporting Honduras's efforts to combat corruption and impunity and, if confirmed, I will underscore to the current and future administration in Honduras the importance of continued commitment to support MACCIH's vital work.

*Question 6.* If confirmed, do you commit to working to address human rights in Honduras?

Answer. If confirmed, I commit to working to address human rights issues in Honduras. U.S. assistance to Honduras directly supports programs and institutions to address human rights in Honduras, such as impunity, public sector corruption, weak government institutions, drug trafficking, and transnational gang activities. If confirmed, I will continue to press for Honduran institutions to be fully accountable to their citizens and I will also support U.S. assistance for Honduran efforts to strengthen the rule of law and build stronger, more professional government institutions. These efforts are critical to protecting human rights and reducing impunity.

*Question 7.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** The protection of human rights and advancement of democracy have been core elements of my work throughout my career. From my current position as the Acting Assistant Secretary, I have spoken out to defend democracy in Venezuela and Nicaragua and urged greater respect from human rights in Cuba and Mexico. I have met with human rights defenders from across the hemisphere and from my earliest tours of duty in my Foreign Service career, I have promoted and advanced these U.S. foreign policy priorities.

I sought assignment as the Human Rights Officer in El Salvador during my second tour in the Foreign Service from 1988-1990. One of my principal contacts was Father Sergio Montes, a Jesuit priest and human rights professor. His brutal murder in the massacre of Jesuits at the Catholic Central American University in San Salvador in 1989 enshrined in me a commitment to always protect human rights defenders in every position I might encumber in subsequent postings overseas or in Washington. In El Salvador I would receive reports of arrests or missing individuals and then I would travel to specific detention facilities, such as the infamous Treasury Police jail and to Salvadoran military brigade bases. In some instances I was able to secure the immediate release of detainees or sometimes the detained or missing individual would be released later often in the middle of night. Too often, tragically, most would never be found.

Later in my career, I served as the Office Director for the Near East and South Central Asia in the Bureau of Democracy, Human Rights and Labor. In this position, I directed the review and final editing of the annual human rights reports for all of the countries in those two geographic regions. We also developed grant solicitations and reviewed proposals to advance democracy and human rights issues in both regions, including, among many different initiatives, programs to advance women's political and legal rights in the Middle East and to improve the roles of political parties in the election process in Iraq.

I will always speak out on the issue of human rights and democracy, which I firmly believe are core values to our foreign policy.

**Question 8.** What issues are the most pressing challenges to democracy or democratic development in Honduras? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** Honduras continues to face serious challenges regarding corruption, impunity, and human rights. If confirmed, I will continue to press for full accountability of Honduran institutions and support U.S. assistance for Honduran efforts to strengthen the rule of law and build stronger, more professional government institutions. These efforts are critical to supporting democracy, protecting human rights, and reducing impunity.

**Question 9.** What steps will you take—if confirmed—to support democracy in Honduras? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** Honduras continues to face democracy and human rights challenges and, if confirmed, I will continue to prioritize democracy and human rights issues. U.S. assistance to Honduras directly supports programs and institutions to address democracy and human rights challenges in Honduras, such as impunity, public sector corruption, weak government institutions, drug trafficking, and transnational gang activities. If confirmed, I will continue to partner with Honduran civil society and international non-governmental organizations to monitor and follow up on alleged human rights abuses, including attacks on human rights defenders. If confirmed, I will also continue to press for the Honduran Government to strengthen the rule of law and build stronger, more professional institutions. These efforts are critical to supporting democracy, protecting human rights, and reducing impunity, which in turn improve Honduran prosperity and stability.

**Question 10.** What steps will you take—if confirmed—to support democracy in Honduras? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** Corruption and impunity pose significant challenges to ensuring support for democracy and the respect for human rights in Honduras. The Department held a bilateral human rights working group with the Honduran Government in April to collaborate on strengthening democracy and respect for human rights in Honduras. Issues addressed include strengthening governmental human rights institutions, working with international human rights partners and civil society, improving citizen security, combating corruption and impunity, and stemming outward migration. If confirmed, I will utilize mechanisms such as the bilateral human rights

working group to urge the Honduran Government to support democracy, uphold human rights, and demonstrate a clear commitment to addressing corruption, consistent with its international commitments and legal obligations.

*Question 11.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Honduras? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will continue to partner with human rights organizations, civil society, and other NGOs in the United States and with local human rights NGOs in Honduras to monitor and follow up on alleged human rights abuses. If confirmed, I will also engage NGOs and civil society to discuss any concerns they may have regarding their ability to operate in an open and transparent manner, free from fear of persecution.

*Question 12.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Vibrant political competition among diverse viewpoints is essential to a healthy democracy. If confirmed, I commit to meeting with and discussing the concerns of political parties across the Honduran political spectrum. To ensure genuine political competition, Hondurans must have confidence in their institutions and processes. If confirmed, I will encourage the Honduran Government to make necessary electoral reforms to strengthen public confidence in its institutions. The post-election national dialogue is vital to these efforts and it plays a role in ensuring genuine political competition in years to come. If confirmed, I will advocate for the inclusion of all sectors of the Honduran population in the political process, including women, minority groups, and youth.

*Question 13.* Will you and your embassy team actively engage with Honduras on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Honduras?

Answer. A free and active press is an integral part of a healthy democracy. The Department of State is committed to supporting efforts to promote freedom of the press. If confirmed, I will work with my embassy team to support press freedom and freedom of expression in Honduras. The U.S. Embassy in Tegucigalpa will continue to engage with independent local media in Honduras.

*Question 14.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. The Department of State is concerned by any efforts to disseminate disinformation and anti-U.S. propaganda in Honduras and the region. If confirmed, I will work with my embassy team to promote accurate messages about the United States and other nations in the pursuit of freedom, democracy, prosperity, and security in the Western Hemisphere. One of the best defenses against disinformation is a free and transparent news media environment. If confirmed, I would work to monitor and counter any such efforts in Honduras, including by encouraging digital-media literacy, independent journalism, and supporting civic-tech groups and other local stakeholders to inform the public and stem the malign spread of disinformation.

*Question 15.* Will you and your embassy teams actively engage with Honduras on the right of labor groups to organize, including for independent trade unions?

Answer. A vibrant and independent civil society, including trade unionists and their work to protect fundamental freedoms, is vital to building a peaceful, prosperous, and inclusive democratic nation. The U.S. Government has worked to improve the climate for labor rights in Honduras, primarily through the U.S-Honduras Labor Rights Monitoring and Action Plan and through programs to improve the capacity of the Ministry of Labor to enforce labor laws, build trade union capacity, and address violence and threats against unionists. If confirmed, I will continue to press Honduras to address remaining challenges through concrete, transparent, and timely actions, both at the policy level and with respect to specific employers. If confirmed, I will also work closely with other U.S. Government agencies, including the Department of Labor, as well as Honduran and international non-governmental organizations, to monitor the situation of unionists, human rights defenders, and

other historically marginalized populations and advocate for their rights and protection in Honduras.

*Question 16.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Honduras, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Honduras? What specifically will you commit to do to help LGBTI people in Honduras?

Answer. Yes, if confirmed, I will defend the human rights and dignity of all people in Honduras, no matter their sexual orientation or gender identity. As Secretary Pompeo affirmed in his statement on the International Day Against Homophobia, Transphobia, and Biphobia, “the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else.”

In Honduras, the law states sexual orientation and gender identity characteristics merit special protection from discrimination and includes these characteristics in a hate crimes amendment to the penal code. Nevertheless, there has been widespread social discrimination against LGBTI persons. If confirmed, I will promote the inclusion of LGBTI persons and support the Department’s use of public and private actions to counter violence and discrimination against LGBTI persons. These include diplomatic outreach through bilateral and multilateral channels, offering emergency assistance to LGBTI persons and organizations at risk, and imposing visa restrictions and economic sanctions, as appropriate, against those who violate their human rights.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCISCO L. PALMIERI BY SENATOR MARCO RUBIO**

*Question 1.* In detail, what did Embassy Guatemala City’s “research” entail? How thorough would you judge that research?

Answer. The research included embassy personnel’s review of the case file and the Guatemalan penal code. In addition, embassy personnel spoke to representatives of the International Commission Against Impunity in Guatemala (CICIG), the Public Ministry, the Migration Service, the Solicitor General’s Office, the Guatemalan courts, and the Bitkov family’s lawyers, and sought to hear all sides.

*Question 2.* Did you personally review Embassy Guatemala City’s research? If no, why not?

Answer. I have not reviewed the embassy’s research as no formal report was issued.

*Question 3.* What are the specific findings of the investigation by Embassy Guatemala City?

Answer. I understand that there was not a formal investigation; however, the embassy conducted informal research and inquiries with the appropriate stakeholders. No formal report was issued. I understand that the Embassy did not find any information to corroborate allegations of collusion between CICIG and Russia on the Bitkov case.

*Question 4.* Did Embassy Guatemala City’s investigation identify any inconsistencies in CICIG’s actions, particularly in the case of the Bitkov family? If no, why are the reforms your referenced in your previous answers needed?

Answer. I understand that there was not a formal investigation; however, the embassy conducted informal research and inquiries with the appropriate stakeholders. No formal report was issued. The Embassy did not come across any inconsistencies in CICIG’s actions. The planned reforms would assist CICIG to maintain its effectiveness, transparency, and credibility, while ensuring they are transferring capacity effectively and efficiently to Guatemalan institutions. The process to undertake a package of reforms was started prior to allegations regarding the Bitkov family. The reform proposals do not apply to a specific case, but rather will ensure CICIG is able to carry out its mandate.

*Question 5.* Why hasn’t the Bureau of Western Hemisphere Affairs conducted a full investigation into allegations that CICIG has been unduly influenced by external actors and has failed to fulfill its own anti-corruption mandate?

**Answer.** The Bureau of Western Hemisphere Affairs does not conduct investigations of external organizations. Rather, the U.S. Embassy in Guatemala City conducted research utilizing a variety of sources to determine whether there was information to corroborate allegations against CICIG.

**Question 6.** Would you release to my office the findings of the research conducted by Embassy Guatemala City? If no, why not?

**Answer.** I understand that there was not a formal investigation; however, the embassy conducted informal research and inquiries with appropriate stakeholders. No formal report was issued. The Department would be happy to provide you a briefing on this case.

**Question 7.** Who are the State Department officials supervising the CICIG matter, including the Bitkov case?

**Answer.** There is no single State Department official who supervises CICIG issues. As these issues are crosscutting, various bureaus in the State Department continue to communicate and discuss ongoing developments relating to CICIG. Key stakeholders include the Bureaus of Western Hemisphere Affairs, International Narcotics and Law Enforcement Affairs, International Organizations, and Democracy Human Rights and Labor. In addition, the U.S. Mission to the United Nations has been actively involved with the Department on these matters.

**Question 8.** When and how did you first learn of a health issue with our personnel at Embassy Havana?

**Answer.** The Department became aware of an increase in harassment and some non-specific health complaints in late December 2016. It was not until months later in late March 2017, after highly specialized medical testing was performed and analyzed by experts, that the Department received confirmation of the health effects.

**Question 9.** How did you respond upon being notified?

**Answer.** Our response has been robust. Throughout 2017, we requested the departure of more than one dozen diplomats to underscore the severity of the issue to the Cuban authorities. We have raised this issue with the Cuban Government at every level and on multiple occasions, reminding them of their obligations to protect our diplomats under the Vienna Convention and underscoring the urgency of resolving this issue. We continue to engage every government agency—including DOE, CDC, NIH, and DOD—to find the culprit behind these attacks and hold them accountable. On September 29, 2017, the Secretary ordered the departure of non-emergency personnel assigned to the U.S. Embassy in Havana, as well as all family members. When ordered departure ended in March 2018, the Department maintained emergency Embassy staffing due to continued concerns for the safety and security of our personnel.

**Question 10.** Did you believe that Embassy Havana personnel were attacked? If yes, when did you reach that conclusion? If not, why?

**Answer.** Yes, I believe Embassy personnel were attacked. We have referred to them as “incidents” or “health attacks” at different points in time. No matter what we call them, we are talking about 26 members of the Embassy community who appear to have been targeted and who suffered injuries while serving in Havana. There is much we do not know, and the investigation is ongoing.

**Question 11.** Did you recommend to the Secretary that he establish an Accountability Review Board (ARB)? If yes, when?

**Answer.** The Accountability Review Board (ARB) Permanent Coordinating committee (PCC) is the body responsible for making recommendations to the Secretary on whether to convene an Accountability Review Board, based on the statutory criteria set forth in 22 USC 4831. The PCC met on September 28 and November 28, 2017 to review the available facts surrounding the incidents in Havana, and recommended to the Secretary that he convene an independent ARB.

**Question 12.** Did WHA participate in the Embassy Havana ARB Permanent Coordinating committee? If yes, what was your exact role?

**Answer.** Yes, I participated in the ARB Permanent Coordinating committee (PCC) meetings held on September 28 and November 28, 2017 as a voting member.

**Question 13.** If confirmed, do you commit to discussing consistently with the host government the importance the U.S. Government places on their continued relations with Taiwan?

**Answer.** If confirmed, I commit to discussing with the Honduran Government the importance the U.S. Government places on Honduras' continued relations with Taiwan and on cross-strait stability. China's efforts to unilaterally alter the status quo undermine the framework that has enabled regional peace, stability, and develop-

ment for decades. If confirmed, I will express to the Government of Honduras our great disappointment with countries that fail to consider this critical factor in the decision to switch diplomatic recognition and destabilize the delicate balance in the Taiwan Strait. Consistent with the Taiwan Relations Act, the United States is gravely concerned with any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes. The United States will continue to support Taiwan as it seeks to expand its already significant contributions to addressing global challenges and as Taiwan resists efforts to constrain its participation on the world stage.

If confirmed, I will do all I can to prevent Honduras from switching diplomatic recognition from Taiwan to China.

*Question 14.* If confirmed, would you support cutting foreign assistance for severing diplomatic recognition for Taiwan?

Answer. If confirmed, I will underscore to Honduras the importance of cross-strait stability to the United States and express our great disappointment with countries that fail to consider this critical factor in the decision to switch diplomatic recognition and destabilize the delicate balance in the Taiwan Strait. Taiwan is a democratic success story, a reliable partner, and a force for good in the world. China's efforts to alter unilaterally the status quo in the Taiwan Strait are harmful to the targeted countries and to the region, and those efforts also decrease stability.

The President has been clear that countries receiving U.S. taxpayer money should support the national security interests of the United States. We have a thorough interagency process to evaluate assistance to foreign governments and, if confirmed, I would rely on the decisions made through this process.

*Question 15.* According to the American Chamber of Commerce in Honduras, in 2017 the Government of Honduras owed more than \$60 million in tax refunds to 49 local and U.S. companies. This includes seven U.S. companies that were owed at the time more than \$34 million.

If confirmed, how would you encourage the Government of Honduras to promote a culture of tax compliance among its citizens and businesses?

Answer. The Department and other U.S. Government agencies encourage foreign governments to promote a culture of tax compliance among their citizens and businesses by simultaneously promoting greater transparency in government and more open government policies. In Honduras, the Department continues to push for greater transparency, improved anti-corruption policies, and tax compliance to support the programs that will benefit the citizens of Honduras. Credible tax collection requires taxing all companies, foreign and domestic, in a nondiscriminatory and transparent fashion. I understand the Department regularly meets with and advocates for the interests of U.S. companies who have invested in Honduras. If confirmed, I will continue this practice and will advocate for a transparent, predictable, and level playing field for U.S. companies doing business in Honduras.

*Question 16.* What steps would you take to ensure that the Government fulfills the legal and financial obligations necessary to foster an attractive investment environment and stimulate economic growth, including the timely refund of excess taxes paid by U.S. companies?

Answer. Transparent, consistent, and predictable rule of law and processes that enforce legal and financial obligations, including tax collection and reimbursement procedures, are important to attracting foreign direct investment and fostering economic growth. The U.S. Embassy in Honduras engages in dialogue and conducts programs that help to facilitate trade and improve the investment and business climates in Honduras. If confirmed, I will make it a high priority to ensure the Honduran Government resolves any tax disputes with U.S. companies in a fair and transparent manner and fosters an investment environment conducive to attracting U.S. companies.

*Question 17.* What reform efforts are being made to increase transparency and improve accountability for the International Commission Against Impunity in Guatemala (CICIG) and when will those reforms be implemented?

Answer. The United States Government is making its annual contribution to CICIG conditional on the following reforms: 1) increasing oversight of CICIG through the establishment of an oversight mechanism within the United Nations Development Programme to carry out functions similar to an Inspector General, including providing quarterly reports in addition to reports CICIG is already required to provide; 2) creation of a permanent Deputy Commissioner position appointed by the U.N. Secretary General that will report to the CICIG Commissioner and that can act as the head of CICIG in the absence of a commissioner; and 3) quarterly reports on progress toward advancing the Commission's exit strategy by improving

the capacity of Guatemalan institutions. In addition, we are working with CICIG to ensure implementation of a media engagement strategy in line with existing U.N. prosecutorial guidelines to ensure CICIG does not materially prejudice open cases through its public remarks. As briefed to Congressional staff, the Department will need to receive assurances that these reforms will be accepted in advance of any U.S. contribution.

*Question 18.* As Acting Assistant Secretary for the Western Hemisphere, have you or any other State Department officials conducted an investigation into reports of improper collusion between CICIG, the Fiscalía Especial Contra la Impunidad (FECI), and judges and magistrates involved in the case of Bitkov family?

Answer. I have not conducted any investigation; however, I am informed that Embassy Guatemala City and Department offices have researched the case involving the Bitkov family and have found no evidence that there was improper collusion between CICIG, FECI, or any other judicial officials.

*Question 19.* Have you investigated reports of improper collusion between CICIG and the Putin regime and its cronies, including VTB Bank, Gazprom Bank, or Sberbank (Savings Bank of the Russian Federation)? If yes, please describe what these investigations entailed and what conclusions were reached.

Answer. I have not investigated this issue. I am informed that Embassy Guatemala City and Department offices researched the case involving the Bitkov family and have found no evidence that CICIG colluded or conspired with Russian officials or organizations. Embassy personnel have reviewed the case file, the Guatemalan penal code, and have spoken to CICIG, the Public Ministry, the Migration Service, the Solicitor General's Office, the Guatemalan courts, and the Bitkovs' lawyers.

*Question 20.* Would you provide my office with all information related to any investigation?

Answer. The Department will continue to keep Congress informed on all CIGIG-related issues.

*Question 21.* I am interested in more information on the case of Anthony Segura, a U.S. citizen who has been detained without trial in Guatemala for over three years. What is the status of his case?

Answer. Anthony Segura remains in pre-trial detention. The case has not gone to trial and is pending the evidentiary hearing. An evidentiary hearing was most recently set for July 9, 2018, but this was postponed because the co-defendant, former Guatemalan Vice-President Roxanna Baldetti, requested the judge's recusal. Future hearings are on hold pending a ruling on that request by the Court of Appeals.

*Question 22.* What types of support has the Embassy in Guatemala City provided Mr. Segura?

Answer. Embassy Guatemala City officials communicate and visit regularly with Mr. Segura and his father. Embassy officials have registered as observers and have attended almost every court hearing. Consular staff have conducted 10 prison visits and have attended 10 court hearings, during all of which they held discussions with Mr. Segura. Embassy officials last visited Mr. Segura on July 4, 2018, and have been in contact by telephone since then. Heightened security concerns in prisons around Guatemala have recently limited Embassy prison visits. However, Embassy staff intends to visit him in the coming weeks.

*Question 23.* Has the State Department investigated or produced any cables that assess the charges against Mr. Segura?

Answer. The Embassy follows this case closely and reports any significant developments to the Bureau of Consular Affairs as needed.

*Question 24.* Would you provide any reporting on the case—including by Ambassador Arreaga and previous U.S. Ambassador Todd Robinson—to my staff?

Answer. The Department appreciates Congressional concerns and will continue to keep Congress informed on Mr. Segura's case. I understand that Congressional responses with requested case updates were sent to Senator Rubio's office most recently on July 5, 2018, and August 21, 2018.

*Question 25.* If confirmed, do you commit to working vigorously on behalf of American investment in Honduras in order to ensure that claims of corruption and confiscation in commercial disputes are resolved in neutral settings consistent with the rule of law?

Answer. Support for U.S. investors and businesses operating overseas is a top priority for the Department. The U.S. Government engages in diplomatic dialogue with foreign governments aimed at improving the investment and business climates with-

in those countries. If confirmed, I will make it a high priority to press Honduras to resolve disputes with U.S. persons and companies fairly and expeditiously, consistent with these priorities.

*Question 26.* If confirmed, do you commit to objectively assessing the conditions placed on foreign assistance to Honduras?

Answer. Yes, if confirmed, I will objectively assess conditions placed on foreign assistance to Honduras.

*Question 27.* Mr. Palmieri, you were a Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs when the Obama administration reestablished relations with the Castro dictatorship in Cuba. What was your role in reestablishing relations with the Castros?

Answer. As Deputy Assistant Secretary of State for Central America and The Caribbean in the Bureau of Western Hemisphere Affairs at that time, I had no responsibilities for relations with Cuba or the decision to reestablish diplomatic relations with the Cuban Government. As a commissioned career member of the United States Foreign Service my responsibility was, and still is, to faithfully execute the President's policy.

*Question 28.* Mr. Palmieri, you were a Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs when the Obama administration reestablished relations with the Castro dictatorship in Cuba. Would you provide a timeline of events you participated in related to the reestablishment?

Answer. The United States reestablished diplomatic relations with Cuba on July 20, 2015. At that time, as Deputy Assistant Secretary of State for Central America and The Caribbean in the Bureau of Western Hemisphere Affairs, I had no direct role in events related to the reestablishment of diplomatic relations with the Cuban Government. As a commissioned career member of the United States Foreign Service my responsibility was, and still is, to faithfully execute the President's policy.

*Question 29.* Mr. Palmieri, you were a Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs when the Obama administration reestablished relations with the Castro dictatorship in Cuba. Were you supportive of improving relations with a dictatorship that had oppressed its people for more than half a century?

Answer. As Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs, my responsibility was, and still is, to faithfully execute the President's Policy. The current administration's Cuba policy, announced in June 2017, makes our continued support of democracy and human rights in Cuba, and the demonstration of solidarity with the Cuban people in the face of a repressive regime, primary objectives. The Department continues to call for the Cuban regime to end its enduring repression of its citizens.

*Question 30.* Mr. Palmieri, you were a Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs when the Obama administration reestablished relations with the Castro dictatorship in Cuba. How do you view the Trump administration's changes to our Cuba policy?

Answer. The administration's policy advances the interests of the United States and the Cuban people. On June 16, 2017, President Trump signed a National Security Presidential Memorandum, Strengthening the Policy of the United States Toward Cuba (NSPM), which seeks to improve respect for human rights, encourage the rule of law, foster free markets and free enterprise, and promote democracy in Cuba. As Principal Deputy Assistant Secretary of State in the Bureau of Western Hemisphere Affairs, my responsibility was, and still is, to faithfully execute the President's Policy.

*Question 31.* Mr. Palmieri, you were the acting Assistant Secretary of State for the Bureau of Western Hemisphere Affairs in the aftermath of the attack on more than 20 State Department employees serving in Havana. Why did you take so long to form an accountability review board (ARB), an action that should have been automatic as soon as a State Department employee was injured?

Answer. The authority to convene an accountability review board (ARB) lies with the Secretary of State. After assessing the information gathered through the ongoing investigations, the Secretary determined that the incidents met the ARB criteria, and on December 11, 2017, the Secretary decided to convene an ARB.

*Question 32.* Mr. Palmieri, you were the acting Assistant Secretary of State for the Bureau of Western Hemisphere Affairs in the aftermath of the attack on more than 20 State Department employees serving in Havana. The State Department took several months to brief Congress on the situation and coordinating your schedule to come testify was extremely difficult. Do you view briefing Congress as one

of your primary functions as the acting Assistant Secretary of State? Why did it take so long for you to brief Congress?

Answer. I view briefing Congress as one of my primary functions as the acting Assistant Secretary of State, and it is my understanding that Congress was briefed initially on the situation in April 2017. It was my pleasure to testify before your Subcommittee about this matter on January 9, 2018. There continue to be gaps in our knowledge about these attacks, and I am committed to making sure Congress is briefed as the investigation continues.

*Question 33.* Mr. Palmieri, you were the acting Assistant Secretary of State for the Bureau of Western Hemisphere Affairs in the aftermath of the attack on more than 20 State Department employees serving in Havana. Were mistakes made in how the Department handled the ARB?

Answer. The first priority of the Department is always the safety, security, and well-being of its employees. The Department handled the convening of an ARB as facts emerged. While the Department first became aware of an increase in what was then thought to be Cuban harassment and some non-specific health complaints in late December 2016, it was not until months later, after highly specialized medical testing was performed and analyzed by experts, that the Department received confirmation of the health effects. The medical investigations continue to this day, and we still do not know who or what caused these medical symptoms. On December 11, 2017, after assessing the information gathered through the ongoing investigations, the Secretary determined that the incidents met the ARB criteria.

*Question 34.* Mr. Palmieri, you were the acting Assistant Secretary of State for the Bureau of Western Hemisphere Affairs in the aftermath of the attack on more than 20 State Department employees serving in Havana. Do you believe that the Cuban regime was involved in the attacks?

Answer. A thorough investigation is ongoing to determine the source and cause of these attacks. In the meantime, we have underlined repeatedly to the Cuban Government that it has a responsibility under the Vienna Convention on Diplomatic Relations to take all appropriate steps to prevent any attacks on our diplomats. There continue to be gaps in our knowledge about these attacks, and I am committed to making sure Congress is briefed as the investigation continues.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
FRANCISCO L. PALMIERI BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Do you believe conditions in Honduras have improved to the extent that it is safe for these individuals to return home? If confirmed, how will you work to ensure those who return are not doing so at their own peril?

Answer. As a part of its Temporary Protected Status (TPS) review, DHS decided on a delayed effective date of 18 months to permit an orderly transition, both for those returning home and for the Honduran Government. The phase-out period will provide time for TPS beneficiaries to arrange for their departure and for Honduras to prepare for the reception and reintegration of its citizens. Our embassy continues to strengthen Honduras' ability to reintegrate returned citizens, including TPS returnees, through U.S. foreign assistance programs that disrupt transnational criminal organizations, promote citizen security, reduce illegal immigration, and promote sustainable economic growth by addressing the underlying causes of insecurity, impunity, and lack of economic opportunity. If confirmed, I will redouble these efforts and encourage our Honduran counterparts to develop programs to reintegrate their nationals, including TPS returnees.

*Question 2.* Do you believe a reevaluation of the administration's TPS Honduras decision is warranted?

Answer. The authority to make decisions regarding TPS resides with the Secretary of Homeland Security, after consultation with appropriate agencies, including the Department of State. The Department of State is prepared to provide relevant information to DHS should it initiate a review of conditions in Honduras.

*Question 3.* Does U.S. Government strategy towards Honduras and the region adequately address key drivers of migration?

Answer. U.S. diplomatic and programmatic efforts under the U.S. Strategy for Central America aim to secure U.S. borders and protect U.S. citizens by addressing the security, governance, and economic drivers of illegal immigration and illicit trafficking in Honduras and the region. I understand U.S. assistance efforts in Hon-

duras focus on supporting the Government's efforts to strengthen border controls, eliminate human smuggling and trafficking, foster economic growth, combat transnational criminal organizations, stem drug trafficking, strengthen the rule of law, and reduce corruption. If confirmed, I will seek to expand U.S. efforts and co-operation with the Government of Honduras to reduce illegal migration flows and promote a more secure and prosperous Honduras with transparent, accountable, and capable government institutions.

*Question 4.* What more should the United States be doing in its diplomatic engagement and foreign assistance programming to address the root causes of migration?

Answer. U.S. programs and engagement aim to secure U.S. borders and protect U.S. citizens by addressing the security, governance, and economic drivers of illegal immigration and illicit trafficking through the U.S. Strategy for Central America by enhancing regional economic opportunity, reducing insecurity and violence, and fighting impunity and corruption. Our assistance complements the Plan of the Alliance for Prosperity (A4P), the reform initiative of the Northern Triangle governments designed to stimulate the productive sector, develop opportunities for their people, improve public safety, enhance access to the legal system, and strengthen institutions. The Northern Triangle governments committed \$5.4 billion to address these goals.

If confirmed, I commit to advancing our partnership with the Honduran Government through U.S. programs and assistance that complement the A4P.

*Question 5.* If confirmed, how will you work with the Honduran Government to ensure proper investigation and prosecution of crimes against human rights defenders?

Answer. I understand the U.S. Government supports the development of the Honduran Government's human rights defender protection mechanism and provides technical assistance from highly qualified and experienced judicial and investigative experts to support the Honduran Government's investigations of violence against human rights defenders. If confirmed, I will continue support for such efforts and I will advocate for improved human rights conditions in Honduras. If confirmed, I will also continue to press the Honduran Government to hold accountable the perpetrators and intellectual authors of emblematic cases of violence, such as the 2016 murder of renowned environmental and indigenous rights defender Berta Caceres.

*Question 6.* The Hernandez Government has taken largely superficial steps toward anti-corruption and transparency. How can U.S. diplomatic engagement, sanctions, and conditions on foreign assistance incentivize the Hernandez Government to improve its human rights record?

Answer. Honduras continues to face serious challenges regarding corruption, impunity, and human rights. If confirmed, I will continue to prioritize these issues with the Honduran Government. I understand U.S. assistance to Honduras directly supports programs and institutions to address human rights in Honduras, such as impunity, public sector corruption, weak government institutions, and drug trafficking and transnational gang activities. If confirmed, I will continue to press for full accountability of Honduran institutions and I will also support U.S. assistance for Honduran efforts to strengthen the rule of law and build stronger, more professional government institutions. These efforts are critical to protecting human rights and reducing impunity.

*Question 7.* How, if at all, is the U.S. embassy engaging on the Berta Caceres trial?

Answer. I welcome all efforts to hold accountable and bring to justice those responsible for the murder of Berta Caceres and, if confirmed, I will continue to raise this case with Honduran authorities. The resolution of this case remains a high priority for the United States. Our Embassy has provided, and continues to offer, technical assistance from highly qualified and experienced judicial and investigative experts to support the Honduran Government. If confirmed, I will continue this support and I will press Honduran authorities to make every effort to bring to justice—within Honduras' own legal system—those responsible for the murder of Berta Caceres, including the perpetrators and intellectual authors.

*Question 8.* What steps do you believe are necessary to foster societal reconciliation in the aftermath of the contested 2017 elections?

Answer. Honduras invited the United Nations to facilitate a national dialogue for reconciliation, and the United Nations is leading a series of meetings with the three leading political parties (National Party, Libre, and Liberal Party) to identify parameters for a potential national dialogue. This dialogue is vital to foster social rec-

conciliation in the aftermath of the November 2017 elections. If confirmed, I will advocate for a robust national dialogue, the enactment of significant electoral reforms to strengthen confidence in Honduran institutions and bolster Honduran democracy, and a significant role for civil society in the process.

*Question 9.* Do you believe the Hernandez Government intends to enact the electoral reforms recommended by the international observation missions from the European Union and the Organization of American States (OAS)?

Answer. I share your concerns regarding the electoral irregularities identified by the OAS and EU observation missions. Those irregularities and the close election results highlight the need for a significant, long-term effort to heal Honduras's political divide and enact electoral reforms. The Honduran Government invited the United Nations to facilitate a national dialogue for reconciliation and to address the aftermath of the November 2017 elections. If confirmed, I will emphasize the need for the Honduran Government to advance a robust national dialogue and make much needed electoral reforms to minimize risks to future elections.

*Question 10.* Do you believe the Honduran Government's repeated assurances that it intends to remove the military from domestic policing?

Answer. If confirmed, I will reinforce the Department's long-standing position that policing is best done by civilian police who are properly trained and equipped, and I will continue to support Honduran efforts to reform its national police. I understand the Department does not provide foreign assistance funds to Honduran military engaged in domestic policing. The Honduran Government is aware of this policy. U.S. foreign assistance is helping to develop a professional, accountable, and effective civilian police force that upholds the rule of law. I view this support as critical to the Honduran Government's efforts to professionalize and reform its police force. If confirmed, I will support U.S. assistance to strengthen law enforcement in Honduras.

*Question 11.* I understand the military is now training military police on human rights, but given the military has its own human rights deficiencies, I am concerned that this training will not be enough to stop the abuses. We condition a lot of our aid to the Hondurans and some have called for the U.S. to halt all assistance to the Honduran security sector. What are your views on this?

Answer. In accordance with U.S. law and Department policy, the State Department conducts Leahy vetting prior to furnishing assistance to foreign security force personnel and units. Pursuant to the Leahy law, the Department does not furnish assistance to any unit of the security forces of a foreign country if the Secretary of State has credible information that the unit has committed a gross violation of human rights. If confirmed, I will continue to uphold this meticulous vetting process.

*Question 12.* In your view, is the Hernández administration committed to combatting corruption?

Answer. Yes, however, significant challenges remain in the fight against corruption in Honduras. The Honduran Government must actively support anticorruption efforts of the OAS Mission Against Corruption and Impunity in Honduras (MACCIH) to ensure accountability in Honduras. The United States has strongly and consistently supported MACCIH and considers its efforts, together with those of the Public Ministry, essential to strengthening adherence to the rule of law and combatting corruption in Honduras. If confirmed, I will support MACCIH and the Public Ministry in their mission to combat corruption and impunity in Honduras, and underscore in my engagement with all branches of the Honduran Government the importance of their collective action in the fight against corruption.

*Question 13.* To what extent have the Honduran congress and judiciary been acting independently of the executive branch when they have taken steps to undermine MACCIH-backed reforms and investigations, including such actions as the Congress shielding themselves from prosecution and withholding funds?

Answer. Article 4 of the Honduran constitution establishes that the Legislative, Executive, and Judicial branches of government are complementary and independent, with no branch playing a subordinate role to the others. We have seen instances this year in which the checks and balances have prevented one branch from taking action that could undermine Honduran institutions. For example, on April 3, President Hernandez vetoed March 20 reforms to the asset forfeiture law that would have limited asset seizures for public officials.

President Hernandez has made clear his commitment to rooting out corruption and has demonstrated this commitment by consenting to the appointment of a new chief of mission for the Mission of Support Against Impunity and Corruption in

Honduras (MACCIH), and the July 2018 creation of a new policy on transparency, integrity, and the prevention of corruption, led by a new commissioner on transparency and integrity. The Attorney General and President of the Supreme Court have committed to participate in a working group the new commissioner will lead and have similarly demonstrated their commitment to fighting corruption through the creation of the Public Ministry's special anti-corruption unit and the establishment of anti-corruption courts with the specific mandate to oversee corruption cases.

Corruption in Honduras is deeply rooted and the support of the international community is vital in helping the Honduran Government tackle the problem. If confirmed, I will make the fight against corruption and impunity in Honduras one of my top priorities.

*Question 14.* To what extent will the Honduran Supreme Court's recent ruling on the constitutionality of the MACCIH impact the mission's ability to work alongside public prosecutors to investigate and prosecute corruption cases?

Answer. A May 29 Supreme Court opinion declared constitutional the legislative decree that approved the agreement between the Government of Honduras and the Organization of American States that established the MACCIH, but questioned a subsequent agreement between the Public Ministry and the OAS allowing for collaboration between the Public Ministry's anticorruption unit and MACCIH investigators. The Attorney General issued a June 4 statement critical of the decision and made clear he plans to continue collaborating with MACCIH. On June 18, the Honduran Government announced the appointment of Dr. Luiz Antonio Marrey Guimaraes as the new Chief of Mission of the MACCIH. Guimaraes presented his credentials to Foreign Minister Aguero Lara on July 5 and has continued where his predecessor left off in strengthening MACCIH's role in supporting Honduras' efforts to combat corruption and impunity. Despite the setback caused by the departure of the previous spokesperson and the constitutional challenge, coordination between MACCIH and the Public Ministry has continued with corruption cases moving forward.

*Question 15.* How likely is it that the Honduran Government will renew the MACCIH's mandate in 2020?

Answer. The Department welcomed the Honduran Government's June 18 appointment of a new Chief of Mission of the OAS Mission of Support Against Impunity and Corruption in Honduras (MACCIH), Dr. Luiz Antonio Marrey Guimaraes of Brazil. If confirmed, I will continue to work with the OAS and the Honduran Government to ensure Dr. Marrey Guimaraes is able to exercise authority over budgetary, personnel, and operational decisions. Following this important appointment, the Department underscored its appreciation to the Honduran Government and the OAS for reaffirming their ongoing collaboration and commitment to advancing MACCIH's mandate and fostering its future success. MACCIH has been instrumental in supporting Honduras's efforts to combat corruption and impunity and, if confirmed, I will underscore to the current and future administration in Honduras the importance of continued commitment to support MACCIH's vital work, to include the renewal of MACCIH's mandate in 2020.

*Question 16.* What more can the United States do to train and support Honduran law enforcement efforts to prevent and prosecute homicides?

Answer. Due in part to sustained U.S. capacity building and technical assistance, Honduras has made significant progress in addressing security issues and has reduced the homicide rate by 50 percent since 2011 to 43 per 100,000 people. The Department provides technical assistance, training, and equipment to strengthen Central American law enforcement capacity to combat transnational criminal organizations (TCOs), seize drugs, combat gang violence, and build justice institutions strong enough to prosecute, convict, and imprison criminals. If confirmed, I will redouble these efforts and continue to support U.S. foreign assistance directed towards professionalizing Honduran law enforcement to prevent and prosecute homicides.

*Question 17.* What can be done to change the culture of impunity that leads to such a high homicide rate?

Answer. The Department provides technical assistance, training, and modest amounts of equipment to Honduran prosecutors, judges, and justice sector actors to support more effective, transparent, and accountable justice and law enforcement institutions. U.S. foreign assistance also helps to combat corruption and impunity, promote accountability, uphold the rule of law, and increase access to justice. Through sustained U.S. engagement and support, these Honduran entities continue to make progress in addressing issues of corruption and impunity. If confirmed, I will support these types of anti-corruption efforts in order to promote accountability and combat impunity in Honduras, including among government officials.

*Question 18.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. The protection of human rights and advancement of democracy have been core elements of my work throughout my career. From my current position as the Acting Assistant Secretary, I have spoken out to defend democracy in Venezuela and Nicaragua and urged greater respect from human rights in Cuba and Mexico. I have met with human rights defenders from across the hemisphere and from my earliest tours of duty in my Foreign Service career, I have promoted and advanced these U.S. foreign policy priorities.

I sought assignment as the Human Rights Officer in El Salvador during my second tour in the Foreign Service from 1988–1990. One of my principal contacts was Father Sergio Montes, a Jesuit priest and human rights professor. His brutal murder in the massacre of Jesuits at the Catholic Central American University in San Salvador in 1989 enshrined in me a commitment to always protect human rights defenders in every position I might encumber in subsequent postings overseas or in Washington. In El Salvador I would receive reports of arrests or missing individuals and then I would travel to specific detention facilities, such as the infamous Treasury Police jail and to Salvadoran military brigade bases. In some instances I was able to secure the immediate release of detainees or sometimes the detained or missing individual would be released later often in the middle of night. Too often, tragically, most would never be found.

Later in my career, I served as the Office Director for the Near East and South Central Asia in the Bureau of Democracy, Human Rights and Labor. In this position, I directed the review and final editing of the annual human rights reports for all of the countries in those two geographic regions. We also developed grant solicitations and reviewed proposals to advance democracy and human rights issues in both regions, including, among many different initiatives, programs to advance women's political and legal rights in the Middle East and to improve the roles of political parties in the election process in Iraq.

I will always speak out on the issue of human rights and democracy, which I firmly believe are core values to our foreign policy.

*Question 19.* What are the most pressing human rights issues in Honduras? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Honduras? What do you hope to accomplish through these actions?

Answer. Honduras continues to face serious human rights challenges and, if confirmed, I will continue to prioritize human rights issues. I understand U.S. assistance to Honduras directly supports programs and institutions to address human rights in Honduras, such as impunity, public sector corruption, weak government institutions, and drug trafficking and transnational gang activities. If confirmed, I will continue to partner with Honduran civil society and international non-governmental organizations to monitor and follow up on alleged human rights abuses, including attacks on human rights defenders. If confirmed, I will also continue to press for full accountability of Honduran institutions to strengthen the rule of law and build stronger, more professional government institutions. These efforts are critical to protecting human rights and reducing impunity.

*Question 20.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Honduras in advancing human rights, civil society and democracy in general?

Answer. Corruption and impunity pose significant challenges to ensuring the respect for human rights in Honduras. The Department held a bilateral human rights working group with the Honduran Government in April to collaborate on improving the human rights situation in Honduras. Issues addressed include strengthening governmental human rights institutions, working with international human rights partners and civil society, improving citizen security, combating corruption and impunity, and stemming outward migration. If confirmed, I will utilize mechanisms such as the bilateral human rights working group to urge the Honduran Government to uphold human rights and demonstrate a clear commitment to addressing corruption, consistent with its international commitments and legal obligations.

*Question 21.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Honduras? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** If confirmed, I will continue to partner with human rights, civil society, and other NGOs in the United States and with local human rights NGOs in Honduras to monitor and follow up on alleged human rights abuses. The Department is in frequent contact with NGOs, human rights officials, concerned citizens, security forces, and government officials to request and receive information about the human rights situation in Honduras.

In accordance with U.S. law and Department policy, the Department of State conducts Leahy vetting prior to furnishing assistance to foreign security force personnel and units. Pursuant to the Leahy law, the Department does not furnish assistance to any unit of the security forces of a foreign country if the Secretary of State has credible information that the unit has committed a gross violation of human rights. If confirmed, I will continue to uphold this meticulous vetting process.

**Question 22.** Will you and your embassy team actively engage with Honduras to address cases of key political prisoners or persons otherwise unjustly targeted by Honduras?

**Answer.** The Honduran Government must respect the right of all citizens to peacefully express their political beliefs openly, freely, and without fear of persecution. If confirmed, I will actively engage with the Honduran Government to address cases of persons unjustly targeted by the Government.

**Question 23.** Will you engage with Honduras on matters of human rights, civil rights, and governance as part of your bilateral mission?

**Answer.** If confirmed, I commit to engaging with the Honduran Government on issues of human rights, civil rights, and governance.

**Question 24.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 25.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 26.** Do you or do any members of your immediate family have any financial interests in Honduras?

**Answer.** Neither my immediate family nor I have any financial interests in Honduras.

**Question 27.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** If confirmed, I look forward to leading the team of U.S. and Honduran nationals at Embassy Tegucigalpa and to tapping the unique and diverse talents each person brings to advance our bilateral relationship with Honduras and to promote U.S. foreign policy objectives. At the State Department's core are its people. The Department is committed to fostering a workforce that reflects the diverse people it represents. Diversity not only enhances our effectiveness but also promotes a workplace culture that values the efforts of all members and enhances the professional experience of our valued public servants. The Department's diversity efforts are outlined in its 2016 Diversity and Inclusion Strategic Plan. If confirmed, I will prioritize a variety of training opportunities, mentoring, and career development programs to ensure employees have the skills necessary for current and future work assignments.

**Question 28.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** The State Department is committed to equal employment opportunity (EEO) and ensuring the Department's work environment is free from prohibited discrimination and harassment in all phases of employment—including hiring, evaluation, promotion, and training. This includes improving and enhancing mentorship programs, expanding outreach to managers who make hiring decisions, and encouraging collaboration with external partners. If confirmed, I will strongly commu-

nicate the Department's EEO policies in my mission and ensure they are followed. If confirmed, I will also take advantage of the variety of programs the Department offers to help supervisors work with a multicultural staff.

*Question 29.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Honduras specifically?

Answer. Pervasive corruption and poor governance erode prosperity and undermine security in this region and around the world. Improving democratic governance, strengthening institutions, and tackling corruption are among the most urgent challenges that countries like Honduras face. The political impunity, corruption, weak institutions, and lack of transparency that are common in Central America also allow for permissive environments in which transnational criminal organizations (TCOs) thrive. Corruption strains a state's ability to address complex security, economic, and governance challenges—the interrelated root causes that drive irregular migration toward the United States. It undermines the effectiveness of democratic institutions. If confirmed, I will continue to impress upon the Government of Honduras the importance of addressing corruption and impunity.

*Question 30.* What is your assessment of corruption trends in Honduras and efforts to address and reduce it by that government?

Answer. The United States has strongly and consistently supported the OAS Mission Against Corruption and Impunity in Honduras (MACCIH) since it began operations in April 2016, and considers its efforts, together with those of the Public Ministry, essential to strengthening rule of law and combatting corruption in Honduras. MACCIH officials continue to pursue a list of high-profile corruption cases, working together with the Honduran Government to prevent, investigate, and punish acts of corruption. If confirmed, I will continue our efforts to support MACCIH and the Public Ministry in their important work.

*Question 31.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Honduras?

Answer. In addition to my commitment to continue our support for MACCIH, I understand the Department also provides technical assistance, training, and modest amounts of equipment to Honduran prosecutors, judges, and other justice sector actors. U.S. assistance also seeks to support more effective, transparent, and accountable judicial institutions; combat corruption and impunity; promote accountability; uphold the rule of law; and increase access to justice. These efforts also promote Honduran adherence to its international legal obligations and commitments, including the Inter-American Convention Against Corruption. If confirmed, I will continue to support these types of anti-corruption and good governance efforts to promote accountability and combat corruption and impunity in Honduras, particularly among government officials.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KEVIN SULLIVAN BY SENATOR ROBERT MENENDEZ

*Question 1.* If confirmed, what steps will you personally take to ensure accountability for human rights abuses in Nicaragua?

Answer. The administration has stated since the onset of the April crisis that those responsible for committing human rights violations and abuses must be held accountable. If confirmed, I will continue to work with colleagues from the State Department, the interagency, the international community, and Congress to support full, independent investigations of human rights abuses in Nicaragua, such as those conducted by the Inter-American Human Rights Commission. The administration will employ all the tools at our disposal, including sanctions, to promote accountability for those abuses as well as to achieve the ultimate aim of a democratic Nicaraguan Government that ensures full respect for human rights and fundamental freedoms.

*Question 2.* Given that the Trudeau Government and the European Union both have targeted sanctions mechanisms similar to the Global Magnitsky Act, will you work with our allies to ensure that they join us in deploying this powerful tool?

Answer. Multilateral action is key to our engagement strategy on Nicaragua. We have engaged with like-minded partners such as Canada and the European Union to encourage them to implement their own sanctions and visa restrictions policies against Nicaraguan officials. If confirmed, I will continue to work with those partners in holding accountable corrupt actors or those who abuse human rights.

*Question 3.* What additional sanctions would you propose at this time? Which kind of sanctions should the U.S. approve for Nicaraguan officials and who should they target?

Answer. The continued violence and intimidation campaign perpetrated by the Nicaraguan Government and its affiliates against its people is unacceptable and must cease. Those responsible for killings, arbitrary detentions, and other human rights abuses and violations must be held accountable. In general, I cannot comment on the status of sanctions investigations or decisions to designate a particular person, but if confirmed, I will be committed to leveraging all appropriate tools to promote human rights in Nicaragua.

*Question 4.* How can the U.S. support multilateral efforts to uphold democracy and human rights in Nicaragua?

Answer. The United States will continue to advance our commitment to the promotion and protection of human rights and fundamental freedoms for the people of Nicaragua. If confirmed, I will work with partners in multilateral and regional fora including the Organization of American States, independent mechanisms of the Inter-American Human Rights System, and the United Nations, including the UNGA third committee, which is focused on human rights issues, to advance the effective promotion and protection of human rights and fundamental freedoms in Nicaragua.

*Question 5.* The U.S. should support the work of human rights bodies like the IACMR and the OHCHR in Nicaragua. How would you do this as an ambassador?

Answer. The United States will continue to advance our commitment to the promotion and protection of human rights and fundamental freedoms for the people of Nicaragua. If confirmed, I will use a wide range of tools to advance respect for human rights, including working with democratic partners; civil society; and international and regional organizations including the Organization of American States, independent mechanisms of the Inter-American Human Rights System, and the United Nations.

*Question 6.* If confirmed, what steps will you take to advance a negotiated solution to Nicaragua's political crisis—one which includes a commitment to early elections, as has been proposed by civil society?

Answer. The only obstacle to progress towards early, free, and fair elections is President Ortega's unwillingness thus far to negotiate in good faith the legitimate issues the Catholic Church and other civil society leaders have put on the table. If confirmed, I will continue to call on President Ortega and his government to agree to hold early, free and fair elections with international observation, which would provide a peaceful, sustainable path to resolve Nicaragua's current crisis. The United States, other members of the international community, and most importantly the people of Nicaragua have expressed support for dialogue mediated by the Catholic Church, and I will continue to consult closely with the Council of Bishops and other civil society leaders, and political actors including the Government of Nicaragua concerning a way forward. If confirmed, I will urge the Nicaraguan Government to immediately cease its repression and release those who have been arbitrarily detained to start creating the conditions necessary for good faith dialogue; additional sanctions may be necessary to increase the costs of continuing this repression. I will also work closely with Department colleagues, including the U.S. Missions to the OAS and the U.N., to discuss potential international support for dialogue.

*Question 7.* How can the U.S. pressure the Government of President Daniel Ortega to meaningfully engage in the national dialogue?

Answer. The Nicaraguan Government-instigated attacks and threats against peaceful protestors and the general population are unacceptable and must cease. An end to violence is foremost among the conditions necessary to resume good faith negotiations for a democratic and peaceful path forward for all Nicaraguans. We are urging the Nicaraguan Government to immediately cease all government-sponsored violence. We will continue working with diplomatic partners and international organizations, including the OAS, to strongly condemn human rights violations and abuses by the Ortega Government and its supporters, and call for early, free, fair, and transparent elections as the best path back to democracy and respect for human rights in Nicaragua.

The United States can pressure the Government of President Ortega to meaningfully engage in the national dialogue through a number of tools. The Department continues to help expose and promote accountability among those responsible for the violence and intimidation campaign by: imposing visa restrictions on certain Nicaraguans responsible for or complicit in human rights abuses or undermining democ-

racy in Nicaragua; placing financial sanctions under Executive Order 13818 which builds upon the Global Magnitsky Human Rights Act; and working closely with our regional partners to maintain international monitoring of the situation and promote democratic solutions.

*Question 8.* What is your assessment of the relationship between Nicaragua and Russia?

Answer. Russia has provided security sector assistance to Nicaragua and remains Nicaragua's security partner of choice. Russian state news services like RT also broadcast in Spanish on Nicaraguan cable. We will remain vigilant regarding Russian involvement in the security sector and any effort to expand Russian-sponsored disinformation campaigns, including in Nicaragua. If confirmed, I will also communicate publicly and privately the advantages of partnership with the United States in the security sector and beyond.

*Question 9.* If confirmed, what efforts will you take to defend address growing co-operation between Nicaragua and Russia, and the challenges that it poses to U.S. interests?

Answer. The Department of State pays close attention to Russian activities around the world, including in Nicaragua. I regularly discuss these issues with colleagues in the Department of State and the intelligence community. If confirmed, I will continue to prioritize monitoring Russian activity in Nicaragua and work to prevent it from harming U.S. interests. I will also communicate publicly and privately the advantages of partnering with the United States in addressing Nicaragua's security and other challenges.

*Question 10.* What is your assessment of the role of the Nicaraguan military to date and, if confirmed, how would you direct the U.S. Embassy in Managua to engage with Nicaragua's military?

Answer. The Nicaraguan military to date has sought to minimize its direct involvement in the ongoing crisis and has kept a low public profile; it continues to protect Nicaragua's borders and critical infrastructure in accordance with its constitutional mandates. If confirmed, I will pursue limited cooperation with the military on issues of U.S. national security, such as counter-narcotics, as appropriate and in accordance with any assistance restrictions, bearing in mind the evolution of the current crisis, and seek to maintain constructive relationships and open lines of communication with military leaders.

*Question 11.* How can the U.S. pressure Ortega specifically to dismantle the armed gangs that act in coordination with police?

Answer. If confirmed, I will continue the administration's efforts to hold accountable those responsible for the abuses committed both by the National Police and by state-sponsored armed groups, and to deter further abuses. The administration has imposed financial sanctions against certain Nicaraguan Government officials overseeing the national police and its armed affiliates' activities. The Department continues to apply visa restrictions on certain officials participating in human rights violations and abuses against the Nicaraguan people. The United States, in coordination with international partners, will continue to employ the various tools at its disposal to dissuade the Ortega Government from supporting or encouraging armed groups to supplement police repression of the population.

*Question 12.* If confirmed, how will you work to address officials in the Ortega Government profiting off of funds stolen from Nicaraguan citizens?

Answer. I am very concerned corrupt Nicaraguan officials are stealing millions of dollars on an annual basis from the Nicaraguan people. Since December 2017, the administration has imposed financial sanctions on certain Ortega Government officials who are responsible for, complicit in, or who directly or indirectly engaged in, human rights abuses or corruption. If confirmed, I will work with colleagues from the State Department, the interagency, the international community, and Congress to strengthen the capacity of Nicaragua media and civil society actors to detect and expose official corruption, and employ other tools at U.S. disposal to discourage and counter corruption in Nicaragua.

*Question 13.* If confirmed, how would you advocate that the U.S. Government respond to these growing challenges?

Answer. As the recent increase of Nicaraguans fleeing into Costa Rica shows, the current situation in Nicaragua is a regional issue. If confirmed, I commit to closely coordinating with U.S. Ambassador to Costa Rica Sharon Day, and others in the region, as appropriate.

The United States will continue to engage the Costa Rican Government, a strong partner with a history of positive, constructive engagement on migration issues. The

Costa Rican Government is committed to building institutional capacity to improve its ability to react to future migrant flows. The Government possesses both the political will and experience to handle migrant-related crisis when they occur. While the recent and substantial flow of Nicaraguans entering Costa Rica presents an enormous challenge to the Costa Rican Government, our partners are working with it to help build capacity.

UNHCR is one of our primary partners working to mitigate the impact of Nicaraguans fleeing to neighboring countries. Since FY 2017, the Bureau of Population, Refugees, and Migration (PRM) has contributed over \$40 million to UNHCR and the International committee of the Red Cross (ICRC) for its Americas operations, which includes support for activities in Costa Rica. PRM has also contributed an additional \$350,000 to UNHCR this year for emergency needs related to the Nicaraguan influx into Costa Rica. PRM continues to assess the situation and the need for additional humanitarian resources.

*Question 14.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As Interim U.S. Permanent Representative at the OAS, and subsequently as Deputy Permanent Representative, I built support for resolutions to hold the Venezuelan Government to account for its serious violations of human rights as well as its rupture of the country's constitutional order. Under my leadership, our Mission helped increase our like-minded coalition from 14 member states in May 2016 to around 20 today, bringing a number of influential Caribbean states on board despite major diplomatic and financial pressure from Venezuela. This larger coalition allowed the Permanent Council to take action on the situation in Venezuela for the first time. The resolution passed by the 2018 OAS General Assembly made clear that the OAS viewed Venezuela's May 20 sham elections as illegitimate. I also worked closely with U.S. Ambassador to the OAS Carlos Trujillo in developing a similar coalition in the Permanent Council to address the grave human rights violations in Nicaragua. We passed a hard-hitting resolution on July 18 that called for an end to state-sponsored violence and a return to good-faith negotiations on democratic reforms. In addition, our Mission was instrumental in advocating a role for, and access by, the Inter-American Commission on Human Rights (IACtHR) in the monitoring and investigation of the violent repression of peaceful protests in Nicaragua. Finally, I advocated successfully for providing adequate funding for the IACtHR in the OAS budget and for broadening member state support for crucial OAS electoral observation missions and its anti-corruption mechanisms.

I also actively promoted human rights and democracy during two previous assignments in Africa. As Political Economic Counselor in Ethiopia, I pressed successfully for freeing thousands of prisoners held by the Ethiopian Government in 2006 and helped organize a group of prominent citizens to build public support for more democratic rule. Over the ensuing decade, Ethiopia has moved gradually in that direction. As Deputy Chief of Mission in Malawi, I championed USAID funding for civil society electoral observation over the objections of the Government in 2009. The Government ultimately embraced the findings of that observation effort, which helped ensure a peaceful and transparent conclusion to a tense electoral process.

*Question 15.* What issues are the most pressing challenges to democracy or democratic development in Nicaragua? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The most pressing human rights challenges to democracy and democratic development in Nicaragua are President Daniel Ortega's use of security forces and armed thugs to employ lethal force against peaceful protestors, carry out extra-judicial killings, and detain and torture political opponents. The only crime many of these victims have committed has been to speak up for democratic reforms or, in some cases, simply provide water or medical services to those who do. More than 2,000 Nicaraguans have been injured; more than 350 have been killed in the current crisis.

President Ortega's has so far been unwilling to negotiate in good faith on the legitimate issues that the Catholic Church and other civil society leaders have put on the table, including the steady erosion of Nicaragua's democratic institutions and the rule of law. Rather than addressing these concerns, which have been validated by the OAS, Ortega has unleashed further state-sponsored violence that aims to censor, discredit, and destroy the independent press and the Catholic Church. Police and armed, government-backed mobs have attacked independent news stations, par-

ishes, and church properties and physically assaulted journalists, bishops, and priests.

*Question 16.* What steps will you take—if confirmed—to support democracy in Nicaragua? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will work with the international community to hold responsible those who have carried out vicious attacks against peaceful protestors. I will help the Department of State continue to expose and hold accountable those responsible for the violence and intimidation campaign by imposing visa restrictions on Nicaraguans responsible for or complicit in human rights abuses or undermining democracy in Nicaragua, placing financial sanctions under the Global Magnitsky Human Rights Act, and working closely with our regional partners to maintain international monitoring of the situation and promote democratic solutions. Through these actions, the United States and its partners would continue to apply pressure to President Ortega, strengthen democratic voices, and promote democratic solutions.

In addition to maintaining pressure on the Nicaraguan Government to cease its repression and negotiate in good faith, I would, if confirmed, continue U.S. support to civil society groups pursuing a peaceful, democratic solution to the current crisis, including reforms to address the serious erosion of democratic institutions and the rule of law in recent years. Impediments may include President Ortega's unwillingness to address these issues and ongoing pressure on independent media, civil society and political leaders. Strong support from the United States and other members of the international community will play a crucial role in achieving a return to full democracy in Nicaragua.

*Question 17.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Strengthening the capacity of civil society, human rights defenders, independent media, investigative journalists, youth, and other local stakeholders to promote and defend fundamental freedoms and democratic governance, along with efforts to hold the Ortega regime accountable for human rights violations, are among our key priorities. In addition to efforts to respond to the immediate needs of local partners during the current crisis, the State Department and USAID are coordinating closely to prepare for an eventual democratic transition and stand ready to support substantive democratic reforms when more permissive circumstances arise.

*Question 18.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Nicaragua? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes. If confirmed, I commit to meeting with civil society members, human rights, and other non-governmental organizations in the United States and with local human rights NGOs, and other members of civil society in Nicaragua.

The steps I will take, if confirmed, to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures include, but are not limited to: 1) supporting Department use of visa restrictions on Nicaraguans responsible for or complicit in human rights abuses or undermining democracy in Nicaragua to bar their entry into the United States; 2) supporting USAID and Department programs focused on responding to needs on the ground—such as ongoing support for human rights and democracy activists as well as independent journalists; and 3) organizing periodic stakeholder meetings with NGO program implementers to facilitate coordination among implementers and identify potential areas for collaboration.

*Question 19.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I commit to meeting with democratically oriented political opposition figures and parties. I will lead the Mission in continuing to take steps to increase the ability of Nicaraguan citizens to engage in democratic governance. This is achieved by strengthening the capacity of civil society, human rights defenders, independent media, and youth to promote and defend democracy and transparent and accountable governance. Political support from the international community and targeted assistance could help opposition parties learn how to offer

credible, competitive alternatives for the Nicaraguan people. If confirmed, I will advocate for access and inclusivity for women, minorities, and youth within political parties.

*Question 20.* Will you and your embassy team actively engage with Nicaragua on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Nicaragua?

Answer. A free and active press is an integral part of a healthy democracy. The Department of State is committed to supporting efforts to promote freedom of the press. In Nicaragua, we remain deeply concerned about government censorship of, and aggression toward, independent media and harassment of journalists trying to report on the protests. If confirmed, I will work with my embassy team to support press freedom and freedom of expression in Nicaragua. The U.S. Embassy in Managua will continue to engage directly with independent local media in Nicaragua and build their capacity.

*Question 21.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. The Department of State is concerned by any efforts to disseminate disinformation and anti-U.S. propaganda in Nicaragua and the region. If confirmed, I will work with my embassy team to promote accurate messages about the United States and other nations in the pursuit of freedom, democracy, prosperity, and security in the Western Hemisphere. One of the best defenses against disinformation is a free and transparent news media environment. If confirmed, I would work to monitor and counter any such efforts in Nicaragua, including by encouraging digital-media literacy, independent journalism, and supporting civic-tech groups and other local stakeholders to inform the public and stem the malign spread of disinformation.

*Question 22.* Will you and your embassy teams actively engage with Nicaragua on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, if confirmed, I will actively engage, and direct the Embassy staff to actively engage, with Nicaragua on the right of labor groups to organize, including independent trade unions.

*Question 23.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Nicaragua, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Nicaragua? What specifically will you commit to do to help LGBTI people in Nicaragua?

Answer. Yes, if confirmed, I will defend the human rights and dignity of all people in Nicaragua, no matter their sexual orientation or gender identity. As Secretary Pompeo affirmed in his statement on the International Day Against Homophobia, Transphobia and Biphobia, “the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else.”

employment, although studies showed most discrimination occurs at the family level. If confirmed, I will promote the inclusion of LGBTI persons and support the Department’s use of public and private actions to counter violence and discrimination against LGBTI persons. This includes diplomatic outreach through bilateral and multilateral channels, offering emergency assistance to LGBTI persons and organizations at risk, and imposing visa restrictions and economic sanctions, as appropriate, against those who violate their human rights.

*Question 24.* Will you commit to supporting USAID personnel, programs, and implementers in Nicaragua?

Answer. I highly value the unique and essential contributions of USAID to accomplishing U.S. goals. Yes, if confirmed, I will commit to supporting USAID personnel, programs, and implementers in Nicaragua.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KEVIN SULLIVAN BY SENATOR MARCO RUBIO**

*Question 1.* I was extremely disappointed by El Salvador's decision this week to sever its diplomatic recognition of Taiwan, a thriving democracy with a prosperous economy, in favor of China. One tool that the U.S. Government has at its disposal to influence countries like Nicaragua to maintain their relationships with Taiwan is foreign assistance. If confirmed, do you commit to discussing consistently with the host government the importance the U.S. Government places on their continued relations with Taiwan?

Answer. If confirmed, I commit to discussing with the Nicaraguan Government the importance the U.S. Government places on Nicaragua's continued relations with Taiwan and on cross-Strait stability. China's efforts to unilaterally alter the status quo undermine the framework that has enabled peace, stability, and development for decades. If confirmed, I will express to the Government of Nicaragua our great disappointment with countries that fail to consider this critical factor in the decision to switch diplomatic recognition and destabilize the delicate balance in the Taiwan Strait. Consistent with the Taiwan Relations Act, the United States is gravely concerned with any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes. The United States will continue to support Taiwan as it seeks to expand its already significant contributions to addressing global challenges, and as Taiwan resists efforts to constrain its appropriate participation on the world stage.

If confirmed, I will also make clear to Nicaragua China's financing practices can come at a steep price for recipient countries in terms of the negative effects on local labor and environmental conditions, debt sustainability, and the rule of law. I will do all I can to prevent Nicaragua from switching diplomatic recognition from Taiwan to China. Such flips are often made with corrupt enticements and promises of economic development that promote the interests of China over those of the host country.

*Question 2.* If confirmed, would you support cutting foreign assistance for severing diplomatic recognition for Taiwan?

Answer. Taiwan is a democratic success story, a reliable partner, and a force for good in the world. China's efforts to alter unilaterally the status quo in the Taiwan Strait are harmful to the targeted countries and to the region, and those efforts also decrease stability. If confirmed, I will underscore to Nicaragua the importance of cross-Strait stability to the United States and express our great disappointment with countries that fail to consider this critical factor in the decision to switch diplomatic recognition and destabilize the delicate balance in the Taiwan Strait.

The President has been clear that countries receiving U.S. taxpayer money should support the national security interests of the United States. We have a thorough interagency process to evaluate assistance to foreign governments, and, if confirmed, I would rely on the decisions made through this process.

*Question 3.* On July 16, the State Department released a statement condemning the Ortega regime's violence and called declared that "early, free, fair, and transparent elections are the best path back to democracy and respect for human rights in Nicaragua." It also noted that there was a "widespread call among Nicaraguans for early elections" and stated that "The United States believes early elections represent a constructive way forward." How do you assess the situation in Nicaragua?

Answer. Over recent months, more than 300 Nicaraguans have been killed, hundreds have been detained and remain missing, and thousands have fled the country. While violent clashes in the streets have diminished in recent weeks, the Ortega Government, and armed groups loyal to it, continue to intimidate and arbitrarily detain hundreds of individuals. Attacks and threats against peaceful protestors and the general population, including clergy, are unacceptable, and must cease. Those responsible for killings and other human rights abuses and violations must be held accountable.

The framework for national dialogue is already in place. The only obstacle to progress is President Ortega's unwillingness so far to negotiate in good faith the legitimate issues that the Catholic Church and other civil society leaders have put on the table in the Nicaraguan church-led dialogue.

*Question 4.* How can the U.S. Government help defuse the situation?

Answer. The U.S. Government continues to call on the Nicaraguan Government to immediately cease all government-sponsored violence. We are calling for early, free, and fair elections with credible domestic and international electoral observation.

The Department continues to help expose and hold accountable those responsible for the violence and intimidation campaign by: imposing visa restrictions on Nicaraguans responsible for or complicit in human rights abuses or undermining democracy in Nicaragua; placing financial sanctions under the Global Magnitsky Human Rights Act; and working closely with our regional partners to maintain international monitoring of the situation and promote democratic solutions.

*Question 5.* Do you believe that early elections are the only legitimate way forward at this point?

Answer. Yes, I believe that a sustainable solution to the ongoing crisis can be found only through early, free and fair elections with independent international observation, through which the Nicaraguan people can freely decide their country's future. The only obstacle to progress is President Ortega's unwillingness so far to negotiate in good faith the legitimate issues that the Catholic Church and other civil society leaders have put on the table. We continue to call on President Ortega and his government to do so.

*Question 6.* Nicaragua is clearly in dire need of support for democracy, human rights, and the rule of law, which we can provide through foreign assistance. In what areas would foreign assistance be most effective?

Answer. The Department of State and USAID are coordinating closely to respond to the immediate needs of local partners during the current crisis, and to prepare for an eventual democratic transition should the people of Nicaragua succeed in their calls for early, free, and fair elections.

USAID and State-funded democracy programs are designed to increase the ability of Nicaraguan citizens to participate effectively in democratic governance. Through foreign assistance we can strengthen the capacity of civil society, human rights defenders, independent media, and youth to defend democratic institutions, and promote more transparent and accountable governance.

*Question 7.* How would foreign assistance help achieve the State Department's goals in Nicaragua?

Answer. Foreign assistance can help to strengthen civil society and democratic institutions—both important U.S. objectives in Nicaragua. The Department of State and USAID are coordinating closely to respond to the immediate needs of local partners during the current crisis, and to prepare for an eventual democratic transition should the people of Nicaragua succeed in their call for early, free, and fair elections, which the United States has consistently supported.

Targeted foreign assistance could also contribute to progress on other key U.S. objectives in Nicaragua, including improved citizen security and inclusive economic growth, when political conditions permit.

*Question 8.* If confirmed, do you intend to advocate within the State Department for increased foreign aid for Nicaragua? If yes, what types?

Answer. If confirmed, I will advocate for increased foreign aid should more permissive circumstances arise that enable the State Department and USAID to support comprehensive democratic reform to address the erosion of the rule of law in recent years. There may also be additional opportunities to support inclusive economic growth and deepen cooperation on security issues.

*Question 9.* Do you think it's important for an ambassador or embassy officials to meet with civil society in addition to interfacing with the host government?

Answer. Yes, I believe it is crucial for the Ambassador and embassy officials to maintain regular contact with—and support for—a wide range of civil society groups and human rights advocates.

*Question 10.* If confirmed, do you commit to meeting consistently with civil society groups, including non-violent members of the opposition?

Answer. Yes, if confirmed, I commit to meeting consistently with a wide range of Nicaraguan civil society groups, including non-violent members of the opposition, and human rights advocates.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KEVIN SULLIVAN BY SENATOR BENJAMIN L. CARDIN

*Question 1.* We discussed Temporary Protected Status briefly at your hearing. I remain deeply concerned about the approximate 5,300 Nicaraguans who will be forced to return to Nicaragua in early 2019 because of the Trump administration's decision, contrary to the recommendation from Embassy Managua that TPS should

be extended for a variety of factors. Do you believe a reevaluation of the administration's TPS Nicaragua decision is warranted given the unrest and violence occurring in the country?

**Answer.** The authority to make decisions regarding TPS resides with the Department of Homeland Security (DHS), after consultation with appropriate agencies, including the Department of State. On November 6, 2017, DHS announced the decision to terminate TPS for Nicaragua, with a delayed effective date of 12 months to allow for an orderly transition. Nicaraguan TPS beneficiaries are authorized to remain in the United States through January 5, 2019, at which time they will revert to the immigration status they had before being granted TPS or any other status they subsequently acquired, unless that status has otherwise expired. Those who have no other status may apply or be petitioned for any other immigration benefits for which they may be independently eligible.

The Department of State is prepared to provide relevant country conditions information on Nicaragua to Secretary Nielsen should she initiate a review of conditions in Nicaragua.

**Question 2.** The protests in Nicaragua that began as an uprising against cuts to social welfare programs have evolved into Nicaraguans from all walks of life taking to the streets to challenge President Ortega's authoritarian policies and control of government institutions. What does this unique political moment say about the future of Nicaragua as a country and its path forward?

**Answer.** I have witnessed the deeply troubling developments in Nicaragua over recent months, as peaceful protests over changes to pensions quickly transformed into a much broader public repudiation of the Ortega Government. Nation-wide demonstrations were fueled by anger over violent repression that had taken the lives of demonstrators, as well as by deep resentment over the steady erosion of Nicaragua's democratic institutions.

The people of Nicaragua have expressed their support for dialogue mediated by Catholic Church leaders. Sustainable solutions can only be found through early, free, and fair elections with international observation, through which the Nicaraguan people can freely decide their nation's destiny.

**Question 3.** How can the United States play a constructive role in ensuring that any resolution to the political crisis promotes human rights, political inclusivity, and transparency for the Nicaraguan people?

**Answer.** If confirmed, I will urge the Nicaraguan Government to immediately cease its repression and release those who have been arbitrarily detained. Those responsible for these abuses and violations must be held accountable. The United States, other members of the international community, and most importantly the people of Nicaragua have expressed support for dialogue mediated by the Catholic Church.

If confirmed, I will ensure the U.S. Government maintains regular contact with and support for a wide range of Nicaraguan civil society groups and human rights advocates. We will continue to work closely with regional partners and international organizations, including the Organization of American States, to condemn human rights violations and abuses by the Nicaraguan Government and its supporters, and to press for good faith negotiations on a peaceful solution to the current crisis that addresses the legitimate issues raised by the Civic Alliance in their proposal to the Government. Every Nicaraguan deserves a government that upholds his or her human rights and fundamental freedoms and fully respects the rule of law.

**Question 4.** In your view, how likely is it that the current conflict will escalate into a civil war? Who or what countries might provide arms to opposition forces in Nicaragua?

**Answer.** Over recent months, more than 300 Nicaraguans have been killed, hundreds have been detained and remain missing, and thousands have fled the country. While violent clashes in the streets have diminished in recent weeks, the Ortega Government, and armed groups loyal to it, continue to intimidate and arbitrarily detain hundreds of individuals. Our colleagues on the ground report that while some normalcy has returned, this is not over.

The best solution for Nicaragua is a peaceful one. All political actors—especially the Government of Nicaragua—should do their utmost to avoid an escalation of violence. Sustainable solutions can be found only through early, genuinely free, fair, and transparent elections with international observation, where the Nicaraguan people can freely decide their nation's destiny. The only obstacle to progress is President Ortega's unwillingness so far to negotiate in good faith the legitimate issues the Catholic Church and other civil society leaders have put on the table in the Nicaraguan church-led dialogue.

*Question 5.* Last month, Vice President Pence tweeted support for early national elections as a solution to Nicaragua's current political crisis. Do you believe early elections are the best approach to resolving the current crisis?

Answer. Yes, I believe that a sustainable solution to the ongoing crisis can be found only through early, free and fair elections with independent international observation, where the Nicaraguan people can freely decide their nation's destiny. The only obstacle to progress is President Ortega's unwillingness thus far to negotiate in good faith the legitimate issues the Catholic Church and other civil society leaders have put on the table. We continue to call on President Ortega and his government to do so.

*Question 6.* What meaningful measures could the Ortega administration take to address the grievances brought to light by the recent protests, while opening up political space in Nicaragua?

Answer. The Nicaraguan Government-instigated attacks and threats against peaceful protestors and the general population are unacceptable and must cease. An end to violence is foremost among the conditions necessary to resume good faith negotiations for a democratic and peaceful path forward for all Nicaraguans. The only obstacle to progress is President Ortega's unwillingness thus far to negotiate in good faith the legitimate issues the Catholic Church and other civil society leaders have put on the table. It is not too late to do so. Agreeing to early, free and fair elections with international observation would be provide a peaceful, sustainable path to resolve Nicaragua's current crisis.

*Question 7.* How united is the current political opposition, which seems to have multiple leaders with multiple agendas?

Answer. After more than a decade of severe repression and legal manipulation by the Ortega Government, the current political opposition is fragmented and disorganized. The Civic Alliance for Justice and Democracy represents a new, broad coalition of private sector, civil society, and rural organizations, as well as student interests. While it has articulated a unified strategy to find a political solution to the crisis, it is not a political party and some of its members have competing political objectives. In spite of these differences, there is a broad call from across the Nicaraguan population for early, free, and fair elections, so that the Nicaraguan people can choose their leadership.

*Question 8.* Does the Nicaraguan opposition have viable candidates if early elections were to be held? As both a leader in Congress and as President, Ortega deliberately weakened the opposition; how likely is he to allow the opposition to organize if he remains in office until the next election?

Answer. President Ortega has suffocated the emergence of a new generation of leaders, not only among opposition groups but within his own party as well. Most political parties already have been stripped of their legal status, and Ortega continues to manipulate all public institutions to repress, divide, delegitimize, and discourage any organized opposition. Despite these efforts, viable candidates are emerging after months of civic opposition and courageous protests. Political support from the international community and targeted assistance could assist opposition parties in offering credible, competitive alternatives for the Nicaraguan people.

*Question 9.* Nicaragua has strong economic and political relations with Iran, Russia, and Venezuela, whose governments often work against U.S. national security interests. What should the United States be doing to counterbalance Nicaragua's engagement with, and growing dependence on these countries?

Answer. The United States remains concerned about Nicaragua's continuing economic and political relations with countries like Iran, Russia, and Venezuela. If confirmed, I will remain vigilant regarding these countries' involvement in sectors that may work against U.S. national security interests and will continue our strong public messaging and diplomacy to the Nicaraguan people to counter any malign influences.

*Question 10.* According to UNHCR, 100–150 Nicaraguans are crossing into Costa Rica each day since the political unrest began. At least 8,000 Nicaraguan asylum requests to remain in Costa Rica have been requested with UNHCR since April, with another 15,000 cases pending. Does UNHCR have the capacity to process and provide services to Nicaraguans fleeing to Costa Rica?

Answer. UNHCR is one of our primary partners working to mitigate the impact of Nicaraguans fleeing to neighboring countries. It is currently providing legal assistance, supporting registration efforts, and helping provide referrals to services for especially vulnerable populations. I understand the Costa Rican Government continues to process asylum claims, despite its current backlog. UNHCR signed a

Memorandum of Understanding with the Government of Costa Rica on August 23 to provide additional staff and space to help process asylum claims. Since FY 2017, the Bureau of Population, Refugees, and Migration (PRM) has contributed over \$40 million to UNHCR and the International Committee of the Red Cross (ICRC) for its Americas operations, which includes support for activities in Costa Rica. PRM has also contributed an additional \$350,000 to UNHCR this year for emergency needs related to the Nicaraguan influx into Costa Rica. PRM continues to assess the situation and the need for additional humanitarian resources.

*Question 11.* Does Costa Rica have the capacity to accommodate thousands of Nicaraguans coming over its borders?

Answer. The Costa Rican Government is a strong partner with a history of positive, constructive engagement on migration issues and is committed to building institutional capacity to improve its ability to react to future migrant flows. In recent years, Costa Rica has worked with the United States, the United Nations High Commissioner for Refugees, the International Organization for Migration, and others to build institutional capacity to better address migration issues, even before the recent uptick of Nicaraguans arriving in Costa Rica. As such, the Government possesses both the political will and experience to handle migrant-related crisis when they occur. While the recent and substantial flow of Nicaraguans entering Costa Rica presents an enormous challenge to the Costa Rican Government, our partners are working with it to help build capacity.

I understand the sizeable Nicaraguan community in Costa Rica has helped absorb new arrivals, and Costa Rica maintains two temporary migrant shelters (one in the north, one in the south) with space for a significant number of people. The Costa Rican Government also recently completed an interagency “Action Plan for Mixed Migrant Flows” and is working to implement its specific recommendations. These recommendations include better monitoring of migrant flows, strengthening border security, and providing coordinated services to migrants and refugees. To supplement its own efforts, the Costa Rican Government has sought support from the international community to help with capacity building of its migration authority.

*Question 12.* If confirmed, will you commit to working with our U.S. Ambassador to Costa Rica, Sharon Day, to ensure coordination on the United States response to this uptick in migration?

Answer. As the recent increase of Nicaraguans fleeing into Costa Rica shows, the current situation in Nicaragua is a regional issue. If confirmed, I commit to closely coordinating with U.S. Ambassador to Costa Rica Sharon Day, and others, as appropriate.

*Question 13.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As Interim U.S. Permanent Representative at the OAS, and subsequently as Deputy Permanent Representative, I built support for resolutions to hold the Venezuelan Government to account for its serious violations of human rights as well as its rupture of the country’s constitutional order. Under my leadership, our Mission helped increase our like-minded coalition from 14 member states when I began to around 20 today, bringing a number of influential Caribbean states on board despite major diplomatic and financial pressure from Venezuela. This larger coalition allowed the Permanent Council to take action on the situation in Venezuela for the first time. The resolution passed by the 2018 OAS General Assembly made clear that the OAS viewed Venezuela’s May 20 sham elections as illegitimate. I also worked closely with U.S. Ambassador to the OAS Carlos Trujillo in developing a similar coalition in the Permanent Council to address the grave human rights violations in Nicaragua. We passed a hard-hitting resolution on July 18 that called for an end to state-sponsored violence and a return to good-faith negotiations on democratic reforms. In addition, our Mission was instrumental in advocating a role for, and access by, the Inter-American Commission on Human Rights (IACtHR) in the monitoring and investigation of the violent repression of peaceful protests in Nicaragua. Finally, I advocated successfully for providing adequate funding for the IACtHR in the OAS budget, and for broadening member state support for crucial OAS electoral observation missions and its anti-corruption mechanisms.

I also actively promoted human rights and democracy during two previous assignments in Africa. As Political Economic Counselor in Ethiopia, I pressed successfully for freeing thousands held prisoner by the Ethiopian Government in 2006, and helped organize a group of prominent citizens to build public support for more democratic rule. Over the ensuing decade, Ethiopia has moved gradually in that direction. In Malawi, I championed USAID funding for civil society electoral observation

over the objections of the Government in 2009. The Government ultimately embraced the findings of that observation effort, which helped ensure a peaceful and transparent conclusion to a tense electoral process.

*Question 14.* What are the most pressing human rights issues in Nicaragua? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Nicaragua? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues in Nicaragua are President Daniel Ortega's use of security forces and armed thugs to employ lethal force against peaceful protestors, carry out extra-judicial killings, and detain and torture political opponents whose only crime has been speaking up for democratic reforms, or in some cases, simply providing water or medical services to those who do. More than 2,000 Nicaraguans have been injured and more than 300 have been killed in the current crisis since April 2018.

If confirmed, I will work with the international community to hold responsible those who have carried out these vicious attacks. I will help the Department of State continue to expose and hold accountable those responsible for the violence and intimidation campaign by: imposing visa restrictions on Nicaraguans responsible for, or complicit in, human rights abuses or actions that undermine democracy in Nicaragua; placing financial sanctions under the Global Magnitsky Human Rights Act; and working closely with our regional partners to maintain international monitoring of the situation and promote democratic solutions. We will also continue to provide targeted support to civil society organizations and human rights advocates. Through these actions, the United States and its partners would apply pressure to President Ortega, strengthen democratic voices, and support democratic resolution of this crisis.

*Question 15.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Nicaragua in advancing human rights, civil society and democracy in general?

Answer. One of the largest obstacles to addressing human rights in Nicaragua is President Ortega's unwillingness thus far to negotiate in good faith the legitimate issues the Catholic Church and other civil society leaders have put on the table. Another obstacle is Ortega-sponsored violence that increasingly aims to censor, discredit, and destroy the independent press and the Catholic Church. Armed government-backed mobs have attacked independent news stations, parishes, and church properties. Police and thugs have physically assaulted journalists, bishops, and priests. Attacks on freedom of expression and religious persecution are among the most pressing human rights violations in Nicaragua today.

One of the major challenges I will face in Nicaragua, if confirmed, is the instability the Ortega/Murillo regime has inflicted upon Nicaragua. Should it continue, it could lead to a number of negative outcomes, including an increase in the number of transnational criminal organizations operating in the country. Another challenge I will face, if confirmed, is the current social unrest which has added significant uncertainty to what had been a promising economic trajectory. Truly transformative economic growth to lift Nicaragua out of poverty will require new attitudes and approaches in key institutions. It is imperative that there be free, fair, and early elections to resolve the crisis and allow the Nicaraguan people to start building a stable, prosperous, and democratic future for their country.

*Question 16.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Nicaragua? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. I am committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Nicaragua. If confirmed, I would proactively support the Leahy law and similar efforts so that U.S. security assistance and security cooperation activities reinforce human rights.

*Question 17.* Will you and your embassy team actively engage with Nicaragua to address cases of key political prisoners or persons otherwise unjustly targeted by Nicaragua?

Answer. While violent clashes in the streets have diminished in recent weeks, the Ortega Government, and armed groups loyal to it, continue to intimidate and arbitrarily detain hundreds of individuals, including many of the Civic Alliance representatives. If confirmed, I will urge the Nicaraguan Government to cease repres-

sion and release those who have been arbitrarily detained. I will also engage with my team at the Embassy to seek ways we can advance the causes of political prisoners.

*Question 18.* Will you engage with Nicaragua on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes—human rights and strengthening democratic institutions will be among my top priorities if confirmed. I will look for new ways for the United States to support the Nicaraguan people on their road to democratic freedom and prosperity. I applaud the courageous work of the Inter-American Commission on Human Rights, the United Nations Human Rights Commission, and Nicaraguan human rights organizations investigating recent tragic events. Those responsible for these abuses and violations must be held accountable. I also strongly support the leading role of the Catholic Church and its brave efforts to mediate a peaceful resolution. I will ensure the U.S. Government maintains regular contact with, and support for, a wide range of Nicaraguan civil society groups and human rights advocates. If confirmed, I will urge the Nicaraguan Government to cease repression and release those who have been arbitrarily detained. Every Nicaraguan deserves a government that upholds his or her human rights and fundamental freedoms and fully respects the rule of law.

*Question 19.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 20.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 21.* Do you or do any members of your immediate family have any financial interests in Nicaragua?

Answer. No. Neither I, nor any members of my immediate family, have financial interests in Nicaragua.

*Question 22.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I look forward to leading the team of U.S. and Nicaraguan nationals at Embassy Managua and to tapping the unique and diverse talents each person brings to promote U.S. foreign policy objectives in Nicaragua. At the State Department's core are its people. The Department is committed to fostering a workforce that reflects the diverse people it represents. Diversity not only enhances our effectiveness but also promotes a workplace culture that values the efforts of all members and enhances the professional experience of our valued public servants. The Department's diversity efforts are outlined in its 2016 Diversity and Inclusion Strategic Plan. If confirmed, I will prioritize a variety of training opportunities, mentoring, and career development programs to ensure employees have the skills necessary for current and future work assignments.

*Question 23.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. The State Department is committed to equal employment opportunity (EEO) and ensuring the Department's work environment is free from prohibited discrimination and harassment in all phases of employment—including hiring, evaluation, promotion, and training. This includes improving and enhancing mentorship programs, expanding outreach to managers who make hiring decisions, and encouraging collaboration with external partners. If confirmed, I will strongly communicate the Department's EEO policies in my mission and ensure they are followed. If confirmed, I will also take advantage of the variety of programs the Department offers to help supervisors work with a multicultural staff.

*Question 24.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Nicaragua specifically?

**Answer.** Corruption is a major deterrent to effective and sustainable development and can manifest in many different forms to vitiate the integrity of government officers, institutions, and processes. Corruption thrives where institutional checks on power are missing, where laws, oversight, and enforcement institutions are weak, where decision-making is opaque, and where civil society is disempowered. Many of these conditions exist today in Nicaragua.

*Question 25.* What is your assessment of corruption trends in Nicaragua and efforts to address and reduce it by that government?

**Answer.** In 2017, Transparency International ranked Nicaragua as one of the most corrupt countries in the region, on par with other authoritarian regimes like Cuba and Venezuela. As noted in the Department's 2018 Investment Climate Statement, public sector corruption is prevalent, with reports of bribery of public officials, unlawful property seizures, and arbitrary assessments by customs and tax authorities common. Corruption is particularly rampant within the judicial system. In a 2016 survey of 2,500 Nicaraguan companies, one-third of all respondents reported arbitrariness and illegal actions by government offices that regulate property rights and businesses.

*Question 26.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Nicaragua?

**Answer.** The primary goal of U.S. anticorruption programming is to promote integrity in government institutions and processes, including the Government's interactions with civil society and the private sector. Rigorous laws, institutions, and social practices that enhance transparency, accountability, and oversight promote honest conduct and provide accountability. In the case of Nicaragua, where poor governance and official corruption are endemic, support to civil society and independent media is critical to spotlight these issues and hold the Ortega Government accountable.

If confirmed, I will support U.S. efforts to identify government officials who are responsible for, complicit in, or directly or indirectly engaged in human rights abuses or corruption; such efforts may lead to denying entry to the United States to any identified individuals. I understand the Department provides assistance to civil society and investigative journalists to monitor and report on human rights and governance issues and advocate, through regional and international fora, for measures to hold the Ortega regime accountable. I will seek to strengthen U.S. support and capacity-building for civil society organizations and businesses to advocate for improved rule of law in Nicaragua. If confirmed, I will engage civil society leaders often concerning the need for continued efforts to combat corruption and the suppression of fundamental freedoms in Nicaragua.

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## NOMINATIONS

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THURSDAY, AUGUST 23, 2018

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

The committee met, pursuant to notice, at 10:00 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Todd Young, presiding.

Present: Senators Risch [presiding], Flake, Gardner, Young, Shaheen, Kaine, and Merkley.

**OPENING STATEMENT OF HON. TODD YOUNG,  
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Good morning. This hearing of the Senate Foreign Relations committee will come to order.

I want to thank Senator Merkley for helping to convene this hearing today, and I am grateful for our continued partnership on so many issues, Senator.

I would also like to thank the senior Senator from Indiana, Senator Donnelly, as well as Senator Peters of Michigan.

The purpose of today's hearing is, of course, to review the nominations of five individuals for key positions. They include the following: David T. Fischer, nominated to serve as Ambassador to the Kingdom of Morocco; the Honorable Earl Robert Miller, a career member of the Senior Foreign Service, to serve as Ambassador to the People's Republic of Bangladesh; Mr. Daniel Rosenblum, a career member of the Senior Executive Service, to be Ambassador to the Republic of Uzbekistan—easy for me to say—Mr. Kip Tom, to be Ambassador and U.S. Representative to the United Nations Agencies for Food and Agriculture; the Honorable David Yamamoto, a career member of the Senior Foreign Service, to be Ambassador to the Federal Republic of Somalia.

I want to welcome each of you and thank you for being here today, and most importantly, I want to thank you for your willingness to serve our country.

I would like to extend a special welcome to Mr. Tom from Indiana. Based on Kip's tremendous experience and status as a fellow Hoosier, I wrote a letter to the President last year recommending that he nominate Mr. Tom for this position. As I said in that letter, Kip has more than 4 decades of domestic and international experience related to food and agriculture and is uniquely qualified. So I am glad that you are appearing before the committee today as the nominee for this important position.

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I am also grateful that you have invited so many members of your family. In fact, I cannot recall having so many family members attend one of these hearings. And they all shared with me—I think your parents shared with me we would have a lot more if it were not harvest season. So if they could raise their hands. That is a lot of individuals, a lot of Hoosiers. So thank you for being here.

During his May 24th appearance before this committee, Secretary Pompeo said, quote, with so many challenges before us, the State Department needs a full team on the field from locally employed staff around the world to senior leaders in Washington. Unquote. Secretary Pompeo expressed concern about vacancies in key positions and said we need our men and women on the ground executing American diplomacy with great vigor and energy and representing our great nation.

I completely agree, and that is why I am excited to have five nominees before the committee today. I am hopeful that the committee and then the full Senate can process their nominations as expeditiously as possible.

With that, I would like to recognize Senator Merkley for his opening comments and also indicate that our other Senators do have time commitments. I know Senator Donnelly has another committee hearing, and he will need to be out of here roughly around 10 after in order to make that. So with that, Senator Merkley.

**STATEMENT OF HON. JEFF MERKLEY,  
U.S. SENATOR FROM OREGON**

Senator MERKLEY. Thank you much, Mr. Chairman. I am glad we are able to have this hearing and expedite the process for so many individuals in key positions.

Thank you to Mr. Fischer and Ambassador Miller, Mr. Rosenblum, Mr. Tom, Ambassador Yamamoto for being here today and for being willing to serve in critical posts for our nation around the world.

I have seen the work U.N. agencies perform in the food and agricultural sectors during my congressional delegations abroad, and I am glad to see a nominee for ambassador for these vital institutions.

And I am pleased to see on this panel career foreign and civil servants who have come to their positions with years of experience.

Ambassador Miller, Saturday will mark the 1-year anniversary of the start of the brutal campaign of ethnic cleansing conducted by the Burmese military against the Rohingya, which of course is relevant to your position because of the 700,000 refugees that have fled the violence in Burma to neighboring Bangladesh. And I look forward to hearing from you how the United States can assist Bangladesh in addressing this very, very challenging situation.

I am also pleased Ambassador Yamamoto's nomination is moving forward. I visited Somalia in March of this year, and I know the challenges that you will face in leading this mission, a part of the world that is wrestling with climate, chaos, and conflict and corruption, a combination of substantial challenges. And it is kind of exciting to have a president there who is also a dual citizen with the

United States and I think certainly working to bring some real policy efforts to bear on those challenges. I hope you will be given the necessary security resources and support from the Department to do your work. When I visited, the representatives of the United States said we are the only ones who cannot leave our compound, and to do our work, we need to be able to get off the compound, an issue I have raised with Secretary Pompeo. I want to make sure that our team there is able to do their work.

Mr. Rosenblum, if confirmed, you will lead a mission in Uzbekistan, an historically important hub for supplying our troops in Afghanistan and a state that can play an important role in resolving the conflict there, including recently hosting some of the conversations with the Taliban.

And I look forward to hearing from Mr. Fischer. Morocco is a fascinating state. I appreciated our conversation yesterday and to give you an opportunity to address a couple of the issues that the committee had raised that they wanted you to clarify.

And thank you all.

Senator YOUNG. Senator Donnelly, I welcome you to make whatever comments you would like to make.

**STATEMENT OF HON. JOE DONNELLY,  
U.S. SENATOR FROM INDIANA**

Senator DONNELLY. Thank you, Mr. Chairman.

I want to thank all of our witnesses for your service to the country.

I am here to introduce and proud to introduce my fellow Hoosier, Kip Tom, who has been nominated to serve as America's Ambassador to the United Nations World Food Program and Food and Agriculture Organization.

Before I speak about Tip, I would like to take a moment to recognize some of the people who are here supporting him today, and there are a lot of people here supporting him today. His parents, Everett and Marie, have traveled from Leesburg, Indiana to be here today. He is also joined by his wife Marsha; his sister Melinda; his children, Cassie and Kyle; his daughter-in-law Angie; his grand children, Keegan, Camden, and Cameron; as well as other family members and friends. I am sure they are all very, very proud of your accomplishments.

A native Hoosier, Kip is a seventh generation farmer and has been active in agribusiness in Indiana for over 40 years. He is the current chairman of Tom Farms in Leesburg, Indiana, which is one of the largest corn, soybean, and seed growers in the State. Kip's agribusiness experience spans the globe. It includes work in North America, South America, Africa, Europe, the Middle East, and Asia. He serves on the boards of the Indiana Economic Development Corporation, the Indiana Chamber of Commerce, the Future Farmers of America Foundation, and the National 4-H Foundation. His leadership in the field has also been recognized by the Agricultural Future of America, which awarded him the 2015 Ag Leader of the Year award.

I believe Kip is highly qualified and will be committed to achieving the goals of the United Nations World Food Program and Food

and Agriculture Organization as they strive to defeat hunger and to achieve food security worldwide.

I look forward to hearing his testimony and your questions.

As I said, we are very, very proud of Mr. Tom, and I strongly, strongly support his nomination.

Thank you, Mr. Chairman.

Senator YOUNG. Thank you, Senator Donnelly.

With that, Senator Peters, I welcome you to make any comments.

**STATEMENT OF HON. GARY PETERS,  
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Well, thank you, Chairman Young. Thank you for holding the hearing, Ranking Member Merkley, and other Senators that are here, and each of the folks who have been nominated, your willingness to serve, if confirmed, is certainly very much appreciated.

I certainly appreciate the opportunity to introduce David Fischer, a Michigander, nominated to serve as the U.S. Ambassador to Morocco. I will say he is also backed up by a very large contingent behind me of 17 members of the Fischer family. It was certainly great to have an opportunity meet them before this hearing.

David is a leader in the metro Detroit business community. He built his family's auto dealership business into one of the largest dealer groups in the entire country. He and his wife Jennifer are known for dedication to the community and charitable causes, particularly focused on efforts to fight cancer, help children, and improve schools.

David and I have talked about the importance of vocational education, and his company has invested in these programs at Michigan schools, providing students with the skills training, meals, and for those who earn the required certifications, a good paying job in his company. David's company also recognizes local teachers who have earned the distinction of Teacher of the Year in their districts, and he allows them to pick a car to use for an entire year at no cost to them in honor of their recognition.

David has raised millions of dollars for renovations at the College for Creative Studies in Detroit, and thanks to David's leadership on the board of trustees, students have a cutting-edge learning facility contributing to Detroit's long history as a leader in innovation, as well as creativity.

David and his employees have generously supported a number of charitable initiatives, including Fallen Heroes, the Red Cross, the American Cancer Society, and Ford Mobile Food Pantry, among many, many others.

If confirmed, David will have an important job ahead of him as the Ambassador to one of America's first allies, but as someone who has navigated the darkest days of an auto industry on the brink of a collapse to the road to recovery and has done that through collaboration and bringing people together, David has demonstrated tenacity, adaptability, and most importantly, leadership.

Thank you.

Senator YOUNG. Well, thank you, Senator Peters. I welcome you to stay if you like, but I understand your responsibilities may also carry you elsewhere.

I gather Senator Flake also has an introduction to make.

**STATEMENT OF HON. JEFF FLAKE,  
U.S. SENATOR FROM ARIZONA**

Senator FLAKE. Thank you, Mr. Chairman.

It is tradition, if somebody is from your State, a Foreign Service officer, to introduce them here. Earl Miller is not from Arizona. I am sure he wishes he was at times. [Laughter.]

Senator FLAKE. And maybe at some point, but he is not.

But I chair the Africa Subcommittee and have had occasion to spend a considerable amount of time in southern Africa and to be able to witness what he has done in the country of Botswana as our Ambassador to Botswana for the last 3 and a half years.

He is here with his partner Michelle and son Alexander, I believe, and Andrew is elsewhere.

But I just want to say that it makes me so proud, and one of the best things we get to do as Members of the Senate is to travel around and see the good work that Foreign Service officers are doing around the world, in particular in Botswana, so many challenges there with one of the most successful efforts the U.S. has ever put in place with PEPFAR. Botswana was taken from a country that was in severe danger of total collapse there to a situation where we are in a good position moving toward at least a position where everyone is getting treated, and the efforts that Ambassador Miller made in that regard are commendable. Also wildlife preservation and environment and habitat protection. We have a wonderful partnership with the Government of Botswana that would be not be possible were it not for the efforts of Ambassador Miller.

I just want to say that South Asia, Bangladesh is going to be grateful to have him. He has done a great job in his previous posts, and I just wanted to commend him here today for all he has done for southern Africa.

Thank you, Mr. Chairman.

Senator YOUNG. Well, thank you.

And once again, I want to welcome all of our witnesses.

Without objection, your full written statements will be included in the record. And at this point, I would like to invite each of you to summarize your written statement in no more than 5 minutes. I welcome you to introduce, if you like, any members of your family that may be present here today. So we will go in the order that I announced you, beginning with Mr. Fischer.

**STATEMENT OF DAVID T. FISCHER, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO**

Mr. FISCHER. Thank you so much, Senator. Thank you. As always, Jennifer is there helping me turn the button on. [Laughter.]

Mr. FISCHER. If I may, would the Fischer family—are you all here? Everybody here? Okay.

Presiding Member Young, Ranking Member Merkley, and distinguished members of the committee, I am honored to appear before you today as President Donald J. Trump's nominee to serve as the Ambassador to the Kingdom of Morocco. First, I would like to express my profound thanks to the President and the Secretary of State for the confidence they have placed in me and the opportunity to represent our country.

Presiding Member Young, I know that you and the members of this committee have a profound dedication to serving the American people and representing American interests around the globe. The opportunity, with your consent and approval, to work with you and your colleagues, Secretary of State Pompeo, and the devoted members of this committee on behalf of the President is both humbling and invigorating.

I am strengthened every day by the love and support of my family, including my wife Jennifer, who is here with me today and who will join my on this journey; my sons, David, Jr., Zachary, and Jeffrey, all of whom I could not be more proud of. Together as a family we have championed countless causes related to social, civic, and community wellbeing. I have dedicated my career to developing our business across the United States and Canada. Today my company, founded nearly 75 years ago by my father, employs more than 3,400 people in the United States. Such lifelong endeavors will serve this country well, should I be confirmed.

Morocco is one of our oldest allies, and as you know, our Treaty of Peace and Friendship with Morocco, ratified in 1787, is the longest unbroken treaty relationship in the United States' history. Our friendship and continued economic, political, and security collaboration are vital and must be strengthened.

With my business background, I appreciate the tremendous opportunities for trade as exports from the United States to Morocco have tripled in recent years. Morocco is one of the few countries to which we have a free trade agreement. It is also a gateway for U.S. companies to enter other markets. If confirmed, I would work closely with this committee, as well as all other relevant departments and agencies, to expand these opportunities for U.S. businesses.

I also understand that no position is without its challenges. While the unwavering resolve of men and women of our military continues to protect our nation and the world against the Islamic State and other terrorist organizations, our fight continues. The United States and Morocco stand firm in advancing religious freedom and rooting out extremism. Morocco is an active and capable partner, was one of the first African countries to join the Global Coalition to Defeat ISIS, and as co-chair of the Global Counterterrorism Forum, Morocco plays a global role in the fight against terrorism. If confirmed, I will seek to further strengthen our security cooperation with Morocco to protect U.S. interests in the region. I will support the United Nations' efforts to advance a just, lasting, and mutually acceptable political solution that provides for the self-determination for the people of the Western Sahara.

Today, the United States confronts complex foreign policy challenges around the world. Morocco is a bridge to Africa, to the Middle East, and to the Muslim world. Building a strong relationship with King Mohammed VI will be paramount as we strengthen our

collaboration from a foundation of trust. If confirmed, I am confident that my experience in building and strengthening strategic alliances, in cultivating and building commerce, in supporting and promoting community, social welfare, and human rights will serve this administration and the United States well. If confirmed, I will work with the Government of Morocco to continue political reform and encourage further progress on human rights.

I fully understand that it will be my duty and privilege to work on behalf of the President, in lockstep with the State Department and this committee to represent the United States of America in advancing our interests and helping strengthen Morocco as a secure, prosperous, and vital ally of the United States of America.

Thank you, Presiding Member Young and members of this committee.

[Mr. Fischer's prepared statement follows:]

PREPARED STATEMENT OF DAVID T. FISCHER

Subcommittee Chairman Young, Ranking Member Merkley, distinguished members of the committee, I am honored to appear before you today as President Donald J. Trump's nominee to serve as Ambassador to the Kingdom of Morocco. First, I would like to express my profound thanks to the President and the Secretary of State for the confidence they have placed in me and for this opportunity to represent our country.

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I am strengthened every day by the love and support of my family—including my wife Jennifer who is here with me today and will join me on this journey—and my sons David, Jr., Zachary and Jeffrey, all of whom I could not be more proud of. Together, we have championed countless causes related to social, civic and community well-being. I have dedicated my career to developing our business across the United States and Canada. Today, my company—founded nearly 75 years ago by my father—employs more than 3,400 employees. Such lifelong endeavors will serve this country well should I be confirmed.

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and building commerce; in supporting and promoting community, social welfare, and human rights will serve this administration and the United States well. If confirmed, I will work with the Government of Morocco to continue political reform and encourage further progress on human rights.

I understand fully that it would be my duty and privilege to work on behalf of the President, in lock step with the State Department and this committee to represent the United States of America in advancing our interests and helping strengthen Morocco as a secure, prosperous, and vital ally of the United States of America.

Thank you, Senator Young, and members of the committee.

Senator YOUNG. And thank you, Mr. Fischer.  
Ambassador Miller?

**STATEMENT OF HON. EARL ROBERT MILLER, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH**

Ambassador MILLER, Mr. Chairman, members of the committee, I am honored to appear before you today.

I would like to thank the President and Secretary of State for the trust and confidence they have placed in me as their nominee for Ambassador to the People's Republic of Bangladesh.

Mr. Chairman, I would like to introduce my partner, Michelle Adelman, and youngest son Alexander, who just finished an internship at the State Department this week. I also want to recognize my son Andrew who is completing his studies at the University of South Florida. Their love and support over the years have been invaluable as they accompanied me around the world. It has been a privilege to serve the American people in eight countries across five geographic regions over the past 3 decades and see my sons grow into such smart, caring, accomplished young men and even consider following in Dad's footsteps.

It is an honor to be nominated to serve the United States in such a strategically important country at such a critical time for our bilateral relationship. As the world's eighth largest country by population and third largest Muslim majority nation, Bangladesh is known for its moderate, secular, pluralistic traditions. With an annual income growth rate of roughly 6 percent each year, Bangladesh aspires to soon become a middle income country and is an increasingly important trading partner and destination for U.S. investment. It is a vital link between South and Southeast Asia. It is a country of promise and opportunity, with a vibrant civil society, poised to play an even greater role on the regional and world stage.

We work closely with Bangladesh on a range of issues and hold regular structured dialogues on bilateral and regional issues, security and defense cooperation, as well as trade and investment. The United States is committed to a free and open Indo-Pacific, expanding our partnership with Bangladesh in support of good governance and fundamental rights and liberties, open access to seas and airways, peaceful resolution of territorial and maritime disputes, and free and reciprocal trade. We cooperate closely with Bangladesh on counterterrorism, ensuring threats do not grow and threaten to destabilize the region. We do so in a manner consistent with the rule of law and respect for human rights. We seek opportunities to in-

crease our security and defense cooperation in recognition of Bangladesh's admirable contribution to regional security and active role in U.N. peacekeeping operations.

Bangladesh faces significant challenges we can work together to address in partnership. One is the Rohingya crisis. The numbers are staggering, with Bangladesh hosting nearly 1 million refugees from Rakhine State in Burma. The largest refugee camp is now the fourth largest city in Bangladesh. We are deeply appreciative of the generosity of the Bangladeshi Government and people who have opened their borders and hearts to the Rohingya community that has suffered greatly. And the United States, as always, is doing its part. We are the largest donor addressing this humanitarian crisis, providing \$204 million since August of last year, and we are grateful for Congress' funding and continuing support.

As we approach the 1-year anniversary of attacks in Burma that drove so many Rohingya from their homes, it is clear the crisis requires sustained efforts. We will continue to work with Bangladesh, U.N. agencies, and our international partners to meet the urgent needs of the Rohingya while continuing to press Burma to create the conditions necessary to allow for safe, voluntary, and dignified return.

The upcoming national elections is an opportunity for Bangladesh to reaffirm its commitment to democracy and the rule of law by holding free, fair, credible, and inclusive elections that reflect the will of the Bangladeshi people. To do so, all parties must be able to fully engage in the political process. Freedom of expression and the press is also vital for a healthy democracy. Media, civil society, members of opposition groups, and peaceful protesters must be able to express their views and advocate for change without fear of retribution. Ambassador Bernicat has been a superb champion of all voices in the democratic process and, if confirmed, I pledge to follow her admirable example.

The United States remains concerned about recent trends in democracy and human rights in Bangladesh. We remain troubled about reports of attacks on vulnerable populations, political violence, extrajudicial killings allegedly committed by security forces. If confirmed, I will work to support efforts to promote accountability and strengthen human rights and democracy in Bangladesh.

Mr. Chairman, if confirmed, I would assume the responsibilities of my position with humility, dedication, and joy. I often tell my colleagues at our embassy in Botswana that an ambassador's greatest super power is simply and wonderfully the power to do good. Throughout my career, including 24 years as a special agent with the State Department's Diplomatic Security Service, I have worked to ensure the safety and security of our embassies and people around the world in some very challenging environments. I appreciate this is a chief of mission's most serious responsibility and it will always be a top priority.

Thank you, Mr. Chairman, for your strong interest in South Asia and the positive role the United States plays on that continent. If confirmed, I welcome the opportunity to work with you, your committee, and other Members of Congress to advance America's interests in Bangladesh and throughout the region.

And I will be honored to answer your questions.

[Ambassador Miller's prepared statement follows:]

PREPARED STATEMENT OF HON. EARL MILLER

Mr. Chairman and members of the committee, I am honored to appear before you today. I would like to thank the President and Secretary of State for the trust and confidence they have placed in me as their nominee for Ambassador to the People's Republic of Bangladesh.

Mr. Chairman, I would like to introduce my partner, Michelle Adelman, and youngest son, Alexander, who just finished an internship at the State Department this week. I also want to recognize my son, Andrew, who is completing his studies at the University of South Florida. Their love and support over the years have been invaluable as they accompanied me around the world. It has been a privilege to serve the American people in eight countries across five geographic regions over the past three decades and see my sons grow into such smart, caring, accomplished young men and even consider following in Dad's footsteps.

It is an honor to be nominated to serve the United States in such a strategically important country at such a critical time for our bilateral relationship. As the world's eighth-largest country by population and third-largest Muslim-majority nation, Bangladesh is known for its moderate, secular, pluralistic traditions. With an annual economic growth rate of roughly six percent each year, Bangladesh aspires to soon become a middle income country and is an increasingly important trading partner and destination for U.S. investment. It is a vital nation linking South and Southeast Asia. It is a country of promise and opportunity, with a vibrant civil society, poised to play an even larger role on the regional and world stage.

We work closely with Bangladesh on a range of issues and hold regular structured dialogues on bilateral and regional issues, security and defense cooperation, as well as trade and investment. The United States is committed to a free and open Indo-Pacific, expanding our partnership with Bangladesh in support of good governance and fundamental rights and liberties, open access to seas and airways, peaceful resolution of territorial and maritime disputes, and free and reciprocal trade. We cooperate closely with Bangladesh on counterterrorism, ensuring threats do not grow and threaten to destabilize the region. We do so in a manner consistent with the rule of law and respect for human rights. We seek opportunities to expand our security and defense cooperation in recognition of Bangladesh's admirable contribution to regional security and active role in U.N. peacekeeping operations.

We also see increasing opportunities to expand our trade and commercial relationship. The United States is Bangladesh's largest export market, and Bangladesh economic growth routinely averages six percent yearly creating opportunities for U.S. firms. We are seeing encouraging gains by American companies in Bangladesh's energy, infrastructure, and ICT sectors among others. If confirmed, I will actively seek to promote U.S. commercial interests while furthering our efforts to strengthen labor rights and improve workplace safety.

Bangladesh faces significant challenges we can work together to address in partnership. One is the Rohingya crisis. The numbers are staggering, with Bangladesh hosting nearly one million refugees from Rakhine State in Burma. The largest refugee camp is now the fourth largest city in Bangladesh. We are deeply appreciative of the generosity of the Bangladesh Government and people who have opened their borders and hearts to a Rohingya community that has suffered greatly. The United States, as always, is doing its part. We are the largest donor addressing this humanitarian crisis providing \$204 million since August of last year. We are grateful for Congress's funding and continuing support.

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Thank you, Mr. Chairman, for your strong interest in South Asia and the positive role the United States plays on that continent. If confirmed, I welcome the opportunity to work with you, your committee and other members of Congress to advance America's interests in Bangladesh and throughout the region. It would be a great privilege to once again represent the people of the United States of America.

I would be honored to answer your questions.

Senator YOUNG. Thank you, Ambassador Miller.

Mr. Rosenblum?

**STATEMENT OF DANIEL N. ROSENBLUM, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UZBEKISTAN**

Mr. ROSENBLUM. Chairman Young, Ranking Member Merkley, Senator Shaheen, I am honored to be here today as the nominee for U.S. Ambassador to the Republic of Uzbekistan.

I would like to introduce a few members of my family who have joined me here today: my wife Sharon, my son Jonah, and my daughter Leanna, and my sister Miriam who has come down from Boston to be with us today. They keep me grounded and I am grateful for that. They have already taken to calling me "Ambassadad" as an example of that, although I reminded them that they cannot call me that until I am confirmed by the U.S. Senate.

The life journey that led to my sitting at this table started in Middleburg Heights, Ohio where I had the good fortune to be the son of Louis and Evelyn Rosenblum. My mother was an educator who passed on to me her love of learning and fascination with history.

My father worked at NASA for over 30 years developing rocket fuels that took the first Americans into space and later solar cell technology for use on earth. My dad was also a human rights activist who in the early 1960s helped organize the grassroots movement that provided moral and material support to Jews and other oppressed minorities living under Soviet communism. His advocacy efforts eventually led to passage of the Jackson-Vanik amendment and mass emigration of Soviet Jews to Israel and the United States.

I was deeply inspired by my father's civic activism and motivated to learn more about that faraway place that occupied so much of his attention. No doubt this influenced my decision to study Russian history, language, and literature and later to pursue a master's in Soviet studies.

I also consider myself extremely fortunate to have spent 4 years here in the United States Senate in the 1980s learning from one of the most brilliant and hardworking public servants I have ever known, Senator Carl Levin of Michigan. During more than 2 decades at the State Department, I have relished opportunities to collaborate with Congress to further our foreign policy goals. And if confirmed, I look forward to working together with the members of this committee to promote U.S. interests and values in our relationship with Uzbekistan.

What are those interests? Why does the United States care? We care because what happens in Uzbekistan directly affects the safety and security of American citizens. We have seen what can happen around the world when we disengage and ignore the root causes of instability. A stable and secure Uzbekistan is very much an American interest.

We also have a sound, longstanding bipartisan policy of supporting the sovereignty and territorial integrity of the independent states that emerged from the collapse of the Soviet empire. Uzbeks appreciate America's steadfast support for their sovereignty since 1991 when we were the very first country to recognize their independence. A fully sovereign Uzbekistan, free to align itself internationally as it sees fit, is very much an American interest.

Uzbekistan currently is going through an exciting phase in its history as an independent nation. Over the past 2 years, President Mirziyoyev has launched a series of sweeping economic and political reforms aimed at modernizing Uzbekistan's economy, improving its citizens' quality of life, and making its government more accountable. More than 40 activists and journalists have been released from prison. Restrictions on civil society and the media are being loosened. Incidences of forced labor in the annual cotton harvest have been reduced, child labor virtually eliminated, and important first steps have been made to expand religious freedom.

President Mirziyoyev has also fundamentally reoriented Uzbekistan's foreign policy by vastly improving relations with his Central Asian neighbors and actively supporting regional cooperation. Uzbekistan has also begun to play a prominent role in the search for peace and reconciliation in neighboring Afghanistan.

If confirmed by the Senate, my number one priority will be to ensure the safety and security of my embassy team, as well as any all American citizens in Uzbekistan. Beyond that, I will make it my priority to, number one, deepen our partnership with Uzbekistan in pursuit of shared regional security goals and achieve a new level of cooperation to counter terrorism and other transnational threats; two, support the ambitious reforms the Government of Uzbekistan has initiated; three, help U.S. companies take full advantage of opportunities to sell American products and to make investments as policy reforms make it easier to do business in Uzbekistan; four, continue our focus on further improvements in the protection of basic rights and freedoms; and five, expand educational, business, science, and cultural exchanges between Uzbeks and Americans in order to establish a solid foundation for a long-term partnership.

Mr. Chairman and members of the committee, if I am confirmed, I pledge to work closely with you to support America's growing

strategic partnership with Uzbekistan. I am grateful for this extraordinary opportunity to serve my country, and I look forward to your questions.

[Mr. Rosenblum's prepared statement follows:]

PREPARED STATEMENT OF DANIEL ROSENBLUM

Chairman Young, Ranking Member Merkley, members of the committee, I'm honored to be here today as the President's nominee for U.S Ambassador to the Republic of Uzbekistan.

The life journey that led to my sitting at this table started in Middleburg Heights, Ohio, a suburb of Cleveland, where I had the good fortune to be the son of Louis and Evelyn Rosenblum. My mother was a teacher and religious school principal, who modelled basic values that I have strived, if not always succeeded, to live up to: show respect to everyone, practice empathy, and be tolerant of beliefs and backgrounds different from your own. She and my father also passed on to me their love of learning and, especially, a fascination with history. I should add that growing up as an obsessive fan of the Cleveland Indians, Browns and Cavaliers instilled in me some other useful qualities: patience, loyalty, and a high threshold for pain.

My father was a chemist who worked at NASA for over 30 years, testing fuels for the rockets that took the first Americans into space and later developing battery and solar cell technology for use on earth. When he wasn't being a "rocket scientist," my dad was also a human rights activist. In the early 1960's, he and a few friends at his synagogue organized the Cleveland Council on Soviet Anti-Semitism, which sought to educate the American public about the plight of Jews in the Soviet Union, who couldn't freely practice their religion there, and weren't even permitted to emigrate in order to do so. His group provided moral and material support to Jews and other oppressed minorities living under Soviet Communism, and eventually joined with like-minded grassroots groups across the U.S. to create the Union of Councils for Soviet Jews. By the 1970s the campaign Lou Rosenblum and a handful of others started had become a major social and political movement, leading to passage of the so-called Jackson-Vanik amendment and eventually to mass emigration of Soviet Jews and other religious minorities to Israel and the United States.

Although very young while all this was happening, I was deeply inspired by my father's public service and tireless civic activism, and motivated to learn more about this far-away country that occupied so much of his time and attention. No doubt this influenced my decision to study Russian history, language and literature as an undergraduate, and later to pursue a Master's degree in Soviet Studies.

In between my academic studies, I was extremely fortunate to get another kind of education, when I spent four years in this great institution, the United States Senate, learning from one of the most brilliant and hard-working public servants I have ever known: Senator Carl Levin of Michigan. Senator Levin took this chamber's oversight role very seriously, and taught me to appreciate the wisdom of our founding fathers when they created a co-equal legislative branch as an indispensable part of our system of checks and balances. As a result, during the more than two decades I have been sitting on the "other side of the table" at the State Department, I have relished opportunities to work with Congress to further U.S. foreign policy goals in a collaborative spirit. And in that spirit, if confirmed, I look forward to working together with the members of this committee to promote U.S. interests and values in our relationship with Uzbekistan.

On the verge of joining the Foreign Service in 1991, I opted instead to work for an NGO involved in supporting labor rights in the post-Communist countries of Eastern Europe and the former Soviet Union. Traveling all over the region and meeting coal miners, air traffic controllers, textile workers, and teachers, I got a ground level view of the disruptive economic and social changes occurring in those societies and how they were affecting ordinary workers. I also witnessed the mixed record of international assistance in helping these countries navigate the transition away from Communism and towards free market democracy. Beginning in 1997, I was able to bring that experience to the State Department, where I spent many years coordinating U.S. foreign aid to the newly independent countries of the former Soviet Union and Western Balkans. Since 2014, I have focused on developing policy towards and managing diplomatic relations with the countries of Central Asia, including Uzbekistan.

When my friends and family heard the news about my nomination, their two most frequent questions were: One, can you show me where Uzbekistan is on a map? And two, why does the U.S. care what happens there? I was already quite used to answering versions of these questions from my four years as Deputy Assistant Sec-

retary in the Bureau for South and Central Asian Affairs. My answer is straightforward, and has two parts.

First, we care because what happens in Uzbekistan and the rest of Central Asia directly affects the safety and security of the United States and its citizens. We want these countries to develop as stable, prosperous, human rights-respecting and friendly partners because if they don't, we will eventually pay the price here at home. We saw what happened in Afghanistan in the 1990s; we have seen what can happen in other parts of the world when we disengage and ignore the root causes of instability. A stable and secure Uzbekistan is very much an American interest.

Second, our country has been well served over the past two and a half decades by a bipartisan policy of supporting the sovereignty, independence, and territorial integrity of the independent states that emerged from the collapse of Communism in Central and Eastern Europe. It is not in our long-term security or economic interests for a single power to dominate this region. We are much better off having mutually beneficial relations with a diverse group of sovereign countries, both big and small, in Eurasia and Central Asia. And I have personally seen how much the Government and people of Uzbekistan appreciate America's steadfast support for their sovereignty since 1991, when we were the very first country to recognize their independence. A fully sovereign Uzbekistan, free to align itself internationally as it sees fit, is very much an American interest.

Uzbekistan currently is going through an exciting phase in its history as an independent nation. Over the past two years, President Mirziyoyev—who visited Washington a few months ago and met with the President, Cabinet officials, members of Congress, and the U.S. business community—has launched a series of sweeping reforms aimed at modernizing Uzbekistan's economy, improving its citizens' quality of life, and making its government more accountable. His policies have led to a marked, though incomplete, improvement in Uzbekistan's human rights record. Approximately 40 prisoners of conscience have been released, including all high-profile human rights activists and journalists. In addition, restrictions on civil society and the media are being loosened, incidences of forced labor in the annual cotton harvest have been reduced, child labor virtually eliminated, and important first steps have been made to expand religious freedom, such as the official registration of a Christian community last month.

President Mirziyoyev has also reoriented Uzbekistan's foreign policy by vastly improving relations with its Central Asian neighbors and actively supporting regional cooperation, including through the C5+1 format.

Uzbekistan has begun to play a prominent role in the search for reconciliation in neighboring Afghanistan and integrating Afghanistan into the Central Asian regional economic and political architecture, and if confirmed, I look forward to supporting those efforts, while ensuring they are well coordinated with international frameworks for a settlement of the Afghanistan conflict.

If confirmed by the Senate, my number one priority will be ensuring the safety and security of my Embassy team, as well as any and all American citizens in Uzbekistan. Beyond that, I will make it my priority to:

1. Deepen our partnership with Uzbekistan in pursuit of our shared security goals in the region. This includes not only working together to stabilize Afghanistan, but also achieving a new level of cooperation between our militaries and other security and law enforcement agencies in order to counter extremists, transnational criminals, proliferation threats and traffickers of narcotics and persons.
2. Support implementation of the sweeping reforms the government of Uzbekistan has initiated. Through our assistance programs, we are already providing a boost to reforms in the judicial sector, agriculture, and health care. We can and will do more to support nascent economic liberalization.
3. Help U.S. companies take full advantage of opportunities for sales and investments that will emerge as Uzbekistan makes it easier for both domestic and foreign companies to do business.
4. Continue our intensive focus on further improvements in the protection of basic rights and freedoms. We will be supportive of positive trends while offering constructive criticism when warranted, consistent with traditional American values.
5. Broaden engagement between the citizens of Uzbekistan and the United States by significantly expanding our educational, business, science and cultural exchanges in both directions. There is a strong and growing demand in Uzbekistan for English language instruction and for American technology and know-how. And nothing will help solidify the foundation for long-term U.S.-Uzbek partnership more than building out the network of linkages between our two nations.

Mr. Chairman, members of the committee, if I am confirmed, I pledge to work closely with you to support America's growing strategic partnership with Uzbekistan. I'm grateful to the President, the Secretary of State and this committee for giving me an extraordinary opportunity to serve my country. I look forward to your questions.

Senator YOUNG. Thank you, Mr. Rosenblum.  
Mr. Tom?

**STATEMENT OF KIP TOM, OF INDIANA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE**

Mr. TOM. Chairman Young, Ranking Member Merkley, distinguished members of the committee, thank you for this opportunity to appear before you today as the nominee to represent the United States of America as the Ambassador to the United Nations Agencies for Food and Agriculture in Rome.

I will not spare you any more time with introductions of the family. We have covered that a few times, but I really thank them for being here today. It means a lot to me to have them in the background, sometimes for the first time in D.C.

So I am grateful to be given this opportunity, outline my qualifications, and discuss my vision with you today.

I would like to take this opportunity to recognize the committee's leadership on global food security. Not only is the U.S. the largest food provider in the world, but you have led a whole-of-government effort to address the root causes of global poverty and hunger by giving farmers the tools and knowledge to help them feed themselves. This approach will provide economic growth and stability at a time when the world needs it most. I cannot imagine a better honor than to serve in the leadership capacity and be a small part in advancing U.S. global food security efforts to create a more stable food secure world.

I have been privileged to visit humanitarian response efforts in Afghanistan, Iraq, Kenya, Tanzania where food security continues to be a challenge, in some cases in the midst of a protracted conflict. Most of these people are farmers, and I witnessed the challenges they face in growing enough food to feed their own children and family. As a farmer and as a father, to see these people struggle in this way is heartbreaking. While the world will always see crises, I know we can do better to lift people out of poverty.

My story is an American story. I was born in Leesburg, Indiana, one of five children in a sixth generation family farm. We were raised on a modest 200-acre farm that our family settled back in 1837. We may not have had much materially, but my parents gave us what they could, instilling strong family values, work ethic, leadership skills, many gained through organizations like 4-H and FFA and the church where we belonged. It was because of these experiences that we understood the freedoms and the opportunities that this country offers. Our family's experience is unique, but it is also familiar to many Americans across rural America and throughout our country's history.

It was on this same farm where I raised my own family of five children and grew it into a larger family farming business that is recognized globally.

The U.N. agencies in Rome are three principal organizations at the U.N. dedicated to food and agriculture. As a successful farmer, I know what it takes to grow agriculture, create jobs, and empower youth, and I have sought to share my knowledge and support agriculture and food security all over the world.

During these 45 years of farming, I have been part of numerous agriculture technology startup companies in the Silicon Valley, agribusiness firms to develop and advance new technologies that have driven global agricultural productivity.

From 2005 to 2015, I was honored to serve with Governor Daniels and then Governor Pence on the Indiana Economic Development Corporation Board. During my time serving on that board, we saw high levels of job growth while attracting record levels of capital investment to our Hoosier State. Today Indiana is rated as one of the top States for businesses to call home.

As a business leader, whether I am working with government officials, startups, or established multinationals, I believe that there is nothing more important to a leader's success than his or her ability to unite those with different backgrounds, viewpoints, and objectives behind a common purpose.

Although I will always call my Hoosier State home and will always call myself a farmer, I look forward to begin this new chapter, if confirmed. I am eager to represent my country, build consensus amongst organizations, and forge new relationships to advance U.S. interests.

The U.S. is the largest donor to the U.N. agencies in Rome, providing more than \$2.6 billion a year in funding for humanitarian response efforts alone. If confirmed, I intend to bring a private sector perspective to the governance oversight roles of the U.S. mission to help enhance the effectiveness of our investments abroad.

Mr. Chairman, my goal in serving as Ambassador to the United Nations Agencies for Food and Agriculture will be to improve our mission's outcomes, to serve the interests of the American people. If you confirm me, I will bring all my knowledge, work ethic, and skills to bear to ensure that this becomes a reality. I will do it in ways that I hope brings honor to our country, our values, and our national interests.

Thank you very much for your time.

[Mr. Tom's prepared statement follows:]

#### PREPARED STATEMENT OF KIP TOM

Chairman Young, Ranking Member Merkley, distinguished members of the committee, thank you for the opportunity to appear before you today as the nominee to represent the United States of America as Ambassador to the United Nations Agencies for Food and Agriculture in Rome. I am grateful to be given the opportunity to outline my qualifications and discuss my vision with you today.

I would like to take the opportunity to recognize this committee's leadership on Global Food Security. Not only is the U.S. the largest provider of food aid in the world, but you have led a whole of government effort to address the root causes of global poverty and hunger by giving farmers the tools and knowledge to help them feed themselves. This approach will provide economic growth and stability at a time when the world needs it most. I cannot imagine a better honor than to serve in this leadership capacity and be a small part in advancing U.S. global food security efforts to create a more stable, food secure world.

I have been privileged to visit humanitarian response efforts in Afghanistan, Iraq, Kenya and Tanzania where food security continues to be a challenge. Most of these people are farmers, and I witnessed the challenges they face in growing enough food

to feed their children. As a farmer and a father, to see these people struggle in this way is heartbreaking. While the world will always see crises, I know we can do better to lift people out of poverty.

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It was on this same farm where I raised my own family of five children and grew it into a large family farming business that is recognized globally.

The U.N. agencies in Rome are the three principal organizations at the U.N. dedicated to food and agriculture. As a successful farmer, I know what it takes to grow agriculture, create jobs and empower youth, and I have sought to share my knowledge and support agriculture and food security all over the world.

During those 43 years of farming I have been part of numerous agriculture technology startup companies in Silicon Valley and Agri-business firms to develop and advance new technologies that have driven global agricultural productivity.

From 2005–2015, I was honored to serve with Governor Daniels and then Governor Pence on the Indiana Economic Development Corporation Board. During my time serving on the board we saw high levels of job growth while attracting record levels of capital investment in the Hoosier State. Today, Indiana is rated as one of the top States for businesses to call home.

As a business leader, whether I am working with government officials, start-ups, or established multinationals, I believe that there is nothing more important to a leader's success than his or her ability to unite those with different backgrounds, viewpoints, and objectives behind a common purpose.

Although I will always call my Hoosier State home and will always call myself a farmer, I look forward to begin this new chapter, if confirmed. I am eager to represent my country, build consensus amongst organizations, and forge new relationships to advance U.S. interests.

The U.S. is the largest donor to the U.N. Agencies in Rome, providing more than \$2 billion a year in funding for humanitarian response efforts alone. If confirmed, I intend to bring a private sector perspective to the governance oversight roles of the U.S. Mission to help enhance the effectiveness of our investments abroad.

Mr. Chairman, my goal in serving as the Ambassador to the U.N. Agencies for Food and Agriculture will be to improve our Missions outcomes to better serve the interests of the American people. If you confirm me, I will bring all my knowledge, work ethic, and skills to bear to ensure that this becomes a reality.

I will do it in ways that I hope bring honor to our country, our values, and our national interests. Thank you very much for your time.

Senator YOUNG. And thank you, Mr. Tom.  
Ambassador Yamamoto?

**STATEMENT OF HON. DONALD Y. YAMAMOTO, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF SOMALIA**

Ambassador YAMAMOTO Thank you very much, Mr. Chairman and Ranking Member Merkley and the honored members of this committee. It is indeed a great honor to appear before you today to be considered for the position as the U.S. Ambassador to the Federal Republic of Somalia. And I am very humbled by the nomination by the President and the confidence by the Secretary of State.

I would like to introduce my wife Margaret, who with the many other many dependents and eligible family members of the Foreign Service, constantly makes sacrifices each and every day and con-

tributions to the U.S. Government and to the people of the United States. Through two evacuations and supporting colleagues serving in harm's way, we have two children who are also committed to service. Our daughter Laura is a cadet at the U.S. Military Academy at West Point, and our son Michael serves as a captain in the U.S. Army Signal Corps. And it was a great honor for me to also serve in Afghanistan where my son served on two occasions.

Mr. Chairman and honored members, I have been very fortunate to serve in the Foreign Service for the last 2 decades in Africa in multiple ambassadorial assignments, as well as Mogadishu, Somalia as the charge d'affaires 2 years ago to set up operations there and also recently as the Assistant Secretary Acting for the Africa Bureau.

Over the past several years, the characteristics that have designated Somalia have made great strides and improvements. And that is due to not only the United States' leadership role but also the people and the governments in Somalia.

The gains, though, can only hold through sustained good governance, commitment to tackle enormous security challenges, and determination to bring a better future for the country and its people. The United States is an important partner in the implementation of steadily increasing political, economic, and security reforms. We as the United States are in a critical leadership role, and if confirmed, Mr. Chairman, I will continue to advance the U.S. leadership role in advancing the U.S. national strategic interests in four critical areas: first, in building democratic institutions and holding governments accountable to the people; developing effective security forces; implementing stabilization and economic recovery programs; and delivering humanitarian assistance.

Coordinating the international partners will also be critical to make the most effective use of U.S. influence and resources. And strengthening the positive relationships we have, such as the African Union and the AMISOM troop contributions, also the Gulf States, international actors and organizations involved in Somalia will be our top priorities with your confirmation, sir.

Above all, if confirmed, I will work to ensure the safety and security of the staff, U.S. Government colleagues, U.S. citizens in Somalia, and the security challenges in Mogadishu. And they are significant. It is challenging. It is dangerous and it will continue to challenge us for the years to come.

And, Mr. Chairman, on a positive note too, Somalia is in change. We have the return of the Diaspora, including American citizens who are investing in Somalia. And Somalia's progress will continue through the efforts that we make and that we do in coordination with our colleagues.

So, Mr. Chairman and the members of this committee, I would like to take this opportunity to say, if confirmed, I would do my utmost to seriously dedicate myself to the service and the values of this nation and to the people and to our objectives in Somalia.

Thank you, Mr. Chairman.

[Ambassador Yamamoto's prepared statement follows:]

## PREPARED STATEMENT OF HON. DONALD Y. YAMAMOTO

Mr. Chairman, Ranking Member Menendez, and members of the committee, it is an honor to appear before you today to be considered for the position of United States Ambassador to the Federal Republic of Somalia. I am humbled to be President Trump's nominee for this important position and want to thank him and Secretary Pompeo for the confidence they have shown in me through this nomination.

I would like to take this time to introduce my wife, Margaret, and my children, who underscore the commitment to service: my daughter Laura, a Cadet at West Point, and son, Michael, who serves as a Captain in the U.S. Army Signal Corps.

Mr. Chairman, I have been fortunate to have many opportunities to work in East Africa over the course of my 38 years in the Foreign Service, including as Ambassador to the Federal Democratic Republic of Ethiopia, Ambassador to the Republic of Djibouti, Charge d'Affaires at U.S. Mission Somalia, and most recently as Acting Assistant Secretary for African Affairs. Throughout my time in the region, I have been continuously impressed by the determination and resilience of the Somali people.

Over the past several years, those characteristics have been critical to the reemergence of a federalized system of governance in a country that has begun to assert itself as a legitimate and credible internal and international partner. The Federal Government of Somalia (FGS) and its Federal Member States are working together to expand governance, pursue critical fiscal and security sector reforms, and address humanitarian needs, while the Somali diaspora, including many Americans, are returning and investing in Somalia, boosting the agriculture and service sectors.

These gains will hold only through sustained good governance, commitment to tackle enormous security challenges, and determination to bring about a better future for the country, one that no longer poses a security threat to the United States or the world. The United States is an important partner in the implementation of steadily increasing political, economic, and security reforms.

We, as the United States, are a critical lead element in coordinating international and regional efforts to improve Somalia's future. Mr. Chairman, if confirmed, I will work to advance our desired end state of a peaceful and prosperous Somalia by focusing support to the Somali people in four key areas:

1. Building democratic institutions and governance structures, including by helping the Somalis plan for direct general elections in 2020/2021. "One person one vote" elections will be critical for shifting political influence away from power brokers to the people.
2. Developing effective security forces that can take over responsibilities from the African Union Mission to Somalia (AMISOM) and provide security throughout the country;
3. Implementing stabilization and economic recovery programs to help Somalis rebuild their communities liberated from al-Shabaab's grasp, provide jobs for Somalia's growing youth population, and develop as a market for U.S. investment; and
4. Delivering humanitarian assistance to alleviate emergency food and health crises in the near term while building capacity to allow Somalia to return to self-reliance and a role as a valuable contributor to its region and the world.

Coordination with international partners will also be critical to make the most effective use of U.S. influence and resources. Strengthening positive relations with like-minded western partners, AMISOM troop contributors, the Gulf States, and other international actors and organizations involved in Somalia, will be among my top priorities.

Above all, if confirmed, I will work to ensure the safety and security of my staff, U.S. government colleagues, and U.S. citizens in Somalia. The security challenges in Mogadishu are significant, and I will be ever vigilant to ensure that our operations are conducted with appropriate security safeguards in place.

Somalia's progress in the past few years, however fragile, is inspiring, and we have willing partners in the Somali government and the Somali people. Mr. Chairman, I have faith that with unwavering effort, we can maintain this positive momentum and deliver meaningful achievements that benefit both the United States and Somalia. If confirmed, I will work hard to protect Americans in Somalia, strengthen our bilateral relationship, and see that our considerable investment in Somalia bears the fruit of peace and security.

I look forward to the opportunity to work with the committee to achieve those goals. Let me once again reemphasize, Mr. Chairman, to this committee, and the Congress, that I would take on this assignment with the utmost seriousness and dedication, in service of our values and our people. Thank you.

Senator YOUNG. And thank you, Mr. Ambassador.

For the information of all of the nominees, as well as the members present, votes have been called. It is unclear at this point whether we are going to have one or two votes, but we will make every effort to expedite this process and keep it going if possible, otherwise we may recess.

There will be 7 minutes for members to ask their questions, at least in the first round of questions.

So I will begin with Mr. Tom. Sir, you are nominated to serve as the Ambassador to the U.N. Agencies for Food and Agriculture in Rome. Let me just reiterate how proud I am to have such a qualified individual from our home State of Indiana nominated to this position.

You will promote, if confirmed, U.S. interests and policies with respect to three entities: the Food and Agriculture Organization, the World Food Program, and the International Fund for Agricultural Development.

As chair of the subcommittee that oversees multilateral institutions, including the United Nations and related entities, and in my efforts related to the four famines, in particular in Yemen, I have worked particularly closely with the World Food Program. Executive Director Beasley, for example, has appeared before my subcommittee twice just over the last roughly 18 months.

Mr. Tom, once confirmed, will you let me know, let members of my office know what we can do so that we can work together and ensure multilateral efforts are as effective as absolutely possible with respect to food security?

Mr. TOM. Senator Young, thank you for that question.

If confirmed, I will report back into this committee and let you know what my experiences are, the solutions I find, and the work that I have come to grow with with Executive Director Beasley and others at USAID and FAO to make sure that we report back in our successes and make sure that we understand that success is measured by those that we lift out of poverty and help become food secure.

Thank you.

Senator YOUNG. Relatedly I would just like to take this opportunity to indicate how pleased I was that section 1290—it is a provision in the National Defense Authorization Act that I worked with Senator Shaheen and others on—was included in the act that President Trump signed into law. And I look forward to reviewing Secretary Pompeo's written detailed and unclassified submission related to Yemen by September 12th in accordance with the law.

Ambassador Yamamoto, in your written statement, you list as one of your top priorities for Somalia delivering humanitarian assistance to alleviate emergency food and health crises. Based on your most recent position and your preparation for this hearing, can you just provide this committee an update on the food insecurity crisis in Somalia and indicate what tangible steps we should be focusing on as a committee and as a country to help alleviate the food insecurity situation?

Ambassador YAMAMOTO Thank you, Mr. Chairman.

So in Somalia, with a population of 11 million, over 50 percent are acute food insecure. That means 5.4 million people. But it is

not just Somalia but the entire region is entering its fourth year of drought, and so that poses huge problems and challenges.

The United States is the major donor for food assistance and humanitarian assistance to Somalia, and we will be working very closely with my colleague here, Mr. Tom, on those food insecurity issues. And the way we deliver is that the United States remains critical to the humanitarian assistance not just to Somalia but to the entire region.

Senator YOUNG. Well, you preempted by follow-up question. I wanted your assurance that you would be working closely with Mr. Tom. And, Mr. Tom, my presumption is you will be working closely with Ambassador Yamamoto, and both of you will be reporting back to my office and this committee on your efforts. Is that a correct presumption?

Mr. TOM. Senator Young, it is correct.

Senator YOUNG. Ambassador?

Ambassador YAMAMOTO Yes.

Senator YOUNG. Ambassador Miller, you are nominated to serve as our Ambassador to Bangladesh, and as we know, the Burmese military has conducted a systematic and horrific campaign of ethnic cleansing against the Rohingya. As a result, we see hundreds of thousands of Rohingya refugees in Bangladesh from Rakhine State in Burma.

Along with Senator Merkley, I have been active in the Senate on issues related to Burma and this crisis, and I plan to continue my efforts.

Mr. Ambassador, if confirmed, in coordination with our Ambassador to Burma, do I have your commitment you will keep this committee and my office regularly updated on the Rohingya crisis, related fallout from that crisis, and indicate to us, perhaps most importantly, how we can be helpful to you?

Ambassador MILLER. Well, thank you for the question, Senator, and thank you for your leadership on this important. And I certainly make that pledge.

I would also want to recognize and thank Senator Merkley for leading the first congressional delegation to Burma and Bangladesh to see with his own eyes the ground truth of this immense humanitarian crisis.

If confirmed, I pledge to continue to have this issue be one of the top priorities at the U.S. mission in Dhaka. As I had mentioned, the United States is very grateful that the government of Bangladesh has opened their borders and the people of Bangladesh have opened their hearts to over a million refugees for the last 2 decades, including 700,000 since August.

I want to recognize the generosity of the American people. Their hard-earned taxpayer dollars are saving lives, and I will make it one of my top goals to make sure that continues to be the case and those dollars are spent wisely. Right now, they are providing protection, emergency shelter, food, health care, psychosocial support for the displaced, and host communities in Bangladesh. But we have to, Senator, also focus beyond the immediate needs of this vulnerable population and basic health and safety on medium and long-term planning. This crisis is not going to abate in the next

year or possibly 2 or 3 years. So we are looking at schooling, livelihood training.

And it is also imperative that any repatriation be fully voluntary, safe, and dignified. And Burma must commit to creating those conditions on the ground in Rakhine State. The military and security forces must end the violence and adhere to the rule of law. Those responsible for ethnic cleansing and other abuses should be held accountable.

And in the letter that this committee sent to Secretary Pompeo last week urging a robust response to the crisis, Elie Wiesel, one of my heroes, was quoted as saying silence encourages the tormentor. I pledge to you and this committee, if confirmed, I will work tirelessly with you, with our superb interagency team in Dhaka, with Bangladeshi officials, our international partners to help the victims of this great injustice. Wiesel once said what all victims need above all is to know they are not alone, that we are not forgetting them, that when their voices are stifled, they can borrow ours, that while their freedom depends on us, the quality of our freedom depends on theirs. If confirmed, I would always remember as an American diplomat and public servant our lives no longer belong to us, they belong to those who need us desperately.

Senator YOUNG. Well, thank you, Mr. Ambassador. I am encouraged. You speak with such clarity and precision, thoughtfulness and eloquence on this issue.

With that, Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Congratulations to each of you on your nominations. I look forward to working with each of you, if confirmed.

Mr. Tom, you spoke quite eloquently in your opening statement about the importance of food security and what you have seen as you have traveled. I am troubled because in the last two presidential budgets, the administration has proposed to zero out the funding for Food for Peace and to steadily reduce funding for the international disaster assistance, which supports Food for Peace.

So based on your experiences, what kind of impact do you think it would have if the United States dramatically reduces funding for food programs and steps away from the role that we have played in the world?

Mr. TOM. Senator Shaheen, thank you so much for that question.

If confirmed, I look forward to making sure that the United States, who has always been generous, been very passionate, and making sure that those around the world who are food insecure receive the resources they need to stabilize their lives.

But let us face it. We live in the midst of a crisis globally where this year we have 11 percent more people hungry than we had a year ago. This is more than we can do ourselves. We need to reach out to our alliances around the world and again measure our success not by the dollars we invest but by those, the numbers, that we lift out of poverty.

Senator SHAHEEN. I was encouraged about your comments about the importance of collaboration. I certainly agree with that. But as much as we collaborate, if we zero out a program, it still leaves a vacuum there. And so I am pleased to hear you say that you will advocate for continued funding for these important programs.

One of the things that we know is that the administration is talking about a rescission in the State Department and USAID budgets of \$2 billion to \$4 billion. We do not know yet because we have not seen where that is going to come from, but we know that they intend to do it in a way that will prevent us from using those funds because it will be at the end of the year when those funds will expire. So I expect that we will see an impact on virtually all programs within the Department of State in a way that will be challenging.

Ambassador Yamamoto, talk about, if you would, how we can continue to help our partners fight against the terrorist groups that we are seeing in Somalia. You talked about some of the progress that has been made, but what else can we do?

Ambassador YAMAMOTO Thank you, Senator.

We need to continue to support the African Union mission, the AMISOM forces, and to continue to work with our partner countries of the European Union, also other likeminded countries such as Japan and Korea and other countries to support and assist Somalia's effort to address the security needs of their country. And that means working and coordinating with President Farmaajo and the six regional states. And I think in that context we have been successful, and we are going to continue to be successful, if confirmed.

Thank you.

Senator SHAHEEN. Great. Thank you.

Mr. Rosenblum, you talked about some of the changes that have been happening in Uzbekistan that are very welcome. One of the—I do not want to say the only reason, but one of the reasons that we have worked very closely with the Uzbek Government has been because of our efforts in Afghanistan, and Uzbekistan has been very cooperative in those efforts. As we see the continued evolution of the conflict in Afghanistan, are you concerned about any spillover into Uzbekistan and what might happen as the result of changes in that conflict?

Mr. ROSENBLUM. Senator, thank you very much for that question.

There is a potential for spillover in the conflict, and the Government of Uzbekistan is very aware of that. And for that reason, they have prioritized playing a constructive role in the reconciliation and peace efforts in Afghanistan. Just in the past few months, we have seen a kind of reinvigorated effort by the government in Uzbekistan to play that role. They hosted an international conference on peace in Afghanistan in March. They have invited members of the Afghan Government and the Taliban as well to talks in Tashkent. And we have been encouraging this. They have a strong stake, a strong interest in the settlement. They share a border, of course. And we think that they can play a very constructive role. And if I am confirmed, that will be one of the main priorities of engagement with Uzbekistan, both its role with respect to Afghanistan but also the broader neighborhood and to become a source of stability and peace in the neighborhood.

Senator SHAHEEN. That is very encouraging, and what is happening there again is very encouraging. And I think that their engagement both in Afghanistan and in the region offers a real oppor-

tunity as we look at coming to a pivotal time in Afghanistan. So I look forward to working with you in that effort.

Ambassador Miller, I really cannot say anything more to add to your statement. I was very pleased to hear what you had to say about what your priorities will be as Ambassador in Bangladesh and certainly look forward to working with you, if confirmed, in all of those efforts.

Mr. Fischer, one of the disappointing things that we are seeing happen in Morocco, despite all of the progress in so many areas, has been their lack of success really in combating human trafficking. We have seen that some of the human rights violations that have happened in Morocco have increased in recent years. And can you talk a little bit about, if you are confirmed in your role as Ambassador, what you could do to encourage the Moroccan Government to better address both human trafficking and other human rights violations?

Mr. FISCHER. Senator, thank you very much for that question.

Trafficking is and has been an issue in Morocco. They are ranked a tier 2 in the State Department's annual Trafficking in Persons report. The government does not fully meet at this time the minimum standards for elimination of trafficking, but it is my belief from what I have seen that they are trying to make significant efforts to do so. In 2016, the Government of Morocco enacted a new anti-trafficking law prohibiting all forms of trafficking and establishing an inter-ministerial anti-trafficking commission. If confirmed, I will urge the Moroccan Government to increase its efforts to investigate and prosecute potential trafficking crimes, to identify trafficking victims, and provide protection services catering to the needs of those affected.

Senator SHAHEEN. Well, thank you. I am pleased to hear that. So you are committed to continuing to speak up about those violations of human rights.

Mr. FISCHER. Senator, thank you.

I am committed, if confirmed, and I will be more than happy to come back and discuss it with this committee.

Senator Shaheen [presiding]: That is great. Thank you very much.

I have to go vote, and since neither Senators Todd or Merkley are back, I am going to recess this hearing until they return.

Again, thank you all very much for being here this morning and for your commitment to serve this country. As you all know, it is that public service that makes a difference for America and for our leadership in the world. So thank you all very much. [Recess.]

Senator Merkley [presiding]: I am calling the subcommittee back into session, and thank you all for staying with us through this short break.

I wanted to start with Mr. Rosenblum. And, Mr. Rosenblum, what role can Uzbekistan play in mediating or supporting talks between the Government of Afghanistan and the Taliban?

Mr. ROSENBLUM. Senator, thank you for that question.

It is a very important role that Uzbekistan can play. And since President Mirziyoyev became president, they have increasingly played a role in regional security, improving relations with their immediate neighbors, one of which is, of course, Afghanistan. And

judging by some of their initiatives over the past few months, I think Uzbekistan is trying to promote peace and reconciliation in a very active way. It is clearly in their interest to have a stable neighbor.

I think you recall that there was a high level international conference held in Tashkent in March hosted by the Government of Uzbekistan on Afghanistan. Uzbekistan has also been making efforts to boost trade with its neighbor. They have signed a number of trade agreements just in the past few months with Afghanistan. Uzbekistan supplies a lot of electricity to Afghanistan. Much of Kabul is powered by electricity coming down from Uzbekistan. And in all fields, we are seeing a very active effort on their part.

So this is something that we have encouraged. It is something that we support. We want to make sure that their efforts are well coordinated with broader international efforts at reconciliation in Afghanistan. But as I said before, no one has more of a stake in stability and peace in Afghanistan than its neighbors, including Uzbekistan.

Senator MERKLEY. Thank you.

And you mentioned the power provided to Afghanistan. Can you describe the make-up of Uzbekistan's electric power and how that might potentially change over the years to come?

Mr. ROSENBLUM. So Uzbekistan's power system, Senator, is primarily powered with oil and gas, some of which they produce themselves and some of which they bring in from neighboring countries. They do export electricity from that power generation to neighboring countries, including Afghanistan, as I mentioned.

We also know that the Uzbek Government is very interested in developing renewable power, and we have worked through some projects under USAID to give them the technical capacity they need to develop that, especially solar and possibly wind. So this is an increasing move on the part of the government to diversify its energy generation, and it is something that we are working on together with them through technical assistance.

Senator MERKLEY. Thank you very much.

Ambassador Miller, will you urge on behalf of the United States the Government of Bangladesh to strengthen the infrastructure in the refugee camps and particularly provide for the opportunity for education for the children there?

Ambassador MILLER, I certainly will, Senator. I mentioned, when you stepped out, how much I appreciate your leadership on this issue and leading the first CODEL to see the facts on the ground.

We met recently about what needs to be done to sustain this large population in Bangladesh. Not only will I do my utmost to make sure that they are being supported in the camps in Cox's Bazar. We discussed their possible relocation to an island and how that could be problematic. Even with infrastructure and sea walls, moving 100,000 refugees to the island, as we talked about, could subject them to flooding during monsoons and high tides.

So I want to make sure that any repatriation to Burma or inside Bangladesh is done in a fully voluntary, safe, and dignified manner. And if confirmed, Senator, one of my first trips would be to follow in your footsteps. I would get out to the camps as soon as I got into Bangladesh to see the ground truth for myself.

Senator MERKLEY. Thank you very much.

And you mentioned the island, Bhasan Char Island. This is a plan that I understand the Government of Bangladesh is going forward with, but it is my understanding that it is a low lying island. And you mentioned it has the possibility of flooding during the monsoon, plus it is just the isolation that occurs in that situation. So it sounds like the policy of the U.S. is to not encourage or to discourage the Government of Bangladesh from proceeding with that effort?

Mr. ROSENBLUM. I checked on that question, Senator. The United States has not spent any U.S. taxpayer funds building infrastructure or supporting development on that island. It is an island built on the sediment from a river that runs into the Bay of Bengal and the delta. It is an island that during the monsoon season can effectively be under water. There are also some real issues with how you relocate 100,000 people. And the fact that the island is so isolated, it can become a target for piracy, trafficking, and other criminal activity.

Senator MERKLEY. And are we concerned about ISIS recruiting from the refugees who are in a difficult situation, tightly crowded, monsoon rains coming down, not much future for economic opportunity?

Mr. ROSENBLUM. Yes, sir, we certainly are. Historically the Rohingya have been moderate Muslim practitioners, but when you have a population of 700,000 living in desperate straits, in dire conditions, with the prospect of repatriation not clear at this point, we have to really be careful about the possibility for radicalization. Al Qaeda and ISIS are already using the Rohingya crisis in their propaganda internationally. And I would certainly work very closely with the Government of Bangladesh to keep a very close eye on that, sir.

Senator MERKLEY. Thank you.

My time is up, so I am going to yield to my colleague, Senator Kaine.

Senator KAINE. Thank you, Senator.

And congratulations to each of you for your nominations.

Mr. Fischer, I want to talk to you about Morocco. I am the ranking Democrat on the subcommittee of the Foreign Relations committee that oversees the U.S.-Morocco relationship. The subcommittee is very broad. I call it Marrakech to Bangladesh. So there are a lot of countries to cover. But I have enjoyed both as governor and Senator interacting with Morocco, a very, very early, nearly immediate ally of the United States and a very critically important country. And I want to ask you a couple of questions about it.

In the region that I serve on the subcommittee, there is an increasing pattern of government crackdowns on political activists, journalists, members of religious and ethnic minorities. And this includes most recently in Saudi Arabia the government seeking the death penalty for a non-violent activist, a 29-year-old woman from the Shiite minority. In Morocco in June, the government sentenced the leader of a protest movement from Morocco's Berber region and several other non-violent activists to 20-year prison terms.

As the representative of this administration and the American people to Morocco, will you stand up for principles of justice, democracy, equality, and free speech?

Mr. FISCHER. Senator, thank you for that question.

And the short answer is, if confirmed, absolutely yes. I look forward to working with the President's National Security Strategy which says governments that respect the rights of citizens remain the best vehicle for prosperity, human happiness, and peace.

I invite you to Morocco. If confirmed, I would love to tour the country, look at those areas of interest with you. And again, if confirmed, I look forward to further working with this committee.

Senator KAYNE. I hope, if confirmed, that you will raise the issue of political detentions and sentencing with the government in an appropriate way and keep the committee informed on this.

Morocco, unlike many of its neighbors, has not experienced a major terrorist attack since 2012, and that is due to very good work that is being done in Morocco. We need to give Morocco credit for that.

But many foreign fighters from ISIS come from Morocco. As ISIS controls less and less territory and fighters seek to move on or return home, what existing programs or assistance can the U.S. provide to Morocco to help them deal with the potential of Moroccan native foreign fighters as they come back trying to stop them from engaging in destructive activity?

Mr. FISCHER. Well, thank you for that question, sir.

The country of Morocco is doing a good job of trying to identify and create an environment to control anyone that has been radicalized. They practice a moderate Muslim faith, and that in itself and the export of a modern Muslim faith around Africa is very helpful to trying to control that. There are much fewer foreign fighters from Morocco. And if they return to Morocco, they are identified. In some cases, they are held. The country works to try to de-radicalize them. And they are absolutely being effective with this from what I have seen.

Senator KAYNE. I want to ask you one other Morocco question, and it is one that has been a longtime challenge for the nation and American administrations for many years, and that is the Western Sahara.

In 2016, following remarks by U.N. Secretary-General Ban Ki Moon referring to occupied Western Sahara, Morocco expelled MINURSO, which is the U.N. peacekeeping operation civilian staff, and then military tensions escalated as both Moroccan and Polisario forces moved into the buffer zone that the U.N. staff had policed.

Both parties did withdraw in time for the MINURSO mandate to be renewed in April of 2017, and then the civilian staff began to return. The mandate was set to expire in 2018. It was extended until October 2018.

How likely is a new round of direct talks between Morocco and the Polisario Front? How realistic are expectations that those talks could move this stalemated perennial conflict into a new place?

Mr. FISCHER. Senator, thank you very much for that question.

The United States continues to support the U.N.-led efforts to find a just, lasting, and mutually acceptable political solution to the

conflict that provides for the self-determination of the people of the Western Sahara.

Recently former German President Horst Kohler, as the personal envoy of the U.N. Secretary-General for Western Sahara, was in Morocco. He has visited all of the appropriate players in the region. Kohler was in Morocco, Algeria, Mauritania and met with the Polisario, and they are in talks. And we hope that will be fruitful.

If confirmed, I will be more than happy to come back and discuss that with this committee.

Senator Kaine. Thank you very much.

And I know that Senator Merkley asked a number of questions about Bangladesh, which is also in the Foreign Relations Subcommittee where I serve as the ranking member. I applaud the work of Senator Merkley and others who have really made this an area of focus. And I will say to you, Ambassador Miller, that I did not have a chance to hear your back-and-forth questions with Senator Merkley about that. But I think continuing to encourage Bangladesh to do the right thing in this significant humanitarian crisis is absolutely critical. And we sometimes have the experience of meeting with the Myanmar officials and meeting with Bangladeshi officials and kind of having finger pointing both ways.

I think you are taking this job at an incredibly important time, should you be confirmed. I hope bringing the U.S. humanitarian assistance to bear on providing some solutions here would be a very top priority of yours.

Mr. FISCHER. It certainly will be, sir.

Senator Kaine. All right. Thank you.

Thank you, Mr. Chair.

Senator Young [presiding]: Thank you, Senator.

Mr. Rosenblum, I found your story about your father and his work to fight anti-Semitism powerful, compelling and something that I hope reaches a much broader audience.

In the U.S. and abroad, we have seen a disturbing increase in anti-Semitic hate crimes and violence, and sadly we have seen in my home State of Indiana very recently. These anti-Semitic acts are contrary to our values, contrary to what America is all about.

So, if confirmed, I would just like to have each of your commitments from each one of you in your respective positions that you will do all you can to name, shame, and oppose anti-Semitic statements and actions. Mr. Tom?

Mr. TOM. Senator Young, you have my commitment.

Ambassador YAMAMOTO Yes, sir. You have my commitment.

Senator YOUNG. Thank you, Ambassador.

Mr. ROSENBLUM. You have my commitment, sir.

Ambassador MILLER, I do so pledge, Senator.

Mr. FISCHER. I do as well, sir.

Senator YOUNG. Thank you all.

I have one additional question today, and then I will turn it over to Senator Merkley for additional questions, and if, Senator Kaine, you have additional questions, I want to afford you that opportunity.

Ambassador Yamamoto, you note in your prepared statement that you have recently served as the Acting Assistant Secretary of State for African Affairs, and based on that experience, I would

just like you to provide an update, if you will, on the situation in DRC with a particular focus on the need for Joseph Kabilo to respect the constitutional term limits of his presidency and the need for credible elections this year.

Ambassador YAMAMOTO Thank you, Senator.

In that context, we have been committed to ensuring that there is a peaceful and proper transition from President Kabilo to the next president and that the elections will take place as agreed to by all the parties this December. And we are working very hard to make sure that that happens.

Senator YOUNG. Well, I will look forward to working with you on that and being helpful however I can with you and others at the State Department.

As the chairman of the subcommittee that oversees the United Nations, can you also provide us an update on the U.N. peacekeeping mission there?

Ambassador YAMAMOTO The U.N. peacekeeping mission continues to face difficult challenges not only because of the security situation in the Congo. It is certainly one of our largest and the longest serving operations on the continent. Again, the United States remains very committed to supporting the U.N. operations and ensuring the success in also not stabilizing the Congo but also ensuring the elections take place.

Senator YOUNG. Thank you, Ambassador.

Senator Merkley?

Senator MERKLEY. Thank you.

Ambassador Yamamoto, will you initially be serving, if confirmed, from within the country or operating out of Nairobi?

Ambassador YAMAMOTO We are very hopeful that we will go directly into Mogadishu.

Senator MERKLEY. That would be tremendous. And one of the challenges described by the team in Somalia has been that unlike the State Department delegations from other countries, our delegation has been restricted to the military compound in Mogadishu. Do you foresee that that might change?

Ambassador YAMAMOTO In my first time there in 2016, we were able to get out to the outskirts of Somalia and we hope to continue to do that because we need to engage the six regional leaders and also help coordination with the regional leaders and the federal government. And at this point, we can get outside Mogadishu.

Travel within Mogadishu is another issue. It is a challenge. It is difficult. It is dangerous. It is challenging. And, of course, from our windowless bunker accommodations, we will see opportunities, but again, we will take it as security merits.

Senator MERKLEY. The "New York Times" has been reporting on the use of drone strikes out of Djibouti against Al Shabaab. Do you have any sense of the effectiveness of this as a military strategy, and is there a purely military strategy for trying to change the divided and civil conflict that is occurring?

Ambassador YAMAMOTO Thank you very much, Senator.

In my previous role as the Acting Assistant Secretary, we have held lengthy discussions not only with General Waldhauser the COCOM Commander for Africa Command but also with other commanders from SOCOM and other commands.

The issue is that there is no military solution in Somalia. There is not. Everyone realizes and understands that. Yes, the AMISOM forces have been very successful in containing the rebels and the Shabaab elements, but the answer is that it has to be a whole-of-government approach. And that means you have to have strong institutions, democratic institutions that are accountable to the people. You need to have fighting corruption. You need to have the government with the regional states working closely together to ensure that there is economic development, stability, fighting corruption, and working together.

Senator MERKLEY. So one of the things that was brought to my attention by the president of Somalia was that the extensive trade in charcoal was resulting in devastating deforestation, that they had lost 80 percent of their forests in the last 30 years, and that the sale of charcoal was funding Al Shabaab. Any sense of how we can take on this challenge?

Ambassador YAMAMOTO Thank you, Senator.

We have worked with the United Nations to restrict the sales of charcoal, which is also being used by the Shabaab to earn money for their operations. We have worked with the government and, if confirmed, will continue to work with President Farmaajo and his government to ensure that we do not have deforestation. Again, if you have 50 percent of the people in need of food assistance and you have almost 25 percent displaced and largely because of the climatic control problems, then we need to do much more to ensure that we address the climate issues and also the problems generated by the charcoal factory.

Thank you.

Senator MERKLEY. I am not sure if this is the case that Somalia is the single worst case of deforestation in the last 3 decades, but it is one of the top. And as you mentioned, the funding of not just using charcoal internally for very low income individuals seeking to heat their food but also the sale of it abroad and I gather to some of the surrounding nations.

So I wanted to turn, Mr. Tom, to the issues that you are about to undertake, very important issues for food and agriculture. Do you have any sense on how climate chaos is affecting fisheries and forests and aggravating the challenges of agriculture?

Mr. TOM. Senator Merkley, thank you for that question.

As a U.S. producer, we know that our family over the seven generations and the entire industry has always dealt with climate change. We know we need to adapt. And fortunate for us here in the United States, we have had the benefit of land grant universities and the private sector and our own sources to try to make sure we can deal with effects of any changes that are happening to the climate.

Not so is the case when you get into the many food-desperate nations around the world that are food insecure. One of my goals with working with the Food and Agriculture Organization will be to instill resilience and make sure that we can develop the capacity but give them the tools to work with the changing climate that is occurring in many of these desperate countries across Africa and the Middle East.

Senator MERKLEY. Thank you, Mr. Tom. And I really look forward to the work you are going to do because this issue of food scarcity is affecting so many people. There is a high level of burnout in the United States in terms of absorbing the information. It is actually why I went to northern Africa to visit two of the four famines. We in the committee here have held hearings on the four famines, which I have appreciated. But the U.N. agencies that you will be involved in are critically important. Thank you.

And, Mr. Fischer, I appreciate your interest in Morocco and was happy to learn that you had been there several times in the course of your life out of just general interest or a business interest.

There are a couple issues that committee staff raised that are important to give you a chance to address. There was a concern over the—I believe it is 1987—1987 case involving Linda Day and her concerns both about her treatment in the company and about the way she was terminated. And we know a settlement followed. But would you submit to the committee a detailed accounting of that situation so that members can examine that?

Mr. FISCHER. Senator, thank you for that question.

As we had the opportunity yesterday and I welcome the opportunity to talk about it again, we have talked about it with Senator Menendez's office. We have given a great deal of detail. That case was dismissed without prejudice. The counts in the lawsuit were all dismissed. Please recall that while I own the company—I am the registered agent—I was named in the suit because I own the company. There was no history. There was no discussion. There was not a hint of an allegation against me. But we welcome again the opportunity to provide the entire committee any and all information.

Senator MERKLEY. Mr. Fischer, thank you. So you would submit a detailed explanation of that for the committee?

Mr. FISCHER. But of course. I welcome the opportunity.

Senator MERKLEY. Thank you.

I just feel compelled to note that on that particular case, it was not just that you were the head of the company. It was also conversations that the individual had had directly with you about the situation. So please make sure to address that particular piece of it as you submit your description.

The other issue that the committee was somewhat troubled by was that this was not on the list of lawsuits that you initially submitted in your statements. You have already explained that to me, but again, if you will explain that in writing to the committee, that would be helpful to individuals.

And I think the third issue was the issue of recusing yourself in the case of Judge Gorcyca and then un-recusing yourself. You are welcome to address it now, but if you would like to just submit a written explanation of that, that would be helpful.

Mr. FISCHER. As we discussed yesterday, I welcome the opportunity. I served on the State of Michigan Judicial Tenure Commission, as requested. There are seven members to the judiciary and two independents. I served for 6 years, and I would be more than happy to discuss that and look forward to that opportunity.

Senator MERKLEY. Thank you. The reason I am suggesting you just submit it in writing is the members who are not here would

just appreciate to have the chance to understand it. And that way it is just easier than talking to each person.

Mr. FISCHER. We absolutely will, sir.

Senator MERKLEY. Thank you.

And Morocco is an incredibly important nation and fascinating nation with such a unique history. And are there any final comments you would like to share in terms of your interest in serving there?

Mr. FISCHER. Well, sir, thank you for the opportunity. Thank you, Senators, for the opportunity to come today.

My wife and I have been to Morocco. It is a fabulous country. There is lots of opportunity to grow commerce, to grow counterterrorism efforts. We look forward to, hopefully, hosting you, if you can come, and we can tour the country and look at the opportunity. Commerce is better. With the free trade agreement, we have seen over a 300 percent increase in commerce. And as I say, they are great counterterrorism partners of ours. There is a lot to look forward to serving, if confirmed. And I, again, invite you to come to Morocco and we can discuss it, or I will come back and appear before the committee.

Senator MERKLEY. Professor John Damis at the Portland State University is one of the few Americans to have ever received the highest honor from the Government of Morocco for his work on their country. Unfortunately, he has passed away, but I wanted to mention him because of the extensive work that he did and the relationship between the United States and Morocco and the important work that was done at Portland State.

Thank you very much.

Mr. FISCHER. Thank you, sir.

Senator YOUNG. Well, I want to thank all of our nominees for your appearance here today before the committee, for your strong desire to serve our country in these important positions.

For the information of members, the record of today's hearing will remain open until the close of business on Friday, including for members to submit additional questions for the record.

Thank you again to each of you, to your families.

This hearing is now adjourned.

[Whereupon, at 11:27 a.m., the hearing was adjourned.]

## Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID T. FISCHER BY SENATOR ROBERT MENENDEZ

*Question 1.* In your preparations to serve as the U.S. Ambassador to Morocco, do you believe that there has been any impact on U.S.-Moroccan relations?

Answer. In his capacity as Chairman of the Al Quds committee in the Organization of Islamic Cooperation, King Mohammed VI addressed a letter to President Trump expressing his concern about U.S. plans to move our Embassy to Jerusalem, while at the same time recognizing the importance of the United States in the region and praising the historic role of the United States in working toward Middle East peace. Following the U.S. announcement, there were peaceful demonstrations in Morocco. However, the U.S.-Morocco relationship remains strong.

*Question 2.* In your view, should the objective of U.S. diplomacy on the Israeli-Palestinian conflict be a two-state solution?

Answer. The President has stated that the United States will support a two-state solution if it is agreed to by both sides. The administration has emphasized that in its efforts to advance a comprehensive and lasting peace between Israel and the Palestinians, it does not seek to impose a solution on the parties. Instead, it intends to present a plan that offers a brighter future to both Israel and the Palestinians when the time is right. If confirmed, I look forward to supporting the work of White House Senior Advisor Jared Kushner and Special Representative for International Negotiations Jason Greenblatt from the Department of State.

*Question 3.* What role will you play in ensuring that Israel's Qualitative Military Edge is ensured as future Foreign Military Sales to Morocco are considered?

Answer. I share the administration's view that Israel's security is a top U.S. foreign policy priority, and will uphold its commitment to ensuring Israel maintains its Qualitative Military Edge (QME). If confirmed, I will work closely with the Department of State and the Kingdom of Morocco to ensure that transfers of U.S.-origin defense articles to Morocco, including by Foreign Military Sales, conform to the U.S. commitment to Israel's QME.

*Question 4.* What is the Moroccan Government's preferred outcome for Western Sahara? Does the United States share this view? How do you plan to approach this issue set, if confirmed?

Answer. In 2007, Morocco proposed an autonomy plan for the Western Sahara. The plan is serious, credible, and realistic, and represents one potential approach to satisfy the aspirations of the people in Western Sahara. If confirmed, I will continue the U.S. policy of supporting the U.N.-led diplomatic process and efforts to find a just, lasting, and mutually acceptable political solution that provides for the self-determination of the people of Western Sahara.

*Question 5.* Should the United States encourage direct negotiations between Morocco and the Polisario with preconditions?

Answer. In April 2018, the United States supported U.N. Security Council Resolution 2414, which calls upon the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith. If confirmed, I will encourage Morocco to work with Horst Kohler, the Personal Envoy of the U.N. Secretary General for Western Sahara, as he seeks to bring the parties together for negotiations.

*Question 6.* Please describe the Morocco-Algeria relationship as you understand it. What role can the U.S. Ambassador to Morocco play in improving relations between these two neighbors?

Answer. Relations between Morocco and Algeria are complicated. Moroccan Foreign Minister Nasser Bourita traveled to Algiers in January 2018—the first such trip by a Moroccan Foreign Minister since 2012. While there are direct flights between the countries, their land borders have been closed since 1994.

The U.S. Government has urged both Algeria and Morocco to recognize that better relations would enable both countries to address shared bilateral and regional issues such as terrorism, illegal migration, drug trafficking, and trade integration. The State Department sponsors regional security and counterterrorism workshops in which officials from both countries participate. Over the last year, the State Department has organized several educational and exchange programs that include young people from both countries.

*Question 7.* What is your understanding of Moroccan investment in renewable energy? If confirmed as Ambassador to Morocco, what role do you envision for the United States in supporting or reinforcing renewable energy initiatives in Morocco?

Answer. Morocco is working to diversify its energy sector and use renewable resources to account for up to 52 percent of its installed electrical generation capacity by 2030. In January, Morocco inaugurated the second phase of its Noor solar energy complex, making it one of the largest concentrated solar power plants in the world.

Morocco's renewable energy sector presents significant opportunities for U.S. businesses. The U.S. Government is also collaborating on several initiatives with the Government of Morocco to support renewable energy. For example, the State Department is working with small Moroccan businesses to increase their involvement in the renewable energy sector and connect them to U.S. firms. If confirmed, I will support continued collaboration with Morocco in the energy sector.

*Question 8.* Please describe your understanding of Morocco's investment climate. If confirmed as Ambassador to Morocco, what would be your priorities in encouraging improvements in the investment climate?

**Answer.** The World Bank ranked Morocco 69 out of 190 for ease of doing business in 2017. Morocco has made progress in implementing sound macro-economic policies, trade liberalization, investment incentives, and structural reforms. As a former business leader who understands the importance of these reforms, I will urge the Government of Morocco to continue to improve the business climate. I will work with the Government of Morocco to better protect U.S. intellectual property in Morocco, and support the Government of Morocco's efforts to increase transparency and accountability.

*Question 9.* Are foreign fighters returning from Iraq and Syria to Morocco a concern for the United States?

**Answer.** The travel of foreign terrorist fighters from Iraq and Syria to Morocco, or to any other country, poses a threat to U.S. interests. The U.S. Government is collaborating with Morocco and other countries around the world to address the issue through mechanisms such as U.N. Security Council Resolution 2396 (2017), which calls for improved information sharing, technical assistance, and a whole-of-society approach to address this threat.

*Question 10.* Is it your assessment that the Moroccan Government is prepared to deal with this challenge?

**Answer.** Morocco works closely with the United States and dedicates significant resources to addressing all aspects of this problem, including monitoring the return of foreign terrorist fighters. Morocco has expanded its counterterrorism law, makes concerted use of law enforcement and community engagement tools, and cooperates and shares information with its counterterrorism partners. Moroccan law enforcement, coordinating with the Ministry of Interior, aggressively targets and effectively dismantles terrorist cells by leveraging intelligence collection, police work, and collaboration with international partners.

*Question 11.* What steps can the United States take to assist Morocco in dealing with the challenge of returning foreign fighters?

**Answer.** The U.S. Government collaborates directly with Moroccan law enforcement, including through sharing information. The State Department supports enhancements to Morocco's aviation security and technical assistance to stop terrorist financing and prosecute terrorists.

In addition, USAID and State Department assistance supports community policing programs and socioeconomic and educational opportunities for at-risk youth, making terrorist recruitment more difficult.

*Question 12.* What is your understanding of Hezbollah's presence and activities in Morocco?

**Answer.** Morocco shares the United States' concern about Hezbollah's malign activities and destabilizing role in the region. Morocco supported the November 2017 Arab League condemnation of Hezbollah as a terrorist organization. Moroccan authorities also arrested Hezbollah financier Kassim Tajideen in March 2017 at Casablanca Airport when Tajideen sought to transit through Morocco from Guinea to Beirut. If confirmed, I will work with Government of Morocco to advance our strong counterterrorism cooperation.

*Question 13.* In your preparations to serve as U.S. Ambassador to Morocco, is there reason to be concerned about malign Iranian interference and activities in Morocco?

**Answer.** Iranian influence around the world is a significant cause for concern. However, since 1979, Morocco has not had a close relationship with Iran. Morocco and Iran severed diplomatic ties between 1981 and 1991, between 2009 and 2014, and again in May of this year. The countries do not have significant economic or cultural ties and Morocco has made clear its opposition to Iran's malign influence in the region.

*Question 14.* In your preparations to serve as Ambassador to Morocco, what forms of U.S. assistance to Morocco have been most effective and which have the support of the Moroccan Government? If confirmed as Ambassador, what will your priorities be with respect to U.S. assistance? Do you anticipate any changes in funding levels or priorities?

**Answer.** The Government of Morocco actively seeks and appreciates American technical advice. The Government of Morocco values U.S. Government assistance, and in many cases uses its own funds to continue and expand programs started through such assistance. The Millennium Challenge Corporation's compact and USAID's programming in Morocco, two of the largest components of our bilateral assistance, are good examples of particularly effective programs that have the Government of Morocco's support. If confirmed, I will consult with implementing agencies

and other stakeholders to identify priorities and determine how U.S. Government assistance can be even more effective.

*Question 15.* Do you believe that reforms toward more inclusive governance should be a priority for the United States in its engagement with Morocco?

Answer. Morocco has made progress to implement the democratic reforms envisioned in the 2011 constitution, including by passing laws to give citizens and civil society the right to petition the Government and propose legislation, and to create a framework to decentralize government authorities and give regionally elected bodies more budgetary and decision-making authority.

USAID and the State Department are helping to support this effort by building the capacity of citizens, civil society, and political parties to engage local government institutions and to improve government transparency. If confirmed, I will continue supporting these efforts.

*Question 16.* Have you read the 2017 State Department Human Rights Report on Morocco? What specific steps can the Moroccan Government take to address human rights concerns? Do you plan to raise these concerns with officials from the Government if confirmed?

Answer. I have read the State Department's 2017 Human Rights Report on Morocco. If confirmed, I will maintain close consultations with the Moroccan Government on human rights issues. I will encourage the Government of Morocco to strengthen implementation of laws related to gender-based violence and trafficking in persons, enhance its efforts to combat child marriage, and extend the protections offered by the 2016 Press Code law to more journalists. I will stress the importance of the equal and transparent application of the laws governing religious organizations.

*Question 17.* Do you agree with the assessment of Human Rights Watch that there has been a "serious deterioration of the human rights climate" in Morocco in connection with the crackdown on protests in the Rif region?

Answer. Hundreds of protests took place in the Rif region in 2016 and 2017, and the majority proceeded peacefully. Police did use tear gas to disperse crowds on several occasions, and arrested hundreds of protesters, alleging that many of them had participated in violence and destruction of property.

In October 2017, the king removed five high-level officials, which many observers saw as a signal of his determination to ensure the Government is responsive to the protesters' socioeconomic concerns. The king emphasized the need for greater socio-economic development in speeches to the nation in 2017 and 2018, and recently pardoned more than 180 protesters.

*Question 18.* What are your views on the PJD and its role in Morocco's Government?

Answer. Following the ratification of Morocco's current constitution in 2011, the Islamist-leaning Party of Justice and Development (PJD) won a plurality of parliamentary seats in the November 2011 and October 2016 elections. The PJD participates in government as part of a multiparty coalition. Its core issues are creating jobs and fighting corruption.

The current Head of Government Saadeddine El Othmani, a former Minister of Foreign Affairs, belongs to the PJD party and shares responsibility for the executive branch with King Mohammed VI.

*Question 19.* Do you believe that it is important for the U.S. Ambassador to meet with members of civil society, non-governmental organizations, human rights activists, and journalists?

Answer. If confirmed, I look forward to meeting with members of civil society, non-governmental organizations, human rights activists, and journalists. I believe that these meetings will be an important part of my role as Ambassador, and that hearing from these organizations and individuals will help the U.S. mission to be more effective in advancing our priorities, including human rights.

*Question 20.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Much of my philanthropic and business career has been devoted to promoting human rights, democracy and the rule of law. For instance, while serving on the Board of Trustees of Oakland University, I dedicated a large amount of time and energy to supporting initiatives related to diversity and inclusiveness; fostering a warm and productive relationship between the University and the surrounding community; supporting non-traditional students; and also ensuring that we support areas of study that allow students to utilize their talents to make a difference in

our community as well as across the globe. The impact is evident when we succeed in our community growing in inclusion and moving forward as one. For decades, my work within community, nonprofits, and education has been focused on taking steps to ensure everyone has a fair and equitable opportunity—in education, in healthcare and in life.

*Question 21.* What issues are the most pressing challenges you see to democracy or democratic development in Morocco? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. In order to continue to advance its democratic development, Morocco will need to strengthen its political and administrative institutions and address citizen concerns about corruption. The State Department has also registered its continuing concerns about allegations of mistreatment of detainees by security forces; restrictions on the freedoms of expression, assembly, association, and religion; and discrimination against women. If confirmed, I look forward to working closely with Moroccan leaders to encourage progress on these issues.

*Question 22.* What specific steps will you take—if confirmed—to support democracy in Morocco? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. In 2015, Morocco passed a legal framework to decentralize government authorities and give regionally elected bodies more budgetary and decision-making authority. USAID and the State Department are helping to support this effort by building the capacity of citizens, civil society, and political parties to engage local government institutions and to improve government transparency. If confirmed, I will continue to support Morocco's efforts to accelerate democratic reforms as outlined in its 2011 constitution.

*Question 23.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will prioritize accountability and effectiveness in administering U.S. Government assistance. I will consult with implementing agencies, NGOs and political parties in Morocco, the Government of Morocco, and other stakeholders to determine the most effective way to support Morocco's democratic development.

*Question 24.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Morocco? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I look forward to meeting with human rights, civil society, and other non-governmental organizations in the United States and in Morocco. As I have seen in Michigan, the U.S. Government is most effective when it works together with civil society. I will encourage the Government of Morocco to fairly and transparently apply the laws governing NGOs and civil society organizations.

*Question 25.* If confirmed, do you commit to meet with democratically-oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I look forward to meeting with a range of political leaders and encouraging greater participation in political processes. Morocco's democratic reforms as outlined in the 2011 constitution offer opportunities for the United States to work together with Morocco to make political processes more inclusive.

*Question 26.* Will you and your embassy team actively engage with Morocco on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Morocco?

Answer. Freedom of the press strengthens accountability and democratic governance. If confirmed, I look forward to meeting with independent, local press in Morocco and to encouraging the Government of Morocco to strengthen press freedom.

*Question 27.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** If confirmed, I will work with civil society and the Government of Morocco to counter disinformation and propaganda.

**Question 28.** Will you and your embassy teams actively engage with Morocco on the right of labor groups to organize, including for independent trade unions?

**Answer.** With some restrictions, the constitution of Morocco provides workers with the rights to form and join unions, strike, and bargain collectively. The Government generally respects freedom of association and the right to collective bargaining. If confirmed, I will encourage the Government of Morocco to continue to respect internationally recognized workers' rights consistent with its laws and the U.S.-Morocco Free Trade Agreement.

**Question 29.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Morocco, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Morocco? What specifically will you commit to do to help LGBTI people in Morocco?

**Answer.** There are many challenges facing LGBTI people in North Africa and the Middle East. If confirmed, I commit to defending the human rights and dignity of all people in Morocco, and I look forward to fostering a more open discussion of LGBTI issues.

**Question 30.** If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Morocco? Will you commit to meet with representatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

**Answer.** The Moroccan constitution provides for freedom of worship and freedom of conscience, and Morocco has hosted numerous international conferences that promote interfaith values. I have seen firsthand how Morocco's Jewish community benefits from Morocco's long tradition of religious tolerance and coexistence. However, some religious minorities in Morocco continue to report discrimination.

If confirmed, I look forward to meeting with a wide variety of religious leaders in Morocco and maintaining an active dialogue with the Moroccan Government on religious freedom issues.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID T. FISCHER BY SENATOR BENJAMIN L. CARDIN**

**Question 1.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** Much of my philanthropic and business career has been devoted to promoting human rights, democracy and the rule of law. For instance, while serving on the Board of Trustees of Oakland University, I dedicated a large amount of time and energy to supporting initiatives related to diversity and inclusiveness; fostering a warm and productive relationship between the University and the surrounding community; supporting non-traditional students; and also ensuring that we support areas of study that allow students to utilize their talents to make a difference in our community as well as across the globe. The impact is evident when we succeed in our community growing in inclusion and moving forward as one. For decades, my work within community, nonprofits, and education has been focused on taking steps to ensure everyone has a fair and equitable opportunity—in education, in healthcare and in life.

**Question 2.** What are the most pressing human rights issues in Morocco? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Morocco? What do you hope to accomplish through these actions?

**Answer.** Human rights issues in Morocco include restrictions on the freedoms of expression, assembly, association, and religion; discrimination against women; corruption; and allegations of mistreatment of detainees by security forces. If confirmed, I will work closely with Moroccan leaders to encourage continued progress on these issues.

In 2018, the State Department plans to launch projects to support civil society groups advocating for greater gender equality and supporting women's leadership, in addition to ongoing USAID programs building the capacity of citizens and locally elected officials to ensure a more inclusive government that represents the interests of all citizens, especially women, youth, and marginalized groups.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Morocco in advancing human rights, civil society and democracy in general?

Answer. Since Morocco adopted a new constitution in 2011, Morocco's parliament has passed a number of laws enacting reforms envisioned in the constitution.

In recent years, Morocco's parliament has passed laws designed to fight trafficking in persons, violence against women, and corruption; provide for an independent judiciary; and protect journalists. However, fully implementing these laws will require additional resources, greater institutional capacity, and continued efforts at all levels of the Moroccan Government.

*Question 4.* Do you agree with the assessment of Human Rights Watch that there has been a "serious deterioration of the human rights climate" in Morocco in connection with the crackdown on protests in the Rif region? What is the state of press freedom in Morocco?

Answer. Hundreds of protests took place in the Rif region in 2016 and 2017, and the majority proceeded peacefully. Police did use tear gas to disperse crowds on several occasions, and arrested hundreds of protesters, alleging that many of them had participated in violence and destruction of property. In October 2017, the king removed five high-level officials, which many observers saw as a signal of his determination to ensure the Government is responsive to the protesters' socioeconomic concerns. The king recently pardoned more than 180 protesters.

Independent media continue to be active in Morocco and express a wide variety of views. In 2016, parliament passed a new press code that limits punishments for accredited journalists to fines, although many contributors working for online news outlets are not covered. Three journalists were prosecuted under the press code during 2017, compared with eight in 2016.

*Question 5.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Morocco? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. These are issues that have long been important to me. If confirmed, I look forward to meeting with human rights, civil society, and other non-governmental organizations in the United States and in Morocco. I will continue the Embassy's strong compliance with the Leahy Law and maintain robust vetting procedures.

*Question 6.* Will you and your embassy team actively engage with Morocco to address cases of key political prisoners or persons otherwise unjustly targeted by Morocco?

Answer. These are issues of great importance to me. If confirmed, I look forward to continuing the State Department's close consultations with the Moroccan Government on human rights issues.

*Question 7.* Will you engage with Morocco on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will make promoting human rights, civil rights, and good governance one of my highest priorities.

*Question 8.* Where has Morocco been most successful in countering TIP, and why hasn't it fully implemented State Department TIP recommendations?

Answer. In 2016, the Government of Morocco enacted a new anti-trafficking law prohibiting all forms of trafficking, and has increased prosecutions under the new law. The Government also worked to reduce vulnerability to trafficking by enacting a new law regulating domestic work and by extending legal protections and social services to irregular migrants. Nevertheless, the Government did not report screening for trafficking victims or providing them protection services. The State Department continues to encourage the Government to implement identification procedures and provide appropriate protection services for victims of all forms of trafficking in Morocco, which will require continued political will and additional resources, personnel, and training.

*Question 9.* What is Morocco's current approach toward migrants and migration control, and how has the EU shaped this approach, if at all?

Answer. In 2013, the Moroccan Government launched a National Strategy for Immigration and Asylum, which provides refugees with legal residency and access to healthcare, education, and justice. Morocco has undertaken to regularize tens of thousands of irregular migrants. Throughout these campaigns, Morocco has received

significant development assistance support from European partners. Morocco also cooperates closely with Spain to manage their shared borders.

*Question 10.* If confirmed, what will you do to combat religious discrimination in Morocco?

Answer. The Moroccan constitution provides for freedom of worship and freedom of conscience, and Morocco has hosted numerous international conferences that promote interfaith values. I have seen firsthand how Morocco's Jewish community benefits from Morocco's long tradition of religious tolerance and coexistence. However, some religious minorities in Morocco continue to report discrimination.

If confirmed, I look forward to meeting with a wide variety of religious leaders in Morocco and maintaining an active dialogue with the Moroccan Government on religious freedom issues.

*Question 11.* What are your view, what more can the United States do to help resolve the four-decade dispute between Morocco and the independence-seeking Polisario Front over Western Sahara?

Answer. The United States supports the U.N.-led diplomatic process for Western Sahara and efforts to find a peaceful, sustainable, and mutually acceptable political solution to the conflict that provides for the self-determination of the people of Western Sahara. In April, the United States supported U.N. Security Council Resolution 2414, which extended the U.N. peacekeeping mission's mandate for only six months. The shortened mandate signaled the Security Council's desire to see political progress.

Former German President Horst Kohler, the U.N. Secretary-General's Personal Envoy for Western Sahara, traveled to the region in June and met with the Governments of Morocco, Algeria, and Mauritania. He also met with the Polisario and visited Western Sahara. The next step is for Personal Envoy Kohler to bring the parties together for talks.

*Question 12.* How likely is a new round of direct talks between Morocco and the Polisario, and what might the talks realistically accomplish? What is your assessment of MINURSO's current ability to fulfill its mandate, given changes to civilian staffing since 2016 and worsening security conditions on the eastern side of the "berm" demarcating Moroccan and Polisario control?

Answer. Morocco and the Polisario have not met directly since 2012, and progress in resolving the dispute over Western Sahara will require the parties to work together. If confirmed, I will encourage Morocco to continue to work closely with Horst Kohler, the Personal Envoy of the U.N. Secretary-General for Western Sahara, as he seeks to bring the parties together for talks.

It is my understanding that MINURSO continues to effectively implement its mandate to monitor the ceasefire between Morocco and the Polisario. The U.N. Secretary General, in his March 2018 report on Western Sahara, noted that MINURSO has conducted a range of reviews and assessments to strengthen security, improve performance, and reorganize staffing in order to achieve its goals more efficiently. The United States supported U.N. Security Council Resolution 2414 (2018), which urged MINURSO to continue to consider how new technologies could be used to reduce risk, improve force protection, and better implement its mandate.

*Question 13.* What is the administration's approach to implementing provisions in foreign aid appropriations measures—such as §7041(h) of the FY 2017 Consolidated Appropriations Act (P.L. 115–31), carried into FY 2018 via continuing resolutions—that funds for global bilateral economic assistance “shall be made available” for programs in Western Sahara?

Answer. The State Department has provided assistance through the Middle East Partnership Initiative to implement a civil society and local governance program in Western Sahara. In May, the Department issued a Middle East Partnership Initiative Notice of Funding Opportunity soliciting proposals to implement a project to promote economic private sector economic growth in Western Sahara.

*Question 14.* On May 1, 2018, Morocco broke diplomatic relations with Iran, citing alleged Iranian proxy support for the Polisario Front (which seeks independence for Western Sahara). This is the second time Morocco has broken ties with Iran over the past decade.

- Is there any evidence, to your knowledge, that Iran views Morocco as a primary adversary or the Polisario Front as a potential proxy with which to undermine it?

Answer. I am not aware of evidence that would support either view.

*Question 15.* As Morocco and other countries respond to the ongoing return of foreign fighters from Syria, Iraq, and Libya, what is the appropriate balance—in your

view—between law enforcement responses and efforts to reintegrate these individuals into civilian life?

**Answer.** Both law enforcement and programs to counter violent extremism and terrorist recruitment play important roles in Morocco's preparedness for the return of foreign terrorist fighters. Morocco dedicates significant resources to tracking foreign fighters, prosecuting crimes related to terrorism, reintegrating individuals who do not pose a threat, and limiting the spread of violent extremism. Moroccan law enforcement units, coordinating with the Ministry of Interior, aggressively target and effectively dismantle terrorist cells by leveraging intelligence collection, police work, and collaboration with international partners.

*Question 16.* What types of CVE activities have proven most effective in Morocco?

**Answer.** Different types of activities can all play important roles in countering violent extremism in Morocco. The Government of Morocco takes a holistic approach to addressing the threat of violent extremism, including by promoting the Maliki school of Islamic jurisprudence, which it views as less susceptible to violent extremism. Several U.S. Government programs work towards countering violent extremism through counter-messaging, community engagement, and social and economic empowerment. For example, USAID's CVE programs provide at-risk youth with increased access to socioeconomic and educational opportunities, reducing participants' susceptibility to violent extremist rhetoric and recruitment.

*Question 17.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 18.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 19.* Do you or do any members of your immediate family have any financial interests in Morocco?

**Answer.** No, neither myself or any member of my family have any financial interests in Morocco.

*Question 20.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** I have long been an activist not only in our company, but in all our charitable involvements in advocating diversity and creativity to promote productivity and inclusion. My long experience and hiring practices gleaned from years of exposure to all manner of staffing and while building our business will, of course, be carried forward in working with and promoting, mentoring and supporting the Embassy staff no matter what their background. My "team effort" approach which has served me well in my private life and charitable venues will be carried forward in the Embassy.

*Question 21.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** Understanding that I will ultimately set the tone and example, everyone under my purview from Day One will be expected to carry out this goal in creating this culture each and every moment—with everyone they interact with and in everything they do. I will hold them and myself responsible for communicating and operating with such tenets at all times—with the utmost professionalism, sensitivity and self-confidence.

*Question 22.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Morocco specifically?

**Answer.** In Morocco, as in other countries, corruption has the potential to hinder development, destabilize government, undermine democracy, and provide openings for dangerous groups like criminals, traffickers, and terrorists. As the State Department noted in its 2017 Human Rights Report for Morocco, the perception of systemic

and pervasive corruption undermines law enforcement and the effectiveness of the judicial system.

*Question 23. What is your assessment of corruption trends in Morocco and efforts to address and reduce it by that government?*

Answer. Moroccan law provides criminal penalties for official corruption, and the Government recently passed a law establishing a new institution with enhanced authorities to pursue anti-corruption efforts. However, as the State Department noted in its 2017 Human Rights Report for Morocco, the Government generally did not implement the law effectively. The Moroccan public continues to view corruption as an important problem and combatting corruption as a priority.

*Question 24. If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Morocco?*

Answer. U.S. Government assistance supports the Government of Morocco's efforts to increase transparency and accountability. The U.S. Embassy engages actively with key government and civil society actors in the field of anti-corruption. For example, last September, the Embassy hosted a roundtable with key government officials and civil society leaders to discuss Morocco's fight against corruption and to encourage more collaboration. If confirmed, I will continue to engage the Government of Morocco on this important issue.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DAVID T. FISCHER BY SENATOR JEFF MERKLEY**

*Question 1. Mr. Fischer, during your confirmation hearing on August 23 when discussing the litigation brought by Ms. Day, you indicated that there was "no history, no discussion, not a hint of an allegation against me." However, in Ms. Day's complaint she asserted that she "informed Defendant Suburban through its agent Defendant David T. Fischer that she could not work under Defendant Darrell Dowdy, Manager of New Car Sales, because of the sexual harassment that she had been and was presently undergoing by this Defendant and Plaintiff had previously made this known to Defendant Suburban by reporting same to Defendant David T. Fischer on several prior occasions." Can you explain your understanding of these claims?*

Answer. A Motion for Summary Disposition was granted to my Company and me for the sexual harassment and discrimination charges, and all other charges except for the wrongful discharge counts. While I did have one or more discussions with Ms. Day regarding her working relationship with Mr. Dowdy prior to her filing suit, the discussions were not about sexual harassment. My recollection of this 30-year-old case is that Ms. Day did not like working with Mr. Dowdy, a boss-subordinate issue that is not uncommon in the workplace.

This suit was an unfortunate by-product of a downturn in business conditions that resulted in Ms. Day's position being eliminated. We had hired a business consultant to review our operations. One of the recommendations from the consultant was that due to the reduced dealership sales, the payroll costs of the Finance and Insurance (F&I) Department were excessive, and he recommended that we reduce the department from two persons to one. We chose to keep the more productive person and we offered Ms. Day a lesser position within the dealership. I was involved in this decision as the owner of the Company, which is most likely why I was named personally in this suit. Ms. Day refused the reassignment, claiming that she could not work for Mr. Dowdy and she quit. She later claimed in her suit that Mr. Dowdy had been subjecting her to sexual harassment.

Ms. Day sued for wrongful discharge and a number of other charges, including sexual discrimination and sexual harassment. The charges were all determined by the Court to be without merit except for the count for wrongful discharge. As outlined in the Judge's Opinion and Order, there was a question of fact as to whether a comment made to the Plaintiff by the Company's General Manager, Robert Martin, modified the Company's "at-will" contract that had been signed by the Plaintiff on her employment application. Mr. Martin commented when transferring Plaintiff to the F&I position (that was later eliminated because of economic conditions) that "as long as I did a good job, I had a job". Accordingly, the Judge did not dismiss the wrongful discharge counts, as fact questions were raised.

The wrongful discharge counts were quickly resolved after the Motion for Summary Disposition was granted for sexual harassment, sexual discrimination, intentional infliction of emotional distress and breach of good faith and fair dealing, and the case was dismissed with prejudice and without costs on March 17, 1989. While I personally have no recollection of the settlement in this case, we were able to lo-

cate a member of the Defendant legal team, whose best recollection in this 30 year old case was that the settlement was in the range of twelve to eighteen months of compensation, which I estimate would have been in the range of \$50,000 to \$75,000.

*Question 2.* Since the time of the case involving Ms. Day, have there been any other sexual harassment cases against your company or of which you have been named as a defendant? If there have been please list them and describe how your company responded and resolved each of them.

Answer. There was a 1993 sexual harassment case against the Company that I was initially personally named as a defendant, and these charges against me personally were later dismissed. This case, Jaqui Grattaduria vs. Suburban Toyota Volvo, Inc., David Fischer, David Wagner, Roy Coons and William Burston, Oakland County Court Case No. 93-465662-NZ, is disclosed in my committee questionnaire, under Part E, Question 4, entitled "Civil Litigation". This case was vigorously defended, and was ultimately settled by our insurance company.

This case provided our Company with a reminder that all employees, including disgruntled employees who are parting employment with us, should be treated professionally and with respect. Additionally, as a general matter, the managers that I directly supervise have completed refreshers with their staff regarding our expectations surrounding appropriate workplace behavior.

*Question 3.* As a result of the litigation by Ms. Day did you implement any new sexual harassment trainings or policies for your staff?

Answer. Yes, during this period our Company instituted workplace training on harassment and discrimination to make sure that employees understood our expectations surrounding appropriate workplace behavior. I do not recall whether our training was specifically related to this lawsuit or whether it was a result of the overall cultural emphasis on the workplace behavior that was gaining momentum at that particular time. Over the years since this 1987 lawsuit, we have prepared employee handbooks (the failure to follow handbook policies by an employee can lead to termination), continued workplace training on harassment and discrimination of all kinds, instituted an "open door" policy providing employees a non-threatening avenue to discuss concerns with their managers or more senior leaders in our Company, and generally promote a positive collaborative working environment for our employees.

Our Company has very strong policies for treating our employees professionally and with respect. Given the size and expansive location of our company, I am not involved in all employee matters, but I do continue to set and reinforce this culture with the managers who I directly supervise, and other employees. Over the 50 years that I have led our Company, we have grown from one location and under 100 employees to over 50 locations and over 3,000 employees, including many long-term employees. This ability to grow our Company speaks strongly of the Company's reputation under my direction with both its employees and our customers.

*Question 4.* Could you please describe the circumstances surrounding your decision to recuse yourself as a member of the Judicial Tenure Commission in the case of Judge Gorceyca. Why did you choose to reverse your recusals when the underlying issue, in this case a personal relationship with the Judge, had not changed?

Answer. I recused myself from the Judge Gorceyca matter, in an abundance of caution, as I personally know Judge Gorceyca's husband, Dave Gorceyca. My recusal was made prior to the details of the case being presented to the JTC. However, I was made aware of many of the details of this particular case from publications in local media, which appeared to be influenced by actions of the Executive Director and General Counsel of the JTC, which I believed to be inappropriate. Upon further investigation of the standards for recusal with attorneys and judicial colleagues on the JTC, it became clear that my recusal on these specific matters was not ethically required or recommended. I therefore revoked my recusal.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. EARL ROBERT MILLER BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my three and half years as U.S. Ambassador in Botswana I was a vocal high-profile advocate of democracy and human rights. I raised issues of concern directly with Botswana President Masisi and former President Khama on

fundamental U.S. principles from transparent governance to gay rights as human rights and the importance of protecting marginalized communities from discrimination and violence to religious and press freedom. Speaking so directly and publicly came at a cost. My visibility on these issues earned praise from the NGO community, but often strong criticism from senior government officials. One of my proudest accomplishments as Ambassador is we could have these disagreements while still maintaining and advancing our nations' partnership. While Khama and I had a close personal relationship, I was officially convoked twice at the former President's behest over my prominent advocacy for Botswana to adhere to international norms and laws on child labor and trafficking in persons. In 2015, I was officially summoned by Khama over Botswana's downgrade to Tier Two Watchlist on our Trafficking in Persons (TIP) Report. I used the opportunity to explain how the Government of Botswana could more effectively fight human trafficking. My U.S. Embassy team and I worked closely with government officials and NGOs at all levels across the country to help Botswana achieve Tier Two status the next year, a well-deserved recognition of a country now cited as an example of how to address TIP in Africa. Candid one-on-one conversations with Presidents Masisi and Khama gained Botswana's support for important U.S. resolutions at the United Nations on Syria, North Korea, Chinese aggression in the South China Sea, Venezuela, all at odds with African Union consensus and the majority of Botswana's neighbors in Southern Africa.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Bangladesh? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. There are a number of pressing challenges to democracy in Bangladesh, which including the following:

- ◆ Extrajudicial killings, torture, arbitrary or unlawful detentions and forced disappearances by government security forces;
- ◆ Restrictions on civil liberties, including freedom of speech, press, and the activities of nongovernmental organizations;
- ◆ Intimidation and harassment of opposition political parties and arbitrary restrictions on their ability to meet, assemble, peacefully protest and participate in the political process;
- ◆ Wide-spread corruption;
- ◆ Violence and discrimination based on gender, religious affiliation, caste, tribe (including indigenous persons), and sexual orientation and gender identity.

*Question 3.* What steps will you take—if confirmed—to support democracy in Bangladesh? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The upcoming national elections provide an opportunity to engage strongly and consistently on the democratic process and institutions in Bangladesh. If confirmed, I will seek to continue and amplify our messaging on the need for a free, fair, credible and non-violent elections process that reflects the will of the Bangladeshi people. I will also seek opportunities to continue programming to counter closing democratic space, support civil society, and encourage the Government to reverse or amend laws that curtail freedom of expression and association.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Programming and engagement work hand-in-hand to promote democratic values and fundamental human rights. If confirmed, I will continue to work with the U.S. Government interagency to support democracy and governance, including ongoing programming to support labor rights and grassroots efforts to make political parties more responsive to their constituents.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Bangladesh? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. A vibrant civil society, where human rights groups and other nongovernmental organizations are free to express their views without intimidation or fear of reprisal, is essential for all democracies. The closing of the democratic space in Bangladesh and increase in government restrictions on NGOs in recent years are seri-

ous concerns. If confirmed, I will continue to meet with such organizations and encourage the Government of Bangladesh to reverse, amend, or reconsider current or proposed laws that limit the ability of civil society to operate.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meeting with leaders from various parties and backgrounds and advocating for expanding democratic space. This engagement has been a key priority for our Embassy in Dhaka, particularly with the upcoming election in Bangladesh. If confirmed, I would continue to call on the Government of Bangladesh to fulfill its commitment to hold free, fair, participatory, and credible elections that reflect the will of the Bangladeshi people. I would also continue USG programming and advocacy to re-open the democratic space in Bangladesh for the political opposition and civil society, so that all, including women, minorities and youth, can exercise their freedoms of expression and assembly.

*Question 7.* Will you and your embassy team actively engage with Bangladesh on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Bangladesh?

Answer. Freedom of expression is vital for a healthy democracy, particularly the ability for media, civil society organizations, and members of opposition political parties to express their views and advocate for policy change. This is especially true in advance of elections. In Bangladesh, both print and online media are active and express a variety of views, including those critical of the government. However, there are concerning and credible reports about violence, harassment, and intimidation of journalists that limit freedom of the press. If confirmed, I look forward to meeting regularly with the press and to continue advocacy and programming to support the press' ability to become fully free and independent.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will continue to engage with civil society and government counterparts to promote a free and independent media that accurately reports on events and is careful about repeating reports from other organizations it has not been able to independently confirm as true.

*Question 9.* Will you and your embassy teams actively engage with Bangladesh on the right of labor groups to organize, including for independent trade unions?

Answer. The United States is committed to helping Bangladesh protect workers' rights and safety. If confirmed, I will support U.S. Government programming and advocacy for freedom of association for workers that meets international standards and encourage further improvements to occupational safety and health.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Bangladesh, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Bangladesh? What specifically will you commit to do to help LGBTI people in Bangladesh?

Answer. Defending the human rights and dignity of all people in Bangladesh is critical, no matter their sexual orientation or gender identity. The LGBTI population in Bangladesh experiences discrimination publicly and privately. If confirmed, I look forward to continuing to support human rights programming across various vulnerable populations, and to continue to seek justice for the murder of our friend and U.S. Embassy Dhaka colleague, Xulhaz Mannan, for his human rights work in Bangladesh.

*Question 11.* Has the international donor support for the refugee crisis in Bangladesh been sufficient to meet the need?

Answer. In spite of generous support from multiple international donors, funding has not been sufficient to date. Overall, only about a third of the \$951 million U.N. Joint Response Plan, covering March to December 2018, has been funded. U.S. contributions represent nearly 22 percent of all contributions toward the appeal. The USG is the top donor to this crisis and continues to advocate for other donors to contribute robustly. The International Organization for Migration (IOM) reports it is currently only 24 percent funded against its \$182.1 million request, which impacts delivery of services.

*Question 12.* What more, in your view, needs to be done to leverage international humanitarian support?

Answer. While a political solution remains crucial, the United States is also focused on meeting the humanitarian needs of refugees and host communities in Bangladesh. The United States is the leading donor to the Rakhine State crisis. If confirmed, I will continue to leverage U.S. funding measures to urge others, including non-traditional donors, to contribute to the response.

*Question 13.* Is the U.S. doing enough and, if not, what more could it be doing?

Answer. The United States has provided nearly \$300 million in humanitarian assistance to help displaced people in and from Burma and affected communities in the region since the start of FY 2017. Of this total assistance, more than \$190 million has been provided since August 2017 for the refugee relief effort in Bangladesh. We need to continue to focus on the immediate needs of these vulnerable populations—basic health and safety—while also engaging in medium- and long-term planning, including education and livelihoods, to improve living conditions and reduce vulnerabilities. At the same time, we must always make clear this assistance in no way signals the United States has given up on efforts to create the conditions in Rakhine State that will allow the Rohingya who voluntarily decide to return to do so in security and with dignity.

*Question 14.* Are you aware of Bangladeshi Government plans to transfer Rohingya refugees from Cox's Bazar to the island of Bhasan Char? Do you think the U.S. Government should support or oppose this transfer? What pre-conditions do you think should be required before such a transfer could take place?

Answer. Yes, I am aware of the proposed relocation plan to Bhasan Char Island. If confirmed, I will continue to urge the Government to allow the U.N. to conduct a technical assessment to determine the feasibility and desirability of relocating refugees there. This must include an assessment of the safety, habitability, and protection implications of transporting, housing and providing food and other services to 100,000 refugees, including during natural disasters. Any plan to relocate refugees in Bangladesh or back to Burma must be fully voluntary, safe, and dignified. Any relocation of refugees to Bhasan Char Island would need to allow for freedom of movement to where the rest of the Rohingya are located in Cox's Bazar.

*Question 15.* Do you think that the assistance directed to developing Cox's Bazar, which is aimed at improving infrastructure and livelihoods for both the local host community and the refugees, would be preferable to relocating refugees to Bhasan Char?

Answer. Even if Bhasan Char proves to be suitable for relocation of refugees, it will not eliminate the need for additional usable land in Cox's Bazar to help decongest the existing over-crowded camps and mitigate current risk factors, including radicalization, criminality, instability, disease, and sexual violence. Any planned relocation, or improvement to existing infrastructure, would carry the same requirements—that the new sites meet suitability standards for safety, habitability, and security needs, and any relocation plan be fully voluntary, safe, and dignified, and allow for freedom of movement. Improvements to infrastructure and an increase in livelihood opportunities in local host communities could mitigate tensions between the pre-existing population and the newly arrived refugees, and thus contribute to an overall improvement in the situation.

*Question 16.* There is currently a crackdown on freedom of expression in Bangladesh; social media is monitored and those that criticize the prime minister, her family members, or her Government are prosecuted under the draconian Information and Communications Act (ICT Act). After the recent student protests, photographer Shahidul Alam, activist Faria Mahjabin, and numerous students and teachers have been arrested under the ICT Act. What role do you believe the U.S. should play in responding to this situation?

Answer. We are deeply concerned about reported arrests, attacks and efforts to intimidate journalists in Bangladesh. A free press is fundamental to democracy, and we will continue to engage with the Government of Bangladesh on the importance of ensuring journalists are protected from violence and intimidation. As I noted in my testimony, media, civil society, members of opposition groups, and peaceful protesters must be able to express their views and advocate for change without fear of retribution. Ambassador Bernicat has been a superb champion of all voices in the democratic process and, if confirmed, I pledge to follow her admirable example.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. EARL ROBERT MILLER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Has the international donor support for the refugee crisis in Bangladesh been sufficient to meet the need?

Answer. In spite of generous support from multiple international donors, funding has not been sufficient to date. Overall, only about a third of the \$951 million U.N. Joint Response Plan, covering March to December 2018, has been funded. U.S. contributions represent nearly 22 percent of all contributions toward the appeal. The USG is the top donor to this crisis and continues to advocate for other donors to contribute robustly. The International Organization for Migration (IOM) reports it is currently only 24 percent funded against its \$182.1 million request, which impacts delivery of services.

*Question 2.* What more, in your view, needs to be done to leverage international humanitarian support?

Answer. While a political solution remains crucial, the United States is also focused on meeting the humanitarian needs of refugees and host communities in Bangladesh. The United States is the leading donor to the Rakhine State crisis. If confirmed, I will continue to leverage U.S. funding measures to urge others, including non-traditional donors, to contribute to the response.

*Question 3.* Is the U.S. doing enough and, if not, what more could we be doing?

Answer. The United States has provided nearly \$300 million in humanitarian assistance to help displaced people in and from Burma and affected communities in the region since the start of FY 2017. Of this total assistance, more than \$190 million has been provided since August 2017 for the refugee relief effort in Bangladesh. We need to continue to focus on the immediate needs of these vulnerable populations—basic health and safety—while also engaging in medium- and long-term planning, including education and livelihoods, to improve living conditions and reduce vulnerabilities. At the same time, we must always make clear this assistance in no way signals the United States has given up on efforts to create the conditions in Rakhine State that will allow the Rohingya who voluntarily decide to return to do so in security and with dignity.

*Question 4.* Are you aware of Bangladeshi Government plans to transfer Rohingya refugees from Cox's Bazar to the island of Bhasan Char? Do you think the U.S. Government should support or oppose this transfer? What pre-conditions do you think should be required before such a transfer could take place?

Answer. Yes, I am aware of the proposed relocation plan to Bhasan Char Island. If confirmed, I will continue to urge the Government to allow the U.N. to conduct a technical assessment to determine the feasibility and desirability of relocating refugees there. This must include an assessment of the safety, habitability, and protection implications of transporting, housing and providing food and other services to 100,000 refugees, including during natural disasters. Any plan to relocate refugees in Bangladesh or back to Burma must be fully voluntary, safe, and dignified. Any relocation of refugees to Bhasan Char Island would need to allow for freedom of movement to where the rest of the Rohingya are located in Cox's Bazar.

*Question 5.* Do you have a view on the viability of other relocation sites, such as the six locations in Ukiya subdistrict near to the existing camp? Do you think that assistance directed to developing the Cox's Bazar district (which includes Ukiya sub-district) aimed at improving infrastructure and livelihoods for both the local host community and the refugees would be preferable to relocating refugees to Bhasan Char?

Answer. Even if Bhasan Char proves to be suitable for relocation of refugees, it will not eliminate the need for additional usable land in Cox's Bazar to help decongest the existing over-crowded camps and mitigate current risk factors, including radicalization, criminality, instability, disease, and sexual violence. Any planned relocation or improvement to existing infrastructure would carry the same requirements—that the new sites meet suitability standards for safety, habitability, and security needs, and any relocation plan be fully voluntary, safe, and dignified and allow for freedom of movement. Improvements to infrastructure and an increase in livelihood opportunities in local host communities could mitigate tensions between the pre-existing population and the newly arrived refugees, and thus contribute to an overall improvement in the situation.

*Question 6.* The Bangladesh Government has made clear that it hopes and expects the Rohingya refugees to return to Myanmar in the near future. How realistic do you think this is? What conditions do you think would need to be place for safe and dignified refugee repatriation to occur?

**Answer.** While the Government of Bangladesh has pushed for the Rohingya to be able to return to Burma as soon as possible, it has fully accepted the international standard that all returns be voluntary, safe, and dignified. It is Burma's responsibility to create the conditions conducive for return, including respecting the basic rights and freedoms of all of its diverse people. If confirmed, I will continue to work with the Governments of Bangladesh and Burma through our Embassy in Rangoon, as well as with our international partners, to most effectively achieve these conditions. This would include implementation of the recommendations of the Advisory Commission on Rakhine State (also known as the Annan Commission), which the Government of Burma has publicly endorsed, including those related to access to citizenship and freedom of movement.

**Question 7.** What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** Throughout my three and half years as U.S. Ambassador in Botswana I was a vocal high-profile advocate of democracy and human rights. I raised issues of concern directly with Botswana President Masisi and former President Khama on fundamental U.S. principles from transparent governance to gay rights as human rights, and the importance of protecting marginalized communities from discrimination and violence to religious and press freedom. Speaking so directly and publicly came at a cost. My visibility on these issues earned praise from the NGO community but often strong criticism from senior government officials. One of my proudest accomplishments as Ambassador is we could have these disagreements while still maintaining and advancing our nations' partnership. While Khama and I had a close relationship, I was officially convened twice at the former President's behest over my prominent advocacy for Botswana to adhere to international norms and laws on child labor and trafficking in persons. In 2015, I was officially summoned by Khama over Botswana's downgrade to Tier Two Watchlist on our Trafficking in Persons (TIP) Report. I used the opportunity to explain how the Government of Botswana could more effectively fight human trafficking. My U.S. Embassy team and I worked closely with government officials and NGOs at all levels across the country to help Botswana earn an upgrade to Tier Two, a well-deserved recognition of a country now cited as an example of how to address TIP in Africa. Candid one-on-one conversations with Presidents Masisi and Khama gained Botswana's support for important U.S. resolutions at the United Nations on Syria, North Korea, Chinese aggression in the South China Sea, and Venezuela, all at odds with African Union consensus and the majority of Botswana's neighbors in Southern Africa.

**Question 8.** What are the most pressing human rights issues in Bangladesh? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Bangladesh? What do you hope to accomplish through these actions?

**Answer.** There are a number of pressing challenges to democracy in Bangladesh, including the following:

- ◆ Extrajudicial killings, torture, arbitrary or unlawful detentions and forced disappearances by government security forces;
- ◆ Restrictions on civil liberties, including freedom of speech, press, and the activities of nongovernmental organizations;
- ◆ Intimidation and harassment of opposition political parties and arbitrary restrictions on their ability to meet, assemble, peacefully protest, and participate in the political process;
- ◆ Wide-spread corruption;
- ◆ Violence and discrimination based on gender, religious affiliation, caste, tribe (including indigenous persons), and sexual orientation and gender identity.

The upcoming national elections provide an opportunity to engage strongly and consistently on the democratic process and institutions in Bangladesh. If confirmed, I will seek to continue and amplify our messaging on the need for a free, fair, credible and non-violent elections process that reflects the will of the Bangladeshi people. I will also seek opportunities to continue programming to counter closing democratic space, support civil society, and encourage the Government to reverse or amend laws that curtail freedom of expression and association.

**Question 9.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Bangladesh in advancing human rights, civil society and democracy in general?

**Answer.** The biggest obstacle to addressing these human rights issues is the increasingly limited democratic space in Bangladesh which has reduced the ability

and willingness of members of civil society and the media to speak out and actively advocate for change. Our challenge is to make the case it is in Bangladesh's own national interest—and key to its further economic development—to have a vibrant civil society and press that can contribute to finding and implementing solutions to societal problems, including human rights. Bangladesh has rightly earned worldwide acclaim for its humane and generous response to the Rohingya refugee crisis that literally saved thousands of lives. It would be unfortunate if Bangladesh's well-deserved reputation for inclusion and compassion is tarnished by a lack of respect for the human rights of its own citizens. The upcoming national elections are an important test of the Government's adherence to the democratic values our two countries share. We look forward to Bangladesh living up to its commitment to holding free, fair, participatory, and credible elections that reflect the will of the Bangladeshi people. As I noted in my testimony, Ambassador Bernicat has been a superb champion of all voices in the democratic process and, if confirmed, I pledge to follow her admirable example.

*Question 10.* Dozens of people, including members or relatives of the political opposition, have been forcibly disappeared in Bangladesh. Officials, including both the prime minister and her son (who is a U.S. national) have denied these violations. Are you aware of these incidents? What role do you believe the U.S. should play in responding them?

Answer. Yes, I am aware of these incidents. We have consistently said we are concerned about reports of extrajudicial killings, deaths in custody, forced disappearances and unlawful detentions. We continue to urge government leaders to ensure these allegations of human rights violations and abuses by government personnel are fully investigated and all those responsible held to account. We take allegations of gross violations of human rights very seriously. We do not provide assistance to any security force unit when we have credible information that unit committed a gross violation of human rights, until and unless the Government takes effective steps to bring those responsible to justice.

*Question 11.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Bangladesh? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. A vibrant civil society, where human rights groups and other nongovernmental organizations are free to express their views without intimidation or fear of reprisal, is essential for all democracies. The closing of the democratic space in Bangladesh and increase in government restrictions on NGOs in recent years are serious concerns. If confirmed, I would continue to meet with such organizations and encourage the Government of Bangladesh to reverse, amend, or reconsider current or proposed laws that limit the ability of civil society to operate. I would also continue to stress to the Government of Bangladesh that its response and investigation of any crime must respect international human rights standards. The Department of State continues to closely monitor reports of human rights violations and abuses and reports those concerns in the annual Human Rights Report including allegations of security force abuses. If confirmed, I would continue to use this annual report and other engagements to press for improvements in human rights in Bangladesh. Additionally, I will insist on and ensure full and appropriate application of Leahy Law requirements to ensure our security assistance and cooperation is consistent with human rights priorities. This includes encouraging and promoting military-military engagements and participation in U.S. military training programs, including through the International Military Education and Training (IMET) program, that expose Bangladeshi security forces to principles of democracy, human rights, and civilian-military cooperation.

*Question 12.* Will you and your embassy team actively engage with Bangladesh to address cases of key political prisoners or persons otherwise unjustly targeted by Bangladesh?

Answer. Yes, if confirmed, my Embassy team and I will actively engage with Bangladesh to address cases of key political prisoners or persons otherwise unjustly targeted.

*Question 13.* Will you engage with Bangladesh on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. The upcoming national elections provide an opportunity to engage strongly and consistently on the democratic process and institutions in Bangladesh. If confirmed, I look forward to engaging with Bangladesh on matters of human rights, civil rights, and governance as part of our robust bilateral exchanges.

*Question 14.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns I may have through appropriate channels.

*Question 15.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns I may have through appropriate channels.

*Question 16.* Do you or do any members of your immediate family have any financial interests in Bangladesh?

Answer. No.

*Question 17.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I would continue, as I have done in Botswana as Ambassador, to regularly discuss with U.S. mission employees the importance of our talented workforce reflecting and championing all of America's strengths and diversity. I would hold bi-monthly professional development meetings, as I do in Botswana, where we discuss, among other issues, inclusion, diversity, and equal opportunities in the modern Foreign Service. I would also discuss with educational exchange students, interns, and other visitors how the U.S. Foreign Service is changing to look more like the nation we serve. I would ensure we cast a wide net when recruiting officers to serve in Bangladesh and saw these efforts pay off in Botswana when we welcomed last month our embassy's first ever African-American Deputy Chief of Mission. As the father of two sons whose mother is from El Salvador, I have often spoken of the need to have more Hispanic Foreign Service Officers, currently comprising only about 5 percent of Foreign Service Generalists. If confirmed, I would continue to actively support and participate in the State Department's celebrations of Asian-American and Pacific Islander Heritage Month, Hispanic Heritage Month, Women's History Month, Black History Month, Native American Heritage Month and Lesbian, Gay, Bisexual, and Transgender Pride Month, among others.

*Question 18.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, as Ambassador I would set the example, personally and professionally, of supporting an inclusive, fair, and welcoming work environment. I would ensure all supervisors and managers, myself included, attend all mandatory EEO/Diversity Awareness training. I would insist all employees fully follow U.S. Government EEO and diversity guidelines and any who did not would be subject to disciplinary measures to include removal from employment and post.

*Question 19.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Bangladesh specifically? What is your assessment of corruption trends in Bangladesh and efforts to address and reduce it by that government? If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Bangladesh?

Answer. Corruption is extremely damaging to the governance and overall functioning of every country, and Bangladesh is no exception. Transparency International's 2017 Corruption Perception Index ranks Bangladesh 143rd out of 180 countries. The Government of Bangladesh has taken some initial steps to address issues of corruption but there is much more to be done. If confirmed, I would pursue additional progress on anticorruption measures, working both with the Government and civil society, making the case Bangladesh's continued economic development depends on tackling this issue.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DANIEL N. ROSENBLUM BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. The promotion of human rights and democracy has been a consistent element throughout my professional career. My very first job after college was as a research assistant to a Member of the British House of Lords, who was Chairman of the Parliamentary Human Rights Group. I supported his work on behalf of political prisoners in East Timor, Pakistan, and China, and did an analysis of the electoral system of Guyana, later published by Americas Watch. This and similar efforts eventually led to freer elections and a change in political leadership in that country.

During my four years with Senator Carl Levin, my portfolio included human rights and democracy promotion. I initiated and collaborated on numerous legislative efforts, such as advocacy on behalf of political prisoners in the Soviet Union and persecuted members of ethnic minority groups in Eastern Europe, and renaming the street in front of the U.S. Holocaust Museum to honor Raoul Wallenberg, who saved thousands of Jews in Hungary during World War Two. I also drafted legislation the Senator sponsored to permit the Overseas Private Investment Corporation to operate in Poland, an effort to promote the nascent private sector at the very beginning of Poland's democratic transition.

During the six years I worked for the Free Trade Union Institute (now part of the Solidarity Center), I managed grants from the National Endowment for Democracy and USAID aimed at supporting emerging independent trade unions throughout the former Soviet republics. We provided training and equipment that helped these groups to organize on behalf of workers in the coal, garment, and metallurgical industries, as well as among teachers, air traffic controllers and other public sector employees. As a result of our programs, workers throughout the region for the first time in 80 years were actually represented by organizations that advocated for fair compensation and benefits, workplace health and safety, and other labor rights.

For 17 years at the Department of State, I coordinated U.S. foreign aid throughout the former Soviet Union and Eastern Europe, and in that capacity, ensured that sufficient resources and the right kinds of programs were devoted to the promotion of human rights and democracy. There are literally hundreds of examples of this, but I would single out the work I coordinated to build democratic institutions (independent media, civil society, rule of law, a vibrant private sector, free and fair elections) in countries like Ukraine, Georgia, Kosovo, and the Kyrgyz Republic. While progress in these and other countries in the region has been uneven and sometimes characterized by one step back for every two forward, we have also seen examples of real progress toward more open and accountable governance, freer press, and more active and effective civil society organizations.

Finally, over the past four years as a Deputy Assistant Secretary for South and Central Asia, I have had numerous opportunities to raise concerns about human rights and democracy with Government officials. I am particularly proud of the role I played in highlighting concerns about arbitrarily or unlawfully imprisoned political activists, journalists, and human rights defenders. Not only did I raise these cases directly with senior officials, but in a few instances had the difficult but important experience of meeting prisoners' families to hear their stories and express sympathy for the plight of their loved ones. Although many of these prisoners have not been released to date, I am pleased to say that in Uzbekistan every one of the individuals whose cases I raised between 2014 and 2016 has now been released from prison.

*Question 2.* What issues are the most pressing challenges you see to democracy or democratic development in Uzbekistan? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Uzbekistan's reform agenda is primarily driven from the top and power remains concentrated in the hands of the President. One of the first challenges is institutionalization of the reform, including passage and implementation of laws in accordance with international standards that protect the rights of the people. Second, Uzbekistan's political system does not include genuine political competition and accountability, and political activity is limited at the grassroots level. It will take time to break away from the past to cultivate and nurture public participation in democratic governance. President Mirziyoyev has set Uzbekistan on a positive trajectory with respect to human rights. While highlighting our respect for

Uzbekistan's sovereignty, independence, and territorial integrity, the United States must continue to encourage Uzbekistan to remain on the path of political and economic reform, focusing on guaranteeing the human rights and fundamental freedoms of all, strengthening the independence of the country's judiciary and parliament and institutionalization of reforms for the long term.

*Question 3.* What specific steps will you take—if confirmed—to support democracy in Uzbekistan? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Since assuming power in 2016, President Mirziyoyev has taken important steps towards improving the country's human rights situation including eliminating systemic child labor, reducing adult forced labor, strengthening the rule of law—for example by banning evidence obtained through torture—as well as simplifying registration procedures for civil society and religious groups. There is still much work to be done. If confirmed, I would continue to urge Uzbekistan to continue along the path of reform, focus on guaranteeing the human rights and fundamental freedoms of all, strengthening the independence of the judiciary and the role of parliament as guarantors of these rights and institutionalize the positive changes for the long-term benefit of the country and its people. I will utilize the full breadth of assistance resources and Public Diplomacy programming to help address these challenges. We will also continue to provide support to institutions and organizations helping to promote these positive changes. We will not shy away from raising human rights abuses and violations where they occur. I realize that building a vibrant civil society is a long-term process, but I am encouraged by many positive developments under the administration of President Mirziyoyev and if confirmed, will ensure the United States remains a leading partner in this endeavor.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, under my leadership the Embassy will continue to use the full range of available assistance resources to support broad democracy and governance reforms in Uzbekistan. If confirmed, I will continue support for existing programs and in future budget years, will prioritize such programs, which include the Embassy Democracy Commission Small Grants program, USAID's Democracy, Human Rights, and Governance programs, and State Department-funded assistance programs as well as supporting public diplomacy tools such as the speakers' program and the International Visitor Leadership Program. Justice sector reform and anticorruption programming are particularly important because of their potential impact on all aspects of Uzbekistan society.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Uzbekistan? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, I am fully committed to meeting with members of civil society and other nongovernmental organizations. I firmly believe an independent and vibrant civil society is central to Uzbekistan's development and reform priorities. The Department of State continues to closely monitor reports of human rights violations and abuses, regularly communicates our concerns to the Government of Uzbekistan, and reports those issues in the annual Human Rights Report. If confirmed, I will continue to urge Uzbekistan to deepen its reforms stemming from President Mirziyoyev's May 4, 2018 decree enhancing the role of civil society in the country's reform process. As we monitor the new policies, we will continue to encourage the Government to ensure that requirements for NGOs facilitate freedom of association and bring Uzbekistan's policies closer in line with international best practices.

*Question 6.* If confirmed, do you commit to meet with democratically-oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes I am committed to meeting with democratically-oriented political opposition figures and parties. In my previous role as the Deputy Assistant Secretary for Central Asia, we took every opportunity both in Uzbekistan and in the other four Central Asian countries to meet with these groups wherever and whenever possible. I welcome the emergence of a democratic Uzbekistan and will use the Embassy Democracy Commission grants and other programmatic tools at my disposal to advance this goal. If confirmed, I will continue to advocate for these groups and for

lesser represented groups, such as women and youth, to promote greater inclusivity in the political system.

*Question 7.* Will you and your embassy team actively engage with Uzbekistan on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Uzbekistan?

Answer. The Mirziyoyev administration has released more than 40 prisoners of conscience, and for the first time in more than two decades, the committee for the Protection of Journalists has declared Uzbekistan's prisons free of journalists. In another sign of the changing times, Uzbekistan has also recently given official accreditation to the Voice of America which broadcasts in the Uzbek language. If confirmed, my embassy team and I will continue to actively engage with Uzbekistan to address emerging cases of prisoners of conscience and encourage greater freedom for journalists to operate. I also commit to regularly meeting with local press in Uzbekistan.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will use the full breadth of the tools provided through our Office of Press and Public Diplomacy, USAID, Global Engagement Center, and interagency counterparts to partner with civil society organizations and the Uzbek Government to counter the impact of disinformation and malign propaganda disseminated by foreign state or non-state actors in Uzbekistan. The U.S. Embassy in Tashkent will play a key role in a multi-pronged regional effort to counterbalance the heavy flow of anti-American disinformation across the region. This programming will focus on activities that counter the objectives of these false narratives and pressures by engendering strong positive views of America, especially among youth, who are the future leaders of Central Asia. The programming will engage civil society, media outlets, and the Government of Uzbekistan in efforts to reduce susceptibility to such malign propaganda through expansion of our people-to-people programs, local media training initiatives, and efforts to promote media literacy among youth to ensure thoughtful media consumption.

*Question 9.* Will you and your embassy teams actively engage with Uzbekistan on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will engage the Government of Uzbekistan on the rights of workers to form labor unions and independent trade unions. Uzbekistan's economic growth will require improved labor conditions and assuring that protections for workers are consistently implemented. If confirmed, my team and I will energetically engage the Government of Uzbekistan, workers, employers, and labor activists to promote internationally recognized worker rights, including supporting workers' ability to form and join independent trade unions of their choice. We will also work with Uzbek partners interested in further diversifying the economy into sectors that yield greater benefits for the average worker.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Uzbekistan, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Uzbekistan? What specifically will you commit to do to help LGBTI people in Uzbekistan?

Answer. If confirmed, I will commit to defend the human rights and dignity of all people in Uzbekistan, regardless of their sexual orientation or gender identity. According to the State Department's 2017 Human Rights Report, members of the LGBTI community in Uzbekistan are subject to laws criminalizing same-sex sexual conduct. As the Secretary stated on the International Day against Homophobia, Transphobia and Biphobia, "the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else." As the Secretary committed, we will continue to use a range of public and private actions to counter violence and severe discrimination against LGBTI persons across the world including through bilateral and multilateral channels, by offering emergency assistance to LGBTI persons and organizations at risk, and by imposing visa restrictions and economic sanctions, as appropriate, on those involved in violations or abuses of their human rights.

*Question 11.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Uzbekistan? Will you commit to meet with rep-

resentatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

**Answer.** If confirmed, I will continue to press the Government of Uzbekistan, including at the highest levels, to fully meet its international obligations to uphold every individual's right to freedom of religion or belief. To be effective, I believe it is essential to meet with an array of religious congregants from all faiths to understand the day-to-day challenges they face in practicing their religion. Our goal will be to ensure that there is religious freedom for all in Uzbekistan.

**Question 12.** How will you seek to boost resilience to Russian Government meddling within Uzbek institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address corruption or other illicit dealings by Uzbek political actors that risk enabling malign Kremlin influence in the country?

**Answer.** Russia has a long-standing historical relationship with Central Asia, important cultural and military ties, and is an important trade partner for the region. For Uzbekistan, Russia hosts over two million ethnic Uzbek workers and is the country's second largest trading partner. The United States is aware of Russia's role in the region and respects Uzbekistan's sovereign right to decide what kind of relationship it wants to have with Russia. At the same time, the cornerstone of our policy in the region is to support each country's sovereignty, independence and territorial integrity. If confirmed, I will continue to advocate for an Uzbekistan free of foreign interference and will utilize U.S. Government funding and programs to boost Uzbekistan's resilience to such outside pressure. In terms of addressing corruption and other illicit dealings, if confirmed, I will support existing U.S. funded good governance and anticorruption assistance programs and will prioritize such programs in future budget years. I will signal U.S. Embassy support for such programs and their objectives at every appropriate opportunity, including in meetings with Government of Uzbekistan officials, and by participation in the programs' public events. I will also use public diplomacy tools such as speakers' programs and the International Visitor Leadership Program (IVLP) to support these objectives.

**Question 13.** How specifically will you engage, if confirmed, to support economic integration between Uzbekistan and other countries in the region? What further opportunities do you see to engage Uzbekistan as a partner in supporting peace and reconciliation in Afghanistan?

**Answer.** If confirmed, I will continue to support the C5+1 platform, which brings together the five countries of Central Asia along with the U.S. to support to support intraregional economic, environment, and security cooperation. Under C5+1, the U.S. is supporting several projects aimed at supporting economic integration within Central Asia. These include the C5+1 Central Asia Business Competitiveness project that is facilitating the private sector development of the Central Asian horticulture sector, the C5+1 Transport Corridor Development Project to increase the competitiveness of Central Asian economies by improving their transport and logistics sectors, and the C5+1 Power the Future project, supporting the transition to low emission and advanced energy solutions. I will also continue to support regional integration projects such as CASA-1000, a project designed to export excess summer electricity from the Kyrgyz Republic and Tajikistan to Afghanistan and Pakistan, and the new Central Asia Regional Electricity Market (CAREM), a proposed collaboration between the five Central Asian countries and the United States government, other donors, and international financial institutions (IFIs) to establish a new, economically viable, market based system of regional electricity trade. I would also encourage Uzbekistan to continue its leadership in driving regional economic integration as seen this year in which Uzbekistan will host meetings of the Central Asia Trade Forum and the U.S.-Central Asia Trade and Investment Framework Agreement (TIFA) from October 15–18 in Tashkent. Finally, I would encourage the Uzbek Government to continue its support to Afghanistan as it did in December 2017, when the Uzbek and Afghan governments signed over twenty bilateral agreements in Tashkent, including trade and transit trade agreements to improve their economic relationship and deepen economic integration between both countries and the region. I would also encourage continued Uzbek support for Afghan educational exchanges, such as its hosting of over 100 Afghan youth at a school in the southern city of Termez.

The United States and Uzbekistan share a common goal in Afghanistan: to ensure regional stability, especially by reducing the threat posed by terrorist organizations operating in the region. We agree there is not a military solution to the conflict but rather the best avenue to achieve stability is through a negotiated political settlement between the Afghan Government and the Taliban. We welcome an effective Uzbek role in supporting an Afghan-led peace process, including by urging the

Taliban to negotiate directly with the Afghan government. We will continue to work closely with Uzbekistan bilaterally and in constructive multilateral fora to bring the Taliban to the negotiating table and promote regional peace and stability.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DANIEL N. ROSENBLUM BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. The promotion of human rights and democracy has been a consistent element throughout my professional career. My very first job after college was as a research assistant to a Member of the British House of Lords, who was Chairman of the Parliamentary Human Rights Group. I supported his work on behalf of political prisoners in East Timor, Pakistan, and China, and did an analysis of the electoral system of Guyana, later published by Americas Watch. This and similar efforts eventually led to freer elections and a change in political leadership in that country.

During my four years with Senator Carl Levin, my portfolio included human rights and democracy promotion. I initiated and collaborated on numerous legislative efforts, such as advocacy on behalf of political prisoners in the Soviet Union and persecuted ethnic minorities in Eastern Europe, and renaming the street in front of the U.S. Holocaust Museum to honor Raoul Wallenberg, who saved thousands of Jews in Hungary during World War Two. I also drafted legislation the Senator sponsored to permit the Overseas Private Investment Corporation to operate in Poland, an effort to promote the nascent private sector at the very beginning of Poland's democratic transition.

During the six years I worked for the Free Trade Union Institute (now part of the Solidarity Center), I managed grants from the National Endowment for Democracy and USAID aimed at supporting emerging independent trade unions throughout the former Soviet republics. We provided training and equipment that helped these groups to organize on behalf of workers in the coal, garment, and metallurgical industries, as well as among teachers, air traffic controllers and other public sector employees. As a result of our programs, workers throughout the region for the first time in 80 years were actually represented by organizations that advocated for fair compensation and benefits, workplace health and safety, and other labor rights.

During my 17 years at the Department of State, I coordinated U.S. foreign aid throughout the former Soviet Union and Eastern Europe, and, in that capacity, ensured that sufficient resources and the right kinds of programs were devoted to the promotion of human rights and democracy. There are literally hundreds of examples of this effort, but I would single out the work I coordinated to promote basic democratic institutions (independent media, civil society, rule of law, a vibrant private sector, free and fair elections) in countries like Ukraine, Georgia, Kosovo, and the Kyrgyz Republic. While progress in these and other countries in the region has been uneven and sometimes characterized by two steps back for every one forward, we have also seen examples of real progress toward more open and accountable governance, freer press, and more active and effective civil society organizations.

Finally, over the past four years as a Deputy Assistant Secretary for South and Central Asia, I have had numerous opportunities to raise concerns about human rights and democracy with government officials. I am particularly proud of the role I played in highlighting concerns about unjustly imprisoned political activists, journalists, and human rights defenders. Not only did I raise these cases directly with senior officials, but in a few instances had the difficult but important experience of meeting prisoners' families to hear their stories and express sympathy for the plight of their loved ones. Although many of these prisoners have still not been released to date, I am pleased to say that, in Uzbekistan, every one of the individuals whose cases I raised between 2014 and 2016 has now been released from prison.

*Question 2.* What are the most pressing human rights issues in Uzbekistan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Uzbekistan? What do you hope to accomplish through these actions?

Answer. The Mirziyoyev administration has released more than 40 prisoners of conscience, and for the first time in more than two decades the committee for the Protection of Journalists has declared Uzbekistan's prisons free of journalists imprisoned as a result of their reporting. According to Uzbekistan officials, law en-

forcement agencies have removed nearly 23,000 people since 2017 from so-called security "black lists," which restricted civil liberties due to allegations of "religious extremism." If confirmed, my embassy team and I would continue to build on the momentum in this area by actively engaging with Uzbekistan to address any remaining persons who were unjustly imprisoned for exercising basic internationally recognized human rights and fundamental freedoms. We would urge the Government to continue such releases, to treat freed individuals with dignity and to extend to them the necessary authorizations and documents required to make their new status complete and permanent. We hope that as political and rule of law reforms continue, the practice of holding political prisoners will soon be viewed purely as part of Uzbekistan's past.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Uzbekistan in advancing human rights, civil society and democracy in general?

Answer. Uzbekistan's reform agenda has to date been initiated and driven from the top and power remains concentrated in the hands of the President. In order to last, such comprehensive reforms cannot rely only on the intentions and actions of one man but must be institutionalized in the form of laws, regulations and new societal norms that govern behavior and expectation. This is likely to be a lengthy and complicated process, and will require more involvement at all levels of society. Second, Uzbekistan's political system does not include genuine political competition, and political activity is limited at the grassroots level. It will take time to break away from the past to cultivate and nurture public participation in democratic governance. President Mirziyoyev has set Uzbekistan on a positive trajectory with respect to human rights. While highlighting our respect for Uzbekistan's sovereignty, independence, and territorial integrity, the United States must continue to encourage Uzbekistan to remain on the path of political and economic reform, focusing on guaranteeing the political and economic rights of all individuals, and institutionalizing reforms for the long term.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Uzbekistan? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, if I am confirmed, I am absolutely committed to meeting with members of civil society and other nongovernmental organizations, both in the U.S. and in Uzbekistan. I firmly believe an independent and vibrant civil society is central to Uzbekistan's healthy political, social and economic development, and to the success of President Mirziyoyev's reform agenda. I also believe that the U.S. Government should frequently consult with our own NGO's with expertise in civil society development to gain insights and ideas for how to support civil society in Uzbekistan.

If confirmed, I would remind the Government of Uzbekistan that the expansion of U.S.-Uzbekistan security cooperation is contingent on ensuring that Uzbekistan's security forces, police and military forces respect human rights. In Uzbekistan, as elsewhere, the U.S. declines to provide security assistance to any unit when we have credible information that the unit has committed a gross violation of human rights, until and unless governments take effective steps to bring those responsible to justice. If confirmed, I would closely monitor all our security cooperation with Uzbekistan to ensure that it is reinforcing respect for human rights, and would make clear to my country team and all U.S. Government elements involved in such cooperation that this is one of its essential goals.

*Question 5.* Will you and your embassy team actively engage with Uzbekistan to address cases of key political prisoners or persons otherwise unjustly targeted by Uzbekistan?

Answer. The Mirziyoyev administration has released more than 40 prisoners of conscience, and for the first time in more than two decades the committee for the Protection of Journalists has declared Uzbekistan's prisons free of journalists imprisoned as a result of their reporting. According to Uzbekistan officials, law enforcement agencies have removed nearly 23,000 people since 2017 from so-called security "black lists," which restricted civil liberties due to allegations of "religious extremism." If confirmed, my embassy team and I would continue to build on the momentum in this area by actively engaging with Uzbekistan to address any remaining persons who were unjustly imprisoned for exercising basic internationally recognized rights. We would urge the Government to continue such releases, to treat

freed individuals with dignity and to extend to them the necessary authorizations and documents required to make their new status complete and permanent. We hope that as political and rule of law reforms continue, the practice of holding political prisoners will soon be viewed purely as part of Uzbekistan's past.

*Question 6.* Will you engage with Uzbekistan on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Following the admirable example of current Ambassador Spratlen, if confirmed, I will continue to engage with Uzbekistan on matters of human rights, civil rights, and governance as a top priority of the bilateral mission.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise any concerns that I may have about potential violations of these laws, regulations and rules through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise any concerns that I may have about potential violations of these laws, regulations and rules through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Uzbekistan?

Answer. Neither I nor any member of my family has any direct financial interests in Uzbekistan. My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in Uzbekistan. These mutual funds are exempt from the conflict of interest laws. In general, I am committed to ensuring that my official actions will not give rise to any conflicts of interest, and I will remain vigilant with respect to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will seek to build an Embassy team that is both diverse and cohesive, celebrating the differences in our respective backgrounds while maintaining a sense of shared mission. I will make it a priority to encourage the recruitment and professional development of a staff that represents the face of America. I will try to learn as much as I can about each of my team members, and find ways to value and to benefit from their different traditions and life experiences.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will make it a top priority to foster an Embassy work environment characterized by mutual respect, inclusivity, and tolerance for differences. I will communicate to senior staff from the start that I will not abide discrimination and harassment in the workplace or within the Embassy community generally. In advance of the annual personnel assignment process, I will communicate to each supervisor my expectation that we are welcoming applications from the widest possible group of qualified candidates, and that they should proactively reach out to colleagues from diverse backgrounds and invite them to apply for Embassy positions.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Uzbekistan specifically?

Answer. Corruption undermines the foundations of democratic governance. It destroys trust between the Government and the governed, and makes it nearly impossible to establish a system based on rule of law. In corrupt societies, the judiciary and law enforcement become politicized and subject to improper influence, thereby losing the confidence of businesses, other private organizations and ordinary citizens. All societal transactions become based on informal payments and personal connections, not on merit and adherence to the rules. Corruption can seep into all sectors of a society, for example limiting access to quality medical care only to those who can pay the necessary informal "fees," or greatly lowering standards in the educational system by rewarding ability to pay for good grades or admission to univer-

sity rather than academic excellence. Such societies cannot achieve their full economic potential or attract sufficient foreign investment; they are often characterized by political instability as well. In its 26 years as an independent state, Uzbekistan has experienced relatively high levels of corruption and has suffered some of the consequences outlined above. It has certainly affected governance, rule of law, and economic development in Uzbekistan. Fortunately, the current government has recognized the damaging impact of corruption on the country's development. President Mirziyoyev has made addressing corruption one of his top stated priorities.

*Question 13.* What is your assessment of corruption trends in Uzbekistan and efforts to address and reduce it by that government?

Answer. The Government of Uzbekistan historically has been considered one of the most corrupt in the world. Since President Mirziyoyev's 2016 election, the Government has openly acknowledged that corruption is endemic and taken concrete steps to address it, including creation of the Interagency Commission on Countering Corruption, chaired by the Prosecutor General. The Government continues to engage with the United States' assistance programs on justice sector reforms, including steps to increase the independence and professionalism of the judiciary, provide for more judicial control over investigative processes, and strengthen the role of the defense bar. For example, the Government is implementing a process for random assignment of judges as one step to reduce corruption. With U.S. support, the Government has also been rolling out an "e-court" system for civil courts that will greatly simplify the process for filing cases as well as provide for increased transparency, and the Tashkent State University of Law will be implementing a "Street Law" program for high school students that will have an anticorruption component. The Government has also committed to work with the U.S. on a new program to strengthen its legal and institutional capacity to investigate and prosecute complex corruption and enhance implementation of Istanbul Anti-Corruption Action Plan (IACAP) recommendations. The Government has also prosecuted a number of law enforcement officials for corruption, including Ministry of Interior Lt. Col. Odiljon Soliyev for selling exit visas to militants.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Uzbekistan?

Answer. If confirmed, I will support existing U.S. funded good governance and anticorruption assistance programs and will prioritize such programs in future budget years. I will signal U.S. Embassy support for such programs and their objectives at every appropriate opportunity, including in meetings with Government of Uzbekistan officials, participation in the programs' public events. I will also use public diplomacy tools such as speakers' programs and the International Visitor Leadership Program (IVLP) to support these objectives.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIP TOM BY SENATOR ROBERT MENENDEZ

*Question 1.* Recognizing that you have spent much of your career outside of government, what are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Every person has an affirmative duty to help create an environment in which human rights are promoted and respected. In our own family of businesses, in my civic and philanthropic engagement, and as a leader in the agriculture-technology industry, I have always made it a point to advocate for human rights. Whether working on my farm in Indiana, serving on the Boards of the National FFA Organization and National 4-H Council, or traveling abroad in the developing world, I have always believed it my duty to support human rights, uphold democratic principles, and serve my community.

I have and will continue to support our political representatives, business leaders, and organizations in their efforts to promote human rights and, if confirmed, I will utilize my platform at the U.N. Agencies in Rome to continuously reaffirm our commitment to protecting human rights, preserving the dignity of those we have the privilege of assisting, and utilizing our expertise to make a difference across the globe.

*Question 2.* Do you feel that promoting democracy and human rights abroad is in the U.S. national interest?

Answer. Promoting human rights, fundamental freedoms, and democracy around the world has been a bedrock principle of U.S. foreign policy for decades, has created

enormous goodwill and trust towards the United States, and has demonstrably strengthened the security of America and our allies. In recent remarks, Secretary Pompeo laid out a human rights vision for the United States to pursue, and if confirmed I will fully support and promote those objectives. We are a more secure and more prosperous nation, and are more able to challenge our adversaries and counter threats to our security, when we project core American values including democracy and human rights abroad.

*Question 3.* What issues are the most pressing challenges to democracy or democratic development today across the globe? Please be as specific as possible.

Answer. The United States remains the world's strongest proponent of human rights and fundamental freedoms around the world. I fully support and, if confirmed, will actively promote our multilateral human rights agenda as enunciated by Secretary Pompeo. In areas where the U.N. is prepared to take meaningful and decisive action, the United States will continue to partner with likeminded allies to address challenges to fundamental freedoms including freedom of religion or belief, freedom of expression, freedom of association, and the right of peaceful assembly, as well as to address specific human rights situations including in Iran, North Korea, China, Venezuela, Syria, Burma, and Crimea.

*Question 4.* If confirmed, how will you use your position to further democracy and human rights globally?

Answer. As the strongest promoter of human rights and fundamental freedoms around the world, the United States works closely with likeminded partners to promote and defend human dignity. However, some countries are not interested in making the U.N. a more effective advocate for human rights, either because of complacency with the status quo or because U.N. human rights mechanisms are themselves protecting human rights abusers from scrutiny. If confirmed, I will actively promote our multilateral human rights agenda as enunciated by Secretary Pompeo, including by promoting reform of U.N. human rights mechanisms, and pressing U.N. member states to insist that U.N. human rights mechanisms genuinely address human rights concerns and do not unfairly criticize Israel.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
KIP TOM BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Sustainable development goal number two calls for “zero hunger” by 2030. Do you believe this goal is achievable?

Answer. The 2030 Agenda for Sustainable Development and its associated 17 Sustainable Development Goals are a U.N. framework for development. I believe that although the world has seen an increase in the number of hungry people, mainly due to conflict, the goal of zero hunger by 2030 is obtainable. If confirmed, I will work with the Rome-based U.N. agencies and other partners to ensure that food insecure people worldwide have the tools they need to pull themselves out of poverty wherever possible.

*Question 2.* Sustainable development goal number two calls for “zero hunger” by 2030. What can the U.S. do to help the world reach this goal?

Answer. The focus should be not on development assistance alone, but also the mobilization and effective use of domestic resources and with the strong participation of the private sector. Our commitment to international development is enshrined in President Trump's National Security Strategy, and we remain the largest provider of Official Development Assistance. If confirmed, I will work with the Rome-based U.N. agencies to assist developing countries enable their private sectors to increase agricultural production, promote domestic food security, and create jobs. However, we can't do this alone; I will also work with our development partners to help achieve this goal.

*Question 3.* Do you believe the U.S. contributes too much money to UNFAO?

Answer. I will ensure that the substantial contributions of the American taxpayer yield results. FAO's mandate to eradicate hunger and poverty, improve nutrition, and promote sustainable management and use of natural resources supports broader U.S. national security objectives. FAO promotes economic growth and regional stability through its efforts to rehabilitate economic livelihoods post disaster or conflict. FAO's work supports U.S. trade in agricultural products and contains animal and plant diseases that can impact human health and damage the U.S. agricultural sector. However, success is not measured by dollars spent, but by the number of people those dollars help lift out of poverty and make food secure. If confirmed, one

of my priorities will be making sure that those who are food insecure receive the resources they need to achieve food security.

*Question 4.* Will you advocate for consistent funding in future budget years for UNFAO?

Answer. I will be a strong advocate for advancing U.S. national interests at FAO and the other international organizations under the jurisdiction of the U.S. mission in Rome consistent with administration priorities. That advocacy will include calling upon other countries and donors to help ensure that the organizations have the resources needed to perform their missions. While the United States has been the largest contributor to these organizations, other countries and donors can, and should, do more.

*Question 5.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Every person has an affirmative duty to help create an environment in which human rights are promoted and respected. In our own family of businesses, in my civic and philanthropic engagement, and as a leader in the agriculture-technology industry, I have always made it a point to advocate for human rights. Whether working on my farm in Indiana, serving on the Boards of the National FFA Organization and National 4-H Council, or traveling abroad in the developing world, I have always believed it my duty to support human rights, uphold democratic principles, and serve my community.

I have and will continue to support our political representatives, business leaders, and organizations in their efforts to promote human rights and, if confirmed, I will utilize my platform at the U.N. Agencies in Rome to continuously reaffirm our commitment to protecting human rights, preserving the dignity of those we have the privilege of assisting, and utilizing our expertise to make a difference across the globe.

*Question 6.* What are the most pressing human rights issues at the United Nations? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy issues at the U.N.? What do you hope to accomplish through these actions?

Answer. The United States remains the world's strongest proponent of human rights and fundamental freedoms around the world, including at the United Nations. I fully support and, if confirmed, will actively promote our multilateral human rights agenda as enunciated by Secretary Pompeo. In areas where the United Nations is prepared to take meaningful and decisive action, the United States will continue to partner with likeminded allies to address challenges to fundamental freedoms including freedom of religion or belief, freedom of expression, freedom of association, and the right of peaceful assembly, as well as to address specific human rights situations including in Iran, North Korea, China, Venezuela, Syria, Burma, and Crimea.

*Question 7.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face at the U.N. in advancing human rights, civil society and democracy in general?

Answer. As the strongest promoter of human rights and fundamental freedoms around the world, the United States works closely with likeminded partners within the United Nations to promote and defend human dignity and to address specific human rights situations. However, some countries are not interested in making the U.N. a more effective advocate for human rights, either because of complacency with the status quo or because U.N. human rights mechanisms are themselves protecting human rights abusers from scrutiny. If confirmed, I will actively promote our multilateral human rights agenda as enunciated by Secretary Pompeo, including by promoting reform of U.N. human rights mechanisms, in particular of the Human Rights Council, and pressing U.N. member states to insist that U.N. human rights mechanisms genuinely address human rights concerns and do not unfairly criticize Israel.

*Question 8.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will immediately implement a plan of inclusion and diversity among staff in the missions and will work to create an environment where everyone feels comfortable discussing issues, is part of measuring our success fre-

quently, and will strongly support making the necessary adjustments to support every individual's rights and dignity.

*Question 9.* What steps will you take to ensure each of the supervisors at the U.S. Mission to the U.N. agencies in Rome are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I first intend to lead by example—I will display to the supervisors at the Mission that fostering an environment that is diverse and inclusive is something that I value greatly. More specifically, I will work with the three individual Executive Directors or Secretariates of the WFP, FAO and IFAD in reviewing their Missions' policies supporting diversity and inclusivity and I will continuously monitor their progress and outcomes.

*Question 10.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD YAMAMOTO BY SENATOR ROBERT MENENDEZ**

*Question 1.* Is the approach the administration is taking in Somalia appropriately balanced between defense, diplomacy and development? If confirmed, what role will you play in ensuring a proper balance between the three D's in Somalia?

Answer. Defense, diplomacy, and development are integral parts of the U.S. Government's whole-of-government approach in Somalia. Our primary diplomatic and development goals are to assist Somali-led efforts to: 1) build security forces that can combat terrorism and provide stability; 2) advance the federalism and political reconciliation processes, including completing the constitutional review and preparing for one-person, one-vote elections in 2020/21; 3) promote economic growth and job creation; and 4) provide lifesaving humanitarian assistance while building resilience among Somalis to withstand future shocks. U.S. military efforts in Somalia directly support these goals by strengthening security and stability, which are fundamental to opening up space for political and development efforts.

If confirmed, I will ensure close coordination between all elements of the U.S. Government in the field involved in the three D's and provide oversight to ensure those efforts are consistent with our whole of government approach.

*Question 2.* How much has security assistance to Somalia increased to support increased U.S. military action, if at all? Have we accelerated our training of the Somalia National Army (SNA) over the past year to improve its capacity? How long have we been providing assistance to the SNA, and when will they be capable of taking over security from the African Union Mission in Somalia? Have our military actions and assistance to the SNA significantly degraded Al Shabaab's ability to carry out attacks?

Answer. While military action and security assistance are both components of our overall strategy to stabilize Somalia, they are separate lines of effort, and our security assistance funding requests are based solely on program requirements and partner nation capacity.

We have not accelerated our training of the Somali National Army (SNA) over the last year, owing to limited capacity, weak institutional structures, and persistent problems with regard to accountability within the organization. Instead, we have restricted our assistance to SNA units receiving persistent mentorship from the U.S. military and implementing partners, in order to ensure we have sufficient visibility over the use of U.S. assistance. We will not seek to expand our training support until the endemic accountability issues within the SNA are addressed by the Federal Government of Somalia.

We have been supporting the SNA since 2007, although significant support dates back to FY 2009. Nonetheless, given the extremely low baseline of capabilities and

weak institutional structures within the SNA, I assess that it will be many years before the SNA and other Somali security forces will be fully capable of assuming security responsibilities from the African Union Mission in Somalia (AMISOM). We continue to favor a gradual transition of security responsibilities that will enable the incremental reduction in AMISOM forces without opening up any significant security vacuums.

I assess that our assistance to the SNA and direct military action (as well as our support for AMISOM) have indeed degraded al-Shabaab and hampered its ability to carry out attacks. Nonetheless, al-Shabaab remains a formidable threat, and continued U.S. engagement will be necessary to ensure its efforts continue to be disrupted. This includes continued U.S. engagement on the political and economic fronts, as I believe that al-Shabaab cannot be defeated solely through military means.

*Question 3.* Has there been an increase in the number of foreign service officers assigned to serve at our embassy in Somalia since January 2017? If not, what are the constraints? Has the number of individuals in Washington working on the Somalia desk or in other capacities focused on Somalia at the State Department increased since January 2017? If not, what are the constraints?

Answer. There has been no increase in the number of officers assigned to the U.S. Mission to Somalia or to Somalia-focused positions at the State Department since January 2017. All positions at U.S. Mission to Somalia are assigned to Nairobi while security and safety mitigation measures at our facility in Mogadishu are being completed. No Foreign Service Officers can be assigned to Mogadishu pending completion of those measures and contingent on a determination by the Secretary to waive the requirements under the Secure Embassy Construction and Counterterrorism Act, as well as compliance with all applicable Overseas Security Policy Board standards. The creation of new Somalia-related positions in Washington or in the field are subject to the same resource constraints as any new Department positions.

*Question 4.* Have we increased the number of development programs and/or activities being undertaken in Somalia since January 2017? Has funding for development programs and/or activities increased over the past two fiscal years?

Answer. U.S. development funding for Somalia increased from roughly \$50 million in FY 2016 to \$62 million in FY 2017. This has helped enable an expansion of development activities since January 2017, particularly in the areas of stabilization and the rule of law.

*Question 5.* Has funding for countering violent extremism (CVE) in Somalia increased since January 2017? In what ways has our CVE approach in Somalia evolved since January 2017?

Answer. In calendar years 2017 and 2018, Partnership for Regional East Africa Counterterrorism (PREACT) funds were used to support programs that increase the capacity of the Federal Government of Somalia to process, rehabilitate, and re-integrate disengaged fighters. The United States also promotes the Somali National Defector Rehabilitation Programme through strategic communications and community-based social reconciliation. The United States also prioritizes CVE campaigns to amplify local voices of peace and tolerance to counter terrorist messages. Through assessments, monitoring, and evaluation, the U.S. Government continuously modifies and adapts its CVE approach to ensure that it is relevant and appropriate to counter extremist threats and narratives in Somalia.

*Question 6.* What has been the effect of the Gulf dispute on Somalia in terms of political stability and efforts to strengthen the relationship between the Federal government and Federal Member states?

Answer. I understand the Gulf dispute has affected the Horn of Africa as both sides vie for political and economic influence. The UAE has put significant pressure on Mogadishu to side against Qatar, and also engaged with Somalia's Federal Member States in ways that have exacerbated tension between federal and regional authorities. This tension has distracted the Somali authorities significantly from efforts to advance the federalization process, make progress on security sector reform, and combat al-Shabaab and ISIS. Qatar, in turn, has increased its outreach to Somalia and sought to fill funding gaps left by the deterioration in UAE-Somalia relations. Somalia's long-term stability depends heavily on Mogadishu and its Federal Member States reaching agreement on an appropriate delineation of authorities between national and regional levels.

*Question 7.* In your view, what role should the U.S. play to mitigate the effects the Gulf dispute is having in Somalia?

**Answer.** I believe we should discourage countries engaged in the Gulf dispute from pressuring Somalia to take sides, which runs counter to shared goals of promoting peace and stability in the Horn of Africa. We should also encourage Somalia to avoid taking steps that could be perceived by either side as taking sides in the dispute.

**Question 8.** What is the status of DP World's agreement to develop an economic zone and port in Somaliland? Does pursuing such an agreement with Somaliland bypass the legitimate authority of the Somali Federal government, as has been claimed? What is the U.S. position on these efforts, and what messages should we be sending to the parties involved about the advisability of moving forward with the deal?

**Answer.** I understand DP World signed an agreement in March with the government of Somaliland to develop the port of Berbera and that the first phase of the \$442 million expansion is scheduled to begin in October. The Federal Government of Somalia maintains that the deal violates the Somali provisional constitution because Somaliland signed it without Mogadishu's consent. The United States understands this is a commercial transaction but generally advises third parties to avoid actions that could exacerbate tensions surrounding the dispute related to Somali sovereignty over Somaliland. The United States encourages the authorities in Mogadishu and Somaliland to resume direct talks on reconciliation, including economic cooperation.

**Question 9.** What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** Over the course of my career, I have continuously worked to promote human rights, dating back to the time I served as Human Rights Officer at U.S. Embassy Beijing during the Tiananmen Square crisis in 1989, when I wrote the hard-hitting Human Rights Report documenting the many violations during that time period. As U.S. Ambassador to Ethiopia, I advocated for the release of 15,000 political prisoners in Ethiopia. More recently, as Acting Assistant Secretary in the Bureau of African Affairs, I have led our efforts to promote human rights in Nigeria, Cameroon, Democratic Republic of Congo, Zimbabwe, and others.

**Question 10.** What issues are the most pressing challenges to democracy or democratic development in the Federal Republic of Somalia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** The most pressing governance and democracy issues in Somalia include restrictions on freedoms of speech and press, assembly and movement, and arbitrary and politically motivated arrest and detentions, including of journalists. Widespread political corruption, including vote-buying, is another significant obstacle to the development of a transparent, accountable democratic system in Somalia.

**Question 11.** What steps will you take—if confirmed—to support democracy in the Federal Republic of Somalia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I will work with Somalis to implement their reform agenda for advancing the federalism process, finalizing their constitution, advancing reconciliation, and agreeing upon and implementing an electoral model for "one-person, one-vote" elections in 2020/21. These efforts will spearhead the push to achieve a transparent and accountable political system that serves the public. Widespread corruption among political elites will remain the primary challenge to progress in democracy and governance. I would encourage the Somali administration to take credible steps to stamp out corruption and establish strong electoral institutions to enable the elections to be free, fair and inclusive.

**Question 12.** How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** If confirmed, I will work to ensure that U.S. Government resources are used effectively, particularly for Democracy Rights and Governance (DRG) programming. USAID programming is currently being used to support governance programs to help develop institutional capacity and service delivery, improve transparency, and establish the rule of law, and I would continue to prioritize this programming.

*Question 13.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the Federal Republic of Somalia? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, I am committed to working with both U.S. and local civil society organizations, including organizations led by Somali-Americans and other diaspora members, to promote our human rights objectives. If confirmed, I will engage both publicly and privately to ensure that NGOs, civil society members, and ordinary citizens do not face retaliation for expressing their viewpoints and are empowered to contribute to political reforms and processes.

*Question 14.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will work to ensure that the United States provides all possible support to facilitate an inclusive democratic political environment in Somalia. I will meet with representatives of all political parties and factions and advocate for the right of political opposition groups, civil society, the press, and others to peacefully express their views as it is essential that the Somali people enjoy both the right to free speech and the ability to be fully informed. I will also work to ensure that women and youth are engaged as meaningful participants at the negotiating table. When they are, they enlarge the scope of agreements and focus attention on a broader set of critical societal priorities required to achieve just and sustainable peace.

*Question 15.* Will you and your embassy team actively engage with the Federal Republic of Somalia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the Federal Republic of Somalia?

Answer. Supporting media freedom and the protection of journalists is vital to the development of democracy in Somalia. Somalia is one of the most dangerous countries for journalists to operate in, and many face arrest, intimidation, censorship, threats of violence, and acts of violence just for doing their jobs. If confirmed, I will regularly raise concerns about freedom of expression and violence targeted against journalists with Somali government counterparts and meet with local independent journalists to hear their concerns.

*Question 16.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will continue Mission Somalia's public diplomacy efforts to ensure the Somali public has access to accurate and relevant information about Somali society. I commit to engaging with both civil society and government counterparts on countering disinformation and misinformation and will take full advantage of our social media platforms to do so.

*Question 17.* Will you and your embassy teams actively engage with the Federal Republic of Somalia on the right of labor groups to organize, including for independent trade unions?

Answer. The provisional constitution provides for the right of workers to organize but employers and the authorities have not respected the right to free association. If confirmed, I will work to ensure that the rights of Somali workers are respected in accordance with both Somali and international labor laws.

*Question 18.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the Federal Republic of Somalia, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in the Federal Republic of Somalia? What specifically will you commit to do to help LGBTI people in the Federal Republic of Somalia?

Answer. If confirmed, I will commit to defending the human rights of all Somalis, regardless of sexual orientation or gender identity. Same-sex sexual contact is punishable by imprisonment and the law does not prohibit discrimination based on sexual orientation or gender identity. While there is limited information about the challenges faced by LGBTI individuals in Somalia, they face harassment and violence—earlier this year, we heard the first reports of al-Shabaab executing two men reportedly on the basis of their homosexuality. As the Secretary stated on the Inter-

national Day Against Homophobia, Transphobia and Biphobia confirmed, “the United States stands with people around the world in affirming the dignity and equality of all people regardless of sexual orientation, gender identity or expression, or sex characteristics. Human rights are universal, and LGBTI people are entitled to the same respect, freedoms, and protections as everyone else.” If confirmed, I will ensure that our efforts to promote human rights in Somalia are fully inclusive.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD YAMAMOTO BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Animosity toward the African Union Mission in Somalia (AMISOM) is on the rise. How can the U.S. help bolster AMISOM?

Answer. The AU Mission in Somalia (AMISOM) remains critical to the stabilization of Somalia, and its continued presence is necessary to provide time and space to build effective Somali security institutions. Since AMISOM deployed in 2007, the United States has obligated more than \$1.05 billion to provide equipment, training, advisory, logistical, and other support for AMISOM troop contributing countries. I understand that this support has had a demonstrable positive effect on the capabilities of the AMISOM peacekeepers, and believe that continuing this support will allow AMISOM to continue to play its valuable role.

*Question 2.* Will you commit to demonstrating sustained U.S. support for AMISOM?

Answer. I will commit to our continued support to AMISOM and the AMISOM troop contributing countries as we support a smart and deliberate eventual conditions-based transition from AMISOM to Somali security forces.

*Question 3.* Roughly how much of the population in Somalia relies on their daily food supplies from international organizations and nonprofits?

Answer. Of the 12.3 million people estimated to live in Somalia, 5.4 million people require humanitarian assistance with 2.5 million facing life-threatening food insecurity. In July of this year, relief agencies distributed emergency food assistance to nearly 2.2 million people countrywide.

*Question 4.* What role if any can the U.S. play in improving the food security situation in Somalia?

Answer. Since the 2011 humanitarian crisis, humanitarian partners have implemented multi-sectoral programs in Somalia to support household—and community-level disaster risk reduction activities, increase crop production, build incomes, and strengthen community-level management of risks, all of which have helped build the capacity of communities to respond to crises.

The ongoing humanitarian and protection crisis in Somalia results from cycles of drought and floods, as well as protracted conflict. While food security has improved slightly due to a sizable scale up in the humanitarian response in 2017 and recent record levels of seasonal rains, these gains are fragile. Sustained life-saving assistance, coupled with interventions aimed at building resilience, is critical to help vulnerable households meet basic needs, reduce acute malnutrition, and protect livelihoods. The United States is the single largest donor responding to the Somalia crisis, providing nearly \$642 million in humanitarian assistance since the beginning of Fiscal Year 2017, including more than \$221 million to date this fiscal year.

*Question 5.* Neighboring Ethiopia and Eritrea have recently announced an effort to improve relations and ease decades-long tensions. What impact will an improvement in relations between those two countries have on Somalia?

Answer. The improving relationship between Ethiopia and Eritrea offers an opportunity for increased stability in the Horn of Africa and cooperation among Somalia’s neighbors, which could be beneficial for Somalia. Somali President Mohamed Abdullahi Mohamed “Farmajo” visited Eritrea in July, raising the possibility of improved relations between Somalia and Eritrea, which have not had diplomatic relations for nearly fifteen years.

*Question 6.* How would you characterize relations between Somalia and Somaliland? Is it premature for the U.S. or other members of the international community to be focused on reunification, given other challenges facing Somalia?

Answer. I understand that tensions between Somaliland and Puntland, particularly over the disputed regions of Sool and Sanaag, have been an area of concern in recent months with a significant impact on the overall Somalia—Somaliland relationship. The United States and other members of the international community can

play an important role in facilitating reconciliation between Somalia and Somaliland if and when the two parties are ready to hold talks.

*Question 7.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Over the course of my career, I have continuously worked to promote human rights, dating back to the time I served as Human Rights Officer at U.S. Embassy Beijing during the Tiananmen Square crisis in 1989, when I wrote the hard-hitting Human Rights Report documenting the many violations during that time period. As U.S. Ambassador to Ethiopia, I advocated for the release of 15,000 political prisoners in Ethiopia. More recently, as Acting Assistant Secretary in the Bureau of African Affairs, I have led our efforts to promote human rights in Nigeria, Cameroon, Democratic Republic of Congo, Zimbabwe, and others.

*Question 8.* What are the most pressing human rights issues in Somalia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Somalia? What do you hope to accomplish through these actions?

Answer. Al-Shabaab poses the greatest threat to human rights issues in Somalia, specifically their killing, torture, and other cruel, inhuman, and degrading treatment of civilians. We have also seen in Somalia cases of arbitrary and politically motivated arrest and detentions, including of journalists; use of child soldiers; restrictions on freedoms of speech and press, assembly and movement; and forced eviction, relocation and sexual abuse of internally displaced persons (IDPs). If confirmed, I will support the development of security and other government institutions that protect the country's citizens, operate under civilian control, and respect human rights and international law. I would also advocate for inclusive development practices throughout Somalia through community-driven development programs that encourage the participation of marginalized groups, including youth and women, in decision making processes for their communities.

*Question 9.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Somalia in advancing human rights, civil society and democracy in general?

Answer. The Federal Government of Somalia's inability to govern areas of territory currently under the control of al-Shabaab, where human rights violations are most prevalent, is a significant obstacle. In addition, the lack of action taken by government authorities to prosecute and punish individuals involved in human rights violations will remain a serious challenge to advancing human rights in Somalia. If confirmed, I will work to ensure that the Federal Government of Somalia understands that our support is contingent upon demonstrated accountability for human rights violations. In addition, I will work to mitigate challenges to free expression, including freedom of the press, which is fundamental to ensuring electoral transparency and accountability as Somalia prepares for the 2020/2021 elections.

*Question 10.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Somalia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I am committed to working with both U.S. and local civil society organizations, including organizations led by Somali-Americans and other diaspora members, to promote our human rights objectives. If confirmed, I will direct all personnel under chief of mission authority to proactively implement the Leahy Law and similar provisions and ensure that United States foreign assistance programming in Somalia reinforces human rights.

*Question 11.* Will you and your embassy team actively engage with Somalia to address cases of key political prisoners or persons otherwise unjustly targeted by Somalia?

Answer. Yes, if confirmed, I will lead Mission Somalia's efforts to address cases of political prisoners or other politically-motivated intimidation and harassment, and make clear that such cases weaken progress toward a stable political system that is supported by the Somali public.

*Question 12.* Will you engage with Somalia on matters of human rights, civil rights and governance as part of your bilateral mission?<sup>12</sup>

Answer. Yes. A formal objective of U.S. Mission Somalia is building institutions to promote good governance and human rights, if confirmed, I will advance that objective through continuous engagement with the Federal Government of Somalia.

*Question 13.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 14.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 15.* Do you or do any members of your immediate family have any financial interests in Somalia?

Answer. No.

*Question 16.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. My experience leading U.S. Missions overseas has clearly demonstrated to me the importance of diversity in enabling an effective team. I am proud to say that during my tenure as Principal Deputy Assistant Secretary and Acting Assistant Secretary, the Bureau of African Affairs has led the Department in terms of having leadership from diverse backgrounds at the Chief of Mission and Deputy Chief of Mission levels. If confirmed, I will continue to promote and advocate diversity as a strength of Mission Somalia and mentor officers from a variety of different backgrounds to ensure our team is representative of the nation we serve.

*Question 17.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. As I have throughout my career, I will continue to advocate for reform of our personnel and human resources systems, recommending creative approaches to ensure we are attracting qualified officers from a variety of diverse backgrounds to serve in our Mission. If confirmed, I will ensure that Mission Somalia is an inclusive environment in which all staff feel safe and empowered to contribute their best work.

*Question 18.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Somalia specifically?

Answer. I understand that corruption is one of the major factors affecting the public's support to the Federal Government of Somalia (and the Federal Member State governments). As in other countries, corruption is a significant driver of resources being diverted to terrorist groups and other non-state actors, and in Somalia, tackling the issue of corruption will be essential to the long-term success of counterterrorism efforts.

*Question 19.* What is your assessment of corruption trends in Somalia and efforts to address and reduce it by that government?

Answer. Corruption and lack of transparency remain some of the biggest governance challenges facing Somalia. Strong and transparent public financial management will be key for Somalia's stability and future growth. I am concerned about allegations of corruption and fiscal mismanagement in Somalia. The Federal Government of Somalia and the Federal Member State governments must take steps to ensure that public funds are spent responsibly and transparently; by doing so, it will earn the trust and confidence of the Somali people and the international community.

*Question 20.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Somalia?

Answer. If confirmed, I will continue our support to the Federal Government of Somalia's efforts to tackle these challenges and will ensure that we continue to provide technical assistance on public financial management and financial governance

initiatives. These measures will increase the public's faith in the ability of the Federal Government of Somalia to manage finances and provide services.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD YAMAMOTO BY SENATOR JEFF MERKLEY**

*Question 1.* At your confirmation hearing, in response to my question about the ability of Mission staff to conduct meetings outside of the airport compound in Mogadishu, you emphasized the importance of engaging with Somali Federal Member States in other Somali cities. The United States remains the only major international partner in Mogadishu that does not permit its diplomats to travel off the compound. What guarantees did Secretary Pompeo provide that you and your team would be able to get off of the airport compound to do your work in Mogadishu?

Answer. Engaging diplomatically throughout Somalia is critical to advancing our foreign policy and national security objectives in East Africa. If confirmed, I will work closely with the Bureau of Diplomatic Security to ensure sufficient security measures are in place to conduct such engagements safely and effectively. This includes the possibility of conducting off-compound movements in Mogadishu.

*Question 2.* While a facility is not currently certified to host diplomatic personnel in Mogadishu, do you intend to join members of your team who accepted one-year positions based permanently in Mogadishu as soon as the certifications are completed for the facility ("Arc II") to house Foreign Service Officers? If not, how do you plan to mitigate the challenges of leading staff that are based permanently in Mogadishu when you are not also based permanently there?

Answer. If confirmed, and provided that the facility we are constructing in Mogadishu to house the U.S. Mission to Somalia is certified for occupancy, I will join those staff members in Mogadishu that are permanently assigned there.

*Question 3.* At your confirmation hearing you emphasized that there is not an exclusively military solution to the conflict in Somalia. Can you please provide a breakdown in annual U.S. assistance to Somalia in the following categories: humanitarian; security (including assistance from the Bureau of International Narcotics and Law Enforcement, the Bureau of Counterterrorism and security assistance funds from the Bureau of African Affairs); and non-humanitarian development assistance administered by USAID. Is the current balance between these different types of assistance sufficient to achieve U.S. goals in Somalia?

Answer. In FY 2017, the State Department and USAID allocated Somalia with roughly \$985 million in bilateral foreign assistance. This includes more than \$64 million in economic and development assistance, \$315 million in security assistance, and \$605 million in lifesaving humanitarian assistance. Of the security assistance, approximately \$15 million was Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funding administered by the Bureau of Counterterrorism; approximately \$8 million was from International Narcotics Control and Law Enforcement (INCLE) funding administered by the Bureau of International Narcotics and Law Enforcement; and approximately \$299 million was from (Peacekeeping Operations) PKO funding administered by the Bureau of African Affairs. Achieving U.S. objectives in Somalia will require sustaining an appropriate balance of security, development, and humanitarian assistance from the United States and other international donors for the foreseeable future. While Somalia's development challenges are just as significant as its security challenges, the current balance between types of assistance is appropriate given long-standing U.S. experience and capabilities in security assistance compared to other international partners.

*Question 4.* Are you satisfied with the monitoring and evaluation mechanisms that are currently in place to ensure that U.S. security assistance is not being diverted by corrupt actors or being used to perpetuate clan conflict? What metrics are you using to measure the effectiveness of our security assistance in achieving U.S. goals in Somalia?

Answer. Following the pause in assistance to any non-mentored Somali military unit initiated in December 2017, the majority of U.S. security assistance is provided only to Somali and AMISOM partners with regular oversight from U.S. Government or U.S. Government-funded contractor personnel. This consistent engagement, coupled with existing program coordinators resident in Mogadishu, and a program management team and dedicated monitoring and evaluation (M&E) effort based in Washington, DC, enables the access and oversight necessary for satisfactory M&E mechanisms.

Due to the variety of assistance programming provided to AMISOM and Somali partners in Somalia, numerous and diverse metrics are utilized to evaluate progress towards achieving U.S. goals in Somalia. These metrics range from basic items like the timely delivery of food and fuel rations or the number of operations conducted, to more sophisticated measurements related to evaluating staff dynamics within AMISOM Force Headquarters or the Somali Ministry of Defense.

*Question 5.* Is the clan make-up of the Somali National Army and Somali National Police sufficiently inclusive that it is viewed as legitimate by most of Somalia's major clan communities? If not, how will you adjust U.S. assistance and engagement with the Somali government to better ensure more legitimate Somali security institutions are ready to take over security responsibilities when AMISOM forces drawdown?

Answer. The clan make-up of the Somali National Army (SNA) and Somali Police Force (SPF) is representative of the regions in which the SNA and SPF operate. The United States has initiated several changes in the provision of assistance, notably in 2016 and 2017, to target units in which we have greater confidence to effectively operate in specific geographic areas and to be viewed as legitimate by major clans in those areas. Mission Somalia consistently engages with the Federal Government of Somalia and Federal Member States to emphasize the importance of investing in units that are clan appropriate for the regions in which they operate. This approach is consistent with U.S. policy to support Somali security institutions as they incrementally assume security responsibilities from AMISOM.

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## NOMINATIONS

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TUESDAY, SEPTEMBER 25, 2018

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

The committee met, pursuant to notice, at 3:08 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Johnny Isakson, presiding.

Present: Senators Isakson [presiding], Gardner, Young, Shaheen, Coons, and Booker.

**OPENING STATEMENT OF HON. JOHNNY ISAKSON,  
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. This committee hearing will come to order.

Good afternoon. Welcome. We are glad to have you here today. We have good business today. We have three witnesses testifying before us, all three great citizens of our country dedicated to the betterment of the United States of America and her citizens. We have Ms. Bonnie Glick, Michael Harvey, and Mark Montgomery.

USAID is without a doubt where America leaves its brightest spot and its mark all over the world. In the 14 years that I have been in the Senate and the 6 years I served in the House, my most memorable trips and experiences were in Africa and many other places around the world where the reach of USAID reached not only the health of people but their heart. President Bush's program of PEPFAR, continued by President Obama and now continued as well, has proven to be we have taken a disease that we thought might wrack out all of mankind to where we have got it on the run, reducing. And God willing, if the creek don't rise, if we all live long enough, we will get to the point where AIDS is a memory and not a problem to deal with in the future.

This does not happen because we are lucky. It does not happen because we are smart. It happens because we are committed and we care. The United States is a caring nation.

I also am one that believes that foreign assistance makes a lot of sense, not just in the gift of money or investment of money, but in knowledge and skills. And while we are criticized sometimes in Congress for our foreign relations budget and overseas budget, foreign aid is less than 1 percent of the United States appropriation. Yet, that less than 1 percent investment probably brings us 80 to 90 percent of the good will we have around the world and continues to solidify it. And we need to remember that.

If we are not getting our money's worth, we need to have the guts to force those who are not giving it to us to look at what they

are doing and maybe help join us in what we are trying to do to help their people. But to threaten people by getting away from giving aid and help is just not the right way for our country to go. And I know the chairman of the committee and the ranking member and I know the ranking member here today feel the same way as I do.

I have long believed that our diplomatic and developmental effort to keep us from having our defense capabilities are very important. I have confidence in Administrator Mark Green to further the national interests by working with developing countries to achieve self-reliance. Just what he did as an ambassador alone in Tanzania is evidence of what one person can do with the right help, the right support, and the right commitment.

So we are glad that you all are here today, and I am pleased to turn it over to the ranking member for any opening remarks she might have.

**STATEMENT OF HON. JEANNE SHAHEEN,  
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator SHAHEEN. Thank you, Mr. Chairman.

And congratulations to each of our nominees today. I look forward to hearing your testimony.

As I think you all know, the Senate has worked consistently to restore appropriate levels of foreign assistance to ensure that the professionals at the Department of State and USAID have the tools they need to adequately and effectively do their jobs.

And in this regard, I am really interested in hearing from our nominees about some of the more challenging issues that have been taken by this administration to revoke assistance to countries in conflict-ridden regions like Syria. In particular, I have just returned from Syria this summer. I was in northeast Syria. And I am concerned by the decision to revoke the stabilization funds for that region.

I am also interested to hear about your positions on global health, on girls' education and gender equality. I know that each of you have professional experiences dealing with those issues, and so I am interested in hearing your thoughts about that.

And, of course, I want to hear about how USAID can continue its role as the leading global development agency even as its internal reform process continues.

So, again, I thank you all for being here, for your willingness to consider taking on these challenging positions at this difficult time in the world. Thank you.

Senator ISAKSON. With that said, I am pleased to welcome our nominees today, first, Ms. Bonnie Glick of Maryland to be Deputy Administrator of the United States Agency for International Development; Mr. Michael T. Harvey of Texas to be Assistant Administrator of the United States Agency for International Development in the Middle East; and third, Mr. Mark Montgomery of Virginia to an Assistant Administrator of the United States Agency for International Development, Democracy, Conflict, and Humanitarian Assistance.

We will start with you, Mr. Montgomery, and move down the table. Welcome.

Let me do one other thing. Will you please be sure and introduce your family members and let us, on behalf of the whole committee, say to all of you how much we appreciate the sacrifice they make to make your service possible for what we do. I am sorry I did not say that right off the bat.

Mr. Montgomery?

**STATEMENT OF MARK MONTGOMERY, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, DEMOCRACY, CONFLICT, AND HUMANITARIAN ASSISTANCE**

Mr. MONTGOMERY. Chairman Isakson, Ranking Member Shafeen, and distinguished members of the committee, I am honored to appear before you today as the nominee for Assistant Secretary for the Bureau of Democracy, Conflict, and Humanitarian Assistance at the United States Agency for International Development.

I am grateful to the President and Secretary Pompeo and especially Administrator Green for the trust they have in my leadership of a bureau so central to the United States' foreign policy objectives. And if confirmed, I will continue to work to support the country's national security and the administration's agenda.

I want to thank my wife Lucinda, who is a Navy veteran herself, my son Jack and my daughter Claire, who are all here with me today. They have been a family dedicated to service and country sacrificing their needs and desires to support my lengthy U.S. Navy career. We all know that no group sacrifices more for our military service members than our families, and I am incredibly grateful to all three of these for their continued love and support.

I also want to recognize the service of the dedicated USAID staff who have led the DCHA Bureau for the past 18 months, most recently Rear Admiral Tim Ziemer. Their collective leadership has been invaluable as USAID has responded to crises across the globe from Yemen to Venezuela.

When I decided to retire from the Navy after more than 32 years of active duty, I knew I wanted to continue to serve our country specifically in a role that emphasized our exceptional American values and our commitment to democracy and humanitarian assistance. Before working on that, however, I had given my word to Senator John McCain that I would work first at the Senate Armed Services Committee on his staff. I shared his zeal for oversight on national security issues and his desire to tackle a number of Department of Defense reforms. As you all know, the Congress has recently completed the fiscal year 2019 NDAA, which bears Senator McCain's name, and I am now excited to return to my personal goal of working on democracy and development issues, if confirmed.

I am particularly proud to be nominated to lead USAID's DCHA Bureau. As Administrator Mark Green has said, ensuring democratic foundations is critical to USAID's work around the world and it is pivotal for the developing state's journey to self-reliance. I got to see this firsthand when I worked at U.S. European Command and worked with the State Department and USAID country teams. I supported the democracy and stabilization efforts in the Balkans and Caucasus. This assignment taught me the valuable role that the U.S. Government has in building stable, resilient democracies

and how this work contributes to the stable international order that the United States both supports on and relies on.

During my naval career, I also had the privilege to work with USAID during the response to numerous natural disasters. There is no more powerful symbol of America abroad than a USAID disaster assistance response team heading into the heart of an emergency. When Typhoon Haiyan hit the Philippines in 2013, the carrier strike group I commanded led the response on the part of the U.S. Navy. But I worked side by side with and, in fact, I worked for the USAID DART team. Throughout our interactions, I saw the incredible value that USAID's expeditionary teams bring to disaster response. DCHA brought speed, expertise, resources, and the spirit of the American people to a disaster that threatened tens of thousands of Filipino lives.

Taken together, the nine offices at DCHA provide rapid and effective assistance to those suffering. They provide a faster and more durable recovery, and they help shore up democracy and governance as the most critical means of preventing further conflict and lessening the devastation of natural disasters.

If confirmed, I look forward to working closely with Congress, working closely with the interagency, and with the international community on three key areas.

The first is to enhance the coherence of the U.S. Government's response to conflict by improving our ability to identify fragile states and provide corrective actions upstream before a problem metastasizes.

The second is emphasizing USAID's efforts to tackle food and humanitarian assistance as prevention and deterrence challenges, while continuing the agency's significant response efforts.

And the third is strengthening and elevating the U.S. Government's humanitarian voice, both by highlighting the leadership role of the United States and by encouraging consistent participation by key allies and partners.

Now finally, Senator McCain often reminded us that the United States is a great and powerful country. And with that great power comes a blessing, and that blessing incurs a responsibility and a sacrifice. I am honored to be considered for this position and am humbled by the responsibilities it entails.

I thank you again and look forward to your questions.

[Mr. Montgomery's prepared statement follows:]

#### PREPARED STATEMENT OF MARK MONTGOMERY

Chairman Isakson, Ranking Member Shaheen, and distinguished members of the committee, I am honored to appear before you today as the nominee for Assistant Administrator for the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA) at the United States Agency for International Development (USAID). I am grateful for the trust and confidence President Trump, Secretary Pompeo, and Administrator Green have in my leadership for a Bureau so central to the United States' humanitarian, development, democracy and foreign policy objectives. If confirmed, I will continue to work to support the country's national security and the administration's agenda.

I also want to thank the Members of the Foreign Relations committee for your strong support of foreign assistance. I would also like to recognize the service of the extremely dedicated USAID staff who have led the DCHA Bureau superbly over the last 18 months, most recently Rear Admiral Tim Ziemer. Their leadership has been invaluable as USAID has responded to the threat of famines in South Sudan and

Nigeria; the ongoing Rohingya crisis; and the humanitarian disasters in Yemen, Syria, and Venezuela.

My thanks also to my family, friends, and colleagues who have provided me unfailing support and encouragement over the years, and for those who are able to be here today. I especially want to thank my wife Lucinda, my son Jack, and my daughter Claire. They have been a family dedicated to service and country, sacrificing their needs and desires to support my lengthy United States Navy career. No group sacrifices more for our military service members than our families, and I am incredibly grateful for their continued love and support.

When I decided to retire from the Navy after more than 32 years of active duty, I knew I wanted to continue to serve our country and I specifically wanted to work in a role that emphasized our exceptional American values and commitment to democracy and humanitarian assistance. Only one thing stood in my path, and that was Senator John McCain, who had asked me to come work on his Senate Armed Services committee (SASC) Staff. I shared his zeal for oversight on national security issues, and we had a number of common challenges we wanted to work on within our national security programs. As you know, we have recently completed the Fiscal Year 2019 National Defense Authorization Act, which bears the Senator's name, and I am excited to return to my goal of working on democracy and development issues, if confirmed.

I am particularly honored to be nominated to lead the DCHA Bureau. I previously had the opportunity to see USAID's work with democracy and governance in my first flag officer tour at U.S. European Command, where I led the Combatant Command's political-military programs in the Baltics, Balkans and Caucasus. In this assignment, I worked closely with the State Department and USAID country teams, and I was able to observe, and support, the positive progress of U.S. democracy and stabilization efforts in these nascent and transitioning democracies. This assignment taught me the valuable role that the U.S. Government, and, more specifically, USAID, has in building stable, resilient democracies, and how the development of these democracies contributes to the stable international order the United States both supports and relies on.

DCHA's Center of Excellence on Democracy, Human Rights and Governance helps nations build effective institutions and robust civil societies so they have better potential to provide security and justice, economic opportunity, and political freedom for their people. As Administrator Green has said, the crises we see today so often reflect a lack of democratic foundations, effective governing institutions, and respect for human rights. Ensuring democratic foundations is critical to the work USAID does around the world, and is pivotal for the journey to self-reliance.

During my career as a nuclear trained surface warfare officer in the United States Navy, I had the privilege to work with USAID during the responses to numerous disasters. DCHA's responsibilities when disaster strikes are significant, as the U.S. Government's lead for humanitarian response through the Offices of U.S. Foreign Disaster Assistance (OFDA) and Food for Peace (FFP). Collectively, they responded to disasters in 53 countries around the world last year, to provide life-saving food, shelter, medical care, and other essential services.

There is no more powerful and iconic symbol of America abroad than when USAID sends a Disaster Assistance Response Team (DART) into the heart of an emergency. I witnessed DCHA's capabilities up close during the U.S. response to Typhoon Haiyan in 2013 in the Philippines. At the time, I was serving as the Commander of the Carrier Task Force in the Western Pacific, embarked on the USS GEORGE WASHINGTON. I was immediately assigned as the Maritime Force Commander, and, in that role, led the response on the part of the U.S. Navy, working side by side with OFDA's DART to respond to the typhoon. The DART deployed even before the super typhoon made landfall, and, throughout our interactions, I saw the incredible value USAID's expeditionary teams bring to a disaster response. OFDA and FFP brought speed, expertise, resources, and the spirit of the American people to a disaster that threatened tens of thousands of Filipino lives.

Additionally, as the Director of Operations at U.S. Pacific Command from 2014–2017, I worked with the DCHA Bureau again in USAID's response to the Nepal earthquake in 2015. I helped organize and coordinate the extensive military airlift support to USAID as part of Operation Sayhayogi Haat, during which USAID deployed a DART to provide relief supplies and conduct search and rescue operations to find survivors.

While at PACOM, I worked very closely with the humanitarian and civil-military advisors from DCHA's Office of Civil-Military Coordination embedded in the combatant command. These USAID staff provided expertise and support, helped two national security entities speak the same language, and brought their unique capabili-

ties to bear on addressing the developmental and democracy challenges throughout South and South East Asia.

DCHA also assists nations with the difficult task of post-crisis political and social transition, and works to address the root causes of instability before conflicts become humanitarian emergencies. The Office of Transition Initiatives, for instance, has programs in places such as Libya, Nigeria, Nicaragua, and Somalia, where its partners work with national and local leaders to provide basic services and give a voice to people in marginalized communities. The Conflict Management and Mitigation office assesses the prospects of conflict, and works with local and international organizations to reduce the risks of violence by supporting grassroots demands for peace. Teams from across DCHA continually analyze risk, whether of famine, mass atrocities, communicable disease, or flooding, to build resilience in our partner nations.

The Office of American Schools and Hospitals Abroad (ASHA) program within DCHA directly supports some of the leading global education and health facilities, investments that contribute to U.S. public diplomacy efforts and foster strong civil society institutions and excellence in higher education and innovation.

Taken together, the offices across the DCHA Bureau represent the core capabilities required to provide rapid and effective assistance to those suffering from disaster and conflict, to help foster a faster and more durable recovery and, importantly, to shore up democracy and governance as the most critical means of preventing further conflict and lessening the devastation of natural disaster.

If confirmed, I look forward to working closely with Congress, the interagency, and the international community on three key areas.

The first is enhancing the coherence of the U.S. Government's response to conflict, which includes: improving the administration's ability to identify fragile states and provide corrective, mitigating measures; institutionalizing the Stabilization Assistance Review with the Departments of Defense and State to leverage diplomatic engagements, defense, and foreign assistance effectively to stabilize conflict-affected areas; and further strengthening civil-military collaboration within Washington offices, the Combatant Commands and in the field.

The second is emphasizing USAID's efforts to tackle food and humanitarian assistance as prevention and deterrence challenges, while continuing the Agency's significant response efforts. These efforts can improve resilience, reduce fragility and develop relationships.

The third is strengthening and elevating the U.S. Government's humanitarian voice, both highlighting the leadership role of the United States, and by encouraging consistent participation by key allies and partners in this global effort.

I would like to briefly mention the proposed USAID Transformation, which I have discussed with Administrator Green and others at USAID. The Transformation would change the DCHA Bureau, particularly through the proposed creation of the Bureaus for Humanitarian Assistance and Conflict-Prevention and Stabilization. Both proposed Bureaus would oversee USAID functions that currently fall under DCHA, so, if confirmed, my role as Assistant Administrator would also change, pending approval of the reorganization.

The intent of the proposed structure is to further strengthen USAID's efficient and holistic approach to programming across the spectrum of disaster preparedness, response, mitigation and prevention. The Agency also believes this would elevate USAID's voice with interagency colleagues on these issues. I look forward to learning more about and implementing the proposed changes as Congress approves them. I believe they will help ensure USAID remains the world's premier international development Agency, and continues the important work it does to protect America's future security and prosperity.

As Administrator Green has said, in a world as complex as ours, with our national security under greater threat than ever, we must bring to bear the entirety of our statecraft toolbox, including our most sophisticated development tools. Senator McCain often reminded us that the United States is a great and powerful country, and with that great blessing comes great responsibility. I can think of no more important place to carry out this responsibility than with the team of professionals at USAID.

I am honored to be considered for this position, and humbled by the responsibilities it entails. If confirmed, I look forward to joining the ranks of the many dedicated and courageous men and women who are working around the world, the DCHA Bureau, and the rest of USAID. Thank you again for giving me the opportunity to appear before you today. I welcome any questions you might have.

Senator ISAKSON. Thank you very much, Mr. Montgomery.  
Ms. Glick?

**STATEMENT OF BONNIE GLICK, OF MARYLAND, TO BE DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

Ms. GLICK. Senator Isakson, Senator Shaheen, members of the committee, I am honored to come before you today as President Trump's nominee to serve as Deputy Administrator of the United States Agency for International Development. I am grateful to President Trump and Administrator Green for their trust and confidence in me to serve in this important role.

I want to thank my family members for their unwavering support. My parents, both proud first generation Americans, taught their four children the values of patriotism, the awareness of the role that our country plays on the global stage, and the understanding of the need to be loyal to friends and allies. My mother, Sherry Glick, is here today. My father, Jerry Glick, of blessed memory is watching me here from somewhere up above. I would also like to acknowledge my wonderful husband, Paul Foldi, and our sons, Matthew and Jonathan, who are here today.

I began my career as a Foreign Service officer at an interesting time in foreign relations. The influence of the Soviet Union was waning, and former satellite countries were coming out from under Moscow's grip. The Iron Curtain was lifting. I served two tours of duty in former communist countries, Ethiopia and Nicaragua. For each tour, I was trained in the local language and culture prior to assuming my duties. While in Ethiopia, I saw two nations, Ethiopia and Eritrea, emerge from the brutal dictatorship and Red Terror of one of Africa's most notorious regimes. In Nicaragua, I saw a country trying to recover from civil war. It saddens me today to see that Nicaragua, which had taken so many steps forward, has now retreated into the old ways of brutal dictatorial power games once again under Daniel Ortega. By contrast, I am heartened to see that Ethiopia and Eritrea have taken important steps to ensuring a lasting peace and look forward, if confirmed, to visiting the Horn of Africa and to promoting these efforts.

Since August of last year, I have had the great privilege of serving as the Deputy Secretary of the Maryland Department of Aging, a cabinet agency. Like development, aging is not a partisan issue. We are all doing it. Through my work in the Department of Aging, I have been reintroduced, after many years' absence, to government service. I am reminded on a daily basis of the important mission I committed to as a granting agency, as a service agency, and as a senior leader in Governor Hogan's administration. I understand the importance of being a good steward of taxpayers' dollars, of providing high quality service options particularly to vulnerable populations, and to leading a large, professional highly capable team of people committed to serving Maryland's seniors.

As Administrator Mark Green has said, the mission of USAID ultimately is to end the need for foreign assistance. Should I be confirmed, it will be my role to assist him and the exceptional women and men of USAID in achieving this goal.

If confirmed, I will ensure the agency maintains its focus on the promotion of democratic values and free elections, among the key pillars of our development work. Democracy and America's democratic values underpin all of the work done in USAID. The role of

democracy and good governance cannot be underestimated when considering countries on the journey to self-reliance, countries that will one day be our partners in development projects around the world.

If confirmed, I will pursue efforts already underway to reform USAID's offices and procedures. If I learned nothing else from my 12 years at IBM, I learned that there is always room for improvement even when something is technically perfect. What I also learned from IBM is that the private sector has an important role to play in the development space. I look forward to the opportunity to work with partners in the private sector, the nonprofit sector, and across academia to come up with new and more innovative ways to stretch everyone's investments further in ways that are mutually beneficial to all.

If confirmed, it will be a tremendous honor to serve my country again, this time as the Deputy Administrator of USAID. I know too that I will be humbled every day by the incredible work done by development and humanitarian assistance professionals in all parts of the globe. Their dedication to helping others, usually complete strangers on those strangers' journeys to self-reliance, is truly inspiring work, and it would be my privilege to participate in USAID's efforts to reach those in crisis and to help those striving for a better life.

Many years ago, I caught the bug for international service. It carried me to the Soviet Union, to East Africa, to Latin America, to Asia, to Europe, and now to this table before all of you today. Senators, nearly 30 years later, my commitment to make a difference through the power of American values, American compassion, and American skills is stronger than ever before. If confirmed, I will work with Administrator Green to lead a world-class team to do life-changing work in environments that are often terribly hard. I commit to working with you and your staffs, with your counterparts in the House, and with the others in the interagency to achieve our goals as a nation.

Thank you very much, and I look forward to your questions.

[Ms. Glick's prepared statement follows:]

#### PREPARED STATEMENT OF BONNIE LAURA GLICK

Senator Isakson, Senator Shaheen, members of the committee, I am honored to come before you today as President Trump's nominee to serve as Deputy Administrator of the U.S. Agency for International Development (USAID). I'm grateful to President Trump and Administrator Green for their trust and confidence in me to serve in this important role.

During my consultations in preparation for this hearing, I had the pleasure and honor to meet with countless USAID employees who provided me with briefings and papers that detailed their work. To those dedicated Foreign Service, Civil Service, and contract employees, thank you for your counsel and guidance. Thank you for your commitment to making USAID the world's flagship development agency that promotes democracy and human rights, and delivers humanitarian assistance and development aid to friends, to allies, and to people who are eager to see change in the world.

I also want to express my personal gratitude to David Moore, who has done an outstanding job in the role of Acting Deputy these last months.

I want to thank my family for their unwavering support. My parents, both proud first-generation Americans, raised their four children with values of patriotism, with awareness of the role our country plays on the global stage, and with a sense of abiding loyalty to friends and allies. My mother, Sherry Glick, is here today, and my father, Jerry Glick, is watching me here from somewhere up above. I would also

like to acknowledge my wonderful husband, Paul Foldi, and our sons, Matthew and Jonathan, who are here today.

I began my career at an interesting time in foreign relations. The influence of the Soviet Union was waning, and former satellite countries were coming out from under Moscow's grip. The Iron Curtain was lifting. As a State Department Foreign Service Officer, I served two tours of duty in Ethiopia and Nicaragua. For each tour, I was trained in the local language and culture prior to assuming my duties. While in Ethiopia, I saw two nations, Ethiopia and Eritrea, emerge from the brutal dictatorship and Red Terror of one of Africa's most notorious regimes. In Nicaragua, I saw a country trying to recover from civil war. Thousands of Nicaraguans who had fled the country when the brutal Sandinista regime took over were choosing to return to their homes under the leadership of Violeta Chamorro, only to find the Sandinistas had confiscated their properties. It saddens me today to see that Nicaragua, which had taken steps forward, which was growing economically and whose citizens were contributing meaningfully, has returned to a brutal, dictatorial regime. By contrast, I'm heartened to see that Ethiopia and Eritrea have taken important steps toward ensuring a lasting peace, and I look forward, if confirmed, to visiting the Horn of Africa and to promoting these efforts.

Since August 2017, I have had the great privilege of serving as the Deputy Secretary of the Maryland Department of Aging, a Cabinet agency. Like development, aging is not a partisan issue. We're all doing it. Through my work in the Department of Aging, I have been reintroduced, after an absence of many years, to government service. It has been an honor to serve the older adult population of my State, many of whom are my friends and relatives. I am reminded on a daily basis of the important mission to which I am committed, as a leader of a granting agency, as an advocate for an important service agency, and as a senior leader in Governor Hogan's administration. I understand the importance of being a good steward of taxpayers' dollars, of providing high quality service options and tracking their impact on people's lives, particularly for vulnerable populations; and of leading a large, professional, highly-capable team of people committed to serving Maryland's seniors. It's an honor to have been asked to serve in this role.

Throughout my travels over the past nearly 30 years, a common theme was evident—a desire of proud peoples, no matter where they live, to be self-reliant, to raise children into lives that were better than their own, and to live in peace with their neighbors.

Mr. Chairman and members of the committee, as Administrator Mark Green has said, the goal of USAID ultimately is to end the need for foreign assistance.

Should I be confirmed, it will be my role to assist him and the exceptional women and men of USAID in achieving this goal. USAID currently works in over 100 countries to provide humanitarian assistance, development skills, and capacity-building in all facets of society including health, education, democracy, economic growth, food security, and nutrition—to name but a few of the sectors in which the Agency works.

As Deputy Administrator, I will be charged with overseeing several key pieces of USAID programming, including all of USAID's regional programming, Global Health programs, and pending Congressional approval, the Bureau for Development, Democracy, and Innovation (DDI), which is proposed as part of USAID's redesign. I am particularly pleased that I will oversee USAID's democracy programming, as I believe that democracy and good governance are the underpinnings of USAID's work around the world. Without democratic governance, no country will be able to succeed on its journey to self-reliance.

If confirmed, I will ensure the Agency maintains its focus on the promotion of democratic values and free elections, one of the key pillars of our development work. The role of democracy and citizen-responsive governance cannot be underestimated when considering countries on the journey to self-reliance—countries that will one day be our partners in development projects around the world.

Most Americans view USAID as our nation's premier "first-responder" for those overseas suffering from disasters—both natural and man-made. Today, USAID is helping to care for Venezuelans who are fleeing chaos and dictatorship and finding safe haven in Colombia, Ecuador, Peru, Brazil, and even the Caribbean. USAID is also supporting oppressed Rohingya in Burma and those who have fled across the border into Bangladesh. As Administrator Green emphasized on his trip to Burma and Bangladesh earlier this year, the U.S. Government continues to pressure the Burmese civilian Government and the military to end the violence against the Rohingya and other ethnic groups, and calls on all parties to allow unfettered humanitarian access to, and freedom of movement for, all communities in need.

Of course, refugee crises cannot be solved without addressing their underlying causes—failed, usually brutal, leadership in the countries from which refugees are

forced to flee. America is a country that, from its very origins, was formed by people fleeing oppression. My ancestors fled from pogroms in Eastern Europe. My in-laws fled from the Soviets as the Red Army laid claim to lands in its so-called sphere of influence after World War II. My children are a mix of generations borne out of fear, oppression, and then new generations borne out of freedom. As American leaders, it is our duty to help others who are fearful of, and oppressed by, their own or hostile neighboring, governments, and it is the work of USAID to help foster the conditions for democratic rule to enable good governance to flourish.

Regrettably, there are parts of the world where people are struggling every day to survive. They are victims of wars, of human trafficking, of sexual violence in camps for refugee or internally displaced persons, of famine, of outbreaks of disease, and countless other privations. USAID is the largest humanitarian assistance organization in the world, and its ability to respond to crises, wherever they occur, is a testament to the men and women in the Agency's ranks, as well as to the American spirit of generosity and good will. If confirmed, it will be humbling to serve with people who walk in God's path every day and serve those who cannot care for themselves. Who bring them up, and who, in the process, put them on a journey to self-reliance.

I had the good fortune of working for many years in IBM's storied Research Division. Working with some of the smartest and most accomplished scientists on earth, from all over the world, we developed solutions to create a "smarter planet." The Smarter Planet envisioned by IBM is not unlike the vision we all have for a smarter, more sustainable earth with smart water use, smart energy, smart cities, smart agriculture, smart utilities, and on and on.

I share Administrator Green's unwavering commitment to end the need for foreign assistance, which I believe requires the United States to lead and engage in the world. If confirmed, I look forward to joining the USAID team worldwide to help lead others onto this path to self-reliance, which will move more countries from recipients of aid to donors.

When USAID's mission is achieved, it will deliver a world that is NOT one in which nations are without problems, but it will be one in which nations can determine their own course, in which they can marshal the resources necessary to be successful, and from which they can demonstrate to the rest of the world their resilience. I look forward to that day.

If confirmed, I commit to doing my utmost, every day, to make sure that we are good stewards of the U.S. taxpayers' dollars. I know how hard my fellow Americans work, how sometimes they make sacrifices just to get by, let alone to thrive.

If confirmed, and working with you, I will pursue efforts already underway to reform USAID's offices and procedures. If I learned nothing else from IBM, I learned there is always room for improvement, even when something is technically perfect. What I also learned from IBM is that the private sector has an important role to play in development. The private sector is a critical partner, and will have a seat at the table alongside all other actors in the development space. Having worked across public, private, and non-profit sectors, I speak the language of each one, and believe I might be uniquely qualified to help USAID further its relationship with each of them. I look forward to the opportunity to work with partners in the private sector, the non-profit sector, and across academia to come up with new and more innovative ways to stretch everyone's investments further, in ways that are mutually beneficial to all.

If confirmed, it will be a tremendous honor to serve my country again, this time as the Deputy Administrator of the United States Agency for International Development. I know, too, that I will be humbled every day by the incredible work done by development and humanitarian assistance professionals all around the globe. Their dedication to helping others, usually complete strangers, on those strangers' journeys to self-reliance is truly God's work here on earth, and it would be my privilege and blessing to participate in USAID's efforts to reach those in crisis, and to help those who are striving for a better life.

Many years ago I "caught the bug" for international service. It carried me to East Africa, to Latin America, to Asia, to Europe, and now to this table before all of you today. Mr. Chairman, Ranking Member, and members of the committee, nearly 30 years later, my commitment to make a difference, through the power of American values, American compassion, and American skills is stronger than ever before. I know that this will not be an easy job. Indeed, if I ever wake in the morning to say that there's nothing left to do, I will know that my job is done. We're not there yet. If confirmed, I will work with Administrator Green to lead a world-class team to do life-changing work in environments that are often terribly hard. USAID does not sit back and rest on its laurels, nor should those who lead the Agency. I commit to working with you, with your counterparts in the House, and with the State De-

partment, Defense Department, and others in the inter-agency to achieve our goals as a nation.

Thank you very much. I look forward to your questions.

Senator ISAKSON. Thank you, Ms. Glick.

Mr. Harvey, before you speak, I would like Mr. Cory Gardner to have a few words to say about you.

Senator GARDNER. Thank you, Mr. Chairman.

And thank you to all of the nominees for your willingness to serve our public.

Mr. Harvey, this is a little bit of an audible. I just wanted to thank you for your service and, of course, the work we do through international development is incredibly important. We have a bill coming up tomorrow afternoon that we will work on our presence and development work in Asia.

But the real reason I wanted to say something is the gentleman over your right shoulder. And I question whether or not we should confirm you based on your brother. His brother is a Senator from Colorado, a State legislator who I served with for a number of years, and I just wanted to welcome the Harvey family. What an honor it is to have you here and your public service. And to brother Ted, we will not hold that against you.

Thank you. [Laughter.]

Mr. HARVEY. Thank you very much, Senator.

Senator ISAKSON. The floor is yours.

**STATEMENT OF MICHAEL T. HARVEY, OF TEXAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, MIDDLE EAST**

Mr. HARVEY. Thank you, Mr. Chairman, and thank you for that allowance.

Senator Isakson, Senator Shaheen, and other distinguished members of the committee, I am honored to come before you today as the President's nominee to be the Assistant Administrator for the Middle East at the U.S. Agency for International Development. And like my colleagues, I am extremely grateful for the confidence that President Trump, Secretary Pompeo, and Administrator Green have placed on me.

As I begin my remarks, I would like to recognize the outstanding leadership of Hal Ferguson and Maria Longi, who have headed USAID's Middle East Bureau for the past 2 years. Maria's knowledge and dedication, acquired over a long and distinguished career with the U.S. Government, really reflects the best qualities of the Career Senior Executive Service in our government. And Hal, with his service at the International Republican Institute, where he led the Middle East programs, enabled him to step right into the role at USAID, and I look forward to working with him if I am confirmed.

I would especially like to thank my family, including Ted, and friends and professional colleagues who have supported and encouraged me to pursue this opportunity. In particular, I would like to recognize my wife Laura, who is here with us today, and then my kids, Ellen, Hannah, and Jack, who could not be here. They know the importance of public service, and I am here with their full support.

We are a Foreign Service family. And like thousands of other families who represent America in some tough places around the world, we have had an unusual life. Our decades abroad have given us tremendous respect for the men and women who serve our country abroad, including the kids who serve our country abroad. If confirmed, I will bring that experience, as well as over 30 years of professional expertise, to this job.

And I am particularly grateful to have the opportunity to be working in the Middle East again. It is a part of the world that has had great significance for me and my family, having served in the region throughout my career. It has played a significant role in our children's upbringing. It was a joy to watch our oldest daughter graduate from high school at the Roman amphitheatre in Jerash in Jordan, and then to hear our son sing Ha Tikva when he graduated from high school in Israel.

During my career, I have seen significant changes at USAID, especially since September 11th. I am proud that we are a much stronger, smarter, and more flexible agency than when I joined. Our role in foreign affairs and national security has evolved dramatically. We have a much closer and more integrated working relationship with our interagency colleagues. We have emerged as thought leaders and the drivers of fragility in the countries where we work, and we have accumulated a deep understanding of what drives extremism and social division. This knowledge has enabled us to be much more helpful to our colleagues across the U.S. Government as we collectively grapple with the challenges across the globe, especially in the Middle East. If confirmed, I look forward to further strengthening these important capacities and these relationships.

The complex humanitarian and development and political situation in the Middle East and North Africa presents us both challenges and opportunities. USAID can help the people of the region meet these challenges. The Middle East Bureau is responding to immediate crises in the region while building on the positive trends that do exist and laying the foundations for future U.S. Government engagements beyond the U.S. assistance programs.

While the Middle East poses many challenges, it also presents enormous opportunities to showcase what can be done and what has been done through the generosity and commitment of the American people. The people of these countries are ready for constructive change, to engage with the global community in building a prosperous, peaceful future, a future consistent with their own culture and history. The United States can easily come up alongside to support these aspirations. If confirmed, I commit to partnering with the people of the Middle East and North Africa to help them on that journey to self-reliance.

Senator Isakson, Senator Shaheen, and other distinguished members, I am honored that I am sitting here at this desk with my colleagues, and I thank you for the opportunity to be here. I look forward to answering your questions.

[Mr. Harvey's prepared statement follows:]

## PREPARED STATEMENT OF MICHAEL T. HARVEY

Senator Isakson, Senator Shaheen, and distinguished Members of the committee, I am honored to come before you today as the President's nominee for Assistant Administrator of the Middle East Bureau at the United States Agency for International Development (USAID). It is a privilege to appear before this committee, and I am grateful for the confidence President Trump, Secretary Pompeo, and Administrator Green have placed in me.

As I begin my remarks, I would like to recognize the outstanding leadership of Hal Ferguson and Maria Longi, who have headed USAID's Middle East Bureau for the past two years. Maria's knowledge and dedication, acquired during a distinguished career across the U.S. Government, reflect the best qualities of the Career Senior Executive Service. Hal's experience at the International Republican Institute and his background in the Middle East enabled him to step right into his new role at USAID, and I look forward to working with him if confirmed.

I would especially like to thank my family, friends and professional colleagues who have supported and encouraged me to pursue this opportunity. In particular, I would like to recognize my wife, Laura, and our three children, Ellen, Hannah and Jack. They all know the importance of public service, and I am here today with their full support.

We are a Foreign Service family. Like thousands of other families who represent America in some of the toughest places on earth, we have had an unusual life. Our decades abroad have given us tremendous respect for the men and women—and kids—who serve USAID and the U.S. Government overseas and in Washington.

If confirmed, I will bring the experience I have gained over 30 years with USAID, including by leading the Agency's Task Force to Defeat the Islamic State in Iraq and Syria (ISIS), and by serving as USAID Mission Director in Nigeria, West Bank and Gaza, and Serbia and Montenegro; and by working as Deputy Mission Director in Iraq and Jordan.

I am particularly grateful to have the opportunity to once again be working in the Middle East—a part of the world that has great significance for me and my family. Laura and I have embraced the culture of the Middle East, and the region has played a significant role in our children's upbringing. It was a joy to watch my oldest daughter's high school graduation at the Roman amphitheatre in Jerash, in Jordan; and we were extremely proud to hear our son sing Ha Tikva at his high school graduation in Israel.

During my career, I have seen significant changes at USAID, especially since September 11, 2001. I am proud that we are a much stronger, smarter and more flexible organization. Our role in foreign affairs and national security has evolved dramatically. We have a much closer, more integrated working relationship with our interagency colleagues, most importantly at the Department of State and the Department of Defense. We have emerged as thought leaders on the drivers of fragility in the countries where we work, and have accumulated a deep understanding of what drives extremism and social division. This knowledge has enabled us to be much more helpful to our interagency colleagues as we collectively grapple with challenges across the globe, especially in the Middle East. If confirmed, I look forward to further strengthening these important capacities and relationships.

The complex political, humanitarian, and development situation in the Middle East and North Africa (MENA) presents both challenges and opportunities for USAID's work. USAID can help the people of the region meet their challenges. The Middle East Bureau is responding to immediate crises in the region, building on positive trends where they exist, and laying the foundation for future U.S. Government engagements beyond assistance programs. USAID's priorities for the MENA region include 1) supporting core U.S. national security objectives; 2) mitigating the human impact of ongoing conflicts; and, 3) fostering inclusive development and reform as opportunities arise. If confirmed, I look forward to leading that work.

With the support of Congress, USAID's Middle East Bureau supports development and stabilization programming across the region. The U.S. Government also provides significant humanitarian assistance in much of the region, including in Syria, Iraq, Jordan and Yemen. If confirmed, I will provide strong oversight of USAID's programs in the Middle East, and ensure those programs respond to the needs and aspirations of the people in the region by facilitating inclusive economic growth, supporting democratic processes, strengthening civil society, and addressing other key challenges, such as helping religious and ethnic minorities across the region.

The Middle East poses many challenges, both politically and developmentally, but it also presents enormous opportunities to showcase what has been done right through the generosity and commitment of the American people. Without being naive, I am optimistic about the broad direction of events in the Arab world. We

know that the people who suffer the most from the violence in the Middle East and North Africa are the people of the region themselves. The people of these countries are ready for constructive change, to engage with the global community in building a prosperous, peaceful future, a future consistent with their culture and history. The United States can support those aspirations. If confirmed, I commit to partnering with the people of the Middle East and North Africa to help them on that journey to self-reliance.

Senator Isakson, Senator Shaheen, and distinguished members of the committee, I am honored to be considered for the position of Assistant Administrator for the Bureau for the Middle East at USAID. Thank you for the opportunity to appear before you today. I look forward to answering your questions.

Senator ISAKSON. Well, thank you very much. We appreciate all of you being here today. Glad to have you, Mr. Gardner. And glad to have your brother too, Mr. Harvey. Was he good to you when you were growing up?

Mr. Ted Harvey: No. [Laughter.]

Mr. HARVEY. I am the older, Senator.

Senator ISAKSON. I knew that was going to be the answer.

We will start with a round of questions, and I will lead off with one.

I want to thank Mr. Montgomery for his comments about John McCain. John's example is a great military leader of our country, a Member of the United States Senate, prisoner of war, a member of the United States Navy, decorated pilot. But John always believed in diplomacy. He believed everything he did with power was only made possible in the end by diplomacy that could make a peace lasting. And so your recognition of him and his philosophy as a military man and as a citizen and a servant in the Senate was really much appreciated by me, and I appreciate it very much. I just wanted to say that to you. Thank you very much.

Ms. Glick, I am old. You served the old people of Maryland, and so do young people of USAID. Is that right?

Ms. GLICK. Yes. That is exactly right, Senator.

Senator ISAKSON. How would you describe your job as Deputy Administrator of USAID?

Ms. GLICK. That is a great question. And when I was first asked if this was something that I would be interested in doing, I asked that same question. What is the job? And the answer then was anything that the Administrator does not want to do.

But the truth of the matter is it is working with the talented women and men of USAID around the world doing a lot of the day-to-day operations of the agency to ensure that the Administrator is freed up often to be the public face of USAID but falling back into that category of when he is running around in one part of the world and another part of the world needs immediate attention, certainly that would be where I fall in.

It is also part of running an agency that is spread around the world with something like 11,000 employees and staff and implementing partners and taking into account on a day-to-day basis their safety and security in operating environments that are often quite dangerous. It will be a combination of a lot of "all of the above," and I have a feeling that no one day will be like the last.

Senator ISAKSON. You are going to be the one that gets delegated all the hard jobs.

Ms. GLICK. That could be, sir.

Senator ISAKSON. Mark is a great leader.

Ms. GLICK. Yes, he is.

Senator ISAKSON. He will be a great leader, and you will be a great person to help him out with that because, as I was listening to you talk, I was thinking when I read that you were going to be Deputy, I said I wonder what a deputy administrator is really going to do. But really what you are is vice president of USAID. You are the number two person to go set the table when the Administrator has to later come in.

Ms. GLICK. Right.

Senator ISAKSON. That is a very important job. And I think your experience in Maryland and doing the job you did there will be a tremendous help to you in doing exactly that as far as USAID is concerned.

Mr. Harvey, what do you see as the most important thing you need to know to be one who can resolve conflict in the world? That is part of your job.

Mr. HARVEY. It is in fact part of my job, Senator, and it is not a small matter.

You know, having spent 30 years in one war zone after another, what has struck me is how important it is for us to understand the turf that we are on. I find too often we go in with either little understanding, a superficial understanding, or a highly misinformed understanding of where we are going, the lives that we are affecting, and the history that we are stepping into.

I said in my remarks that we are a smarter agency, which does not make us necessarily always up to the task, but I think modesty has got to be just a core value in the agency when you are trying to affect somebody else's life. And if you do not start with that, making peace is awful hard.

Senator ISAKSON. The Mahgreb I think is the term used to define North Africa—is it not—on the continent of Africa?

Mr. HARVEY. The west half of it, yes.

Senator ISAKSON. The west half of it?

Mr. HARVEY. Yes.

Senator ISAKSON. That part of the world is what the heart is to the human body. It is the heartbeat of what is going to happen in the future. Civilization pretty much began close to that area and developed in that area, and one day, the Bible teaches us, it is probably going to be decided in that area. And we all know from what has happened Osama bin Laden, with Daesh, with all the terrorist organizations we have had to deal with, the terrorism acts that have taken place, that that is going to be the hotbed for the immediate future, certainly for your lifetime and for mine.

What do you think the United States has to do to get ourselves in the best position to be the leader of the solution for the Mahgreb and that part of the world on the issue of terrorism?

Mr. HARVEY. You know, we have been wrestling with this as a country and as a government now for almost 20 years. And it continues to be a tough, tough issue. But the thing that has struck me, as I have spent my time in that part of the world, is how broadly and deeply the people of that region want this chapter to close. And there are currents in every one of these societies that are pushing toward a future that is very consistent with what our vision would be of peace, of individual freedom even if it is expressed perhaps

in a different cultural model than we would recognize here in the West. And when I see how we should be engaging with these societies, we need to come up alongside those folks who have the energy and the bravery and the vision that we share to push these very, very troubled countries and very, very troubled societies toward a future that they want that is consistent with our values because at the end of the day, there is much more that we agree with than what divides us.

Senator ISAKSON. I agree with that. And I think most of the difference we have is because of religion. The differences of religion and the Muslim faith and some of the things that are going on in that part of the world are the heart of some of the difficulties we had. We saw that with Sunni and Shia in Iraq in the Iraq conflict. And if we can find a way to take our USAID efforts to bond with the people of the various countries, regardless of the religion that is the base in the country, but make us a part of that and their religion a part of what we try and serve, the better we will be able to reach those people and bring about peace in that area.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

Mr. Montgomery, I want to echo Senator Isakson's comments about what you had to say about John McCain. We all miss him already, and I think the model of service that he set for everyone in the country is important for us to share with the next generation.

And I think I would not be speaking out of John McCain's school of agreement if I did not say that I question your judgment for leaving Sunapee, New Hampshire to come down to Washington, D.C. I think John would probably question that as well. [Laughter.]

Senator SHAHEEN. Mr. Montgomery is from New Hampshire, from a very beautiful part of New Hampshire, and we appreciate that you are willing to make the sacrifice to consider taking on this role.

I want to ask you, because USAID is in the process of merging its key humanitarian offices into a single bureau, how you think we need to ensure a successful merger in doing that and what sort of challenges pose the greatest problem as you think about how that merger needs to happen.

Mr. MONTGOMERY. Thanks, ma'am, and thanks for the comments on Sunapee. My parents will be very happy.

I have been briefed on the organizational change, and obviously, all three of us are very aware of it and it has been part of our preparation.

What I would say is it was obvious to me that what the Administrator was looking for was improving the efficiency and the effectiveness of USAID as it expends the taxpayer dollar. And obviously, all of us can agree that is a good intent.

I think for us what to look at is are we bringing together in that search for efficiency and effectiveness the elements of preparation or mitigation of a casualty—in other words, what we do ahead of time to try to prevent a fragile state from turning into a crisis state—with the portions of the agency that we are doing the response. If you do that, you can get a lot of the lessons learned. You can build a ligature between those two so that the sensing of the

fragility breaking down into chaos is better seen and the investments are made to prevent that from happening. So I think whether you look at it in the democracy area, the humanitarian area, or the conflict prevention area, if we can improve the ligature between preventative efforts and then the eventual recovery efforts, we will improve the overall resilience of the states we support.

So that is what I will be monitoring if in fact the notification is all approved and we begin to do elements of the reorganization. We will be monitoring to see if the efficiency and effectiveness of the agency are improving.

If I could comment on one other thing. I think it makes it easier for outside organizations to reach in to us if we are able to organize ourselves in a more efficient way where the different elements of food security or hygiene and water or democracy or conflict resolution are housed together. If we can make it easier, whether it is inside the interagency or whether it is with international partners or allies, to make it easier to reach into, we will make our organization inherently more efficient.

Senator SHAHEEN. That certainly makes sense to me. I guess my question is, what do you think the biggest challenges are in doing that? Where are we going to run into difficulties, and how do we get past those difficulties?

Mr. MONTGOMERY. Being inside DOD, I got to experience a reorganization every year or so. And I think the biggest problem thing that I have seen—

Senator SHAHEEN. Senator Kaine and I appreciate that because we sit on the Armed Services committee.

Mr. MONTGOMERY. Yes, ma'am. And so I would say the biggest challenges were people protecting rice bowls, people having a presumption of responsibility not necessarily understanding the administrator's overarching vision.

I will say, having now been briefed extensively inside AID, the mix of professionals there of civil servants, Foreign Service, and the contractor personnel—absolutely, it is a flat organization, and it is an organization that experiences turbulence in the field routinely. As a result, I found them fairly shock-hardened, and I do not think we will have that challenge of I have got my rice bowl here, they have done enough movement, had enough instability in their job assignments when they were overseas, that when they are back in Washington I do not think that will be an issue. But it is certainly something to monitor, and I will work with the Deputy Administrator, if confirmed and if she is confirmed, to ensure that we achieve that level of efficiency.

Senator SHAHEEN. Thank you.

Ms. Glick, as we discussed earlier today in my office—and I appreciated your taking time to do that—I think one of the values that we should be very proud of in the United States and with the work of the State Department and USAID has been the emphasis on gender equality, the importance of women empowerment. It has been a core development issue. And we have seen that USAID has gender programs in more than 80 countries.

And as I said this morning, I am concerned that this administration is beginning to chip away at that commitment to gender equal-

ity and women's empowerment and to send ambivalent messages about how committed we are to that.

As an example, the administration stripped all reference to sexual and reproductive health and rights from the State Department's Human Rights Report. That is an essential source of information for reporting on abuses and holding abusive governments to account.

We also saw at the General Assembly last year that the U.S. pushed back against language in a resolution on violence against children that condemned all forms of violence against children, which has implications for—the U.S. Government pushed to limit this language to unlawful forms of violence against children, which has implications for what countries consider lawful violence, which could include things like child marriage, corporal punishment, that sort of thing.

So reassure me that you will be committed to continuing that focus on women's empowerment and gender equality.

Ms. GLICK. Senator Shaheen, thank you very much for the question, and thank you too for meeting with me this morning. I found it very useful.

And I do want to recommit to you that I am very focused on women's issues, maternal health, reproductive health, voluntary family planning. These are issues that a society cannot develop, a country cannot get on its own journey to self-reliance if it does not take into account equal rights for 50 percent of the population. This goes to educating girls. This goes to empowering women, whether it is through small business empowerment programs or through their own maternal health and access to information about how to more properly space their pregnancies so that they too can advance societally. I must reassure you that I am fully committed to ensuring that the agency focuses and continues a traditional focus on women's issues and women's rights.

Senator SHAHEEN. Well, can you also talk about why this is important to men, not just women?

Ms. GLICK. This is critically important to men, as I have three of my most important men sitting behind me today. It is important for men to understand that women are productive and engaged members of their societies, that girls are equally as entitled to education as boys are because those girls and women will and should be the leaders of their countries in the future.

Senator SHAHEEN. Thank you.

And what we know is that when we support women in developing countries, that they tend to give back more to their families, to their communities, and to their countries than the male members of those societies. So I think it is very important to remind us all that this is not about women. It is about building stable societies. Thank you.

Ms. GLICK. Agreed. Thank you, ma'am.

Senator ISAKSON. Senator Young?

Senator YOUNG. Thank you, Chairman.

And I want to thank our nominees for your interest in serving our country, most appreciated. Welcome, members of your family and friends, to this hearing.

Ms. Glick, in his June prepared testimony to this committee, Administrator Green wrote that our assistance seeks to help empower people, communities, and government leaders on their journey to self-reliance and prosperity.

In that same hearing, I contrasted the United States' focus on building self-reliant, strategic, and economic partners with China's focus on resource extraction and the creation of dependence. Administrator Green agreed with my characterization.

In a June speech at the Brookings Institute, Administrator Green commented on what he called, quote, emergence of China's mercantile authoritarian assistance programs. Unquote. He said China has shown little interest in adhering to the norms of debt sustainability or the principles of development assistance that we believe in, instead securing conditions in indebtedness, essentially mortgage a country's future. China's neocolonial hardball tactics and use of debt to force Sri Lanka to agree to a 99-year lease on a key port should be instructive to observers around the region, including Pakistan, Bangladesh, and elsewhere.

Ms. Glick, can you share your thoughts on China's debt trap diplomacy and mercantile authoritarian assistance programs and how the United States should respond going forward?

Ms. GLICK. Senator, it is a great question, and I agree wholeheartedly with Administrator Green in his assessment of the Chinese approach to foreign assistance, which at the end of the day is leading to tremendous debt burdens for the countries that are recipients of this Chinese largesse.

What USAID seeks to put forward is something that would be referred to as a clear choice, that countries have the option—and I love the language of mercantile authoritarian assistance. That is great. He has got a great speech writer. It is very important that countries recognize what they are doing when they enter into a deal with the Chinese. And you mentioned Sri Lanka.

We just saw and I just read in the "Wall Street Journal" a column about the Maldives, very close to Sri Lanka, which has taken the turn away from the direction of China. They just held elections. 90 percent of eligible voters voted, and 58 percent of them voted for the opposition candidate who took an active, pro-Western, and anti-Chinese approach, recognizing that he is not interested in mortgaging the future of the citizens of the Maldives.

Senator YOUNG. So that is a great lead-in to the second part of my question for you. It seems as though we have an opportunity to persuade populations within these countries that their future is, indeed, being mortgaged by accepting this sort of development assistance.

So do you agree that the United States, therefore, should be using our voice and our vote and our convening power and all measures sort of at our disposal in multinational fora to educate all countries of the world about this sort of debt trap diplomacy and we should be pushing for more transparency on these projects in these various fora?

Ms. GLICK. Yes, sir, I absolutely agree.

Senator YOUNG. What about the use of Chinese labor on these local projects? Is that of concern to you as well, or is that a lesser concern maybe than the debt dimension?

Ms. GLICK. That is a great concern as well because U.S. development projects are focused on engaging with local employment, providing economic growth opportunities for people who are resident citizens of those countries where development projects occur. Importing labor from China and sometimes, I understand, importing substandard materials is a trap again. Countries are not getting economically developed the way they are through U.S. development assistance programs. And Chinese laborers come and go.

Senator YOUNG. So that is another point of education for the United States as we work with other countries who share our values and our model of development assistance to emphasize. There is really at least a dual mandate here to build the infrastructure and help catalyze an economy that needs catalyzation. Right?

Ms. GLICK. That is right, exactly.

Senator YOUNG. Ms. Glick, I want to pursue another line of questioning with you. But first, thank you for mentioning Rohingya in your prepared statement. I have done my best to follow this horrible situation. I have somewhat of a vested interest in this. We have a significant Burmese American population in my home State of Indiana. And I met with the Bangladesh Ambassador to the United States last week to talk about this very situation.

I was pleased to see the administration's announcement just yesterday of additional humanitarian assistance, including \$156 million for Rohingya refugees in host communities in Bangladesh. The provision of critical emergency services, including protection, emergency shelter, food, water, sanitation, and health care, is in the best traditions of U.S. leadership on humanitarian assistance. And so I applaud the Trump administration for this decision.

I would also note that the Department of State released yesterday a report entitled "Documentation of Atrocities in Northern Rakhine State." Have you had a chance to review the report, Ms. Glick?

Ms. GLICK. I have not yet reviewed the report, but I know that it is out there.

Senator YOUNG. Okay. Will you review this report, Ms. Glick?

Ms. GLICK. Yes, of course.

Senator YOUNG. Mr. Chairman, I request unanimous consent to include this in the record.

Senator ISAKSON. Without objection.

[The information referred is located at the end of this transcript.]

Senator YOUNG. Thank you.

So for those who have not reviewed it yet, based on a spring 2018 survey of the firsthand experiences of over 1,000 Rohingya refugees in Cox's Bazar, additional credibility to reports we have already heard, the report found that the violence was, quote, extreme, large-scale, and widespread. The violence seemed designed for terrorizing the population and driving out the Rohingya residents. The scope and scale of the military's operations indicate they were well planned and coordinated, and that the tactics utilized resulted in mass casualties, including, quote, locking people in houses to burn them, fencing off entire villages before shooting into the crowd, or sinking boats full of hundreds of fleeing Rohingya.

Ms. Glick, when we see such atrocities happen, in addition to demanding a halt to the violence and demanding humanitarian access, do you agree that we should seek to identify the perpetrators and hold them individually accountable?

Ms. GLICK. Yes, Senator, I do.

Senator YOUNG. Well, I certainly agree. If the words Never Again are to have meaning in actual practice, we should not be reluctant to call atrocities like this by their name, identify the perpetrators and hold them accountable. And so I am very encouraged by your responses. Thank you so much.

Ms. GLICK. Thank you, sir.

Senator ISAKSON. Senator Kaine?

Senator KAYNE. Mr. Chair, thank you.

And to the witnesses, congratulations for your nominations.

I want to pay a compliment. I want to be blunt, and then I have a couple of questions.

So on the compliment side, you are all three very, very appropriately qualified for these positions. I had a chance to see Mr. Montgomery's work in person on the SASC committee, and I think you will represent the nation very well.

But I want to be blunt because we have hearings with people like you, like your director, director Green, who I think is very, very solid, where you represent the best traditions and want to do the best things. And yet, we are getting such a set of mixed messages from the administration that I think your job is hard. Well, I think one of you in your testimony said the purpose for AID and our humanitarian effort generally is because, A, it is who we are and we want to demonstrate who we are, and B, we want to encourage other nations to do more by our example.

This is an administration that pulled out of—alone among nations, pulled out of the U.N. Global Compact on Migration, that just recently announced a very dramatic reduction of past practices of accepting refugees. We have received the budget proposals from the Trump administration with respect to USAID and the State Department. The first one in 2017 dramatically slashed the budget. We came back in a bipartisan way and worked to save USAID's budget. Did the administration learn? Did they say I guess Congress likes this and we should keep funding it? No. They came back this year and proposed a 31 percent cut for development assistance.

Today the President spoke at the U.N. He pretty much trashed international institutions. He said the focus should be on sovereignty not international organizations of the kind that USAID partners with all the time. We are engaged in trade wars not even against nations we have to be pushing very hard like Canada, but we have engaged in trade wars using national security waivers against allies of ours.

And so the notion that we want to be the leader to express who we are and we want to encourage others to do more, I frankly think that this is an administration that at the top, not people in your positions—at the top, the message is completely to the contrary. Even the report that Senator Young was asking about—it looked to me like the State Department in that report sort of took some mileage off the fast ball. They would not use the “genocide” word to summarize the evidence that was summarized very bluntly in

the report, the atrocities, burning people alive, sinking their boats. But the administration would not use that word.

And so I think the message that is being sent from the top sadly is that the work of USAID and the work of professionals like yours are not a priority for this administration. I do not expect you to comment on it, but I do not think we can leave that sort of unremarked upon in a hearing where we are talking about development aid when the President just went to the UNGA and basically got laughed at as he tried to describe what the United States was doing in the world because the gathering of leaders from other nations found that to be an incredible claim based upon what he has done.

Let me ask a couple of specific questions, Ms. Glick, to you. What is the status of economic support fund assistance to the West Bank and Gaza? And what types of projects have been directly affected by the administration's effort to redirect funding? Are multiyear projects ongoing, or will they be stopped in their tracks? And if they are, how difficult will it be to resume those projects?

Ms. GLICK. Senator, thank you for your comments. I appreciate them very much. And I want to assure the committee that, if confirmed, I will follow in the footsteps of Administrator Green and be very grateful for the funding that Congress generously appropriates to the agency.

On the specific subject of the funding for West Bank and Gaza, my understanding, although, you know, I was not part of the deliberations, is that this was part of a broad administration policy that was done across the interagency. I hear your concern. I am not prepared to comment on it because I was not there at the table with all of the decision-making. If confirmed, I commit to engaging with you and certainly with my friend, Mr. Harvey, on the issues going on in the West Bank and Gaza.

Senator KAINES. Mr. Harvey, do you have anything you want to add to that?

Mr. HARVEY. No, other than to assure you, Senator, these are issues I know well. This is terrain I know very well. I will be all over this and I will be watching closely. I will be consistent with my reputation and people will know my sense of things. I will be a constructive player in the game.

Senator KAINES. Excellent.

Well, I think we will continue to ask about this because, again, I have confidence that you will do everything you can with every bit of resources you have. There are some decisions that are not made by you. But as we talk to leaders in Israel and Palestine, we are hearing, even on the Israeli side, a deep concern about the U.S. slashing some of these funds. Now, we need to use funds to promote good behavior, not reward bad behavior. But basic humanitarian needs—the United States backing away from providing basic humanitarian needs to people who are pretty stressed is likely to ratchet up tension, ratchet up problems rather than reduce them. And this is certainly what we are hearing from our Israeli allies, many of them.

I want to ask about Syria. Delivering assistance there is really tough. You have to work through partners. It is very challenging.

Senator Shaheen was there recently. And it has been an immense challenge for USAID's partners in the past and continues to be.

There is legislation currently on the table in Congress that would severely limit the work USAID could work within Assad government-controlled areas. From a humanitarian perspective, would limiting assistance to, quote, a democratic Syria and severely conditioning assistance into areas under Assad's control be helpful or harmful to Syrian reconstruction prospects for peace and democratization?

Mr. MONTGOMERY. Sir, I will take that question first. And I appreciate it because I think it gets at an important issue here, which is that we are still providing a specific amount of humanitarian assistance in a very challenging political environment. I think it is around \$875 million a year. And if you look back over the last 4 years, our government has given about \$8 billion, USAID about \$4 billion of that.

And you are absolutely right, that it is challenging to deliver. I think we have the processes set up. I think as changes in the security environment have occurred in Syria, it has become more complex, but we do have a strong grouping of partners, I think 23 or so partners, that DCHA is using throughout Syria to distribute this assistance.

Obviously, if the security environment becomes more challenging, delivery will be more challenging. But I think at our core, our mission is to provide humanitarian assistance to those most in need. So we will continue to press to provide it.

We do have a series, working both internally and with our AID Inspector General, of assessments to make sure that assistance is being gotten to the right recipient and is getting there in its full context and value. And we will continue to ensure that that is happening. But you are absolutely correct, that it becomes more challenging as the security environment becomes weaker or more difficult for the United States to control.

Senator KAINES. Do you know whether the administration has taken a position on the proposed legislation that would limit humanitarian aid into Assad-controlled areas? I mean, I think it is a hard question to kind of resolve. We do not want to prop up bad behavior by the Assad regime. Nevertheless, there are people suffering within those Assad-controlled areas that we have an understandable sympathy towards. So I do not think it is an easy question. But do you know whether the administration has taken a position on proposed congressional limitations of such aid?

Mr. MONTGOMERY. Sir, I agree with your background comments to it. And I do not believe we have taken a position, and I am not aware that we have.

Senator KAINES. All right. Thank you.

Thank you, Mr. Chair. Appreciate it.

Senator ISAKSON. Thank you, Senator Kaine.

Are there any other questions? Ms. Shaheen?

Senator SHAHEEN. Mr. Harvey, I want to follow up a little bit on the direction that Senator Kaine was going on Syria. You talked about in your opening statement your experience in the Middle East. You pointed out that you actually led an agency task force for USAID to defeat ISIS in Iraq and Syria.

So as Senator Kaine mentioned, I had the opportunity to visit northeast Syria during the summer and saw what was happening there after ISIS had been thrown out.

So what do you see as the risks if we are not continuing to be present in areas like northeast Syria where ISIS has been defeated as we look at the future and the challenges that those communities face?

Mr. HARVEY. Senator, I opened my remarks by thanking you for taking the trip up there, and I was extremely personally pleased to hear that you were impressed with what you saw.

Senator SHAHEEN. Very much.

Mr. HARVEY. You may know I was very deeply involved with getting that program up and running and working through the decision-making process to allow it to happen because there was a lot of uncertainty as to people's comfort with it. But I am very proud that we did it, and I am very proud of the success of it under really exceptionally difficult circumstances. A lot of the credit goes to our Syrian—most of the credit goes to our Syrian colleagues who really did the heavy lifting, but also our special forces who were just a remarkable bunch.

Senator, I will be somewhat evasive in answering your question only in that I am not quite sure as to where the conversation is within our government yet. I intend to be deeply involved in those conversations as the situation evolves and changes. I think Senator McCain's assessment that we are going to be seeing some rather big changes coming in the near future is going to be something that all of us are going to be very aware of, and I intend to be very deeply involved in sort of thinking through what does that mean for our interests and how best can the United States respond.

Senator SHAHEEN. Well, thank you. I really appreciate that.

I have to also give credit to the Syrian Democratic Forces. As we saw them on the ground, they were very responsible players, and while I appreciate Turkey's view, the people we talked to did not have any interest in working with Turkey and doing anything to destabilize Turkey. They were interested in trying to maintain stability in that part of Syria. And it was really heartwarming to drive down the roads and see kids walking along flashing victory signs when they saw our military vehicles and to hear from people really urging us not to leave them alone, not to abandon them after we had thrown out ISIS.

And I think it is really important for us to remember the lessons of Iraq and some of the other countries where we have made commitments. And I think we have heard both Ambassador Jeffery and National Security Advisor Bolton confirm that the administration intends to keep U.S. troops in Syria. And so making sure that that comes with those funds to stabilize the region, which we have committed to and which Congress has already appropriated, seems to me to make a lot of sense as we look at how we maintain stability in the region going forward. Would you agree with that?

Mr. HARVEY. Yes, ma'am. These are going to be tough issues. I think the administration's clear commitment to ensuring the enduring defeat of ISIS will ensure that we will do the right thing.

Senator SHAHEEN. Bless you. [Laughter.]

Senator SHAHEEN. Both for your comments and whoever is sneezing in the back of the room.

Ms. Glick, one of the other issues we discussed this morning was the pullback that the United States has made from UNFPA and support for family planning programs. And the explanation that has been given has been because of their support for China's one child policy. Again, as I said to you this morning, I am very concerned that what we are doing in pulling back on our support for family planning, actually putting more families at risk, seeing more abortions, more maternal deaths as the result of that. So can you talk about what your commitment will be at USAID to ensuring that we continue to support family planning and strong families?

Ms. GLICK. Senator, thank you very much.

I will confirm to you that I do continue to support strong families, voluntary family planning, maternal health, women's health issues, access for women to quality health, quality health services, quality deliveries, access for women and men to make informed decisions on choosing the number and timing of their pregnancies.

I think that the funding that is being withheld from the U.N. Population Fund is being reprogrammed is my understanding. You and I discussed this morning about what it is being reprogrammed into. And I went back to USAID after our meeting and discussed it and learned that it is being reprogrammed into maternal health programs, into reproductive health and voluntary family planning programs and into a new initiative that the agency is taking on, which is a new focus on cervical cancer, which is closely tied to reproductive health.

Senator SHAHEEN. Well, thank you. I think that is important. As we discussed, however, the reprogramming request is also part of language that I submitted in the appropriations bill actually, and what we learned is that it required questions from this committee's minority staff in order to get USAID to do that reprogramming and that we are still waiting to have a briefing on how that happened, why that did not happen automatically once the legislation was passed.

So will you commit to me that, once confirmed, that USAID will brief the Senate Foreign Relations committee members who are interested and my office on the original notification?

Ms. GLICK. Yes, ma'am. I will commit to that. I will also commit that we will focus on these very important issues.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

Senator ISAKSON. Thank you, Senator Shaheen.

Thank you all for your willingness to serve your country. Thank you for the service you have given to the country in the past. We look forward to seeing your confirmation completed and your serving your country in the future overseas.

For the benefit of those here and on the panel, the record will be held open until September 27th for any additional comments or any additional filings or any additional questions.

If there are no other further questions, this meeting stands adjourned.

[Whereupon, at 4:09 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR BENJAMIN L. CARDIN

*USAID Redesign and DCHA*

The administration's proposed plan to redesign USAID significantly changes the agency's organizational structure. For example, the current Democracy, Conflict and Humanitarian Affairs (DCHA) Bureau's functions will now be spread across three new bureaus, with most of its functions consolidated with the Offices of Foreign Disaster Assistance and Food for Peace in the new Bureau for Humanitarian Affairs.

- Do you expect that the current DCHA bureau's responsibilities will be completely transferred across the new organizational structure?

*Question 1.* Do you expect that the current DCHA bureau's responsibilities will be completely transferred across the new organizational structure?

Answer. Yes. The functions and responsibilities currently carried out by DCHA will move to the proposed Bureaus for Humanitarian Assistance; Conflict-Prevention and Stabilization; and Development, Democracy, and Innovation.

*Question 2.* What challenges do you anticipate?

Answer. As with any significant reorganization effort, there will be challenges around implementation and managing change, for staff, stakeholders, and partners. As I said during my confirmation hearing, in many reorganizations a big challenge is that people try to protect what they see as "theirs," without understanding the overall vision of what leadership is seeking to achieve. In my experience with DCHA so far, however, I have found staff to be very adaptive to the turbulence they experience as a regular part of their job in the field, and I think that mindset translates to Washington as well. If confirmed, I will do my best to support DCHA staff during this transition.

*Question 3.* How do you believe DCHA matters will be better handled across three bureaus?

Answer. I understand that under the Transformation, the new Associate Administrator for Relief, Response and Resilience (R3) would oversee the proposed Bureaus for Humanitarian Assistance, Conflict-Prevention, and Resilience and Food Security. The intent of this proposed structure is to further strengthen the programming funded by the U.S. Agency for International Development (USAID), by making it more efficient and holistic across the spectrum of preparing for, preventing, responding to, and mitigating disasters.. The Agency also believes this would elevate USAID's stature with interagency colleagues on these issues.

Combining USAID's humanitarian-assistance into programs into a single Bureau would strengthen and elevate the Agency's stature, both within the U.S. Government and with our international partners. The proposed Bureau for Humanitarian Assistance would advance USAID's goal of seamlessly delivering international disaster aid, which would better serve U.S. Government foreign-policy interests, and people in need throughout the world. The Bureau would achieve efficiencies by eliminating redundancies between the Offices of Foreign Disaster Assistance and Food for Peace and optimizing their resources through joint operations, and by further integrating food and non-food humanitarian assistance.

Currently, USAID implements over 70 percent of its programs in countries considered fragile or conflict-vulnerable. The proposed Bureau for Conflict-Prevention and Stabilization would better coordinate the Agency's prevention, stabilization, and response efforts by combining small, separate offices with overlapping functions. This would enhance USAID's operational capabilities in responding to crises, including through a strengthened focus on preventing violent extremism.

The proposed Democracy, Development, and Innovation Bureau would elevate the Agency's democracy and governance programming through the creation of a Deputy Assistant Administrator to oversee this portfolio. Democracy and governance underpins sustainable development, but in the current structure conflict and immediate humanitarian responses often overshadow our programs in democracy and governance.

While resilience and food security do not currently fall entirely under the oversight of DCHA, I understand that while the Transformation proposals are pending Congressional approval, DCHA looks forward to deepening and expanding intra-agency coordination around resilience and food-security programming to achieve the goal and objectives of the U.S. Global Food-Security Strategy.

*Human Rights*

*Question 4.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. In a macro sense, during a 32-year military career I was involved in combat operations in Kuwait and Iraq, the former Yugoslavia, and Afghanistan, all of which attempted to ensure the deterrence or defeat of authoritarian regimes that threatened the human rights of our allies and partners.

In a micro sense, while serving as a flag officer at U.S. European Command, I worked closely with the State Department and USAID country teams in the Baltics, Balkans and Caucuses, and in this role, I supported the positive progress of U.S. democracy and stabilization efforts in these nascent and transitioning democracies. This assignment taught me the valuable role that the U.S. Government, and, more specifically, USAID, has in building stable, resilient democracies, and how the development of these democracies contributes to the stable international order the United States both supports and relies on.

*Diversity*

*Question 5.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I commit to fully supporting and empowering my staff, to benefit their development, as well as that of the Bureau and the Agency.

*Question 6.* What steps will you take to ensure each of the supervisors in the DCHA Bureau are fostering an environment that is diverse and inclusive?

Answer. It is important for leaders to foster a culture of respect and accountability. I am committed to creating opportunities for diverse voices and ideas to be heard and valued as we tackle serious development and humanitarian challenges. These are the principles I intend to model, and to foster, across all levels of leadership in the Bureau for Democracy, Conflict and Humanitarian Assistance (and its successor structures if Congress approves the Agency's Transformation).

*Conflicts of Interest*

*Question 7.* Do you commit to bring to the committee's attention (and the USAID Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR JEANNE SHAHEEN

*Question 1.* USAID has reportedly pressed for refugee-related resources in the MRA account to be shifted from State to AID. What is the rationale for this, and would this not simply handicap and debilitate the humanitarian voice within the State Department?

Answer. I understand the administration has made no decisions regarding the management of humanitarian assistance between the U.S. Department of State and the U.S. Agency for International Development (USAID).

Staff have briefed me that, in response to the President's request to maximize Government-wide efficiencies and promote corresponding organizational change, USAID and the Department of State have been exploring various options to harmonize humanitarian policy and ensure the most efficient and effective use of U.S. taxpayer dollars to deliver relief around the world. Both the Department of State and USAID can play important roles in this regard.

*Question 2.* Section 491 of the Foreign Assistance Act makes clear that the International Disaster Assistance account is a needs-based humanitarian account, to be used to aid “those most in need.” Unlike other foreign assistance streams, IDA allocations may not be driven by political or strategic considerations. Can I have your assurance that under your oversight, USAID’s use of the IDA account will adhere to this legislative requirement?

Answer. I understand the U.S. Agency for International Development (USAID) strives to provide IDA-funded humanitarian assistance on the basis of need. If I am confirmed, USAID will continue to do so under my oversight.

*Question 3.* Credit unions and other types of cooperatives operate according to democratic principles and have a proven track record of promoting local self-reliance and democratic governance. For example, USAID is working with Ukrainian credit unions to help promote democracy and economic stability during Ukraine’s ongoing civil war, and USAID is working with credit unions in Haiti to help better promote democracy, strengthen Haitian civil society, and reduce conflict in that nation. If confirmed, how will USAID increase its use of local, democratic organizations like credit unions and other cooperatives in order to help better promote democracy and reduce conflict around the world?

Answer. I understand that the U.S. Agency for International Development (USAID) supports credit unions and other cooperatives to advance a range of goals, such as expanding access to financial services in rural areas and helping countries strengthen their agricultural potential. I believe these efforts help build the capacity of local citizens and institutions to manage resources for the betterment of their communities, and reinforce important democratic principles of inclusion and citizen-responsive governance. If confirmed, I am committed, alongside the Administrator, to ensuring that effective local solutions and citizen-responsive governance are a central focus of USAID’s mission to support partner countries on their journey to self-reliance.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR TODD YOUNG**

*Question 1.* Based on your preparation for your nominations and this hearing, can you provide an update on the humanitarian situation in Yemen, particularly in and around the port of Hodeidah?

Answer. Yemen is facing the largest humanitarian crisis in the world, which stems from the ongoing conflict that broke out in March 2015. Nearly 76 percent of the country—or more than 22 million people—needs humanitarian aid, and more than two million people are unable to return home after fleeing for safety.

Regarding Hudaydah, I understand that, because Yemen has traditionally imported 90 percent of its food, and most of its fuel and medicines, through its Red Sea ports, Hudaydah is critical to both humanitarian and commercial supplies. USAID’s Famine Early-Warning System has cautioned that any conflict around Hudaydah could disrupt the operations of the port, and drive Yemen into famine. I am aware that the United States continues to urge all parties to continue to allow all humanitarian and commercial goods, including fuel, to enter Yemen through all points of access—including Hudaydah—and to allow humanitarian actors to move freely throughout the country to reach people in need.

*Question 2.* What do you see as the leading humanitarian concerns right now in Yemen?

Answer. I understand that access remains the overriding challenge to providing life-saving humanitarian assistance to Yemenis in need. Checkpoints, violence against humanitarian, and various bureaucratic impediments need to end. The conflict, in combination with these impediments, has left more than 1.4 million people in hard-to-reach areas.

*Question 3.* Do you believe all parties to the conflict have a responsibility to provide full and unfettered humanitarian access?

Answer. Yes, I believe all parties must provide free and unfettered humanitarian access into and throughout Yemen.

*Question 4.* If the civil war continues, how do you see this impacting the humanitarian situation there?

Answer. I expect further loss of life, increasing food insecurity and spread of disease.

*Question 5.* Do you agree that sustainable progress in the world's largest humanitarian crisis will require an end to the civil war?

Answer. Yes, I believe humanitarian assistance alone will not solve the situation in Yemen. Rather, we must continue to work towards a lasting, political solution to this conflict.

*Question 6.* If confirmed, will you keep me and my office regularly updated on developments related to Yemen?

Answer. Yes, I will.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR EDWARD J. MARKEY**

*Democracy Programs*

*Question 1.* Democracy is coming under attack internationally, as China and are actively undermining liberal democracies around the world, as well as this model of government, more generally. A narrative exists that efforts to create or improve democratic systems can and should be de-emphasized for the sake of increasing stability within a country. Do you accept the premise of the narrative described above? That is, how should the United States weigh the tradeoffs between democracy and stability? Do you believe that democracy promotion can be counter-productive? If confirmed, how would you address the critique presented by those who prioritize stability over the system of democracy and the rights and freedoms associated with it?

Answer. No, I emphatically do not accept the premise that de-emphasizing efforts to improve democratic systems will increase stability. Instead, I believe that improving a country's citizen-responsive governance will inevitably bolster its long-term stability.

I understand the new approach of the U.S. Agency for International Development (USAID) to promote the self-reliance of partner countries includes a significant emphasis on the role of democratic institutions, processes, and principles as the basis for sustainable development. The premise is that citizen-centered, democratic governance—while not always quick or easy—offers the most-reliable pathway to make durable improvements in people's lives, drives higher levels of economic innovation, and prevents or moderates social conflict.

This approach stands in stark contrast to an emerging authoritarian model, often propagated by Russia and China, that corrodes rules-based systems, entrenches corruption, discounts the voice of citizens, and erodes individual liberties. As history has proven time and time again, that formula is not a recipe for success—in fact, it makes the world a more-dangerous place for advancing America's interests. Many of the crises to which USAID is responding are a byproduct of exclusionary politics, poor governance, corruption and impunity, weak civilian institutions, and the absence of political accountability. If confirmed, I will make it a priority to advance democracy and stability as compatible and self-reinforcing policy objectives. I will also leverage the talents in across the Agency to strengthen assistance in democracy and governance in fragile and conflict-affected states.

*Question 2.* Our leadership in promoting democracy is long-standing, and based on values we espouse. We value individual liberties, freedom of expression, mutual respect and tolerance. I believe our programs are complicated when our senior-most officials make public comments opposed to these values. Comments made by the President that impugn journalists, criticize individuals for expressing themselves during the national anthem, and denigrate minorities and women complicate our efforts to be a leader on democratic principles. And we have seen authoritarian leaders use the President's comments to justify their own policies. Last year, Cambodian president Hun Sen said he sympathized with President Trump's views on journalists, calling them an "anarchic" group. If confirmed, how do you plan to respond to foreign counterparts who state that some of the President's tweets and comments appear to be antithetical to foundational democratic principles? Do you see the President's comments limiting the effectiveness of our democracy promoting activities?

Answer. I have spent 33 years in the U.S. Government, including 32 years on active duty in the U.S. military, defending the rights of the American people and our allies and partners, including their rights to all forms of individual liberty, freedom of expression, mutual respect and tolerance. I am comfortable framing my discussions with foreign counterparts in language that reflects my personal experiences,

and will espouse the core values of the American people in all such engagements. I place little value in the words of autocratic thugs like Hun Sen, whether they happen to support my immediate point of view or not.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR ROB PORTMAN**

*Post-Soviet Countries*

*Question 1.* What could the United States do better to promote democracy and good governance in the post-Soviet space, particularly Central and Eastern Europe?

Answer. The U.S. Agency for International Development (USAID) must continually learn from, and adapt, its programs to better promote democracy and citizen-responsive governance. The Kremlin has pursued a set of measures to undermine democratic institutions and the rule of law in Central and Eastern Europe, and to spread disinformation.

To respond to the Kremlin's actions, I understand that USAID has prioritized resources to create local news exchanges and networks of independent media outlets. Additionally, USAID staff have briefed me that programs like the Prague Center and the Balkan Trust for Democracy bring civic activists together from throughout the region to learn best practices and build the capacity of their organizations to counter malign influence in their own countries and communities.

I also understand that USAID is working to finalize a Countering Kremlin Influence Development Framework, which identifies challenges and sets priorities for promoting democracy in the presence of this external malign influence. If confirmed, I look forward to working with my colleagues at USAID, and with Congress, on how we can push back against Kremlin aggression in the region.

*Question 2.* Does significant Russian involvement in these countries complicate or impede U.S. efforts to support democracy and good governance? Do you believe that Russia has an interest in encouraging corruption and undermining democratic institutions in the countries in its “near-abroad”?

Answer. Yes, Russian actions and interference in Europe and Eurasia create significant challenges for U.S. efforts to support democracy and good governance. It is clear the Kremlin is increasingly drawing on a wide array of tools to undermine democratic institutions and processes, weaken the rule of law, and spread disinformation.

I believe that Russia has an interest in encouraging corruption and undermining democratic institutions in the countries in its “near-abroad,” and that the Kremlin exploits the internal corrupt practices of other countries for its own political and economic advantage.

*Question 3.* Specifically in Ukraine, what can DCHA do to promote good governance and fight corruption?

Answer. Years of conflict, Russian aggression and influence, and deep, systemic legacies of corruption continually threaten Ukraine's commitment and capacity to make progress. If confirmed, I will work to ensure that the Bureau of Democracy, Conflict, and Humanitarian Assistance (DCHA) within the U.S. Agency for International Development (USAID) continues to promote U.S. foreign-policy objectives by supporting citizen-responsive governance; fighting corruption; and building the capabilities of local government to be effective, responsive, and impactful.

For example, I understand that the USAID/DCHA Office of Transition Initiatives (OTI) works in Eastern Ukraine to ensure citizens have greater confidence in Ukraine's democratic reform and roadmap for European integration. In Ukraine's Eastern Oblasts of Kharkiv, Donetsk and Luhansk, USAID/OTI worked with local governments to establish Administrative Service Centers (ASCs), which provide over 100 necessary services related to registration, licensing and identification that previously required bribes, and involved long waits, visits to multiple locations and poor treatment by bureaucrats. By reinforcing reform efforts, these initiatives not only help promote good governance and transparency, but also work to dispel narratives (propagated by the Kremlin) that the Ukrainian Government's reform efforts have failed.

*Question 4.* Which countries in this region do you believe should be of particular concern for DCHA?

Answer. I am concerned with democratic-backsliding trends in the Europe and Eurasia region. In addition to long-standing authoritarian regimes in Belarus and Azerbaijan, numerous countries in the region, such as Serbia and Bosnia, are expe-

riencing increased suppression of media and civil society, disruptive and destabilizing Russian influence, and growing nationalist tensions. Yet other countries in the region, such as Macedonia and Armenia, are on the cusp of a democratic renewal. I believe the United States should support these positive, early-stage trends so that nascent reforms can take root and grow into systemic changes that produce stronger democracies. I also see Ukraine and Georgia as critical, priority countries for promoting democratic stability in the region.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MARK MONTGOMERY BY SENATOR CORY A. BOOKER**

*Democracy promotion and U.S. leadership*

*Question 1.* For many years the United States has played a leadership role in promoting and supporting democratic development around the world. I believe in this effort. However, recently there has been a phenomenon referred to as democratic backsliding, which describes the increased restrictions that many civil society leaders, political leaders, journalists, and activists have faced around the world. In fact in our own country, challenges to our own democracy have become more evident in the past several years. In supporting democratic development around the world, how does our own country's current challenges upholding democratic institutions and practices impact your efforts to encourage such reforms abroad?

*Answer.* Democratic-backsliding is a global phenomenon, characterized by increasing governmental constraints on fundamental freedoms, including freedom of speech, religion and association. A new, more-sophisticated form of authoritarianism that uses subversive tactics to undermine the legitimacy of democratic institutions exacerbates this trend. Democratic deficiencies in other countries also contribute to some of the biggest threats to U.S. national security, including violent extremism, armed conflict, and transnational organized crime, because terrorists, criminal organizations and others exploit vulnerabilities created by weak rule of law, unchecked corruption and ineffective governance. U.S. leadership and partnership with like-minded governments will continue to be critical to safeguarding democracy abroad.

*Question 2.* How can we effectively fight back against the democratic backsliding that is happening around the world today?

*Answer.* I understand that the U.S. Agency for International Development (USAID) has carefully assessed the drivers of backsliding and developed programmatic responses, including by lending critical support to civil-society organizations, human-rights groups, and free and independent media outlets to build awareness and pressure national authorities to reverse deteriorating social, economic, and political conditions.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BONNIE GLICK BY SENATOR ROBERT MENENDEZ**

*Conflicts of Interest*

USAID provides assistance, and has active missions, in several countries where the Trump Organization has or is pursuing real estate and other business developments, many of which require approval and/or cooperation from the central government or state owned industries.

*Question 1.* What steps do you believe USAID should take to ensure that a country's receipt of foreign assistance has no influence on a foreign government's dealings with the Trump Organization, and vice-versa?

- Does USAID have such a policy in place?
- If not, would you be responsible for developing it?
- If confirmed, will you assure this committee that you will work to ensure that USAID's foreign assistance will in no way be influenced by the President's private business dealings or that of the Trump organization?

*Answer.* I believe it is critically important that the U.S. Agency for International Development (USAID) maintain competitive and transparent processes for providing grants, cooperative agreements, and contracts. If confirmed, I will work to ensure that USAID avoids conflicts of interest, including the appearance of a conflict.

*Democracy Promotion*

Helping grow democratic and citizen responsive governance abroad underpins the success of U.S. relief and development missions.

*Question 2.* What are the most important actions you have taken in your career to date to support democracy and human rights?

- What has been the impact of your actions?

Answer. Among the duties of my first overseas tour in Addis Ababa, Ethiopia, was to serve as the U.S. Embassy's Human Rights Officer, and to draft our submissions on Ethiopia for the State Department's annual Report on Human Rights. I was the only Foreign Service Officer in the Embassy trained in the Amharic language, which gave me access to populations around the country who did not speak English. I frequently traveled around the country, either on my own or with a colleague from another foreign embassy (often the The Netherlands), to investigate reported violations of human rights committed by the recently deposed dictatorship, including politically motivated imprisonments, torture, false imprisonment, and others. I reported on these up the chain of command at the State Department, but the American Ambassador in Ethiopia also took seriously the human-rights violations being committed by the new Ethiopian Government, and raised concerns on a regular basis with the fledgling leaders themselves, by using information I had gathered.

Human rights and democracy relate to more than just political abuses. They have to do with the way individuals interact with each other, in the workplace, in communities, in countries. During my time in the non-profit sector, much of my work focused on international exchange programs designed to address populations who were vulnerable in their own countries. I ran programs for Iraqi university students from various parts of the country that were designed to build bridges across ethnic, religious, and cultural divides. Bringing more than 100 Iraqi college students to the United States each year, breaking them up into four to five different, religiously/ ethnically/geographically/economically diverse cohorts, and sending them to study in universities across our country was a great way to promote understanding. This program brought together these future leaders of Iraq, women and men who had never met before, and who would never have met in their own country, and, through them, I saw a promising future Iraq. In 2016, when I convened a summit of the alumni of the program in Erbil, I was astounded to see how wonderfully the students had matured, and how they came to understand that the prejudices with which they were raised were dispelled when they had friends who represented previously "hated" communities.

Similarly, I ran a program in which high-school-aged Pakistani girls came to the United States to participate in a science program with American girls at the State University of New York Polytechnic Institute in Albany, where they learned from leading scientists and professors. The opportunity for the brilliant young Pakistani girls to be exposed to a science environment in which they were not judged by their gender was new to them, and they went back to Pakistan convinced of the need to empower girls, and to be spokeswomen for their gender in the sciences. I have no doubt they will do great things in computer science, medicine, and beyond.

If confirmed, I will be committed to promoting human rights and democracy around the world, because democracy underpins all of work of the U.S. Agency for International Development.

*Question 3.* What issues are the most pressing challenges to democracy or democratic development around the globe? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. A major challenge is the continuing trend of democratic-backsliding, characterized by increasing governmental constraints on fundamental freedoms, including freedom of speech, religion and association, as well as abuses of human rights. The rise of a new, more sophisticated form of authoritarianism that uses subversive tactics to undermine the legitimacy of democratic institutions is exacerbating these trends. In places like Cambodia, where the Hun Sen regime has banned the only credible political opposition and civil society is under duress, the authoritarians have become savvy in creating the veneer of democratic processes while prolonging their rule. In some African countries, democratically elected leaders are also changing the rules—often through Constitutional amendments—to expand the scope of their power and the length of their terms.

Democratic deficiencies in other countries also contribute to some of the biggest threats to U.S. national security, including violent extremism, armed conflict, and transnational organized crime, because terrorists, criminal organizations and others

exploit vulnerabilities created by weak rule of law, unchecked corruption, and ineffective governance. Within our own Hemisphere, we are witnessing endemic corruption, economic mismanagement, and political repression drive instability in Venezuela and Nicaragua. I understand that the U.S. Agency for International Development (USAID) is lending critical support to civil-society organizations, including human-rights groups, and free and independent media outlets to build awareness and pressure authorities to reverse deteriorating social, economic, and political conditions.

*Question 4.* What steps will you take—if confirmed—to support democracy globally? What do you hope to accomplish through these actions?

Answer. If confirmed, I will be committed to implementing the mission statement of the U.S. Agency for International Development (USAID), particularly its commitment to strengthening citizen-responsive, democratic governance abroad. I know this is a priority for Administrator Green, and I wholeheartedly endorse the steps he has already taken to address serious democratic challenges around the world. Because good governance is key to all development work, I would keep it in the forefront of my work to achieve two key outcomes: mitigating the risks of democratic-backsliding; and helping countries move forward in their Journey to Self-Reliance through citizen-responsive, democratic governance.

*Question 5.* What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The same technologies that offer opportunities for strengthening democracy can be repurposed as impediments to democracy, as authoritarian regimes develop and share tools to spread disinformation, manipulate elections, and discredit democratic institutions. The U.S. Agency for International Development often provides democracy assistance in challenging, fragile, and conflict-prone environments. I understand the Agency must continually adapt to address emerging obstacles, with long-term engagement and support in mind as a method for making gains over time.

*Question 6.* How will you utilize U.S. Government assistance resources at your disposal to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will be committed to using U.S. Government resources available to implement the mission statement of the U.S. Agency for International Development, which includes an explicit commitment to strengthening citizen-responsive, democratic governance abroad. Among the priorities I envision are the following: 1) developing effective approaches to emerging issues and priorities within the democracy sector, including religious freedom, disinformation, and authoritarian influence; 2) strengthening rapid-response capabilities in fragile and transitioning political contexts; and 3) expanding the integration of democracy, rights, and governance principles in other development sectors, because participatory and inclusive approaches make for more sustainable and effective development outcomes.

*Question 7.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society when you travel abroad?

Answer. Yes. If confirmed, I commit to meeting with civil-society and human-rights organizations, both in Washington, D.C., and during my travels abroad.

*Question 8.* What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. I understand that the U.S. Agency for International Development has funded programs to defend and improve the legal environment and expand civic space around the world, such as the Non-Governmental Organization (NGO) Legal Enabling Environment Program (LEEP), which promotes a more welcoming legal and regulatory environment for civil-society organizations and responds swiftly to NGOs by providing technical assistance on laws and regulations that affect them.

*Question 9.* If confirmed, do you commit to meet with political opposition figures and parties who support democratic governance?

Answer. Yes. I commit to meeting with democratically oriented political figures and parties, both in Washington, D.C., and during my travels abroad.

*Question 10.* What steps will you take to encourage genuine political competition?

Answer. I believe that political competition is an essential element of democratic governance, and I understand that the U.S. Agency for International Development funds extensive programming to foster genuine political competition in a number of the countries. If confirmed, I commit to support critical programs that strengthen

political parties, improve the administration of elections and dispute-resolution institutions, provide credible and impartial domestic and international observation of elections, conduct civic and voter education, and prevent and mitigate election-related violence.

*Question 11.* Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes. If confirmed, I will be a staunch advocate for access and inclusivity for women, minorities and youth within political parties. Diversity of all sorts, particularly the diversity in viewpoints offered by these and other population segments, are critical voices to be heard as countries continue on their Journeys to Self-Reliance.

*Question 12.* Will you actively support freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures?

Answer. Yes, if confirmed, supporting freedom of press will remain one of my priorities. The U.S. Agency for International Development has historically recognized the important role that an independent press plays in citizen-responsive governance, and is one of the largest donors for the development of pluralistic, diverse, independent media systems.

*Question 13.* Will you commit to meeting regularly with independent, local press when you travel abroad?

Answer. Yes.

*Question 14.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors around the world?

Answer. Yes. If confirmed, I commit to continuing engagement with civil society to counter disinformation and propaganda.

*Question 15.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people, no matter their sexual orientation or gender identity?

Answer. Yes. Administrator Green has been clear that inclusion is one of the core values of the U.S. Agency for International Development, and that non-discrimination toward beneficiaries is a basic principle of development. I wholly agree, and commit that I will defend the human rights and dignity of all people across the globe, no matter their sexual orientation or gender identity.

*Question 16.* What specifically will you commit to do to help LGBTQ people around the world?

Answer. I understand that the U.S. Agency for International Development (USAID) continues to implement its comprehensive, inclusive non-discrimination policies for the beneficiaries of contracts and grants. If confirmed, I will support the implementation of these policies.

Administrator Green has also elevated the importance of inclusive development approaches to help ensure that all marginalized groups in developing countries participate in, contribute to, and benefit from USAID's development efforts. If confirmed, I will support this approach.

#### *Climate Change*

*Question 17.* Climate change is an emerging threat the Department of Defense refers to as a "threat multiplier." Do you believe that human activities, such as the burning of fossil fuels and other activities that release greenhouse gases into atmosphere is contributing to the increase global average temperatures?

- If not, do you intend to change USAID policy and programming that addresses the challenges around climate change according to your views on climate change?

Answer. I believe that the climate is changing, and that it has always been changing. I understand that the U.S. Agency for International Development (USAID) looks at climate change and other environmental challenges through a development lens, and that the Agency continues to work with its partners around the world to help them deal with the impacts of extreme weather events and a changing climate.

*Question 18.* When USAID seeks improve global food security and examines climate change's role in increasing drought risks, or how sea level rise may infiltrate underground fresh water aquifers, or how climate change is affecting the range of disease vectors like mosquitos that carry malaria. do you believe it is not necessary,

or wrong, to account for what scientific data is telling us about climate change risks?

Answer. I understand that a core principle of the development policy and programming of the U.S. Agency for International Development (USAID) is that it applies analytic rigor to support evidence-based decision-making. Staff have briefed me that USAID actively incorporates consideration of climate conditions into its country strategies and processes to design projects and activities, to ensure its portfolio of investments does not have a negative impact on the environment and positively helps to build the resilience of communities and countries in the long term. Proactively managing the risks of weather-related shocks and stresses, such as droughts, floods, and shifting rainfall patterns, also reduces the need for costly disaster response. During my time in IBM's Research Division, scientists actively looked at ways to predict weather patterns and to plan accordingly. If confirmed, I hope to work with experts in industry and academia to find ways to plan resilient responses to climatic shocks.

#### *An Independent USAID*

*Question 19.* Throughout the first year of the Trump administration, the administration sought to subsume USAID into the State Department. Do you believe that USAID should be an independent agency?

Answer. Yes, I believe the U.S. Agency for International Development should remain an independent Agency.

*Question 20.* How important to the mission and success of USAID, do you believe us associated with maintaining USAID's development missions separate from, but adequately coordinated with, State Dept.'s diplomatic and political missions?

Answer. I believe it is critical for the development mission of the U.S. Agency for International Development (USAID) to remain separate from, but coordinated with, the mission of the Department of State. This allows USAID to focus on long-term development programs while closely planning with the Department of State to ensure these investments align with diplomatic priorities and policy goals.

*Question 21.* If confirmed, will you work ensure that USAID remains independent?

Answer. Yes.

*Question 22.* If confirmed, will you work to defend USAID's ability to determine its own priorities and develop its own strategic approaches to achieving its missions?

Answer. Yes. If confirmed, I will be a strong advocate for the ability of the U.S. Agency for International Development (USAID) to fulfill its critical mission and help our partner countries make progress on their Journeys to Self-Reliance.

#### *USAID Budgets*

*Question 23.* Two years in a row, the President proposed to cut USAID's budget by nearly 40 percent. Do you believe USAID can do its job effectively under the budgets the President has proposed for the Agency?

Answer. If confirmed, I pledge to work to advance the core priority of the U.S. Agency for International Development—advancing America's interests through our foreign assistance. While I was not involved in the formulation of previous budget requests, I believe that the Agency's work must directly improve humanitarian and development outcomes, in ways that are clearly measurable and easily evaluated, and should be designed to contribute to the self-reliance of our partners.

*Question 24.* Understanding that needs may (or will) always be greater than the sums of funds provided, do you believe this is a reasonable excuse for not requesting funds that more closely or accurately reflect USAID's needs?

Answer. If confirmed, I look forward to engaging in the budget process for Fiscal Year 2021. I look forward to supporting Administrator Green in efforts to ensure the U.S. Agency for International Development is targeting its investments at critical development and national-security needs and that the funding generously appropriated by Congress directly advances America's national interests and economic prosperity.

*Question 25.* What should USAID do differently to convince to budget decision makers within the White House, National Security Council and the Office of Management and Budget to provide a better and more realistic budget for USAID?

- Should USAID lean more heavily on its private sector partners to help convey the value of development to the White House, National Security Council and OMB?

Answer. I believe that the efforts by the U.S. Agency for International Development (USAID) to reduce poverty, strengthen citizen-responsive governance, and help people and countries progress beyond assistance must advance our national security, economic prosperity, and national values. If confirmed, I look forward to working with Administrator Green to diversify USAID's partner base so the Agency engages with new actors—including those in the private sector—to work collectively to improve the delivery of foreign assistance and the impact of our development dollars.

I also expect to speak with groups domestically to educate Americans across the country about the importance of development and humanitarian assistance. Most Americans believe that the foreign-assistance budget represents between 20 and 30 percent of overall Federal spending. When they learn that it is less than one percent, and when they learn what we accomplish with that small investment and how it improves our national security, helps create economic opportunity for U.S. firms, and promotes American values, they can become some of our strongest advocates to the White House, the Congress, and beyond.

*Question 26.* If confirmed, will you commit to working on improving perceptions within the Trump administration on USAID's value, and the value of development to advancing U.S. foreign policy objectives and national security?

Answer. If confirmed, I will advocate within the administration for the resources that are critical to advancing the mission of the U.S. Agency for International Development, including promoting and demonstrating American values abroad, and advancing a free, peaceful, and prosperous world in which we are safer and more secure.

#### *Rescission*

*Question 27.* This administration continues to take steps to drastically reduce our foreign aid, in direct contravention of Congressional intention. If confirmed, will you commit to advocating against these efforts, including OMB efforts to submit further rescission packages to Congress?

Answer. If confirmed, I will be a strong advocate for the U.S. Agency for International Development, to ensure it has the tools and resources needed to fulfill its mission in advancing U.S. national security, U.S. economic prosperity, and American values. I look forward to working with the interagency and the Congress to further our shared objectives.

#### *Policy on Only Providing U.S. Foreign Assistance to “Our Friends”*

*Question 28.* This week, at the United Nations General Assembly meeting, President Trump echoed a call he made in his 2018 State of the Union to only provide foreign assistance to “our friends.” What do you think the President means when he refers to “our friends”?

- If you do not know, would you ask the President, or the White House what defines “our friends” and include the answer in your response to these questions?
- Do you believe U.S. foreign assistance should be conditioned on how countries vote at the U.N.?
- To the best of your knowledge has USAID received or requested any policy guidance from the White House on the “our friends” policy the President recently restated?
- If so will you please articulate this policy to the committee?
- Is USAID following any orders that reflect the President’s wishes with respect to this statement?
- How do you believe a policy that “ensure[s] American foreign assistance dollars always serve American interests, and only go to our friends” would, or should, be carried by USAID?
- Do you believe the U.S. should limit diplomatic and development engagements to our “friends”?
- Who are our “friends”?
- Would you agree that disengaging with a number of around the world could create opportunities for our global competitors like Russia and China, or extremist elements like Boko Haram and ISIS, to fill the void we create?

Answer. As echoed in President Trump’s remarks before the United Nations (U.N.) General Assembly (UNGA), the United States should always seek strong and sovereign global partners. The U.S. Agency for International Development (USAID) can be most-effective in its development efforts by supporting countries on their Journeys to Self-Reliance, by building enduring partnerships and cultivating fellow donors.

I have not received any information from the White House regarding the President's remarks at UNGA. I believe that foreign aid is integral to promoting our foreign-policy objectives. Helping our allies is important, but we must also recognize that sometimes foreign aid can be useful to create and cultivate potential new allies in the future.

For example, I understand that USAID is committed to helping civil society and defenders of human rights in Cuba, even though, according to the Department of State, Cuba voted with the United States 17 percent of the time in 2017 at the U.N. In my view, we should not automatically cut funds to programs in a country just because its government votes against us at the U.N. I understand the money USAID spends in Cuba does not go to the Castro regime, but precisely the opposite: it helps the Cuban people, especially the families of dissidents and political prisoners. I see this type of support as in the national-security interest of the United States. I believe the Trump administration is committed to helping the Cuban people, as shown by the President's National Security Presidential Memorandum NSPM-5 of June 16, 2017, "Strengthening the Policy of the United States Toward Cuba," which clearly supports programs to build democracy in Cuba.

We all know that development needs will always be greater than available resources, and the U.S. Government will have to make strategic funding decisions about where to focus its resources. By using a data-driven approach, I believe USAID will be able to articulate, from a development perspective, the countries that possess the greatest capacity for, and commitment to, managing and financing their own development, as well as the key barriers to this self-reliance. By using these data, I foresee that USAID can strategically focus its investments to help countries to develop strong and resilient economies and societies.

#### *Foreign Assistance Review*

*Question 29.* It is my understanding that the National Security Council and OMB are undertaking a review of U.S. Foreign Assistance. What do you believe is motivating this review?

- Will you pushback against any claims that devalue or distort the impact of development assistance that maybe made in this forthcoming report?

Answer. I am also aware the Trump administration is undertaking a review of U.S. foreign assistance, although I have not been involved in the process.

I understand the U.S. Agency for International Development (USAID) is constantly reviewing its use of foreign assistance to ensure it is being an effective steward of taxpayer dollars, and to ensure that its programs advance U.S. national security, U.S. economic prosperity, and American values.

If confirmed, I would support any thoughtful review of assistance, especially if it focuses on improving the effectiveness and efficiency of USAID.

#### *Defense, Diplomacy, and Development*

*Question 30.* The "Three Ds—Defense, Diplomacy, and Development," is a long-standing approach the U.S. has taken to executing U.S. foreign policy. What is your opinion of the Three Ds—Defense, Diplomacy and Development and what is vision to elevate both diplomacy and development in an administration where generals have driven national security and foreign policy thus far?

- Do you agree that each of the Three Ds—Defense, Diplomacy and Development are separate and equal tools in the President's foreign policy toolkit?

Answer. I support the defense, diplomacy and development "Three D's" approach to international affairs, and I agree that each of the "Three D's" is an important tool in the President's national-security and foreign-policy toolkit. I had the chance to see the importance of all "Three D's" first-hand while serving as a Foreign Service Officer at the U.S. Department of State. I believe the U.S. Agency for International Development has a critical role to play in our national security, and, if confirmed, I will be a forceful advocate for development and diplomacy in the inter-agency.

#### *Diplomacy, Development and National Security*

Effective international development fosters stability, generates goodwill, and creates opportunities in developing countries. The (December) 2017 National Security Strategy acknowledges this fact by stating: "Some of the greatest triumphs of American statecraft resulted from helping fragile and developing countries become successful societies. These successes, in turn, created profitable markets for American businesses, allies to help achieve favorable regional balances of power, and coalition partners to share burdens and helped create a network of states that advance our common interests and values."

*Question 31.* If confirmed, how will you support the elevation of development as an equal and relevant tool to diplomacy within the State Department, at the National Security Council and in discussions across the White House?

Answer. Every country is on its own Journey to Self-Reliance, and the presence of the U.S. Agency for International Development (USAID) as part of each larger U.S. Embassy community, is tailored to each country's Journey. While USAID has general program areas (i.e., education, economic growth, maternal/child health, etc.) the success of each type of development program in each country is highly dependent on where that country is on its Journey. I understand that USAID is focusing on data-driven results, and I think that an open discussion of what this means and how it differs from diplomacy is important, as it will differentiate the work done by the Department of State and that done by USAID. Additionally, when the work done by USAID's partners is successful, these results should speak for themselves, and thereby help to maintain development as an equal and relevant tool in the national-security toolbox.

With the elimination of the "Development" Directorate within the National Security Council, many Congressionally endorsed Presidential Initiatives (like Power Africa and Feed the Future) that have significant development outcomes have been neglected.

*Question 32.* If confirmed, will you support these important initiatives and elevate their use as a tool for both national security and American prosperity?

Answer. If confirmed I commit to supporting Power Africa, Feed the Future, and other important Presidential initiatives, such as the President's Emergency Plan for AIDS Relief and Malaria Initiative.

I am a strong supporter of the work of the U.S. Agency for International Development (USAID) in food security, and thank this committee for its bipartisan support for Feed the Future. I understand that since Feed the Future started, an estimated 23.4 million more people are living above the poverty line, 3.4 million more children are living free of stunting, and 5.2 million more families no longer suffer from hunger. Feed the Future is a critical program, as investments in resilience and food security help combat the root causes of hunger and poverty, build more sustainable economies, and champion local solutions and entrepreneurs.

I also believe Power Africa has been a valuable and successful program—every dollar that USAID has invested in Power Africa projects has attracted over \$50 in private-sector resources, and the initiative has leveraged over \$16 billion in private-sector resources to projects to date, including through engagement with over 70 American companies. I believe energy is an area in which the United States has a comparative advantage in development, and hope to see USAID replicate similar efforts in other parts of the world. If confirmed, I am interested in better understanding how we can use Power Africa and other Presidential initiatives to incentivize good policies, capacity-building, citizen-responsive governance, open markets, and private enterprise in our partner countries by leveraging the financing and expertise of the American private sector.

*Question 33.* The 2017 National Defense Authorization Act includes several provisions (Sections 335, 583, and 1075), which illustrate a link between defense, diplomacy and development in preserving human rights, mitigating conflict and natural disasters, and protecting national security interests. If confirmed, how will you work across the Three Ds to recalibrate the National Security Strategy, and embrace a strategic approach to democracy, human rights and conflict being a strategic and national security interest of America?

Answer. I am broadly very supportive of the defense, diplomacy and development ("Three Ds") approach, as illustrated by the President's National Security Strategy and the Department of State-U.S. Agency for International Development (USAID) Joint Strategic Plan. These documents show that development is a core component, along with defense and diplomacy, of America's national-security and foreign-policy toolkit. Each of the "Three Ds" is critical to addressing strategically the challenges related to threats to democracy and human rights, as well as increased conflict around the world. An example of the "Three Ds" approach in practice is the recent Stabilization Assistance Review (SAR), endorsed by the leadership of the Departments of State and Defense and USAID. I believe the SAR articulates a coordinated approach to recognizing the strategic objectives of the U.S. Government in unstable contexts. If confirmed, I would be committed to continuing cooperation and coordination across the "Three Ds" in support of U.S. national-security interests.

*Question 34.* Do you agree that improving economic opportunity, health outcomes, food security, and addressing natural resource scarcity in developing and fragile countries reduces insecurity and instability risks?

Answer. Yes. I fully agree that addressing national-security challenges requires work to improve economic opportunities, health outcomes, and food security, and to remove barriers to accessing natural resources. If confirmed, I will continue to prioritize the work of the U.S. Agency for International Development in these areas.

*Presidential Initiatives*

U.S. foreign policy has prioritized diplomacy and development activities that engage public and private sector partners in eradicating global health pandemics, feed the world through agriculture and invest in small farmers, heighten trade and economic development, elevate the full rights of women and marginalized people and expand access to electricity to reduce poverty and power market growth.

*Question 35. What priorities will you advance?*

Answer. If confirmed, I commit to working to engage both the public and private sectors in addressing the development challenges faced by countries on their Journeys to Self-Reliance. As I noted in my written testimony, if confirmed, I will ensure the U.S. Agency for International Development maintains its focus on the promotion of democratic values and free elections, as the role of democracy and citizen-responsive government is critical to the Journey to Self-Reliance. Women's issues, including economic empowerment and health, are other areas to which I am fully committed, and which should remain priorities for USAID.

I also believe that our development projects must leverage the application of technology and technological solutions. Using technology can sometimes shorten timelines on projects, reduce the use of resources, and scale results. However, technology alone is not a solution—the capacity-building associated with technology-driven solutions, when directed at targeted countries, will enable citizens of those countries to sustain the technology-driven solutions. An infusion of technology into the Agency's work, when combined with technical assistance, will be another priority for me, if confirmed.

*Question 36. Do you support the extension of the following Presidential Initiatives: Power Africa, Feed the Future, the Young African Leaders Initiative, Let Girls Learn, and the President's Emergency Plan for Aids Relief?*

Answer. In preparing for my hearing, I received briefings on most of these initiatives, and, if I confirmed, I look forward to working with Administrator Green, and with Congress, to ensure the U.S. Agency for International Development (USAID) maintains gains in these areas, and continues to address global health, food security, education, the empowerment of women and girls, and other development challenges throughout the world. Regardless of the specific program, sector, or region, I pledge to do my utmost to ensure USAID remains a good steward of taxpayer dollars, and that the Agency uses the funding Congress appropriates it to maximize measurable impact on the ground, advance our national security, enhance U.S. economic prosperity, and promote American values.

*Gender Equity*

It has come to my attention that USAID has undertaken some steps to alter the terminology in gender-equity programming.

*Question 37. Do you believe there is a distinction between gender and sex?*

Answer. Yes.

*Question 38. What is your understanding of what gender equity means?*

Answer. "Gender-equity" is the process of being fair to women and men, boys, and girls. To ensure fairness, measures need to compensate for cumulative economic, social, and political disadvantages that prevent women and men, boys, and girls from operating on a level playing field.

*Question 39. What do you believe is the difference between women's equality and gender equity?*

Answer. I understand that the U.S. Agency for International Development uses the term "gender-equality" to mean the state or condition that affords men and women equal enjoyment of human rights, socially valued goods, opportunities, and resources. Genuine equality means more than parity in numbers or laws on the books; it means expanded freedoms, and improved overall quality of life for all people. Reaching gender-equality requires working with women, men, boys, and girls to bring about changes in attitudes, behaviors, roles, and responsibilities. Women's empowerment is a critical part of gender-equality. "Gender-equity" and "gender-equality" are different in that equity is the process, while equality is the result.

### *Diversity*

*Question 40.* If confirmed, what will you do to elevate and embrace the diversity of people, voices and backgrounds within the USAID's workforce?

Answer. I know that one of the core values of the U.S. Agency for International Development (USAID) is inclusion. As Administrator Green has said, a diverse workforce and differing viewpoints makes the Agency stronger and more creative, and improves its effectiveness. I believe that diversity is critical across USAID, but particularly in the Foreign Service, which is the American face of USAID around the world.

I believe that diversity of viewpoints in the workplace is crucial. We should not discount anyone's opinion because he/she does not conform to everyone else's point of view. This is how organizations generate the best ideas, recognize the best (sometimes shy) employees, and make progress. It is also important for our Foreign Service cadre to demonstrate the value of diversity in thinking to the rest of the world, and, if confirmed, I would strongly champion this approach.

*Question 41.* If confirmed, will you commit to fully support the full funding and maintenance of the Payne Fellows program, and diversity initiatives at large within the USAID?

Answer. Yes. I know that the U.S. Agency for International Development (USAID) is proud to support the Donald M. Payne International Development Fellowship program, which encourages the application of members of minority groups who have historically been under-represented in international development careers and those with financial need to complete their graduate programs and join USAID as Foreign Service Officers.

I understand that, since the Payne Fellowship began in 2012, USAID has sworn 18 Payne Fellows as Foreign Service Officers, including six in 2018, and that the Agency continues to recruit graduate students into the program. If confirmed, I commit to continuing to support the Donald M. Payne International Development Fellowship program.

*Question 42.* If confirmed, what will you do to support more minority candidates applying and successfully receiving promotions within the Senior Foreign Service?

Answer. I understand that one of the roles of the Deputy Administrator is to sit on the panel that reviews promotions to the Senior Foreign Service at the U.S. Agency for International Development (USAID). If confirmed, I would take an active role in ensuring that qualified officers, regardless of race, gender, religion, etc., receive fair consideration for promotion into the senior ranks of the Foreign Service at USAID.

### *Food Security*

We have seen in regions like the Horn of Africa skirmishes over grazing lands erupt, and food insecurity and extreme drought in places like Syria has been pointed to as a contributing factor to the violence that we see today. This violence in turn is ramping up food insecurity. There are currently four countries facing man-made famine or near famine conditions, stemming from prolonged instability, war, and conflict.

*Question 43.* If confirmed, what will you do to elevate the food continuum of food assistance (humanitarian assistance), resilience (both humanitarian assistance and development), food security (development assistance), and agricultural trade and investment (development assistance and development finance)?

Answer. I believe it is important to strengthen the links between the investments the U.S. Agency for International Development (USAID) makes in agricultural trade and entrepreneurship, resilience, food security, water and sanitation, humanitarian assistance and stabilization. I understand that as part of the Transformation designed by Administrator Mark Green, USAID is proposing several structural reforms to accomplish this task, including by establishing the Bureaus for Humanitarian Assistance, Conflict-Prevention and Stabilization, and Resilience and Food Security. The proposal includes the creation of an Associate Administrator for Relief, Resilience and Response (R3) to oversee these Bureaus, which I believe will further strengthen the continuum from humanitarian assistance, to resilience, and to food security. If confirmed, I look forward to working with the Administrator and Congress to implement these changes.

*Question 44.* Is it in the U.S. interest to help lead and initiate programs designed to improve food security?

Answer. Yes. As populations soar in many of the world's most-fragile and impoverished regions and new stresses and unplanned shocks increase the risk of food-

insecurity, investments in the creation of strong, resilient food systems are vital to U.S. national security.

*Question 45.* Is it in the U.S. interest to work towards addressing the causes of food insecurity, including growing scarcity of natural resources?

Answer. Yes. I understand that improving the management of natural resources is a key component of addressing food-insecurity sustainably, as reflected in the U.S. Government's Global Food-Security Strategy (GFSS). Continued stress on ecosystems, marine environments, fisheries, and the land, water, and natural resource base upon which productive agriculture relies, as well as the complex intrastate governance challenges related to water resources, pose challenges to food security. If confirmed, I look forward to ensuring that the U.S. Agency for International Development implements the priorities outlined in the GFSS strategically to reduce poverty and hunger.

*The Risks Associated with Politicizing U.S. International Development*

The slogan "America First" advances a political message that emphasizes the advancement of singular U.S. interests in our foreign policy that runs the risk of complicating U.S. development initiatives. Successful international development programs depends upon the ability of our private sector and NGO implementing partners and the credibility they have abroad. "America First" risks putting forward the appearance that U.S. companies and NGOs are political operatives of the U.S. Government, and puts them at greater risk of being targeted by the extremist influences their work is counteracting.

*Question 46.* What is your understanding of the differences between political and strategic objectives in U.S. foreign policy?

- Do you believe U.S. development assistance should only be used to advance political objectives in U.S. foreign policy?
- When is it appropriate to use development assistance to advance political priorities in foreign policy?
- Should the delivery of U.S. development assistance be a shared endeavor with NGO and private sector partners?
- How do you think foreign leaders, including U.S. adversaries who are competing with us for influence in vulnerable and strategic countries, interpret and process the "America First" doctrine?
- Do you believe the U.S. private sector should be political agents of the Trump administration?
- Do you understand why U.S. development partners may be anxious about how "America First" complicates their work and risks giving the appearance that they are political agents at the service of the United States Government when they help administer development assistance on-the-ground?
- If confirmed, will you commit to working with development stakeholders to understand better the value of development assistance and the consequences of overexposure of the "America First" doctrine?

Answer. The President has said, "America First does not mean America alone," but he has also been clear that the United States is the largest donor of foreign aid, and has called on other countries to step up their development contributions.

I believe that U.S. development assistance is critical to advancing our national security and economic prosperity, and to promoting our values of democracy, human rights, and freedom abroad. I also believe that partners—including non-governmental organizations, faith-based organizations and the private sector, and academia—are critical to the development and humanitarian work of the U.S. Agency for International Development (USAID). I am pleased that USAID is working to diversify its partner base to expand work with the private sector and faith-based organizations, and if confirmed, I will support this important effort.

Power Africa has shown us the impact of the private sector—every dollar USAID has invested in Power Africa projects has attracted over \$50 in private-sector resources, and the initiative has leveraged over \$16 billion in private-sector resources to projects to date, including through engagement with over 70 American companies. I believe energy is an area in which the United States has a comparative advantage in development, and hope to see USAID replicate similar efforts in other parts of the world. If confirmed, I am interested in better understanding how we can use Power Africa and other Presidential initiatives to incentivize good policies, capacity-building, citizen-responsive governance, open markets, and private enterprise in our partner countries by leveraging the financing and expertise of the American private sector. The potential to transfer the Power Africa model into other sectors and other geographic areas is something I would be interested in exploring.

if confirmed. The use of best practices and proven successes should help to guide USAID as it considers scaling a diverse range of programs worldwide.

I also believe the people who receive our assistance should know it comes from the American people, and this is why I strongly support branding our aid.

#### *Oversight and Vetting*

*Question 47.* Has anyone ever made an allegation of sexual harassment, gender or racial discrimination, hostile work environment, or wrongful termination against you, whether through an informal process, or a formal complaint?

Answer. No, not to my knowledge.

*Question 48.* If so, what was the nature of the allegation, and how was it resolved?

Answer. Not applicable (N/A).

*Question 49.* Have you entered into any settlements (including but not limited to private mediation or arbitration) involving a claim of sexual harassment, gender or racial discrimination, hostile work environment, or wrongful termination against you?

Answer. No.

*Question 50.* If so, please include the nature of the claim and the settlement amount.

Answer. N/A

*Question 51.* Has anyone ever made an allegation of sexual misconduct or assault against you?

Answer. No, not to my knowledge.

*Question 52.* If so, what were the circumstances and how was it resolved?

Answer. N/A

*Question 53.* Have you ever taken any disciplinary action against any employee that you supervised in response to any allegations of sexual harassment, gender or racial discrimination, or hostile work environment in the workplace?

Answer. No.

*Question 54.* If so, please describe your role and the actions taken.

Answer. N/A

*Question 55.* What will you do to address any claims of sexual harassment, discrimination, hostile work environment, or sexual misconduct at USAID?

Answer. If confirmed, I will follow the policies of the U.S. Agency for International Development (USAID) to prevent sexual harassment, discrimination, hostile work environments, and sexual misconduct.

I understand USAID has zero tolerance for discrimination and harassment, including sexual harassment, in the workplace, and takes all accusations seriously. I was pleased to learn that USAID holds all managers accountable for living by, and promoting, a zero-tolerance work environment. I have read that USAID's policy is that employees found by the Agency to have subjected another employee to discrimination or unwelcome conduct of a sexual nature, whether that conduct was found to meet the definition of sexual harassment or not, are subject to appropriate action, which can range from a letter of warning to separation for cause. If confirmed, I commit to following this policy.

I understand that, in September 2017 and again in September 2018, Administrator Green issued USAID's Policy Statement on Equal Employment Opportunity, Harassment, and Retaliation, which makes clear that discrimination and harassment of any form, including sexual harassment, are unacceptable, and will not be tolerated. I have received information that USAID has clear channels to report improper behavior, and, if confirmed, I will follow these policies. Specifically, I understand that the Agency released a Flowchart on Reporting Sexual Harassment in June 2018 to better inform employees on how to report an incident, and whom to contact, and on November 30, 2017, the Agency disseminated an Agency Notice, entitled, "Facts About Sexual Harassment," that explains the process for how to report allegations of sexual harassment. Additionally, staff have informed me that USAID's harassment policy is posted and available to all employees on the Agency's intranet site. Furthermore, I have read that USAID launched a mandatory, Agency-wide sexual harassment training; released an enhanced, mandatory training to counter trafficking in persons; and piloted a new training for field staff on unwanted attention/sexual harassment and bystander intervention.

I understand that USAID's Office of Civil Rights and Diversity (OCRD) is the responsible entity within USAID to receive and process reports of discrimination, harassment (including sexual harassment), and hostile work environments, and pro-

vides guidance on, and oversight of, the complaint process. I understand managers, supervisors, and other management officials (e.g., Administrative and Management Services Officers, Executive Officers, and Resident Legal Officers) must be alert to issues that might result in allegations of discrimination or harassment, and must report to OCRD, within 24 hours, any allegations of prohibited harassment. If confirmed, I commit to working with OCRD to ensure the Agency handles reports in the appropriate fashion.

I further understand that USAID's Office of Employee and Labor Relations (ELR) may investigate referrals from the Office of the Inspector General, OCRD, the Office of Security, Staff Care and individual employees relative to complaints of this nature, and that ELR refers reports that are outside of the purview of the office to the appropriate unit for investigation and adjudication. If confirmed, I commit to ensuring this process is followed.

Finally, I understand USAID's zero tolerance for sexual misconduct, including harassment, exploitation or abuse of any kind, extends to the Agency's implementing partners. I know that Administrator Green established the Action Alliance for Preventing Sexual Misconduct (AAPSM) in March 2018, an intra-Agency group charged with leading USAID's work on addressing sexual misconduct in all forms, including harassment, exploitation and abuse. I have read that, as part of the AAPSM launch, the Administrator hosted a Forum on Preventing Sexual Misconduct, which brought together senior USAID staff, the USAID Inspector General, and representatives from key partners—including non-governmental organizations, for-profit contractors, and United Nations agencies. I have received a briefing that the Agency has revised standard provisions for grants and contracts to clarify that implementers' employee codes of conduct must be consistent with international standards on protection from sexual exploitation and abuse, and issued guidance to acquisition and assistance implementing partners to reaffirm USAID's zero tolerance for sexual exploitation, abuse and fraud. I know that allegations of sexual exploitation and abuse that involve employees of USAID's grantees or contractors must be reported to the relevant USAID Agreement or Contracting Officer. I have read press reports that Administrator Green reiterated USAID's commitment to preventing sexual exploitation and abuse by endorsing the G7 Whistler Declaration on Protection from Sexual Exploitation and Abuse in International Assistance, and led the drafting and issuance of the Tidewater Joint Statement on Combating Sexual Exploitation and Abuse in the Development and Humanitarian Sectors.

*Question 56.* Do you commit to ensuring the Department's policies are clearly communicated and that employees know how to report any complaints?

Answer. Yes.

*Question 57.* Do you agree that any targeting of or retaliation against career employees based on their perceived political beliefs, prior work on policy, or affiliation with a previous administration, is wholly inappropriate and has no place in the federal government?

Answer. Yes.

*Question 58.* If confirmed, what will you do to ensure that all employees under your leadership understand that any retaliation, blacklisting, or other prohibited personnel practices will not be tolerated?

Answer. Retaliation, blacklisting and other prohibited personnel practices are never acceptable, and if confirmed, I commit to ensuring that the U.S. Agency for International Development (USAID) will not tolerate them.

Equal-employment opportunity (EEO), diversity, and inclusion are among the Agency's core values. USAID is dedicated to removing impediments to inclusion by enforcing EEO laws and policies, promoting diversity, and providing an environment free of discrimination and harassment in which all employees are valued, and can contribute to their fullest potential.

I understand that USAID follows the statutorily required process for redress for employees who have faced harassment, including sexual harassment, which includes set timeliness and protections against retaliation. I have received assurances that, when deemed necessary, the Agency will use all resources to ensure the alleged offender and the complainant have limited or zero contact. I know that USAID is legally required to keep the identities of victims and alleged offenders confidential, except as necessary to complete an inquiry, and that the Agency makes employees subject to disciplinary actions if they are found to have engaged in discrimination or harassment. If confirmed, I will follow these processes.

Additionally, I understand that USAID provides mandatory training on the NO FEAR Act to all employees every two years as required by law, and the Agency's Office of Civil Rights and Diversity (OCRD) conducts anti-discrimination and anti-

harassment trainings. I have received information that, as part of USAID's onboarding program, employees receive harassment training upon entrance on duty—which is vitally important. If confirmed, I commit to taking this training upon assuming the job.

*Question 59. Do you commit to report any concerns you have about waste, fraud, or abuse to the USAID Inspector General?*

Answer. Yes, when that is the appropriate channel. I am committed to upholding high standards of accountability, and, if confirmed, will not tolerate waste, fraud, or abuse.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BONNIE GLICK BY SENATOR BENJAMIN L. CARDIN**

*USAID Redesign Topics*

*Global Development Lab*

The Global Development Lab increases the application of science, technology, innovation, and partnerships to achieve, sustain, and extend USAID's impact toward solving development challenges faster and cheaper in support of U.S. foreign policy goals. One of the most important aspects of the Lab are grants and private sector support and engagement on product research and development.

*Question 1. Will you commit to ensuring all of the authorities and functions of the Lab in its current form will be carried over into the redesigned USAID?*

Answer. I spent my last five years at IBM in the company's storied Research Division. It was during this time in particular that I saw the power of science and innovation to create what IBM calls a "Smarter Planet." Indeed, the work that I did, in collaboration with scientists from IBM's labs around the world, but principally in Latin America, focused on infusing problems with solutions related to technology. Much of the work I did was specifically related to semiconductor technology and microelectronics, and during my time in Research I co-authored three patents, which are currently working their way through the patent approval process. I believe in science, and in the application of science and technology to solve problems. I also believe that global scientific collaboration and a diversity of viewpoints are critical to finding the best solutions to solve some of the world's most-complicated problems.

If confirmed, I will work to ensure that the application of science, technology, innovation, and partnerships to solve development challenges will remain a priority for the Agency, under both the current and proposed structures. By better integrating, and, in some cases, elevating, those functions to combine them with other parts of the Agency that are also working on similar issues, I believe the U.S. Agency for International Development (USAID) can be even more effective in this space.

*DCHA*

The administration's proposed plan to redesign USAID significantly changes the agency's organizational structure. For example, the current Democracy, Conflict and Humanitarian Affairs (DCHA) Bureau's functions will now be spread across three new bureaus, with most of its functions consolidated with the Offices of Foreign Disaster Assistance and Food for Peace in the new Bureau for Humanitarian Affairs.

*Question 2. Do you expect that the current DCHA bureau's responsibilities will be completely transferred across the new organizational structure?*

- What challenges do you anticipate?
- How do you believe DCHA matters will be better handled across three bureaus?
- Do you expect that the current DCHA bureau's responsibilities will be completely transferred across the new organizational structure?

Answer. Yes. The functions and responsibilities that are currently carried out by DCHA will move to the proposed Bureaus for Humanitarian Assistance; Conflict Prevention and Stabilization; and Development, Democracy, and Innovation.

*Question 3. What challenges do you anticipate?*

Answer. With any significant reorganization effort there will be challenges around implementation and managing change, among our employees, stakeholders, and partners. If confirmed, I will do my best to support our staff from DCHA and other Bureaus during this transition.

*Question 4.* How do you believe DCHA matters will be better handled across three bureaus?

Answer. I understand that under the Transformation, the new Associate Administrator for Relief, Response and Resilience (R3) would oversee the proposed Bureaus for Humanitarian Assistance, Conflict-Prevention, and Resilience and Food Security. The intent of this proposed structure is to strengthen further the programming funded by the U.S. Agency for International Development (USAID), by making it more efficient and holistic across the spectrum of preparing for, preventing, responding to, and mitigating disasters. The Agency also believes this would elevate USAID's stature with interagency colleagues on these issues.

Combining USAID's humanitarian assistance into programs into a single Bureau would strengthen and elevate the Agency's stature, both within the U.S. Government and with our international partners. The proposed Bureau for Humanitarian Assistance would advance USAID's goal of seamlessly delivering international disaster aid, which would better serve U.S. Government foreign policy interests, and people in need throughout the world. The Bureau would achieve efficiencies by eliminating redundancies between the Offices of Foreign Disaster Assistance and Food for Peace and optimizing their resources through joint operations, and by further integrating food and non-food humanitarian assistance.

Currently, USAID implements over 70 percent of its programs in countries considered fragile or conflict-vulnerable. The proposed Bureau for Conflict Prevention and Stabilization would better coordinate the Agency's prevention, stabilization, and response efforts by combining small, separate offices with overlapping functions. This would enhance USAID's operational capabilities in responding to crises, including through a strengthened focus on preventing violent extremism.

The proposed Democracy, Development, and Innovation Bureau would elevate the Agency's democracy and governance programming through the creation of a Deputy Assistant Administrator to oversee this portfolio. Democracy and governance underpins sustainable development, but in the current structure conflict and immediate humanitarian responses often overshadow our programs in democracy and governance.

While resilience and food security do not currently fall entirely under the oversight of DCHA, I understand that while the Transformation proposals are pending Congressional approval, DCHA looks forward to deepening and expanding intra-agency coordination around resilience and food security programming to achieve the goals and objectives of the U.S. Global Food Security Strategy.

#### *Budget*

One of the objectives of USAID's proposed redesign is to strengthen budget and policy coherence within USAID.

*Question 5.* Will USAID have an increased ability to determine aid budgets?

- How will the proposed reforms change USAID's relationship with the State Department's Office of U.S. Foreign Assistance Resources (F) to strengthen development effectiveness?

Answer. While I was not involved in the Transformation process personally, I have been briefed on it, and believe the proposals put forward will improve the way the U.S. Agency for International Development (USAID) performs its budget and policy functions. I also believe USAID's proposed new structure will strengthen the Agency's posture in interagency discussions, particularly when working with the State Department. I understand that the Secretary of State, through the Office of Foreign Assistance Resources (F), will continue to provide oversight for, and serve as the point of coordination for the State Department on, all foreign assistance.

#### *Congressional Notifications*

USAID has responded to directives in FY17, FY18, and FY19 appropriations bills to engage and notify Congress of any reorganization.

*Question 6.* How will consultation with Congress, the development community, country partners, and USAID's own Missions be maintained or strengthened through implementation of this effort? Please be specific.

Answer. I understand the employees and external stakeholders of the U.S. Agency for International Development (USAID) have been critical voices in the development of the Agency's Transformation, and that they will continue to play an indispensable role throughout the implementation and evaluation of the Transformation's structural and other changes. I further understand USAID's leadership continues to consult with Congress, as the Congressional Notifications for the Transformation are currently pending approval.

While none of the structural proposals of the Transformation are specifically geared towards strengthening consultation with Congress, the development community, country partners, or USAID's own Missions, I am personally committed to strengthening coordination and fostering consultation, internally and externally.

As the Agency moves into the implementation phase of the proposed Transformation (pending Congressional approval), if confirmed, I commit to keeping Congress, the development community, country partners, and USAID's own Missions informed on the implementation of the package of reforms.

#### *Foreign Assistance Cuts*

*Question 7.* Do you support the president's budget requests to slash foreign assistance funding? For example, the FY19 budget request proposed a more than 30 percent cut.

- Do you believe such cuts help USAID effectively carry out its mission?

Answer. As you know, I was not involved in the process to develop the proposed budget for Fiscal Year 2019. I understand that, in a more fiscally constrained environment, the U.S. Agency for International Development (USAID) is being asked to do more with less. The Agency is focusing on its core priority—advancing America's interests and fostering self-reliance.

I am grateful for the funding that Congress provides to support the U.S. Government's operations and programs, at the State Department and USAID. If confirmed, I look forward to continuing discussions with you and your colleagues about funding for our diplomacy and foreign assistance programs.

#### *Foreign Aid Transparency and the Proposed BUILD Act*

The BUILD Act significantly reforms how the U.S. Government will engage in foreign development finance. The Foreign Aid Transparency and Accountability Act I co-authored with Senator Rubio created guidelines for measurable goals, performance metrics, and monitoring and evaluation plans for foreign aid programs and to increase transparency by codifying and increasing the amount of information posted online.

*Question 8.* If the BUILD Act becomes law, how will you ensure that FATAA standards are integrated into BUILD Act's implementing and monitoring and evaluation efforts?

Answer. I understand the U.S. Agency for International Development (USAID) fully supports, and is committed to the goals of, the Foreign Aid Transparency and Accountability Act, and will work within the interagency to integrate them into the International Development Finance Corporation, if Congress passes, and the President signs, the BUILD Act.

#### *Human Rights*

*Question 9.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Among the duties of my first overseas tour in Addis Ababa, Ethiopia was to serve as the U.S. Embassy's Human Rights Officer and to draft our submissions on Ethiopia to the State Department's annual Report on Human Rights. I was the only Foreign Service Officer in the Embassy trained in the Amharic language which gave me access to populations around the country who did not speak English. I frequently traveled around the country, either on my own or with a colleague from another foreign embassy (often the The Netherlands), to investigate reported violations of human rights committed by the recently deposed dictatorship, as well as those attributed to the new transitional government. These included politically motivated imprisonments, torture, false imprisonment, and others. I reported on these up the chain of command at the State Department. The American Ambassador in Ethiopia took particularly seriously the human-rights violations being committed by the new Ethiopian Government, and raised concerns on a regular basis with the fledgling leaders themselves, by using information I had gathered.

Human rights and democracy relate to more than just political abuses. They have to do with the way individuals interact with each other, in the workplace, in communities, in countries. During my time in the non-profit sector, much of my work focused on international exchange programs designed to address populations who were vulnerable in their own countries. I ran programs for Iraqi university students from all parts of the country that were designed to build bridges across ethnic, religious, and cultural divides. Bringing more than 100 Iraqi college students to the United States each year, breaking them up into four or five different, religiously/ethnically/geographically/economically diverse cohorts, and sending them to study in

universities across our country was a great way to promote understanding. This program brought together possible future leaders of Iraq, women and men who had never met before, and who would never have met in their own country. Through them, I saw a promising future Iraq. In 2016, when I convened a summit of the alumni of the program in Erbil, I was astounded to see how wonderfully the students had matured, and how they came to understand that the prejudices with which they were raised were dispelled when they had friends who represented previously “hated” communities.

Similarly, I ran a program in which high-school-aged Pakistani girls came to the United States to participate in a science program with American girls at the State University of New York Polytechnic Institute in Albany, where they learned from leading scientists and professors. The opportunity for the brilliant young Pakistani girls to be exposed to a science environment in which they were not judged by their gender was new to them, and they went back to Pakistan convinced of the need to empower girls and to be spokeswomen for their gender in the sciences and medicine. I have no doubt they will do great things in computer science, medicine, and beyond.

If confirmed, I will be committed to promoting human rights and democracy around the world because democracy underpins all of the work of the U.S. Agency for International Development.

#### *Diversity*

*Question 10* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. One of the core values of the U.S. Agency for International Development (USAID) is inclusion. We know a diverse workforce and differing viewpoints make us stronger and more creative. It also improves our effectiveness. Diversity is critical across USAID, but particularly in the Foreign Service, which is the face of USAID around the world.

*Question 11.* USAID is proud to support the Donald M. Payne International Development Fellowship program, which encourages applications by members of minority groups who have historically been under-represented in international development careers and those with financial need to complete their graduate programs and join the Agency as Foreign Service Officers (FSOs).

I understand that, since the Payne Fellowship began in 2012, 18 Payne Fellows have been sworn in as USAID FSOs, including six in 2018. The Agency continues to recruit graduate students into the program. If confirmed, I commit to continuing to support the Payne Fellowship.

Additionally, I understand that USAID’s Development Diplomats in Residence Program (DDIR) Program, which places senior Foreign Service Officers at U.S. colleges and universities, conducts regional outreach and recruitment and establishes partnerships with Minority-Serving Institutions. The program particularly targets diverse potential candidates in the Agency’s areas of under-representation.

*Question 12.* What steps will you take to ensure each of the supervisors in the Agency are fostering an environment that is diverse and inclusive?

Answer. A culture of diversity starts at the top and, if confirmed, I assure you I am committed to taking additional steps to ensure that supervisors at the U.S. Agency for International Development (USAID) are fostering an environment that is diverse and inclusive. If confirmed, I am committed to ensuring USAID’s workforce reflects the diversity of America.

#### *Conflicts of Interest*

*Question 13.* Do you commit to bring to the committee’s attention (and the USAID Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President’s business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 14.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President’s business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 15.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. I do not have any financial interests abroad, nor does my husband, nor do our two sons. My sister, Caroline Glick, lives in Israel, and has financial interests and investments there. I do not have any visibility into her finances.

**RESPONSES TO FOLLOW-UP QUESTIONS SUBMITTED TO  
BONNIE GLICK BY SENATOR BENJAMIN L. CARDIN**

On October 4, 2018, I received your responses to the questions I submitted for the record following your nominations hearing on September 25, 2018. I asked a series of questions surrounding the USAID Redesign and impacts on the current Democracy, Conflict, and Humanitarian Affairs (DCHA) Bureau's functions, as they will now be spread across three new bureaus, with most of its functions consolidated with the Offices of Foreign Disaster Assistance and Food for Peace in the new Bureau for Humanitarian Affairs.

Please provide your personal opinion on the following questions:

*Question 16.* What challenges do you anticipate with the transfer of the DCHA bureau's responsibilities across the new organizational structure? Please elaborate on the specific challenges and how you plan to address them in your role as Deputy Administrator for USAID, if confirmed.

Answer. As with any significant reorganization effort, there will be challenges around the implementation of the Transformation while managing change among the employees, stakeholders, and partners of the U.S. Agency for International Development (USAID). While the Offices of Foreign Disaster Assistance (OFDA) and Food For Peace (FFP) are coordinating their delivery of humanitarian assistance better than in the past, we need to ensure they are fully integrated in the proposed Bureau for Humanitarian Affairs. Working closely with staff through a consultative change-management process will be essential to optimize the effectiveness of the new Bureau, to build a shared culture, and, most important, break down the artificial and counterproductive barrier between food and non-food assistance.

If confirmed as Deputy Administrator, I intend to work closely with the new proposed Associate Administrator for Relief, Response and Resilience (R3) and the R3 leadership team to monitor the implementation of the new Bureaus. I would help oversee the implementation of the Transformation, particularly as it relates to the proposed Bureau for Development, Democracy and Innovation, the Bureau for Global Health and the Regional Bureaus, which I would oversee in my role as Deputy Administrator, if confirmed.

*Question 17.* How do you believe DCHA matters will be better handled across three bureaus? Please elaborate on how you believe the new structure will better serve the responsibilities and goals of the bureau with reasoning for your predictions.

Answer. I understand that under the current structure of the Bureau for Democracy, Conflict and Humanitarian Response (DCHA), the leadership of DHCA spends the vast majority of its time responding to crises, in particular humanitarian emergencies. While middle management ably handles other DCHA responsibilities—priorities of the administration and the Agency such as democracy and governance, civilian-military relations, fragility and stabilization—the lack of time DCHA senior leadership can spend on these other topics remains problematic. Under the Transformation, creating the Bureaus for Humanitarian Assistance (HA), Conflict-Prevention and Stabilization (CPS), and Resilience and Food Security (RFS) would elevate each of these important issue sets, provide them each with Bureau-level leadership focused on their specific mandates, while also creating an overarching structure to enable deeper collaboration and a holistic approach to topics that cut across all three Bureaus.

In addition to Bureau-level leadership, a new proposed Associate Administrator for Relief, Response and Resilience (R3) would oversee the proposed HA, CPS, and RFS Bureaus. I understand that the proposed R3 structure is intended to improve the Agency's ability to plan and operate in a holistic manner that improves humanitarian responses, responds adaptively to conflict, and reduces vulnerability to crisis and recurrent shocks. The rationale behind the R3 grouping of Bureaus recognizes the complex and intertwined nature of recurrent crises, fragility, and violent conflict, both causally and geographically. The proposed R3 "family" of Bureaus would enable the U.S. Agency for International Development (USAID) to elevate resilience and food security in the interagency, and strengthen the ability of the Agency to build the capacity of national systems (public or private) to respond to humanitarian crises.

In addition to the new proposed leadership structure that would ensure tighter coordination across the proposed HA, CPS and RFS Bureaus, the planned structures of the individual Bureaus have their own advantages.

The proposed Bureau for Humanitarian Assistance would combine the Offices of Foreign Disaster Assistance (OFDA) and Food For Peace (FFP) into a single Bureau, which would mirror the structure of most other government donor agencies and would elevate the stature of humanitarian assistance within the U.S. Government and with our international partners. Additionally, the HA Bureau would strengthen USAID's role as the lead Federal coordinator for international disaster assistance; unify USAID's humanitarian policy voice; and provide a cohesive approach to USAID's programming across the spectrum of preparing for, responding to, and mitigating and preventing disasters. The Bureau would achieve efficiencies by eliminating administrative redundancies between OFDA and FFP, which would optimize their resources through joint operations, and further integrate food and non-food humanitarian assistance.

USAID currently implements over 70 percent of its programs in countries considered fragile or conflict-vulnerable. The proposed Bureau for Conflict Prevention and Stabilization would better coordinate the Agency's prevention, stabilization, and response efforts by combining small, separate offices with overlapping functions. This would enhance USAID's operational capabilities in responding to crises, including through a strengthened focus on preventing violent extremism.

While resilience and food security do not currently fall entirely under the oversight of the Bureau for Democracy, Conflict, and Humanitarian Assistance (DCHA), I understand that the Transformation proposals identify the linkages between the resilience work in USAID's current Bureau for Food Security, investments in addressing fragility, and humanitarian assistance, which would be housed in the Bureaus of CPS and BA, respectively. The proposed RFS Bureau would strengthen support to USAID's Missions in the field, build resilient communities, and improve water security in countries and communities to reduce, hunger, poverty, and malnutrition.

I would also like to note that some elements of the current DCHA Bureau would not fall under the purview of the R3 family of Bureaus. One critical element, the Center for Democracy, Rights and Governance, would move to the proposed Bureau for Democracy, Development, and Innovation. I understand this shift would strengthen the Agency's programming in democracy and governance programming through the creation of a Deputy Assistant Administrator to oversee this portfolio. Democracy and citizen-responsive governance underpin sustainable development, but, in the current structure, conflict and immediate humanitarian responses often overshadow USAID's programs in these areas.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BONNIE GLICK BY SENATOR EDWARD J. MARKEY**

*Trump Administration Commitment to Foreign Aid*

*Question 1.* Over the past two years, there have been indicators that the Trump administration is assigning a lower value to the role foreign aid in advancing U.S. national security, including successive budget requests that would significantly cut resources and a rescissions proposal that—if carried out—would have handicapped American aid programs. Given this administration's views, do you believe that the U.S. Government, including USAID, should reduce the role of development as a tool for executing U.S. foreign policy? If not, what assurances do you have from the White House, or elsewhere in the administration, that you will be able to continue traditional U.S. policy that recognizes the importance of foreign assistance to U.S. national security?

Answer. I believe in the important role the U.S. Agency for International Development (USAID) plays in our foreign policy, and, if confirmed, commit to being a forceful advocate within the administration for USAID.

*Question 2.* If confirmed, what will you do to ensure that any administration efforts to cut resources are carefully assessed, based on your understanding of the role of development assistance in furthering U.S. foreign policy and national security objectives?

Answer. I agree that the U.S. Agency for International Development (USAID) plays a critical role in advancing U.S. national security interests through its development and humanitarian assistance. I understand that USAID relies on a data-driven approach to foreign assistance, which allows USAID to articulate, from a de-

velopment perspective, the countries that possess the greatest capacity for and commitment to development, as well as what the key barriers each country faces. Using these data, USAID can focus its assistance strategically and help countries on their journeys to self-reliance. If confirmed, I will support this approach, which I believe ensures our development assistance furthers U.S. foreign policy and national security objectives.

*Question 3.* During his U.N. General Assembly Remarks on September 25, President Trump said he had asked Secretary Pompeo to take a hard look at our foreign assistance, and determine if aid recipients “have our interests at heart.” Have you been informed what will this review look like? If confirmed, would you advise the Secretary to condition aid based upon the policies toward the United States by recipient countries? Would you recommend that the administration engage Congress in any such review?

Answer. Senator, I have not been involved in the foreign assistance review, so would defer to the White House on the specifics of what the review will look like. If confirmed, I will recommend that the administration engage with Congress on the review. If confirmed, I would support any thoughtful review of assistance, especially one focused on improving effectiveness and efficiency of the Agency if it moves forward.

#### *USAID Management*

*Question 4.* According to press reports from earlier this year, Bethany Kozma, a senior advisor for gender equality and women’s empowerment, attended a U.N. meeting on women’s rights and gender equality and said the United States was a “pro-life nation.” Prior to serving in USAID, she was an advocate against transgender rights, pushing for restrictions against transgender bathrooms in public schools. I am deeply troubled that someone who has a track record of speaking out against LGBT rights, and is misrepresenting U.S. law in international meetings has a senior advisory role in a U.S. agency responsible for the implementation of foreign aid programs in a non-discriminatory, impartial manner. Do you agree that the United States is a “pro-life nation?”

Answer. Senator, I am not familiar with the remarks made by that particular USAID staffer.

I believe that no country can thrive until all persons, regardless of gender, sexual orientation, religion or ethnicity, are treated as full and equal members of society. One of USAID’s core values is inclusion, which applies across all of USAID, from programming to Agency staffing.

*Question 5.* If confirmed as Deputy Administrator managing the agency, what steps would you take to ensure USAID programs conform to U.S. law and are not unduly influenced by individual views and attitudes?

Answer. If confirmed, I commit that USAID programs will follow all applicable U.S. laws and will not be unduly influenced by individual views and attitudes.

#### *Burma*

*Question 6.* What specific USAID programs are addressing the needs of the Rohingya in camps in Cox Bazar and any Rohingya currently in Rakhine State? Are these sufficient, and if not, what should USAID do to better address the needs of the Rohingya?

Answer. I understand the emergency humanitarian assistance provided by the U.S. Agency for International Development (USAID) in Bangladesh primarily finances the delivery of food nutrition interventions, and the strengthening of logistical capacity among organizations that are responding to the refugee crisis. Just last week, USAID announced funding for programming to reduce the risk of natural disasters, which will facilitate the rehabilitation of multi-purpose cyclone shelters. USAID has also adapted its development assistance to the fluid needs of the displaced and the host communities in and around Cox’s Bazar, including to fund fact-based news programming that dispels rumors and misinformation; improvements in the management of environmental resources support to mitigate the challenges of deforestation in the area; and health care, through a shelter for the victims of human trafficking and three primary health clinics.

In Burma, I understand that USAID is providing emergency food assistance, water, sanitation, health care and protective services, shelter, nutrition, and economic recovery support. I believe much more is required to meet the humanitarian needs of the most vulnerable in Burma and Bangladesh, but I have seen that the U.S. Government continues to call on other donors to respond to the crisis with additional resources. The United States cannot bear a disproportionate share of the cost of alleviating the suffering caused by this tragedy.

I personally remain concerned about the possibility of premature returns of the Rohingya if the Burmese Government is not fulfilling its promises, and, if confirmed, I will urge that any returns be fully voluntary and dignified, and that the Burmese ensure the long-term safety of all returnees.

If confirmed, I will work with my colleagues to continue to monitor the situation and assess the needs of the Rohingya, and I commit to reporting back to Congress.

*Question 7.* How much access do USAID partners have in Rakhine? Is the Burmese Government cooperating with humanitarian actors to deliver aid?

Answer. I understand the Burmese Government continues to restrict most access by international non-governmental organizations to Northern Rakhine State. I have seen that the U.S. Government advocates strongly and consistently for unfettered humanitarian access, not only to Rakhine State, but also to conflict-affected areas in Kachin and Northern Shan. I have read that restraints imposed by the Burmese Government include insufficient approvals to conduct relief activities, frequently changing the procedures to apply for authorization to travel, and restrictions on travel to field sites.

Staff at the U.S. Agency for International Development (USAID) have briefed me that nearly 70 percent of organizations that were previously operating in Northern Rakhine State prior to August 2017 still have not received approval from the Government of Burma to conduct relief activities. I know USAID Administrator Green was able to travel to one village in Northern Rakhine when he visited in May. However, since that time, I have heard that denials of access by the Burmese Government are happening more frequently for locations outside of Rakhine and that access to Rakhine itself continues to be challenging.

If confirmed, I will be a forceful advocate for unfettered humanitarian access throughout Burma.

*Question 8.* While Bangladesh has been generous in providing refugee for an estimated one million refugees, they are shouldering a significant burden. Are there any signs the Government is seeking to return refugees to Burma involuntarily?

Answer. The Government of Bangladesh has been generous in providing shelter for the Rohingya, and all of us should appreciate the support the Bangladeshi people have shown to the refugees.

I understand that the Government of Bangladesh is not trying to involuntarily return refugees involuntarily to Burma. I have read that the U.S. Government, the United Nations, and other donors continue to emphasize that all returns of refugees must be safe, voluntary, and dignified, in keeping with international standards.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BONNIE GLICK BY SENATOR JEFF MERKLEY**

No funds appropriated in FY 2017 or FY 2018 for bilateral assistance to West Bank/Gaza, which includes the USAID administered Economic Support Fund (ESF), have been obligated to date. In September, the Trump administration announced that \$200 million in life-saving and development assistance would be “redirected” elsewhere without specifying where. The administration also announced that an additional \$10 million in programs administered by USAID to promote relationship building between Israelis and Palestinians—including children—would be redirected away from Palestinian civilians.

*Question 1.* Should USAID’s Mission Director and the senior leadership of USAID’s Middle East Bureau been consulted on the administration’s decision to redirect aid from West Bank/Gaza? Had you been serving as USAID Deputy Administrator, would you have supported the administration’s decision to redirect aid?

Answer. I understand that, earlier this year, the President directed a review of U.S. assistance to the Palestinian Authority in the West Bank and Gaza to ensure these funds were being spent in accordance with U.S. national interests, and were providing value to the U.S. taxpayer.

I further understand that, throughout the review process, the U.S. Agency for International Development (USAID) communicated to the interagency the impact such a decision would have on USAID’s programs, our Mission in Israel that covers the West Bank and Gaza, and the Agency’s partners on the ground.

If confirmed, I look forward to keeping you updated on the impact of these decisions on USAID’s programming in the West Bank and Gaza.

*Question 2.* If confirmed, will you pledge that USAID will fully obligate funds appropriated by Congress for the purpose intended?

Answer. As U.S. Agency for International Development (USAID) Administrator Mark Green has stated, USAID continues to be grateful for all funding appropriated to it by the U.S. Congress. If confirmed, I commit to ensuring the Agency spends these funds in the best interest of the U.S. taxpayer, and to working closely with Congress to ensure the Agency obligates funding in a way that meets Congressional intent.

*Question 3.* Specifically where is the \$200 million in bilateral assistance to West Bank/Gaza to be “redirected”?

Answer. Earlier this year, I understand the President directed a review of U.S. assistance to the Palestinian Authority and in the West Bank and Gaza to ensure these funds were being spent in accordance with U.S. national interests, and were providing value to the U.S. taxpayer.

As a result of that review, I have heard that the U.S. Agency for International Development (USAID), at the direction of the President, has reinvested in other places more than \$200 million in Fiscal Year 2017 Economic Support Funds originally planned for programs in the West Bank and Gaza. I understand that USAID submitted Congressional Notifications to redirect these funds to high-priority projects elsewhere. For example, I understand that \$5 million was redirected to fund programming democracy and governance in Ethiopia, which will capitalize on the recent opening of political space brought about by the new Prime Minister.

While I have not yet received a briefing on the reprogramming decisions in detail, if confirmed, I commit to updating you on the specifics.

In a February 8, 2017 Washington Jewish Week op-ed titled, “We need a better deal at the United Nations,” you argued that the United States should end assistance to the U.N. Relief and Works Agency for Palestine Refugees (UNWRA).

*Question 4.* Why did you make this recommendation?

Answer. Hamas has misappropriated UNRWA schools and hospitals for terrorist purposes. This is unacceptable, and why I have called for UNRWA to reform.

*Question 5.* What impact do you believe U.S. funding cuts to UNRWA will have on Palestinian children who receive education through UNRWA?

Answer. The world is experiencing historic levels of population displacement, and this is an issue the global community must address. The United Nations plays a critical role in providing aid to displaced populations, and I am committed to working with all stakeholders to alleviate their suffering.

I understand the United States is ready to engage with governments in the region regarding humanitarian assistance to the Palestinians, including to discuss the possible transition of services provided by the United Nations Relief and Works Agency (UNRWA) to national authorities in countries that are hosting Palestinian refugees, or to other international or local non-governmental organizations, as appropriate. While I do not have more details at this time, if confirmed, I look forward to keeping you updated on the implications of these decisions on the programming managed by the U.S. Agency for International Development in the West Bank and Gaza, and on the details of our diplomatic efforts to engage other donors.

*Question 6.* Do you agree with the reported concerns expressed by Israeli military leaders<sup>1</sup> that withholding U.S. contributions to UNRWA could lead to a humanitarian crisis in West Bank/Gaza, which risks emboldening enemies of Israel such as Hamas and other external actors?

Answer. I understand that, after careful review, the administration determined that the United States will not make additional contributions to the United Nations Relief and Works Agency (UNRWA). However, I further understand the administration remains very concerned about the deteriorating humanitarian situation in Gaza, and is mindful of its impact on innocent Palestinians, including school children.

I understand the United States is ready to engage with governments in the region regarding humanitarian assistance to the Palestinians, including to discuss the possible transition of services provided by UNRWA to national authorities in countries that are hosting Palestinian refugees, or to other international or local non-governmental organizations, as appropriate. While I do not have more details at this time, if confirmed, I look forward to keeping you updated on the implications of these de-

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<sup>1</sup> <https://www.timesofisrael.com/fearing-collapse-amid-unrwa-cuts-israeli-officials-urge-aid-for-gaza/>

cisions on the programming managed by the U.S. Agency for International Development in the West Bank and Gaza, and on the details of our diplomatic efforts to engage other donors.

*Question 7.* In the same op-ed of February 8, 2017, you advocated that the United States should withdraw from the U.N. Framework Convention on Climate Changes (UNCCC). One of the stated focuses of USAID programming is helping recipients of aid deal with the “effects of greater climate variability and change, from more intense heat waves, droughts, flood and storms.” How would a decision to withdraw from the UNCCC advance those USAID development priorities? Additionally, do you believe that climate chaos plays a contributing role in global food-insecurity, and if so, how?

Answer. The United States remains a party to the 1992 Framework Convention on Climate Change. I understand that the U.S. Agency for International Development (USAID) continues to work with its partners around the world to help them deal with climate-related impacts.

I believe the climate is changing, and that it has an impact on food-insecurity. USAID recognizes that changing climate patterns and extreme weather events, such as droughts, floods, and extended periods of extreme temperatures, pose major challenges to global food security. Evidence shows that these patterns and events result in recurrent and costly humanitarian crises. Even more broadly, they cause millions of vulnerable people to fall back into poverty, or to become poor for the first time.

If confirmed, I commit to supporting USAID’s programs that help address changing climate patterns and extreme weather events and improve food security.

*Question 8.* If confirmed, how will you ensure that U.S. development and humanitarian assistance is divorced from any appearance of conflict of interest with the Trump Organization given President Trump’s refusal to divest himself from his businesses and the Organization’s extensive holdings in countries who are recipients official U.S. development assistance?

Answer. The U.S. Agency for International Development (USAID) adheres to stringent procurement-integrity processes intended to promote competition and best value, and address any potential conflicts of interest. I am not aware of any connections between USAID and the Trump Organization. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules and I will consult with the Agency’s Designated Ethics Official for guidance on possible conflicts of interest that become known to me.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
BONNIE GLICK BY SENATOR CORY A. BOOKER**

*USAID Reforms*

Proposed USAID structural reforms include establishing several new bureaus and reorganizing where some offices are located. Currently, responsibility for programming for Democracy, Rights, and Governance sits in the same bureau that addresses conflict issues, DCHA. However, in the new design, those two elements will be separated and located in different bureaus.

*Question 1.* Considering that so many of the long term solutions to conflict are related to issues of democracy, rights, and governance, why is USAID now proposing to separate these two elements that would seem to merit even closer coordination?

- The Democracy, Rights, and Governance office will now be located within a new Bureau for Development, Democracy and Innovation, that brings together technical offices related to the Economic Growth, Education, and Environment (E3) Bureau, as well as the Global Development Lab. If the goal of this new bureau is to have more holistic cross-cutting program development, why exclude global health and other technical bureaus and offices? If coordination with global health and other bureaus and offices is possible without combining them together, then why is the agency combining E3, the Lab, and DRG together? What is the common theme that supports that combination?

Answer. I understand that the proposed Transformation would elevate democracy, human rights, and governance (DRG) into a new Center within the proposed Bureau for Development, Democracy, and Innovation (DDI), and that linkages between the DDI Bureau and other technical Bureaus would advance the integration of DRG practices in areas such as health and food security. While I understand the U.S. Agency for International Development (USAID) currently has some systems in place for its other Bureaus to coordinate with the Bureau for Global Health, I have seen

that program-design and other technical services for many sectors are scattered across the organization, and disconnected from each other. By unifying the Global Development Lab, E3 and DRG under the DDI Bureau, I believe USAID would be able to provide better and more comprehensive support to field Missions, while holding DDI teams accountable for improving the design of our programs and providing other specialized technical assistance to the field.

While I understand some facets of USAID's DRG programming would move to the DDI Bureau under the proposed Transformation, the new Bureau for Conflict-Prevention and Stabilization (CPS) would enhance the Agency's operational capabilities in responding to crises, including a strengthened focus on preventing violent extremism (PVE). I have noted that reports suggest that grievances regarding lack of responsiveness to citizens' concerns by public authorities and abuses by security forces are primary drivers of young people to espouse extremist views or join violent extremist organizations, which means the CPS Bureau will have to have a strong governance component in its PVE programs. Staff within the proposed CPS Bureau would include technical experts in governance, and the Bureau would have strong institutional linkages back to the DDI Bureau.

If confirmed, I commit to working with you to ensure USAID establishes deliberate linkages between the DDI and CPS Bureaus, to ensure close coordination of technical and operational capabilities to support USAID Missions in the field.

#### *The Journey Towards Self Reliance*

Administrator Green has emphasized a new frame through which to view our development assistance: a journey towards self reliance with a distinct end goal whereby a country would no longer need development assistance. Setting this as a goal makes sense to frame how we interact with aid recipient countries. However, other than improving metrics in measuring progress towards self reliance for recipient countries, I don't have a good sense of how actual programming would change.

*Question 2.* Could you provide some concrete examples of how this reframing of our development assistance goal would affect programming?

Answer. I understand the new emphasis at the U.S. Agency for International Development (USAID) on "The Journey to Self-Reliance" uses 17 third-party, publicly available metrics to (1) help determine where a country sits in its overall development journey; and, (2) establish, at a very high level, its relative strengths and challenges on that journey. I have read that USAID will look at each country's resulting Road Map to re-shape partnerships accordingly, to focus on enabling partner countries to marshal and manage effectively the resources they need to finance their own development. USAID staff have briefed me that programs will also engage the private sector to create more market-based solutions and more innovative, commercially oriented collaborations, and redefine relationships by using incentive-based tools (such as commitments to policy reform and cost-sharing or co-financing) to ensure the incentives on the U.S. side and the host-government side clearly propel movement along the journey to greater self-reliance.

#### *Innovation*

USAID's Global Development Lab, the agency's focal point for scientific and technological innovation, has sponsored a series of problem solving competitions. The most promising ideas are usually tested with pilot programs in a limited geographic area. I'm encouraged by the agency's commitment to innovation as demonstrated by the Global Development Lab and particularly the Development Innovations Ventures (DIV) office. However, fully implementing innovative concepts beyond the pilot phase is challenged by uncertainties related to long-term funding, programming flexibility, and the ability to spread new ideas throughout the agency.

*Question 3.* How can USAID ensure that promising new ideas go beyond the pilot phase?

- Recognizing that new approaches can be threatening to some, how do you plan to promote a willingness to take calculated risks and encourage individuals to buck the status quo?

Answer. During the five years I spent working in IBM's Research Division, I saw first-hand how the application of science and technology can solve problems. During that time, I co-authored three patent applications. I believe the use of science and technology are essential parts of a larger strategy to reshape the way work is done, to develop/test/refine new solutions, and to bring them to scale. I share your commitment to innovation, and agree that supporting and funding successful solutions and programs beyond the pilot phase must always be the end game. I am excited

about the ways the U.S. Agency for International Development (USAID) can do this. As part of my consultations, I met with the Chief Information Officer of USAID, and discussed with him possible ways to scale some of the innovations that are coming out of the Global Development Lab by using new technologies like Artificial Intelligence.

As an example, through innovation-acceleration work, USAID could go beyond providing an initial grant to providing custom business support, which would help innovators overcome barriers like educating and recruiting investors, acquiring talent and operational support, and marketing their prototypes and products. Additionally, I understand USAID is pursuing reforms to its procurement policies and systems to move beyond a traditional business model by focusing on advancing collaboration and co-creation, which will allow USAID to embrace new partners and innovative solutions to development challenges, as well as to integrate proven innovations into its work.

Through merging the core capabilities of the Lab in the proposed Global Development into the proposed Bureau for Development, Democracy and Innovation (DDI), I believe USAID can infuse innovation into the design and implementation of programs across the Agency's entire portfolio, where before the Lab only influenced a small percentage of USAID's budget. This integration would also foster greater familiarity with calculated risk, and would contribute to the adoption of promising technological tools and approaches throughout USAID. I understand the DDI Bureau would blend the best of the "expeditionary" innovative programs of USAID, like DIV, with a focus on service to the field, to capitalize on the opportunity to integrate innovation in all areas in the Agency's daily work.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL T. HARVEY BY SENATOR ROBERT MENENDEZ

*Democracy Promotion*

Helping grow democratic and citizen responsive governance abroad underpins the success of U.S. relief and development missions.

*Question 1.* What are the most important actions you have taken in your career to support democracy and human rights?

- What has been the impact of your actions?

Answer. My strategic approaches, while leading field Missions for the U.S. Agency for International Development (USAID) in multiple countries, share the common thread of finding opportunities to enable citizens, communities and institutions to hold their governments, at all levels, more accountable to their people, and insisting that governments needs to perform and fulfill their responsibilities.

In Serbia, our community-reconciliation programs were critical to enabling both Serbian and Albanian communities to get past the violent conflict and sense of alienation that affected Southwestern Serbia. I was the most-visible face of the U.S. Government in that region: I let Belgrade know we were watching, and reassured the Albanian minority we had not forgotten them.

During my tenure in Tel Aviv, we began to invest our Conflict-Mitigation and Management (CMM) monies to support programs between Israeli Jewish and Arab citizens. (CMM funding had previously only been used to bring together groups across the Green Line). These programs probably did more to help intercommunal relationships within the State of Israel than anything else USAID did during my time as Mission Director.

I could offer several examples from my most-recent experience as USAID Mission Director in Nigeria, but let me cite just one—the mobilization of public demand for better health and education to prompt improvements in citizen-responsive governance. As in much of Africa, the funding available to the USAID Mission in Nigeria is heavily weighted toward HIV/AIDS, and there are few resources for programs in democracy and governance. Recognizing this reality, we restructured our education and health funding to do three things:

1. Organize community-level civil-society organizations (CSOs) around education and health to give active voice to public demands in these two areas;
2. Make clear to State Governors that we were conditioning our financial support on their choosing the necessary policy priorities and making the necessary personnel and budget decisions required to turn around the performance of the public sector in these two areas; and
3. Work directly with all levels of the State structures, from Departments of Budget, Procurement, Personnel, Education and Health, to enable the Governors to

honor their commitments. Where we used this approach, we saw increases in State funding in these two areas, higher school attendance, better health outcomes, and improved public attitudes toward the State Governments.

*Question 2. What are the most pressing challenges to democracy or democratic development around the globe?*

Answer. A major challenge is the continuing trend of democratic-backsliding, characterized by increasing governmental constraints on fundamental freedoms, including freedom of speech, religion and association, as well as abuses of human rights. The rise of a new, more sophisticated form of authoritarianism that uses subversive tactics to undermine the legitimacy of democratic institutions is exacerbating these trends. Specifically, in the Middle East, I am particularly concerned about the operating space for civil society in Egypt. I understand that USAID funds organizations that advocate for improved public services and the free exercise of key rights supported by the Egyptian Government. These projects combat gender-based violence and trafficking in persons, and promote gender equality and civic participation.

Democratic deficiencies in other countries also contribute to some of the biggest threats to U.S. national security, including violent extremism, armed conflict, and transnational organized crime, because terrorists, criminal organizations and others exploit vulnerabilities created by weak rule of law, unchecked corruption, and ineffective governance. Within our own Hemisphere, we are witnessing endemic corruption, economic mismanagement, and political repression drive instability in Venezuela and Nicaragua, for example.. I understand that the U.S. Agency for International Development (USAID) is lending critical support to civil-society organizations, including human-rights groups, and free and independent media outlets to build awareness and pressure authorities to reverse deteriorating social, economic, and political conditions.

*Question 3. What steps will you take—if confirmed—to support democracy globally? What do you hope to accomplish through these actions?*

Answer. Throughout my career as a Foreign Service Officer, including as Mission Director for the U.S. Agency for International Development (USAID) in multiple countries, my strategic approaches share the common thread of finding opportunities to enable citizens, communities and institutions to hold their governments, at all levels, more accountable to their people, and insisting that governments needs to perform and fulfill their responsibilities. If confirmed, I will be committed to implementing the mission statement of the U.S. Agency for International Development (USAID), particularly its commitment to strengthening citizen-responsive, democratic governance abroad. I know this is a priority for Administrator Green, and I wholeheartedly endorse the steps he has already taken to address serious democratic challenges around the world. Because good governance is key to all development work, I would keep it in the forefront of my work to achieve two key outcomes: mitigating the risks of democratic-backsliding; and helping countries move forward in their Journey to Self-Reliance through citizen-responsive, democratic governance.

*Question 4. What are the potential impediments to addressing the specific obstacles you have identified?*

Answer. The same technologies that offer opportunities for strengthening democracy can be repurposed as impediments to democracy, as authoritarian regimes develop and share tools to spread disinformation, manipulate elections, and discredit democratic institutions. The U.S. Agency for International Development often provides democracy assistance in challenging, fragile, and conflict-prone environments. I understand the Agency must continually adapt to address emerging obstacles, with long-term engagement and support in mind as a method for making gains over time.

*Question 5. How will you utilize U.S. Government assistance resources at your disposal to support democracy and governance, and what will you prioritize in processes to administer such assistance?*

Answer. If confirmed, I will be committed to using U.S. Government resources available to implement the mission statement of the U.S. Agency for International Development, which includes an explicit commitment to strengthening citizen-responsive, democratic governance abroad. Among the priorities I envision are the following: 1) developing effective approaches to emerging issues and priorities within the democracy sector, including religious freedom, disinformation, and authoritarian influence; 2) strengthening rapid-response capabilities in fragile and transitioning political contexts; and 3) expanding the integration of democracy, rights, and governance principles in other development sectors, because participatory and inclusive approaches make for more sustainable and effective development outcomes.

*Question 6.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society when you travel abroad?

Answer. Yes. If confirmed, I commit to meeting with civil-society and human-rights organizations, both in Washington, D.C., and during my travels to the Middle East.

*Question 7.* What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. I understand that the U.S. Agency for International Development (USAID) has funded programs to defend and improve the legal environment and expand civic space around the world, such as the Non-Governmental Organization (NGO) Legal Enabling Environment Program (LEEP), which promotes a more welcoming legal and regulatory environment for civil-society organizations and responds swiftly to NGOs by providing technical assistance on laws and regulations that affect them.

Specifically, in the Middle East, I am particularly concerned about the operating space for civil society in Egypt. I understand that USAID funds organizations that advocate for improved public services and the free exercise of key rights supported by the Egyptian Government. These projects combat gender-based violence and trafficking in persons, and promote gender equality and civic participation.

If confirmed I commit to continuing USAID's efforts to support civil society and NGOs.

*Question 8.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties?

Answer. Yes. I commit to meeting with democratically oriented political figures and parties, both in Washington, D.C., and during my travels to the Middle East.

*Question 9.* What steps will you take to encourage genuine political competition?

- Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. I understand that a key component of the programming funded by the U.S. Agency for International Development to support elections and political processes is empowering women, youth and other traditionally marginalized groups to participate meaningfully in political life. I have received information that this work includes strengthening the role of women, youth, and minorities in the leadership of political parties, as well as increasing the supply of, and demand for, political candidates from these groups.

If confirmed, I will be a staunch advocate for access and inclusivity for women, minorities and youth within political parties.

*Question 10.* Will you actively support freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures?

Answer. Yes, if confirmed, supporting freedom of press will remain one of my priorities. The U.S. Agency for International Development has historically recognized the important role that an independent press plays in citizen-responsive governance, and is one of the largest donors for the development of pluralistic, diverse, independent media systems.

*Question 11.* Will you commit to meeting regularly with independent, local press when you travel abroad?

Answer. Yes.

*Question 12.* Will you actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors around the world?

Answer. Yes. If confirmed, I commit to continuing engagement with civil society to counter disinformation and propaganda.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people, no matter their sexual orientation or gender identity?

Answer. Yes. Administrator Green has been clear that inclusion is one of the core values of the U.S. Agency for International Development, and that non-discrimination toward beneficiaries is a basic principle of development. I wholly agree, and commit that I will defend the human rights and dignity of all people across the globe, no matter their sexual orientation or gender identity.

*Question 14.* What specifically will you commit to do to help LGBTQ people around the world?

Answer. I understand that the U.S. Agency for International Development (USAID) continues to implement its comprehensive, inclusive non-discrimination policies for the beneficiaries of contracts and grants. If confirmed, I will support the implementation of these policies.

Administrator Green has also elevated the importance of inclusive development approaches to help ensure that all marginalized groups in developing countries participate in, contribute to, and benefit from USAID's development efforts. If confirmed, I will support this approach.

#### *Climate Change*

Climate change is an emerging threat that the Department of Defense refers to as a threat multiplier.

*Question 15.* Do you believe that human activities, such as the burning of fossil fuels and other activities that release greenhouse gases into atmosphere is contributing to the increase global average temperatures?

- If not, do you intend to change USAID policy and programming that addresses the challenges around climate change according to your views on climate change?

Answer. I believe that the climate is changing, and that it has always been changing. I understand that the U.S. Agency for International Development (USAID) looks at climate change and other environmental challenges through a development lens, and that the Agency continues to work with its partners around the world to help them deal with the impacts of extreme weather events and a changing climate.

*Question 16.* When USAID seeks improve global food security and examines climate change's role in increasing drought risks, or how sea level rise may infiltrate underground fresh water aquifers, or how climate change is affecting the range of disease vectors like mosquitos that carry malaria. do you believe it is not necessary, or wrong, to account for what scientific data is telling us about climate change risks?

Answer. I understand that a core principle of the development policy and programming of the U.S. Agency for International Development (USAID) is that it applies analytic rigor to support evidence-based decision-making. USAID actively incorporates consideration of climate conditions into its country strategies and processes to design projects and activities, to ensure its portfolio of investments does not have a negative impact on the environment and positively helps to build the resilience of communities and countries in the long term. Proactively managing the risks of weather-related shocks and stresses, such as droughts, floods, and shifting rainfall patterns, also reduces the need for costly disaster response. If confirmed, I hope to work with experts in industry and academia to find ways to plan resilient responses to climatic shocks.

#### *USAID Independence*

Throughout the first year of the Trump administration, the administration seemed to seriously be considering having the State Department subsume USAID.

*Question 17.* Do you believe that USAID should be an independent agency?

Answer. Yes, I believe the U.S. Agency for International Development should remain an independent Agency.

*Question 18.* How important to the mission and success of USAID, do you believe us associated with maintaining USAID's development missions separate from, but adequately coordinated with, State Dept.'s diplomatic and political missions?

Answer. I believe it is critical for the development mission of the U.S. Agency for International Development (USAID) to remain separate from, but coordinated with, the mission of the Department of State. This allows USAID to focus on long-term development programs while closely planning with the Department of State to ensure these investments align with diplomatic priorities and policy goals.

*Question 19.* If confirmed, will you work ensure that USAID remains independent? Yes.

*Question 20.* If confirmed, will you work to defend USAID's ability to determine its own priorities and develop its own strategic approaches to achieving its missions?

Answer. Yes. If confirmed, I will be a strong advocate for the ability of the U.S. Agency for International Development (USAID) to fulfill its critical mission and help our partner countries make progress on their Journeys to Self-Reliance.

*USAID Budgets*

Two years in a row, the president proposed to cut USAID's budget by nearly 40 percent.

*Question 21.* Do you believe USAID can do its job effectively under the budgets the President has proposed for the Agency?

Answer. If confirmed, I pledge to work to advance the core priority of the U.S. Agency for International Development—advancing America's interests through our foreign assistance. While I was not involved in the formulation of previous budget requests, I believe that the Agency's work must directly improve humanitarian and development outcomes, in ways that are clearly measurable and easily evaluated, and should be designed to contribute to the self-reliance of our partners.

*Question 22.* Understanding that needs may (or will) always be greater than the sums of funds provided, do you believe this is a reasonable excuse for not requesting funds that more closely or accurately reflect USAID's needs?

Answer. If confirmed, I look forward to engaging in the budget process for Fiscal Year 2021. I look forward to supporting Administrator Green in efforts to ensure the U.S. Agency for International Development is targeting its investments at critical development and national-security needs and that the funding generously appropriated by Congress directly advances America's national interests and economic prosperity.

*Question 23.* What should USAID do differently to convince budget decision makers within the White House, National Security Council and the Office of Management and Budget to provide a better and more realistic budget for USAID?

- Should USAID lean more heavily on its private sector partners to help convey the value of development to the White House, National Security Council and OMB?

Answer. I believe that the efforts by the U.S. Agency for International Development (USAID) to reduce poverty, strengthen citizen-responsive governance, and help people and countries progress beyond assistance must advance our national security, economic prosperity, and national values. If confirmed, I look forward to working with Administrator Green to diversify USAID's partner base so the Agency engages with new actors—including those in the private sector—to work collectively to improve the delivery of foreign assistance and the impact of our development dollars.

I also expect to speak with groups domestically to educate Americans across the country about the importance of development and humanitarian assistance. Most Americans believe that the foreign-assistance budget represents between 20 and 30 percent of overall Federal spending. When they learn that it is less than one percent, and when they learn what we accomplish with that small investment and how it improves our national security, helps create economic opportunity for U.S. firms, and promotes American values, they can become some of our strongest advocates to the White House, the Congress, and beyond.

*Question 24.* If confirmed, will you commit to working on improving perceptions within the Trump administration on USAID's value, and the value of development to advancing U.S. foreign policy objectives and national security?

Answer. If confirmed, I will advocate within the administration for the resources that are critical to advancing the mission of the U.S. Agency for International Development, including promoting and demonstrating American values abroad, and advancing a free, peaceful, and prosperous world in which we are safer and more secure.

*Rescission*

This administration continues to take steps to drastically reduce our foreign aid, in direct contravention of Congressional intention.

*Question 25.* If confirmed, will you commit to advocating against these efforts, including OMB efforts to submit further rescission packages to Congress?

Answer. If confirmed, I will be a strong advocate for the U.S. Agency for International Development, to ensure it has the tools and resources needed to fulfill its mission in advancing U.S. national security, U.S. economic prosperity, and American values. I look forward to working with the interagency and the Congress to further our shared objectives.

*Policy on only providing U.S. foreign assistance to “our friends”*

This week, at the United Nations General Assembly meeting, President Trump echoed a call he made in his 2018 State of the Union to only provide foreign assistance to “our friends.”

*Question 26.* What do you think the President means when he refers to “our friends”?

- If you do not know, would you ask the President, or the White House what defines “our friends” and include the answer in your response to these questions?
- Do you believe U.S. foreign assistance should be conditioned on how countries vote at the UN?
- To the best of your knowledge has USAID received or requested any policy guidance from the White House on the “our friends” policy the President recently restated?
- If so will you please articulate this policy to the committee?
- Is USAID following any orders that reflect the President’s wishes with respect to this statement?
- How do you believe a policy that “ensure[s] American foreign assistance dollars always serve American interests, and only go to our friends” would, or should, be carried by USAID?
- Do you believe the U.S. should limit diplomatic and development engagements to our “friends”?
- Who are our “friends”?
- Would you agree that disengaging with a number of around the world could create opportunities for our global competitors like Russia and China, or extremist elements like Boko Haram and ISIS, to fill the void we create?

Answer. As echoed in President Trump’s remarks before the United Nations (U.N.) General Assembly (UNGA), the United States should always seek strong and sovereign global partners. The U.S. Agency for International Development (USAID) can be most-effective in its development efforts by supporting countries on their Journeys to Self-Reliance, by building enduring partnerships and cultivating fellow donors.

I have not received any information from the White House regarding the President’s remarks at UNGA. I believe that foreign aid is integral to promoting our foreign-policy objectives. Helping our allies is important, but we must also recognize that sometimes foreign aid can be useful to create and cultivate potential new allies in the future.

For example, I understand that USAID is committed to helping civil society and defenders of human rights in Cuba, even though, according to the Department of State, Cuba voted with the United States 17 percent of the time in 2017 at the U.N. In my view, we should not automatically cut funds to programs in a country just because its government votes against us at the U.N. I understand the money USAID spends in Cuba does not go to the Castro regime, but precisely the opposite: it helps the Cuban people, especially the families of dissidents and political prisoners. I see this type of support as in the national-security interest of the United States. I believe the Trump administration is committed to helping the Cuban people, as shown by the President’s National Security Presidential Memorandum NSPM-5 of June 16, 2017, “Strengthening the Policy of the United States Toward Cuba,” which clearly supports programs to build democracy in Cuba.

We all know that development needs will always be greater than available resources, and the U.S. Government will have to make strategic funding decisions about where to focus its resources. By using a data-driven approach, I believe USAID will be able to articulate, from a development perspective, the countries that possess the greatest capacity for, and commitment to, maintaining and financing their own development, as well as the key barriers to this self-reliance. By using these data, I foresee that USAID can strategically focus its investments to help countries to develop strong and resilient economies and societies.

*Foreign Assistance Review*

It is my understanding that the National Security Council and OMB are undertaking a review of U.S. Foreign Assistance.

*Question 27.* What do you believe is motivating this review?

- Will you pushback against any claims that devalue or distort the impact of development assistance that may be made in this forthcoming report?

Answer. I am also aware the Trump administration is undertaking a review of U.S. foreign assistance, although I have not been involved in the process.

I understand the U.S. Agency for International Development (USAID) is constantly reviewing its use of foreign assistance to ensure it is being an effective steward of taxpayer dollars, and to ensure that its programs advance U.S. national security, U.S. economic prosperity, and American values.

If confirmed, I would support any thoughtful review of assistance, especially if it is focused on improving the effectiveness and efficiency of USAID.

*Defense, Diplomacy, and Development*

The “Three Ds—Defense, Diplomacy, and Development,” is a longstanding approach the U.S. has taken to executing U.S. foreign policy.

*Question 28.* What is your opinion of the Three Ds—Defense, Diplomacy and Development and what is vision to elevate both diplomacy and development in an administration where generals have driven national security and foreign policy thus far?

- Do you agree that each of the Three Ds—Defense, Diplomacy and Development are separate and equal tools in the President’s foreign policy toolkit?

Answer. I support the defense, diplomacy and development “Three D’s” approach to international affairs, and I agree that each of the “Three D’s” is an important tool in the President’s national-security and foreign-policy toolkit. Throughout my career as a Foreign Service Officer at the U.S. Agency for International Development (USAID), after leading a succession of USAID Missions in conflict zones, working closely with both my State Department and Department of Defense colleagues, I have seen firsthand the importance of all “Three D’s.” I believe the USAID has a critical role to play in our national security, and, if confirmed, I will be a forceful advocate for development and diplomacy in the interagency.

*Diplomacy, Development and National Security*

Effective international development fosters stability, generates goodwill, and creates opportunities in developing countries. The (December) 2017 National Security Strategy acknowledges this fact by stating: “Some of the greatest triumphs of American statecraft resulted from helping fragile and developing countries become successful societies. These successes, in turn, created profitable markets for American businesses, allies to help achieve favorable regional balances of power, and coalition partners to share burdens and helped create a network of states that advance our common interests and values.”

*Question 29.* If confirmed, how will you support the elevation of development as an equal and relevant tool to diplomacy within the State Department, at the National Security Council and in discussions across the White House?

Answer. Every country is on its own Journey to Self-Reliance, and the presence of the U.S. Agency for International Development (USAID) as part of each larger U.S. Embassy community, is tailored to each country’s Journey. While USAID has general program areas (i.e., education, economic growth, maternal/child health, etc.) the success of each type of development program in each country is highly dependent on where that country is on its Journey. I understand that USAID is focusing on data-driven results, and I think that an open discussion of what this means and how it differs from diplomacy is important, as it will differentiate the work done by the Department of State and that done by USAID. Additionally, when the work done by USAID’s partners is successful, these results should speak for themselves, and thereby help to maintain development as an equal and relevant tool in the national-security toolbox.

With the elimination of the ‘Development’ Directorate within the National Security Council, many congressionally endorsed Presidential Initiatives (like Power Africa and Feed the Future) that have significant development outcomes have been neglected.

*Question 30.* If confirmed, will you support these important initiatives and elevate their use as a tool for both national security and American prosperity?

Answer. While I will not be working directly with Power Africa, Feed the Future, the President’s Emergency Plan for AIDS Relief, or the President’s Malaria Initiative in the position for which I am nominated, I was heavily involved in all four programs during my time in Nigeria. If confirmed in my new role in the Middle East Bureau, I hope to continue to be an advocate for these successful and important initiatives as opportunities arise going forward.

I am a strong supporter of the work of the U.S. Agency for International Development (USAID) in food security, and thank this committee for its bipartisan support for Feed the Future. I understand that since Feed the Future started, an estimated 23.4 million more people are living above the poverty line, 3.4 million more children

are living free of stunting, and 5.2 million more families no longer suffer from hunger. Feed the Future is a critical program, as investments in resilience and food security help combat the root causes of hunger and poverty, build more sustainable economies, and champion local solutions and entrepreneurs.

I also believe Power Africa has been a valuable and successful program—every dollar that USAID has invested in Power Africa projects has attracted over \$50 in private-sector resources, and the initiative has leveraged over \$16 billion in private-sector resources to projects to date, including through engagement with over 70 American companies. I believe energy is an area in which the United States has a comparative advantage in development, and hope to see USAID replicate similar efforts in other parts of the world. If confirmed, I am interested in better understanding how we can use Power Africa and other Presidential initiatives to incentivize good policies, capacity-building, citizen-responsive governance, open markets, and private enterprise in our partner countries by leveraging the financing and expertise of the American private sector.

*Question 31.* The 2017 National Defense Authorization Act includes several provisions (Sections 335, 583, and 1075), which illustrate a link between defense, diplomacy and development in preserving human rights, mitigating conflict and natural disasters, and protecting national security interests. If confirmed, how will you work across the Three Ds to recalibrate the National Security Strategy, and embrace a strategic approach to democracy, human rights and conflict being a strategic and national security interest of America?

Answer. I am broadly very supportive of the defense, diplomacy and development (“Three Ds”) approach, as illustrated by the President’s National Security Strategy and the Department of State-U.S. Agency for International Development (USAID) Joint Strategic Plan. These documents show that development is a core component, along with defense and diplomacy, of America’s national-security and foreign-policy toolkit. Each of the “Three Ds” is critical to addressing strategically the challenges related to threats to democracy and human rights, as well as increased conflict around the world. An example of the “Three Ds” approach in practice is the recent Stabilization Assistance Review (SAR), endorsed by the leadership of the Departments of State and Defense and USAID. I believe the SAR articulates a coordinated approach to recognizing the strategic objectives of the U.S. Government in unstable contexts. If confirmed, I would be committed to continuing cooperation and coordination across the “Three Ds” in support of U.S. national-security interests.

*Question 32.* Do you agree that improving economic opportunity, health outcomes, food security, and addressing natural resource scarcity in developing and fragile countries reduces insecurity and instability risks?

Answer. Yes. I fully agree that addressing national-security challenges requires work to improve economic opportunities, health outcomes, and food security, and to remove barriers to accessing natural resources. If confirmed, I will continue to prioritize the work of the U.S. Agency for International Development in these areas.

#### *Presidential Initiatives*

U.S. foreign policy has prioritized diplomacy and development activities that engage public and private sector partners in eradicating global health pandemics, feed the world through agriculture and invest in small farmers, heighten trade and economic development, elevate the full rights of women and marginalized people and expand access to electricity to reduce poverty and power market growth.

*Question 33.* What priorities will you advance?

Answer. If confirmed, I commit to working to engage both the public and private sectors in addressing the development challenges faced by countries on their Journeys to Self-Reliance. As I noted in my written testimony, if confirmed, I will ensure the U.S. Agency for International Development maintains its focus on the promotion of democratic values and free elections, as the role of democracy and citizen-responsive government is critical to the Journey to Self-Reliance. Women’s issues, including economic empowerment and health, are other areas to which I am fully committed, and which should remain priorities for USAID. I will also continually focus on helping communities to resist the siren call of religious extremism and protect their children from the violence it advocates.

I also believe that our development projects must leverage the application of technology and technological solutions. Using technology can sometimes shorten timelines on projects, reduce the use of resources, and scale results. However, technology alone is not a solution—the capacity-building associated with technology-driven solutions, when directed at targeted countries, will enable citizens of those countries to sustain the technology-driven solutions. An infusion of technology into

the Agency's work, when combined with technical assistance, will be another priority for me, if confirmed.

*Question 34. Do you support the extension of the following Presidential Initiatives: Power Africa, Feed the Future, the Young African Leaders Initiative, Let Girls Learn, and the President's Emergency Plan for Aids Relief?*

Answer. While I will not be working directly with Power Africa, Feed the Future, the Young African Leaders Initiative, the President's Emergency Plan for AIDS Relief, or the President's Malaria Initiative in the position for which I am nominated, I was heavily involved in these programs during my time in Nigeria.

If confirmed, I look forward to working with Administrator Green, and with Congress, to ensure the U.S. Agency for International Development (USAID) maintains gains in these areas, and continues to address global health, food security, education, the empowerment of women and girls, and other development challenges throughout the world. Regardless of the specific program, sector, or region, I pledge to do my utmost to ensure USAID remains a good steward of taxpayer dollars, and that the Agency uses the funding Congress appropriates it to maximize measurable impact on the ground, advance our national security, enhance U.S. economic prosperity, and promote American values.

#### *Gender Equity*

It has come to my attention that USAID has undertaken some steps to alter the terminology in gender equity programming.

*Question 35. Do you believe there is a distinction between gender and sex?*

Answer. Yes.

*Question 36. What is your understanding of what gender equity means?*

Answer. "Gender-equity" is the process of being fair to women and men, boys, and girls. To ensure fairness, measures need to compensate for cumulative economic, social, and political disadvantages that prevent women and men, boys, and girls from operating on a level playing field.

*Question 37. What do you believe is the difference between women's equality and gender equity?*

Answer. I understand that the U.S. Agency for International Development uses the term "gender-equality" to mean the state or condition that affords men and women equal enjoyment of human rights, socially valued goods, opportunities, and resources. Genuine equality means more than parity in numbers or laws on the books; it means expanded freedoms, and improved overall quality of life for all people. Reaching gender-equality requires working with women, men, boys, and girls to bring about changes in attitudes, behaviors, roles, and responsibilities. Women's empowerment is a critical part of gender-equality. "Gender-equity" and "gender-equality" are different in that equity is the process, while equality is the result.

#### *Diversity*

*Question 38. If confirmed, what will you do to elevate and embrace the diversity of people, voices and backgrounds within the USAID's workforce?*

Answer. If I am confirmed, from my first day in my new position the staff and officers of the Bureau for the Middle East at the U.S. Agency for International Development (USAID) will hear and know that I expect they will continue to hold true to the Agency's strong tradition of fostering a diverse and inclusive culture within the Bureau. If confirmed, I will hold all staff, but especially those in leadership and supervisory positions, accountable for protecting that tradition in fulfilling their responsibilities.

*Question 39. If confirmed, will you commit to fully support the full funding and maintenance of the Payne Fellows program, and diversity initiatives at large within the USAID?*

Answer. Yes.

*Question 40. If confirmed, what will you do to support more minority candidates applying and successfully receiving promotions within the Senior Foreign Service?*

Answer. I am proud to have a reputation as one of the Agency's strongest mentors, and someone actively committed to promoting the development and advancement of staff from all backgrounds, men and women. If confirmed, I will carry forward that history into my new role.

#### *Food Security*

We have seen in regions like the horn of Africa skirmishes over grazing lands erupt, and food insecurity and extreme drought in places like Syria

has been pointed to as a contributing factor to the violence that we see today. This violence in turn is ramping up food insecurity. There are currently four countries facing man-made famine or near famine conditions, stemming from prolonged instability, war, and conflict.

*Question 41.* If confirmed, what will you do to elevate the food continuum of food assistance (humanitarian assistance), resilience (both humanitarian assistance and development), food security (development assistance), and agricultural trade and investment (development assistance and development finance)?

Answer. Again, while food security issues will not be a central area of focus in my new position (with the possible exception of in Yemen), if confirmed, I believe it is important to strengthen the links between the investments the U.S. Agency for International Development (USAID) makes in agricultural trade and entrepreneurship, resilience, food security, water and sanitation, humanitarian assistance and stabilization. I understand that as part of the Transformation designed by Administrator Mark Green, USAID is proposing several structural reforms to accomplish this task, including by establishing the Bureaus for Humanitarian Assistance, Conflict-Prevention and Stabilization, and Resilience and Food Security. The proposal includes the creation of an Associate Administrator for Relief, Resilience and Response (R3) to oversee these Bureaus, which I believe will further strengthen the continuum from humanitarian assistance, to resilience, and to food security. If confirmed, I look forward to working with the Administrator and Congress to implement these changes.

*Question 42.* Is it in the U.S. interest to help lead and initiate programs designed to improve food security?

Answer. Yes. As populations soar in many of the world's most-fragile and impoverished regions and new stresses and unplanned shocks increase the risk of food-insecurity, investments in the creation of strong, resilient food systems are vital to U.S. national security.

*Question 43.* Is it in the U.S. interest to work towards addressing the causes of food insecurity, including growing scarcity of natural resources?

Answer. Yes. I understand that improving the management of natural resources is a key component of addressing food-insecurity sustainably, as reflected in the U.S. Government's Global Food-Security Strategy (GFSS). Continued stress on ecosystems, marine environments, fisheries, and the land, water, and natural resource base upon which productive agriculture relies, as well as the complex intrastate governance challenges related to water resources, pose challenges to food security. If confirmed, I look forward to ensuring that the U.S. Agency for International Development implements the priorities outlined in the GFSS strategically to reduce poverty and hunger.

#### *The Risks Associated with Politicizing U.S. International Development*

The slogan "America First" advances a political message that emphasizes the advancement of singular U.S. interests in our foreign policy that runs the risk of complicating U.S. development initiatives. Successful international development programs depends upon the ability of our private sector and NGO implementing partners and the credibility they have abroad. "America First" risks putting forward the appearance that U.S. companies and NGOs are political operatives of the U.S. Government, and puts them at greater risk of being targeted by the extremist influences their work is counteracting.

*Question 44.* What is your understanding of the differences between political and strategic objectives in U.S. foreign policy?

- Do you believe U.S. development assistance should only be used to advance political objectives in U.S. foreign policy?
- When is it appropriate to use development assistance to advance political priorities in foreign policy?
- Should the delivery of U.S. development assistance be a shared endeavor with NGO and private sector partners?
- How do you think foreign leaders, including U.S. adversaries who are competing with us for influence in vulnerable and strategic countries, interpret and process the "America First" doctrine?
- Do you believe the U.S. private sector should be political agents of the Trump administration?
- Do you understand why U.S. development partners may be anxious about how "America First" complicates their work and risks giving the appearance that

they are political agents at the service of the United States Government when they help administer development assistance on-the-ground?

- If confirmed, will you commit to working with development stakeholders to understand better the value of development assistance and the consequences of overexposure of the “America First” doctrine?

Answer. The President has said, “America First does not mean America alone,” but he has also been clear that the United States is the largest donor of foreign aid, and has called on other countries to step up their development contributions.

I believe that U.S. development assistance is critical to advancing our national security and economic prosperity, and to promoting our values of democracy, human rights, and freedom abroad. I also believe that partners—including non-governmental organizations, faith-based organizations and the private sector, and academia—are critical to the development and humanitarian work of the U.S. Agency for International Development (USAID). I am pleased that USAID is working to diversify its partner base to expand work with the private sector and faith-based organizations, and if confirmed, I will support this important effort.

Power Africa has shown us the impact of the private sector—every dollar USAID has invested in Power Africa projects has attracted over \$50 in private-sector resources, and the initiative has leveraged over \$16 billion in private-sector resources to projects to date, including through engagement with over 70 American companies. I believe energy is an area in which the United States has a comparative advantage in development, and hope to see USAID replicate similar efforts in other parts of the world. If confirmed, I am interested in better understanding how we can use Power Africa and other Presidential initiatives to incentivize good policies, capacity-building, citizen-responsive governance, open markets, and private enterprise in our partner countries by leveraging the financing and expertise of the American private sector. The potential to transfer the Power Africa model into other sectors and other geographic areas is something I would be interested in exploring, if confirmed. The use of best practices and proven successes should help to guide USAID as it considers scaling a diverse range of programs worldwide.

I also believe the people who receive our assistance should know it comes from the American people, and this is why I strongly support branding our aid.

#### *Oversight and Vetting*

*Question 45.* Has anyone ever made an allegation of sexual harassment, gender or racial discrimination, hostile work environment, or wrongful termination against you, whether through an informal process, or a formal complaint?

- If so, what was the nature of the allegation, and how was it resolved?

Answer. No, not to my knowledge.

*Question 46.* Have you entered into any settlements (including but not limited to private mediation or arbitration) involving a claim of sexual harassment, gender or racial discrimination, hostile work environment, or wrongful termination against you?

- If so, please include the nature of the claim and the settlement amount.

Answer. No.

*Question 47.* Has anyone ever made an allegation of sexual misconduct or assault against you?

- If so, what were the circumstances and how was it resolved?

Answer. No, not to my knowledge.

*Question 48.* Have you ever taken any disciplinary action against any employee that you supervised in response to any allegations of sexual harassment, gender or racial discrimination, or hostile work environment in the workplace?

- If so, please describe your role and the actions taken.

Answer. No.

*Question 49.* What will you do to address any claims of sexual harassment, discrimination, hostile work environment, or sexual misconduct at USAID?

Answer. I will handle any and all such situations in a manner which is fair to all employees involved, consistent with the policy requirements of the U.S. Agency for International Development and U.S. law, and with the intent to create a work environment that is respectful, safe and empowering for all employees.

*Question 50.* Do you commit to ensuring the Department’s policies are clearly communicated and that employees know how to report any complaints?

Answer. Yes.

*Question 51.* Do you agree that any targeting of or retaliation against career employees based on their perceived political beliefs, prior work on policy, or affiliation with a previous administration, is wholly inappropriate and has no place in the federal government?

Answer. Yes.

*Question 52.* If confirmed, what will you do to ensure that all employees under your leadership understand that any retaliation, blacklisting, or other prohibited personnel practices will not be tolerated?

Answer. If I am confirmed, from my first day in my new position the staff and officers of the Bureau for the Middle East at the U.S. Agency for International Development (USAID) will hear and know that I expect they will continue to hold true to the Agency's strong tradition of fostering a diverse and inclusive culture within the Bureau, and that I will not tolerate such behavior as retaliation, blacklisting, or other prohibited personnel practices. If confirmed, I will hold all staff, but especially those in leadership and supervisory positions, accountable for protecting that tradition in fulfilling their responsibilities.

*Question 53.* Do you commit to report any concerns you have about waste, fraud, or abuse to the USAID Inspector General?

Answer. Yes.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL T. HARVEY BY SENATOR BENJAMIN L. CARDIN

*Syria Stabilization and Development*

The administration recently announced it was reprogramming \$230 million in funds originally marked for Syria stabilization. The U.N. has estimated that Syria stabilization costs will exceed \$300 billion.

*Question 54.* Despite other donor nations who have stepped forward, in light of the \$230 million reprogramming, do you believe the U.S. and the international community will match the need?

- What in your view is USAID's role in Syria stabilization?
- What stabilization activities, specifically, did USAID plan to support prior to the re-programming? What countries or organizations have the capacity to support and carry out similar programs in Syria?
- Syria has experienced a major exodus of academics, and primary and secondary schools across the country have shut down, leaving thousands of children out of school. How does USAID plan to support re-establishing Syria's education system?

Answer. I understand the U.S. Agency for International Development (USAID) continues to work hand-in-hand with the Departments of State and Defense, and with our Coalition partners, to support stabilization initiatives that enable Syrians to return voluntarily and safely to their homes in Raqqa and other former strongholds of the Islamic State in Iraq and Syria (ISIS). Since the beginning of the conflict, the United States has provided more than \$875 million in stabilization assistance to the people of Syria, which is in addition to the work undertaken, and still being carried out, by our Coalition partners.

While I was not involved in the decision-making process, I understand that, after reviewing the military and financial contributions made by the United States to date, as well as significant new pledges made by Coalition partners, the administration determined to redirect to other global priorities some funds from Fiscal Year 2017 originally planned for stabilization programming in Syria. USAID's stabilization efforts in Syria have addressed locally identified needs, especially in those areas liberated from ISIS. These have included re-establishing power and water, restoring healthcare facilities, and refurbishing schools. Personnel from USAID and the State Department have worked with a variety of local Syrian partners in pursuit of these efforts to enable the safe and voluntary return of Syrians to their homes in the hope that these communities can return to normal life.

The United States remains focused on the enduring defeat of ISIS and the stabilization of those areas recently liberated, and expects to be able to continue the successful military campaign against remaining pockets of ISIS radicals.

I understand the administration intends to continue pressing partners to contribute to the ongoing stabilization needs in Syria, by building on the significant contributions that Coalition partners have already pledged since April.

On education, I understand the Department of State's funding in Northeast Syria helped local students in Raqqa and the surrounding area to resume their education this month.

USAID has additional, robust programs to fund education for Syrian refugees in neighboring Jordan and Lebanon. In partnership with the host-country governments, USAID's assistance ensures equitable access to public school for refugee students, particularly at the primary level.

#### *Human Rights*

*Question 55.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. My strategic approaches, while leading field Missions for the U.S. Agency for International Development (USAID) in multiple countries, share the common thread of finding opportunities to enable citizens, communities and institutions to hold their governments, at all levels, more accountable to their people, and insisting that governments needs to perform and fulfill their responsibilities.

In Serbia, our community-reconciliation programs were critical to enabling both Serbian and Albanian communities to get past the violent conflict and sense of alienation that affected Southwestern Serbia. I was the most-visible face of the U.S. Government in that region: I let Belgrade know we were watching, and reassured the Albanian minority we had not forgotten them.

During my tenure in Tel Aviv, we began to invest our Conflict-Mitigation and Management (CMM) monies to support programs between Israeli Jewish and Arab citizens. (CMM funding had previously only been used to bring together groups across the Green Line). These programs probably did more to help inter-communal relationships within the State of Israel than anything else USAID did during my time as Mission Director.

I could offer several examples from my most recent experience as USAID Mission Director in Nigeria, but let me cite just one—the mobilization of public demand for better health and education to prompt improvements in citizen-responsive governance. As in much of Africa, the funding available to the USAID Mission in Nigeria is heavily weighted toward HIV/AIDS, and there are few resources for programs in democracy and governance. Recognizing this reality, we restructured our education and health funding to do three things:

1. Organize community-level civil-society organizations (CSOs) around education and health to give active voice to public demands in these two areas;
2. Make clear to State Governors that we were conditioning our financial support on their choosing the necessary policy priorities and making the necessary personnel and budget decisions required to turn around the performance of the public sector in these two areas; and
3. Work directly with all levels of the State structures, from Departments of Budget, Procurement, Personnel, Education and Health, to enable the Governors to honor their commitments.

Where we used this approach, we saw increases in State funding in these two areas, higher school attendance, better health outcomes, and improved public attitudes toward the State Governments.

#### *Diversity*

*Question 56.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I have a widely held reputation as one of the Agency's strongest mentors and someone actively committed to promoting the development and advancement of staff from all backgrounds, men and women. I will carry forward this history will into my new role if confirmed.

*Question 57.* What steps will you take to ensure each of the supervisors in the Middle East Bureau are fostering an environment that is diverse and inclusive?

Answer. From my first day in my new position, if confirmed, the staff and officers of the Middle East Bureau at the U.S. Agency for International Development (USAID) will hear and know that I expect they will continue to hold true to the Agency's strong tradition of fostering a diverse and inclusive culture within the Bureau. I will hold all staff, but especially those in leadership and supervisory positions, accountable for protecting that tradition in fulfilling their responsibilities.

*Conflicts of Interest*

*Question 58.* Do you commit to bring to the committee's attention (and the USAID Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 59.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

*Question 60.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL T. HARVEY BY SENATOR EDWARD J. MARKEY

*Assistance Cuts to West Bank/Gaza*

*Question 1.* The administration's recent decision to cut 200 million dollars in Economic Support Funds to civilians in the West Bank and Gaza will deny Palestinians, mostly women and children, access to clean water, food, education, and medical services. Denying this much-needed aid exacerbates poverty, fuels extremism, furthers reduce the chance of a future peace agreement and threaten Israel's security. The administration has led us to believe that other countries will step up to fill in the gaps for humanitarian aid to the Palestinians. Do you know which countries are being engaged, and what is the status of U.S. diplomatic efforts to address the funding shortfall and overall humanitarian needs on the ground? If you are not aware, can you commit to updating Congress on the diplomatic efforts?

Answer. I understand the United States is ready to engage with governments in the region regarding humanitarian assistance to the Palestinians, including to discuss the possible transition of services provided by the United Nations Relief and Works Agency (UNRWA) to national authorities in countries that are hosting Palestinian refugees, or to other international or local non-governmental organizations, as appropriate. While I do not have more details at this time, if confirmed, I look forward to keeping you updated on the implications of these decisions on the programming managed by the U.S. Agency for International Development in the West Bank and Gaza, and on the details of our diplomatic efforts to engage other donors.

*Question 2.* It appears that the 200 million dollars in Economic Support Funds intended for civilians in the West Bank and Gaza will be reprogrammed to support other priorities. Which priorities are being considered?

Answer. Earlier this year, I understand the President directed a review of U.S. assistance to the Palestinian Authority and in the West Bank and Gaza to ensure these funds were being spent in accordance with U.S. national interests, and were providing value to the U.S. taxpayer.

As a result of that review, I have heard that the U.S. Agency for International Development (USAID), at the direction of the President, has reinvested in other places more than \$200 million in Fiscal Year 2017 Economic Support Funds originally planned for programs in the West Bank and Gaza. I understand that USAID submitted Congressional Notifications to redirect these funds to high-priority projects elsewhere. For example, I understand that \$5 million was redirected to fund democracy and governance programming in Ethiopia, which will capitalize on the recent opening of political space brought about by the new Prime Minister.

While I have not yet received a briefing on the reprogramming decisions in detail, if confirmed, I commit to updating you on the specifics.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL T. HARVEY BY SENATOR JEFF MERKLEY**

*Question 1.* Do you believe that the current military offensive led by the United Arab Emirates (UAE) around Yemen's port city of Hodeida undercuts U.N. brokered peace efforts?

Answer. One of the primary concerns of the U.S. Agency for International Development (USAID) in Yemen is the humanitarian impact of the ongoing conflict. USAID urges the Saudi-led Coalition, the Houthis, and other parties to continue to allow the free movement of all humanitarian and commercial goods, including fuel, into and within Yemen to reach people in need, and to respect international humanitarian law and the safety of aid workers.

*Question 2.* Was USAID, international non-governmental organizations, or other donor countries consulted, pursuant to the Section 1290(b) determination in the FY2019 National Defense Authorization Act, on whether the Saudi Arabia-led coalition military operations in Yemen has upheld principles of discrimination and proportionality as is required under International Humanitarian Law (IHL) and the Laws of Armed Conflict (LOAC)?

Answer. I understand that the U.S. Agency for International Development (USAID) provided feedback to the Department of State on the determination regarding Yemen. However, as I was not involved in the certification process required under Section 1290(b) of the NDAA, I cannot comment on the specifics.

*Question 3.* If so, what specific evidence can USAID provide to support the conclusion that the percentage of civilian casualties in Yemen has decreased since the United States began providing various forms of military and intelligence assistance to the Saudi-led military coalition?

Answer. I have received assurances that the administration continues to press Coalition partners at the highest levels to mitigate the conflict's impact on civilians, and reduce the risk of civilian casualties and damage to civilian assets.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL T. HARVEY BY SENATOR CORY A. BOOKER**

*East Jerusalem Hospital Funding Cut*

The Taylor Force Act, which I helped ensure met the objectives of ending the despicable prisoner payments system while protecting critical assistance to the most vulnerable, is now being completely undermined by this administration. The law contains explicit language exempting the East Jerusalem Hospital Network from the cut off of assistance under the bill.

I was shocked to hear that the administration was cutting \$25 million in assistance to the East Jerusalem Hospital Network. These hospitals treat some of the most difficult and needy cases, like cancer care, cardiac and eye surgeries, neonatal intensive care, children's dialysis and physical rehabilitation of children. Our most recent Ambassador to Israel, Dan Shapiro, called the move "indefensibly cruel." Additionally, the administration cut \$10 million in Conflict Management and Mitigation (CMM) grants, which bring together individuals of different backgrounds from areas of conflict in people-to-people reconciliation activities.

*Question 1.* Why did the administration go against the intent of Congress and cut off the funding to the East Jerusalem Hospital Network?

- Why did the administration cut off Conflict Management and Mitigation (CMM) grants in Israel, the West Bank, and Gaza?
- Explain how specifically cutting off the funding to the East Jerusalem Hospital Network will advance U.S. objectives when the administration had already announced the redirection of some \$200 million in other assistance to the West Bank and Gaza?
- What is your position on providing this funding in the future?

Answer. Earlier this year, I understand the President directed a review of U.S. assistance to the Palestinian Authority and in the West Bank and Gaza to ensure these funds were being spent in accordance with U.S. national interests, and were providing value to the U.S. taxpayer.

As a result of that review, I have heard that the U.S. Agency for International Development (USAID), at the direction of the President, has reinvested in other places more than \$200 million in Fiscal Year 2017 Economic Support Funds origi-

nally planned for programs in the West Bank and Gaza, including the funds for the East Jerusalem Hospital Network. I understand that USAID submitted Congressional Notifications to redirect these funds to high-priority projects elsewhere. For example, I understand that \$5 million was redirected to fund programming democracy and governance in Ethiopia, which will capitalize on the recent opening of political space brought about by the new Prime Minister.

Consistent with these decisions, I understand some smaller, regional programs also adjusted their program plans. USAID has briefed me that the global Conflict-Management and Mitigation (CMM) program, which had planned to provide its \$10 million in grants to organizations in the West Bank, Gaza, and Israel will refocus these funds to support CMM grants for organizations based in Israel that will support dialogue between Israeli Arabs and Israeli Jews.

While I have not yet received a briefing on the reprogramming decisions in detail, if confirmed, I commit to updating you on the specifics.

I can assure you, Senator, that I know these programs and these partners well, and if confirmed, I will continue to be closely engaged.

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DOCUMENTATION OF ATROCITIES IN THE NORTHERN RAKHINE  
STATE—SUBMITTED BY SENATOR YOUNG

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DOCUMENTATION OF  
ATROCITIES IN  
NORTHERN RAKHINE  
STATE

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August, 2018

## EXECUTIVE SUMMARY

The Bureau of Intelligence and Research (INR), with funding support from the Bureau of Democracy, Human Rights, and Labor (DRL), conducted a survey in spring 2018 of the firsthand experiences of 1,024 Rohingya refugees in Cox's Bazar District, Bangladesh. The goal of the survey was to document atrocities committed against residents in Burma's northern Rakhine State during the course of violence in the previous two years.

The survey used a representative sample of refugee camp populations to provide insights into the violence they witnessed. Any hearsay testimony was not recorded. Survey results reveal the pattern of events refugees experienced. There may be cases when multiple refugees reported witnessing the same event, so the percentages from this survey should not be extrapolated to come up with a definitive overall number of events. The National Geospatial-Intelligence Agency (NGA) worked with INR to map and analyze the resulting data (see Map 1).

The results of the survey show that the vast majority of Rohingya refugees experienced or directly witnessed extreme violence and the destruction of their homes. They identified the Burmese military as a perpetrator in most cases.

- Most witnessed a killing, two-thirds witnessed an injury, and half witnessed sexual violence (see Figure 1).
- Rohingya identified the Burmese military as a perpetrator in 84% of the killings or injuries they witnessed.
- Three-quarters say they saw members of the army kill someone; the same proportion say they witnessed the army destroying huts or whole villages. Police, unidentified security forces, and armed civilians carried out the rest of the observed killings.
- One-fifth of all respondents witnessed a mass-casualty event of killings or injuries (either in their villages or as they fled) with more than 100 victims.

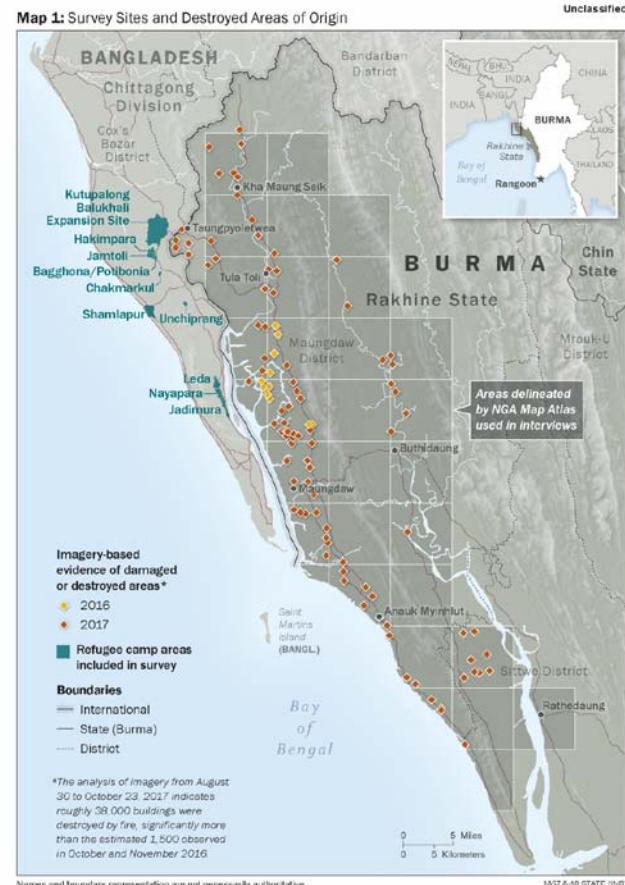
**Figure 1: Hut and Village Destruction, Killing Top the List of Violent Acts Experienced**



The two main phases of violence—the first in October 2016 and the second beginning in August 2017—followed attacks against Burmese security forces by the Rohingya insurgent group Arakan Rohingya Salvation Army (ARSA). The vast majority of reported incidents against Rohingya took place from August to October 2017. The survey shows that the military, which used the ARSA attacks to justify its so-called counterinsurgency operations in northern Rakhine State, targeted civilians indiscriminately and often with extreme brutality.

- Forty-five percent of refugees witnessed a rape, and the majority of rapes witnessed were committed, in whole or in part, by the army. Overall, nearly 40% of refugees saw a rape committed by members of the Burmese security services—either police or military—including 18% who saw them commit a gang rape.
- Members of the security services, as well as non-Rohingya civilians in some cases, targeted children and pregnant women.
- Those who were left behind because they were elderly, sick, or otherwise infirm were frequently found dead when their relatives returned to check on them.

The survey reveals that the recent violence in northern Rakhine State was extreme, large-scale, widespread, and seemingly geared toward both terrorizing the population and driving out the Rohingya residents. The scope and scale of the military's operations indicate they were well-planned and coordinated. In some areas, perpetrators used tactics that resulted in mass casualties, for example, locking people in houses to burn them, fencing off entire villages before shooting into the crowd, or sinking boats full of hundreds of fleeing Rohingya.

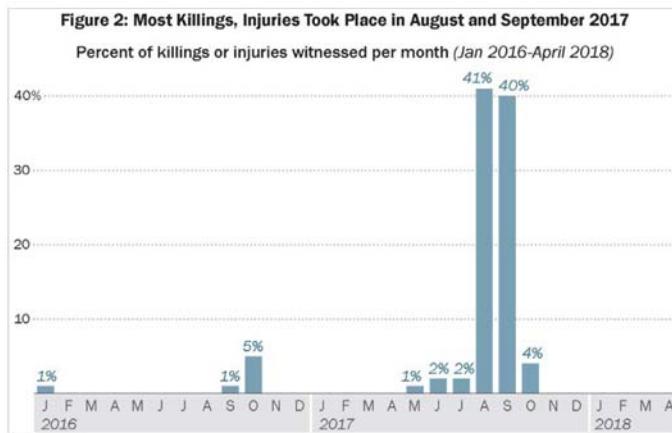


## INTRODUCTION

In spring 2018, the Bureau of Intelligence and Research (INR) worked with funding from the Bureau of Democracy, Human Rights, and Labor (DRL) to design and carry out a survey to document claims of atrocities committed against the ethnic Rohingya in Burma's northern Rakhine State since October 2016. INR combined a quantitative approach to sampling with a qualitative, semi-structured questionnaire. This approach allowed investigators to systematically collect data on events that refugees encamped in Bangladesh had witnessed in their northern Rakhine State villages. Expert and well-trained investigators and their translators took special steps to create a comfortable interview structure that reduced possible stress on the respondents, allowed for the investigator to obtain clarifying detail on perpetrators and events, and separate firsthand experience from hearsay testimony.

DRL contracted with an expert outside group to gather a team of 18 experienced human rights investigators from around the world to conduct the research. INR trained the team on sampling methodology, and the National Geospatial-Intelligence Agency (NGA) created a map atlas that allowed the investigators to identify and locate where events occurred. The 1,024 survey respondents included only adults who left northern Rakhine State on or after October 1, 2016, though reports of violence date from as early as January 2016.<sup>1</sup>

What follows is an analysis of the resulting data, which illuminates the excessive use of force the Burmese Army and police unleashed on the Rohingya population in the name of counterinsurgency clearance operations after the October 2016 and August 2017 Arakan Rohingya Salvation Army (ARSA) attacks. The survey's most salient findings fall into the two periods that coincide with these Burmese military operations: the first focused during October 2016 and the second, and far more violent period, from August-September 2017 (see Figure 2).



<sup>1</sup> While the survey was open to respondents of any ethnicity, only Rohingya were captured in the sample.

#### **Background on Systematic Abuse**

The Rohingya have experienced decades of persecution and violence, largely perpetrated by Burmese security services and the government. The roots of anti-Rohingya sentiments and discrimination lie in a longstanding belief in Burma that Rohingya are not “native” to Burma but arrived from Bangladesh during British colonial rule. Rohingya separatist movements in the 1940s and 1950s, and periodic, low-level unrest since, contribute to the state-sanctioned narrative that the Rohingya are a security concern to be contained and must be treated separately from those they consider to be rightful Burmese citizens. Burma’s military government gradually stripped Rohingya of their citizenship and other rights in a series of maneuvers, including the 1982 Citizenship Law, and a decision in 2015 to revoke their temporary registration cards. State violence against the Rohingya in 1977, under the military’s Operation Dragon King aimed against “illegal immigration,” and again in 1991 in what they claimed was a response to attacks by the Rohingya Solidarity Organization (RSO), resulted in two separate waves of refugees when hundreds of thousands of Rohingya fled across the border to find refuge in Bangladesh.

#### **SECTION I: PATTERN OF VIOLENCE IN NORTHERN RAKHINE (2016 AND 2017)**

On October 9, 2016 a group of ARSA members and other Rohingya villagers attacked three border guard police stations, leaving nine policemen dead. The military responded by using what it called counterinsurgency tactics against the Rohingya population in the area. Few witnessed killings (2%) or destruction of huts (3%) between October and November 2016, most likely because the military targeted villages in only a few areas (see Map 1; see Tab 2 for background on ARSA).

##### **Authorities Targeted Men for Abduction, Arrest (October 2016-August 2017)**

As part of their military operations beginning in October 2016, Burmese security officials would take Rohingya men into custody, ostensibly to question them about ties to or knowledge of ARSA. As tensions rose between Burmese officials and Rohingya in northern Rakhine State, increasing numbers of men and boys were taken into custody. To avoid being taken away by security services, men spent nights hiding in the woods, leaving their wives and children vulnerable to invasive searches by security services. Many of these women reported being groped, stripped, or violated while intruders searched their homes and their bodies for valuables or possible weapons.

##### **Abductions of Women (October 2016-August 2017)**

Refugees also reported abductions of women. In the year before the attack on her village, one woman said that the military would take the “beautiful” girls and they never came back. In another notable case, four months before the major attack, one refugee said the military told each village in his area that they had to provide 20 women so they could “teach them tailoring,” but the village never heard from them again.

Though in many cases the victim's fate is unclear, refugees reported instances in which women had been raped after abduction. The week prior to an attack on his village, a man was walking in a forest near a military outpost when he saw four Rohingya girls tied up with ropes, heavily bleeding and "half dead." They told him the military had kept them there for three days raping them.

#### **Increased Restrictions (2017)**

On August 25, 2017, ARSA launched attacks against about 30 police and army posts in northern Rakhine state, triggering a harsh military reaction. The majority of the attacks and three-quarters of the reported killings witnessed by the refugees in our survey occurred between August and October of 2017. Before the most acute violence broke out, a majority reported increased movement restrictions—even above the normal levels.

Dozens reported that Burmese authorities removed fences before the attacks, either by doing so themselves or by forcing Rohingya villagers to do so. In some cases, the military said they did not want Rohingya hiding militants. Removing fences also was meant to humiliate Rohingya, as it forced them to urinate and defecate in the open air. In at least 50 cases, respondents reported that the military and other actors removed knives, tools, iron, and other sharp objects that could be used as weapons. In some cases, local authorities photographed these objects as evidence of ARSA presence in the village.

- One-third who had these items taken said such restrictions had existed in their village for years. In about one-quarter of the cases, local authorities took these objects after the October 2016 attacks, and through summer 2017. Three-in-ten said the objects were removed between a month and a day before the attack, while the remaining 11% said they were removed while the attack was in progress or immediately prior.
- Rohingya most often cited the military as the culprit (in 88% of cases), but in some cases, civilians (31%) and police (22%) participated. In each, the removal of these objects facilitated the subsequent ground assaults, killings, and property destruction.

*"When the military came, they would steal whatever we had, including knives—we could not cut vegetables or fish."* Female, age 30

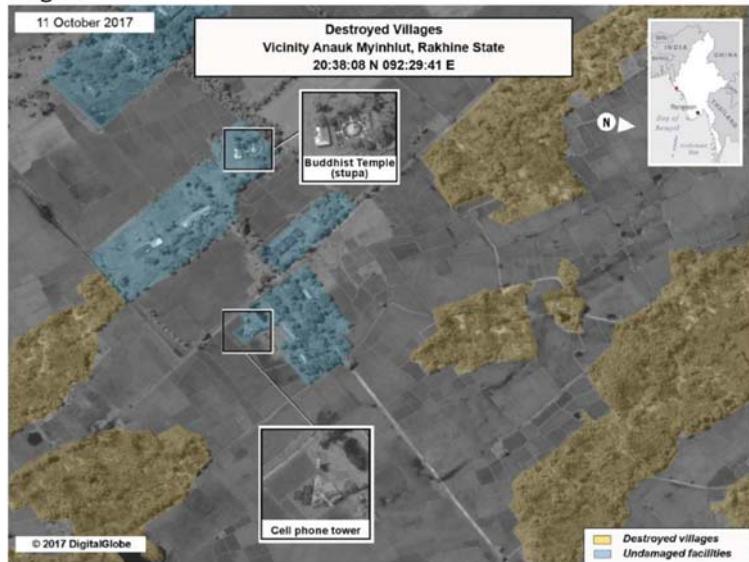
#### **Systematic, Large-Scale Violence Strikes Villages (August-September 2017)**

After August 25, on the days when violence broke out in their villages, some respondents reported the attacks began in the early morning before most residents were awake. These attacks explicitly targeted Rohingya, and left neighboring non-Rohingya sites (e.g. Buddhist stupas) and critical infrastructure (e.g. cell phone towers) untouched during the assaults (see Image 1, next page). During these large-scale attacks, homes and property were destroyed, and scores of Rohingya were killed as they fled their villages. These attacks generally lasted 1-4 days, depending on the size of the village. Rohingya said the army was involved in nearly all (92%) of the ground assaults—at times alone (32%), but sometimes accompanied by other security forces (26%), civilians (11%), or both (23%).

The stories from some refugees show a pattern of planning and pre-meditation in their villages on the part of the attackers. In one case, the local heads of the military and police called together

25 Muslim leaders from the surrounding villages to tell them to leave or they would be killed or burned. Other respondents reported non-Rohingya neighbors leaving shortly before the outbreak of violence.

**Image 1**



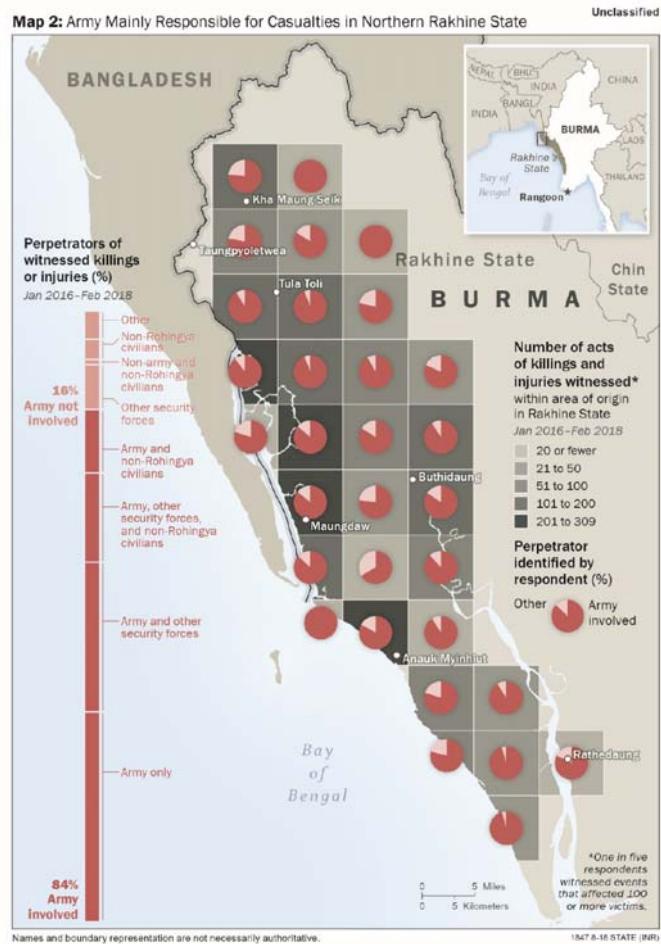
## SECTION 2: TYPES AND PERPETRATORS OF VIOLENCE WITNESSED BY ROHINGYA

### Burmese Army Overwhelmingly Identified as Main Actor

The results of the survey overwhelmingly show that Burmese security forces, and the army in particular, primarily are responsible for the violence that has driven the nearly 800,000 Rohingya from their homes since October 2016 (see Map 2, next page).

- Three-quarters witnessed a killing by a member of the army. In contrast, only one-quarter witnessed a killing by non-Rohingya civilians or any police force.
- Victims named the army as perpetrators in an overwhelming majority (88%) of the killings witnessed, as well as in nearly all armed ground assaults (92%) and aerial attacks (88%).

*"The military surrounded us and shot at people. They wore green uniforms. They wore red scarves and red patches on their shoulders. They had long guns held on their shoulders and helmets."* Female, age 18



In many cases—and in half of the armed ground assaults reported—additional security services such as the Border Guard Police (BGP), the Rakhine State Police, or the Combat Police forces accompanied the army. Non-Rohingya civilians also participated in the violence and the looting that often accompanied it. In some cases, refugees said the military provided civilians uniforms and weapons to be used in the assault.

#### **Official Rhetoric, Attackers' Language Coincide**

Official statements portrayed the Rohingya as a foreign jihadist enemy group, and those who fled as guilty of belonging to, supporting, or sympathizing with a terror group.

*"Rakhine State sees an increasing number of Bengali populations. Later the Bengalis in Rakhine State drove out the natives including Rakhine, Dainet, Mro, Khami and Maramagyi. Conflicts between Rakhine ethnics and Bengalis occur as Bengalis try to establish a separate region... Arrangements are being made to launch the Jihad holy war in the whole Rakhine State before October 2017."* (Army Spokesman Maj-Gen Aung Ye Win on August 31, 2017)

*"ARSA extremist Bengali terrorists were not successful in attacking the security outposts, and they fled to Bangladesh for fear of the retribution of the security troops. As the terrorist took their families together with them, the number of people who fled had become large."* (Min Aung Hlaing, in comments to U.S. Secretary of State Rex Tillerson on November 16, 2017)

Those Rohingya who were able to understand their attackers frequently heard similar themes—soldiers, policemen, and civilians telling them that they did not belong in Burma and that they must leave or face death. During the attacks on their villages and rapes, many Rohingya reported hearing perpetrators using explicit language and calling them “Bangladeshi/Bengali” or the racial slur “Kalar.” Many Rohingya cannot speak Burmese and thus were unable to say what was being shouted at them during the attacks. Others said the attackers approached their task in silence.

#### **Killings, Destruction, Heavy Weaponry Pervasive**

The violence respondents witnessed was extensive and followed consistent patterns across northern Rakhine State.

- Overall, eight-in-ten refugees said they witnessed a killing, most often by the Burmese security forces—either police or military. Over half (54%) of the killings witnessed were from shooting, 20% by machete or knife, and 11% by burning. Only 3% the killings were from drowning, though refugees reported that more drowned during their escape.
- Two-thirds said that they were taken into army or police custody or that they saw other Rohingya being taken.
- Eight-in-10 reported they saw the destruction of homes or villages. Many more reported that others had confirmed their homes were destroyed, but this hearsay testimony was not recorded by the investigators. Imagery analysis from August 30 to October 23, 2017

indicates that more than 38,000 buildings were destroyed by fire, significantly more than the estimated 1,500 observed in October and November 2016. Most villages where burning occurred were totally destroyed.

In some cases, refugees said several cars or trucks would arrive to take part in a coordinated attack—speedboats were also mentioned in some areas. More than 100 respondents from villages spread across northern Rakhine State mentioned seeing helicopters, though they did not always take part in the attacks; some saw them drop “bombs” or “rockets.”

- Across northern Rakhine State, but especially near Maungdaw and areas further north, respondents reported the use of heavy, explosive weapons such as rocket launchers (or “launchers”) and grenades. They most often said the army or security forces were using these weapons.
- Others said the soldiers were using long and short guns or knives. Several respondents also said the local ethnic Rakhine (also known as “Mogh”) were using long knives or machetes to take part in the attack.
- In many areas, refugees mentioned the use of flamethrowers or incendiary devices. Security forces most often used these weapons to burn down houses, but also used them to kill and injure Rohingya.

*“The whole village was under random fire like rain.” Male, age 20*

Refugees reported that the perpetrators of the violence singled out community or religious leaders as their targets in some areas. Thirty percent of the respondents reported they witnessed explicitly religious targeting or harassment. Respondents also detailed cases of the military’s desecration of sacred texts, and some saw soldiers burning or urinating on Korans.

Theft of livestock and personal property—often jewelry and cooking vessels—was commonplace. One-third said their food resources were stolen or destroyed. Though the military was most commonly named as the perpetrator (involved in 76% of reported cases), non-Rohingya civilians were involved in one-third of the thefts witnessed. Some refugees lamented that their families had been living comfortable lives and that they owned small shops, acres of agricultural land, and cows, all of which had been destroyed, leaving them with virtually nothing with which to rebuild their lives. In some villages, community elite were targeted in the theft and violence, including those who were wealthier or more educated. In other areas, respondents described the actions as more random.

The Burmese government officially ceased operations in northern Rakhine on September 5, 2017. An analysis of imagery shows villages still burning on that date (see Image 2, next page), and reports from refugees indicate the violence continued, tapering through September and early October.

**Image 2**

#### **Mutilation, Possible Torture Prevalent**

Investigators heard reports of mostly Burmese soldiers, and sometimes civilians, mutilating or possibly torturing Rohingya before and during the attacks. One-in-ten refugees witnessed these acts.

- Reports of mutilation included the cutting and spreading of entrails, severed limbs or hands/feet, pulling out nails or burning beards and genitals to force a confession, or being burned alive.
- Thirty-three respondents reported groups of Rohingya were forced to stay outside for hours as a form of punishment, or as part of interrogations.
- Thirty-two respondents reported either seeing victims being decapitated or dismembered. Others reported passing mutilated corpses on their way to Bangladesh, but were unable to confirm what had happened.

Many reported passing dead bodies as they escaped from their home village to Bangladesh. Some appeared to have died due to various injuries—sometimes described as mutilations—while others seem to have died from exhaustion or other stresses on the journey. One-in-ten reported seeing the disposal of bodies in pits, graves, mass graves, or using other methods. In a few cases, witnesses said Rohingya were either killed in pits or buried alive, but in the majority of events, the victims were already dead when the bodies were being dumped, covered, or destroyed.

- Some reported seeing dead bodies being dropped into a pit or a grave dug by the military—sometimes with the assistance of bulldozers. Perpetrators also took advantage of village wells for body disposal.
- In other cases, soldiers burned dead bodies, aided by kerosene, hay, or wrapped blankets.
- One refugee reported that the military put acid into victims' eyes so they could not be identified. Others reported the military dismembered bodies.
- Rohingya often saw bodies floating in water—one described seeing “heads floating in the river like footballs.”

*“The military shot our honorable old Imam. They shot him twice, but he was not dead yet. So they stabbed him and hung his torso on a tree.” Female, age 30*

#### **Weak, Vulnerable Bear Brunt of Violence**

During the attacks on Rohingya communities, refugees report that the military and, to a lesser extent, the state police, injured and killed those who were not able to dodge the attacks—often women, children, and the elderly. In some cases the violence against these vulnerable populations was indiscriminate, as soldiers shot rounds of bullets into the air. At other times, it was specifically targeted. In some villages, soldiers went door-to-door to kill those who had been unable to flee after the initial phase of violence.

*“I had to choose between my children and my mother... I had only two hands and two children” Male, age 35*

*“The military and BGP slaughtered my son, who was 5 years old. When military came, I was pregnant. The situation was very horrific. I could not get all of my children. I could not go to my son. He was killed.” Female, age 25*

One-hundred and seventeen refugees from across northern Rakhine State witnessed infants and children being beaten or killed, or saw the corpses of children with gunshot wounds or cut throats in villages and along roads as they fled to Bangladesh. When the military shot adult families, multiple reports indicate they included the children in the executions. In some cases, witnesses report seeing soldiers or police grab infants out of their mother's arms to kill them, and some reported seeing them physically brutalize young children by stomping on them, beating them or throwing infants on the ground. Most of these events occurred in August and September 2017.

- Multiple witnesses report soldiers throwing infants and small children into open fires or burning huts. Witnesses also report seeing soldiers throw children into rivers and seeing children's bodies that had been thrown into a village well. One refugee reported seeing a police officer throw an infant in a river, then shooting the mother when she ran into the water to save her child.
- One refugee told of soldiers following a group of Rohingya as they fled to Bangladesh. At one point, she said they suddenly shot into a group of children who were playing on the ground, killing a 5-year-old, a 3-year old, and a 3-month old infant.

- In one report, a group of Rakhine civilians joined the military in attacking villagers in a rice paddy. One of the civilians stopped a man who was holding an infant, threw it in the air and caught it on his long knife.
- Soldiers attacked women, and their infants, during or just after childbirth. Several refugees from different villages also reported that soldiers killed pregnant mothers by slashing their stomachs open and ripping out their fetuses.

Consistent with the military's attacks on vulnerable segments of the Rohingya population, the military and police also appear to have targeted elderly men and women by beating, shooting, or stabbing them during attacks on their villages. Many respondents reported that the elderly were burned alive after their houses were set on fire and they were unable to escape.

- As his village was burning, one man witnessed soldiers physically push four disabled and elderly men who could not walk inside burning homes.
- Soldiers killed one witness's 70-year-old mother in front of her, then mutilated her body and threw it into a fire.
- Witnesses also report seeing the dead bodies of many elderly people as they fled to Bangladesh.

#### **Respondents Escaped, but Many Did Not**

In many of the reported cases, Rohingya left their villages and escaped across the border to Bangladesh. In other areas, however, there seemed to be a concerted effort by the attackers to prevent the Rohingya from escaping, and to inflict maximum damage upon them.

- Some reported that during assaults, villagers were locked into houses, and those houses were set on fire.
- Two refugees witnessed the military blocking all roads or exits from the village before opening fire on the Rohingya population.
- Nine respondents reported the army, navy, or ethnic Rakhine civilians took their boats, or scuttled or destroyed them during the violence to prevent their use.

One-fifth of all refugees said they witnessed a mass-casualty event of killings or injuries with more than 100 victims. In some cases, respondents said the events occurred in their own villages, while in other cases they reported seeing massacres as they fled to Bangladesh. In one case, the respondent said men were forced to lie face-down on the ground, and more than two hundred men and one woman were killed by being cut across the neck.

- One respondent witnessed Rohingya being shot and cut while hiding in the hills outside a village. Another mentioned seeing a "flood of bodies" from the same massacre there.
- Twenty-eight respondents reported the army or navy attempting to sink boats full of refugees, or shooting refugees trapped in the boats. Nine of these respondents said this caused the deaths of 100 people or more.

*"All nine cousins drowned in the river after their boat was sunk by military. The soldiers beat them as boat was going down to make sure they drowned." Female, age 30*

#### **Sexual Violence Endemic**

The survey uncovered widespread sexual assault and rape against Rohingya women by the military. Rape incidents appear to have increased in number and brutality in the direct lead-up to and during the August and September attacks. Gang rape was reported across northern Rakhine State, suggesting at least some level of cooperation between the multiple perpetrators (see Map 3, next page).

In general, the military and police did not appear to try to hide the rapes from their peers or from those above them in their chain of command. Rather, rapes were largely public in nature, with many assaults either taking place in public view, or with perpetrators leaving evidence of such assaults—including the victims' corpses which clearly portrayed marks of rape—in public view.

Twenty-seven women said they were themselves raped, a low number that could reflect a cultural stigma against admitting one was raped or discussing sexual violence openly, as well as the reports that Burmese soldiers often killed women after they were raped. However, 45% witnessed women and girls being raped, including the 20% who witnessed gang rape. More witnessed some form of sexual violence, including forced stripping of clothing, touching of women's breasts or genitals, and sexual assault. The fact that the refugees identified the security forces as having committed so many rapes and assaults publicly likely contributes to these high numbers.

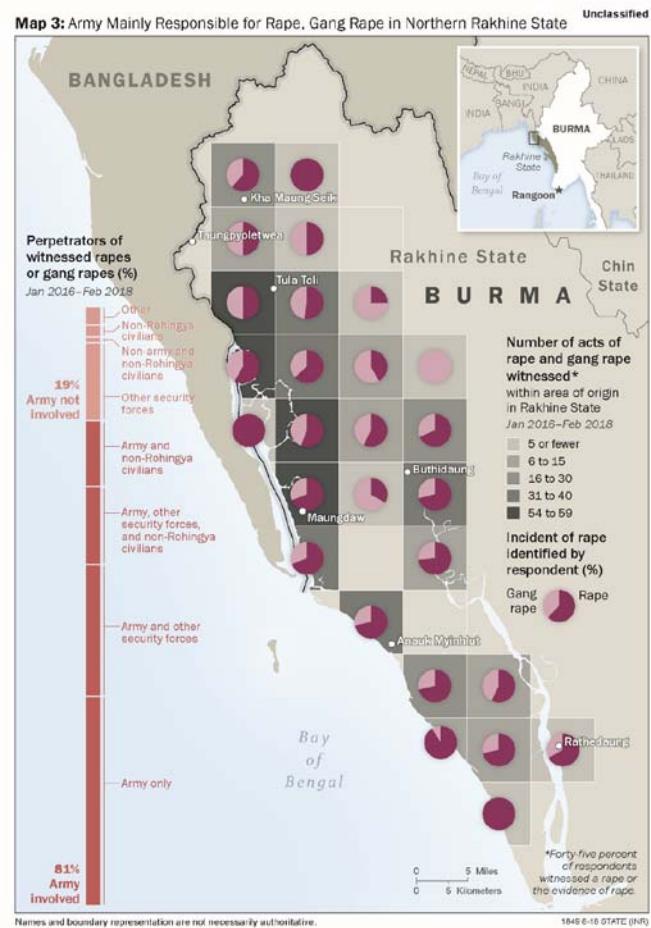
*"Two police from my village raped me. I know these men by sight, but not their names. After they were done, they told me to leave the country, this is not your country."* Female, age 23

The security forces' sexual assaults generally occurred in one of several ways, trends consistent throughout northern Rakhine State as identified below:

##### *1. Home searches*

Respondents reported that the military would routinely visit their villages, ostensibly to search for insurgents, and such searches would often involve groping, sexually assaulting, or raping the women inside their homes. Many women said the soldiers would steal valuables, particularly their gold jewelry, during the assaults. One 25-year-old reported particularly brutal home searches, saying the soldiers "raped women until they were half-dead." Another said a soldier raped her sister because she refused to give him her gold nose ring. Women whose husbands had fled their homes to hide from the military were especially vulnerable to abuse.

*"When soldiers came to the village and "searched" women, they groped our breasts, entire body. Today when I think about those days, this is what makes me sick. Our husbands were never there and cannot find out."* Female, age 25



*2. Mass rapes in fields, mosques, schools*

Refugees from multiple villages across northern Rakhine state reported that for at least a year leading up to the August 2017 violence, military would arrive at their villages and demand that many or all the women gather in a public space or a nearby field. Some reported that if women did not leave their homes, soldiers found and raped them. Soldiers interrogated the women about their male family members, beating them if they failed to answer. They would then choose a smaller number of women—often 4 or 5, but some refugees reported up to 20—whom as many 15 soldiers would then take to fields, forests, houses, schools, mosques or latrines to gang rape. Many victims were reportedly killed afterwards, though not in all cases. In some cases, instead of making all the women gather, the military would go door-to-door, choosing the “prettiest” girls to take away likely to be raped, instead.

- In one report, in the days before a village massacre, local Rakhine police and army soldiers made more than 20 women leave their home to go sit outside in direct sunlight, threatening that if the women didn’t bring their husbands to them, they would beat and rape them. Women who didn’t cooperate were beaten. They chose the younger women, taking them to nearly homes and the madrassa and raping them.
- On some occasions, large numbers of women were taken to be raped. One woman said she saw some 50 of the village’s “prettiest women” taken to the hills, where two of the survivors later told her they were all raped, and about 35 were shot afterwards.
- One refugee said that the military demanded that all the women in her village gather in the mosque, but that one woman did not, because she had just given birth. Upon discovering this, soldiers pulled her out into her home’s yard and publicly raped her.

*“They took women out and made them sit in the sun in the field, and questioned them, ‘where are the men?’ They took away breastfeeding moms, babies were not allowed to eat, kept them in the field for one day. They took away the young and beautiful women and raped them, gang rape, 5-7 men raping one woman.” Female, age 35*

*3. Rapes During Attacks on Villages*

Refugees reported that on the day their villages were attacked, soldiers would grab and rape women who were fleeing from the burning homes and shooting.

- Witnesses from multiple locations report women were raped in the fields or hills, outside their homes in their own yards, or on roads in town where others could clearly see what was happening. One man saw 10 women being raped all along a road as he was fleeing, 4-6 soldiers attacking each woman, who were later killed.
- Many respondents reported seeing women’s naked corpses as they fled through villages, saying it was apparent from their gruesome injuries that the women had been raped. For example, a 19-year-old was fleeing her village when she said she passed a naked woman’s body bound to a tree “with clear signs of gang rape.”

*“About 100 women were rounded up and raped in the hills, on the road, in front of their homes, wherever they could find them” Female, age 60*

Witnesses reported that many women did not survive the rape attacks. In some cases they died from the brutality of the rape and the accompanying violence, and in many other cases the soldiers shot, hung, or hacked their bodies after they finished raping them.

*"They were so brutal." Male, age 55*

- Those who did survive gang rapes often sustained serious injuries. One interviewee reported that her cousin was raped by six military officers, after which she has been virtually unable to walk or stand up.
- Witnesses reported exceptionally violent attacks where multiple soldiers raped women for hours at a time while beating them, sexually assaulting them with their weapons, or inflicting other injuries on them in addition to the rape.
- Nine respondents from unique locations in Rakhine state reported witnessing attacks or evidence of attacks in which soldiers cut off the breasts of women they raped during the assaults. Soldiers also reportedly mutilated genitals or other parts of bodies.

*"The soldiers chased me. I couldn't escape. Everyone managed to flee but I was pregnant so I wasn't able to get away. Three soldiers raped me. One kicked me and I fell unconscious... When I got my senses back, I saw that my fetus had come out dead... I have seen my baby die and I find myself numb." Female, age 25*

Refugees from villages throughout Rakhine State reported that the perpetrators often killed their victims after the rape, typically by shooting or stabbing them. In multiple cases, soldiers killed some of the women during a mass rape, while releasing a small number alive.

- One refugee reported that the military abducted a woman along with some 80 others, taking them to a military camp in the village to rape for five days. Afterwards, she said soldiers killed half and let the remaining go free.
- In another village, one mother said that during a rape of roughly 100 women, her daughter was raped, then mutilated and killed, while her niece's body was cut in half after rape.
- In yet another village, a man said he saw about twenty soldiers select five women, gang rape each one, then kill the women by shooting some, and hanging others from trees. Others reported soldiers cutting babies out of their pregnant mothers' bellies, or killing both mother and child during or immediately after birth.

**TAB 1: METHODOLOGICAL NOTE**

This report is based on a DRL-funded, INR-designed survey conducted in the refugee camps in Cox's Bazar, Bangladesh. Face-to-face interviews were conducted among a random sample of 1,024 Rohingya adults, 18 years old and older, who had left northern Rakhine State after October 1, 2016. The fieldwork took place from April 1 to April 22, 2018 by a team of 18 experienced human rights investigators from around the world. The investigators hailed from nearly every continent; many have previous experience with the International Criminal Tribunal for the former Yugoslavia, and International Criminal Tribunal for Rwanda; some are sexual and gender-based violence and/or trauma experts, some are former law enforcement officers, and all have previous experience in trauma-sensitive human rights documentation for the purposes of accountability. None were U.S. government officials. The investigators were trained by INR on sampling as well as the survey tool, which included open-ended questions and follow-up probes designed to draw out a narrative on the violence. They also received training from an expert with knowledge of the Burmese security services, which aided them in correctly identifying perpetrators.

This hybrid survey combined quantitative and qualitative methodology, and it is unique among existing research into the current Rohingya crisis because the random sampling of refugees ensured that the results represent the entire refugee population in camps in Cox's Bazar, providing context for other qualitative research efforts.

The interviews were conducted via translator in a semi-structured format, often within the respondent's camp residence. The translators were recruited locally, and an expert provided a two-day training on translation in the context of sensitive interviews. The qualitative content of the interview was then coded by the investigator to capture events that the respondent directly witnessed, as well as the events' perpetrator—to the extent they could be determined.

NGA created a map atlas to aid in locating the respondents' village of origin. The atlas broke northern Rakhine State into a grid covering areas that open-source analysis had identified as containing villages burned in the violence. Even when the respondent was unable to locate his or her exact village on the map, with the guidance of the investigator, the respondent was in most cases able to locate events to a general area within the grid. NGA analysts were able to locate approximately 9 out of every 10 of the locations identified by investigators, and conducted geospatial analysis based on the overall grid.

A large majority of the respondents left northern Rakhine State in either August or September 2017, which mirrors NGO accounting of the ebb and flow of refugees since unrest began in October 2016. Though the survey was open to refugees of all ethnicities, only Rohingya were captured by the random sampling method.

The margin of sampling error is  $\pm 3$  percentage points, and the study is representative of the population of camps sampled (see Map 1). Those who were living outside the officially administered camps were not included in the sample design. Though the survey results showed the vast majority of the most violent incidents occurred during a relatively brief two month period of time (see Figure 2, page 4), further analysis of the data is planned in order to reveal patterns of violence across space and time, and provide more information on specific mass-casualty events.

The analysis also benefits from additional insight provided by the expert on Burma's security services and an informal focus group conducted among victims of sexual violence by an investigator.

There are some limitations to the data collected in the study:

- The methodology chosen for the study focuses on the pattern of events refugees experienced, and thus there are some cases when two or more refugees report witnessing the same event. Though the report accurately reflects the typical experiences of a Rohingya refugee, it cannot be used to calculate death rates or other losses in northern Rakhine State without combining this dataset with additional information.
- The presence of ARSA in the refugee camps likely gave pause to some refugees who might otherwise identify ARSA as perpetrators. ARSA's involvement in the violence thus is likely under-reported. However, based on other credible research into the attacks in northern Rakhine State, we have no reason to conclude the group was responsible for more than a small fraction of the violence.
- We do not have any insight into events that occurred outside of the study time frame. The survey also did not capture any experiences from Rohingya who chose to stay in northern Rakhine State or from Burmese of any other ethnicity who resided there.

**TAB 2: ADDITIONAL FINDINGS AND BACKGROUND****Some Restrictions Predated Attacks**

Rohingya interviewed for this survey indicated that human rights abuses within their villages increased significantly following the anti-Muslim riots in Rakhine State in June 2012, and an outbreak of civilian-led violence in 2014. Interviewees described numerous restrictions and abuses they faced in daily life. Local officials forced Rohingya to pay sometimes-exorbitant fees to marry or have children, and they enforced limits on family size. Restrictions on movement were particularly severe, with a complex web of regulations making it extremely difficult for Rohingya to move freely, though sometimes it was possible if a bribe was paid. Some areas reported frequent incidences of forced labor, beatings, and sexual violence. The severity of these restrictions differed village-to-village, but Rohingya generally found their lives more restricted than those of their non-Rohingya neighbors.

Many also said they were unable to practice their religion because the military had shuttered or burned mosques, closed their children's madrassas, and banned mosques from issuing a call to prayer. In some cases, people said the military had threatened them that if they were found praying in their homes they would be beaten, arrested, or killed. In some areas, local authorities forced women to go outside unveiled, or forced men to shave their beards—and, in a few cases, tugged or pulled out their beards.

**What do we know about ARSA?**

ARSA, also known by its former name Harakah al-Yaqin, or HaY, frames its objectives as those of an ethnic insurgency seeking greater rights for Burma's Rohingya population. It has stopped short of calling for outright autonomy for Rohingya and disavowed terrorism writ large, as well as specific terrorist organizations like al-Qaida, ISIS, and Lashkar-e-Tayyiba. Any ties to these or other foreign extremist groups remain unconfirmed. Though ARSA reportedly receives financial support from members of the Rohingya diaspora in the Middle East and South Asia, participants in ARSA attacks were poorly equipped and resourced.

The group comprises a shadowy network of Rohingya militants in Burma and Bangladesh led by its senior leader, Ata Ullah (also known as Abu Umar al Junooni). ARSA's size and support among Rohingya in Burma and Bangladesh are unclear. The group has only conducted one significant attack since August 2017, a January 2018 attack on a Burmese military truck. Recent murders and intimidation of ARSA critics and government collaborators inside Rohingya refugee camps have also been blamed on the group.

Only a handful of respondents mentioned ARSA as a perpetrator—some mentioned attempted recruitment or a presence in their village, some mentioned the October 9 attacks, and a few mentioned threats or violence against those who "collaborated" with the military.



## NOMINATIONS

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**WEDNESDAY, SEPTEMBER 26, 2018**

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

The committee met, pursuant to notice, at 2:33 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Jeff Flake presiding.

Present: Senators Flake [presiding], Risch, Young, Booker, and Cardin.

**OPENING STATEMENT OF HON. JEFF FLAKE,  
U.S. SENATOR FROM ARIZONA**

Senator FLAKE. This hearing of the Senate Foreign Relations committee will come to order. First I want to thank Senator Booker and his staff for working on the—to schedule this hearing and accommodating the dual panel format that we have going today. The committee will consider a total of eight ambassador nominations today. All career diplomats who have dedicated their professional lives to serving the United States, we really appreciate you having—you all being here, and all career diplomats, it does make it easier for us. We have seen many of you before. It has been wonderful to meet many of you and get reacquainted with others. I am now going through kind of my second round of people in African countries being nominated, so we appreciate the sacrifices that you are all making, and to your families in particular. We are grateful that so many are here.

The first panel will include Mr. Craig Cloud, a nominee for Ambassador to Republic of Botswana; Michael Pelletier, nominee Ambassador to Madagascar and Union of the Comoros; Robert Scott, nominee for Ambassador to the Republic of Malawi; the Honorable Lucy Tamlyn, current Ambassador to the Republic of Benin, and nominee for Ambassador to the Central African Republic, also served in Chad, next-door.

The second panel will be Mr. Eric Stromayer, nominee for Ambassador to the Togolese Republic; Simon Henshaw, for Ambassador to the Republic of Guinea; the Honorable Dennis Hankins, current Ambassador to the Republic of Guinea, nominee for the Ambassador to Republic of Mali; and, finally, Dennis Hearne, Ambassador for—or nominee for Ambassador to Mozambique.

We are eager to hear all of the nominees and hear in particular about how the United States can continue to play a positive role in Africa where possible, and to help these countries continue on a sustainable path to growth and democracy and development. Considering the tremendous amount of experience the nominees

have on both panels, I am encouraged by their nominations. I am looking forward to hearing from you. As I mentioned, I have seen many of you before, and traveling throughout Africa, I have traveled Africa with both of the members here and could not be more proud of the representation we have in so many countries there, the difficulty in some areas with so many threats and so much on your plate. So we appreciate you being here.

I will turn now to Senator Booker for any opening comments.

**STATEMENT OF HON. CORY BOOKER,  
U.S. SENATOR FROM NEW JERSEY**

Senator BOOKER. First of all, I just want to say thank you to the chairman. You have been a friend and a real great guiding light for me as I have been new on this committee and focused on African issues, and it has been a privilege to be your ranking member.

I just want to say that it is an honor to sit here before the Foreign Service officers that are before me. We just do not thank you all enough. I am still a freshman and have not finished yet a full 6 years in the Senate, but I have now traveled all across this globe and been in awe of the men and women that are out there in the field, really rising above partisanship and focused on purpose, doing God's work, helping to create stability, to create hope, to create opportunity abroad, as well as doing service for our country and in our country's name.

I, too, want to join Senator Flake in thanking your families. I know it is not easy. I know the sacrifices that you make are not yours alone, but they are shared by your family members, and I am just grateful for that.

I am reminded of the sacrifice that diplomats make with the recent news in Madagascar this week. My heart goes out to their families, my prayers as well, to them and the whole country team that are dealing with the challenges and the heartache.

As Foreign Service officers, you have served in many centers of the world. You all collectively—in Iraq, Afghanistan, Sudan, Jordan, and many other places—have been working to promote U.S. priorities, critical relationships, and really do critical humanitarian work. You also have developed incredible specialties. You are experts in negotiations and expert managers, and I know that your experiences will be invaluable to the posts that you will hopefully be deployed to very soon.

You all are going to countries that are important to many of our strategic priorities in Africa. Most are very, very tough postings, to countries like the Central African Republic and Mali that are in the midst of extraordinary civil strife and violent conflict. Sustained U.S. engagement is actually vital—I have seen it with my own eyes—to end these kind of crises, hold parties accountable, and give a pathway for other human beings to have a quality of life that we take for granted in our country.

In other countries, such as Guinea, Togo, and Madagascar, critical elections are on the horizon, and democratic institutions need attention and support from the United States of America and the international community. HIV and AIDS continue to devastate communities in Botswana, Malawi, and Mozambique. And Ebola remains a threat in Guinea and across much of the continent.

But despite these challenges, as I have traveled in the region with Senator Flake, I have been struck again by the resilience and generosity and courage not just of Americans in those areas, but of the incredible human beings that I have met and have inspired me. If confirmed, it will be up to each of you to lend the hand of the United States to encourage your counterparts in these countries to overcome divisions, to build accountable institutions, to harness new economic opportunities, to achieve not just human rights but a higher quality of life, and to find peaceful ways to resolve longstanding conflict.

It is not an easy job, but it is absolutely a critical and essential one, not just for our nation, but for humanity as a whole. And actually before the hearing even starts, I know each of you are up for it.

We ask that, if confirmed, you remain in communications with us. One real bipartisan sentiment that I'd like to convey is that we are your allies, we want you to be successful, and we want to be supportive. Let us know the challenges you face, what is working well and what is not, and, most importantly, how we can be of service to you.

I look forward to your testimonies. As I said to many of you informally beforehand, and I will say now for the record, there is a little bit going on in Washington today, and I hope you will forgive a lot of my colleagues, who are dedicated Senators on both sides of the aisle, but are being drawn in different directions. Senator Flake and I happen to both also be on the Judiciary committee, and I know that there are pressing matters before us, so please do not count this in any way as a lack of interest and support. I have a feeling there will be lots of questions for the record, which I know you will diligently attend to, but please understand that though there are only two of us sitting here, this is a committee, as a whole, that supports you, believes in you, and should you be confirmed, will do everything they can to help you be successful.

Thank you.

Senator FLAKE. Thank you, Senator Booker.

Thank you all for being here. We—as he mentioned, we have really been impressed as we travel throughout Africa with the representation we have. And some of you have been in posts that we have been to, and are going to posts that we will visit as well.

Our first nominee, Mr. Cloud, previously served as Management Counselor at the U.S. Embassy in Kabul; Deputy Chief of Mission in Swaziland. Thank you. And you will proceed just after I say something about the others as well, and then all four of you can go one after the other.

Senator BOOKER. And, Chairman, if I may.

Could you please introduce your family members, especially if there are any from Arizona or New Jersey? [Laughter.]

Senator BOOKER. And if any intend to run against either Jeff or myself. [Laughter.]

Senator FLAKE. It is helpful to know, it really is. Thanks.

And you will be headed to Botswana. I was just there last month, spent a good deal of time there, and it is a great post, and you will enjoy it.

The second nominee, Mr. Pelletier, served as Dean of the School of Professional and Area Studies at the Foreign Service Institute; held positions in New Delhi, as well as Assistant Secretary, Deputy Assistant Secretary, Bureau of African Affairs.

Mr. Scott, also most recently Acting Deputy Secretary of the Bureau of African Affairs, a position he has served in since 2016. He was also Deputy Chief of Mission in Zimbabwe, that is why we got to know each other during a previous CODEL.

The last nominee on the panel, Lucy Tamlyn, has been through this confirmation process for her current post in Benin. She has served as Deputy Chief of Mission in Portugal and in Chad. She has been in the region and knows it and will bring a lot of expertise there.

But please proceed.

**STATEMENT OF CRAIG LEWIS CLOUD, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOTSWANA**

Mr. CLOUD. Thank you, Mr. Chairman, Ranking Member Booker. It is a great honor to appear before you today as President Trump's nominee to serve as the next Ambassador to the Republic of Botswana. I appreciate the confidence that the President and Secretary Pompeo have placed in me by putting my name forward.

I am also deeply grateful to my parents, Lewis and Marietta Cloud, who could not be here today, and my wife, Angie, who is here, and not running for Senate, and my daughter, Wallace Anne, and also my son, John Beck. Without the support of each and every one of them, I would not be here before you today.

During my 26 years in the Foreign Service, I have served in senior leadership positions in also challenging posts, most recently coming from Kabul, Afghanistan. My Africa experience includes 15 years serving in West, Central, and Southern Africa, including as Deputy Chief of Mission in what is now the Kingdom of Eswatini, working on democracy, health, and security issues.

Botswana is one of the United States' most reliable partners on the continent. Our work in Botswana strengthens democratic institutions, protects health and human rights, conserves the environment and natural resources, and counters transnational organized crime.

Economic ties between the United States and Botswana are growing. Our exports to Botswana in 2017 were up 120 percent from the prior year. The United States is one of the world's top purchasers of Botswana's diamonds. And U.S. tourists, attracted to the country's beautiful national parks and reserves, are the biggest per capita spenders in Botswana. If confirmed, I will encourage Botswana's efforts to diversify its economy and improve our opportunities for American businesses.

The United States has invested more than \$900 million in Botswana's health sector through the PEPFAR program. Despite the impressive progress, there are still an estimated 14,000 new infections annually. If confirmed, I look forward to protecting our

PEPFAR investment and leading our interagency health team as we work with the Government of Botswana on its HIV response.

The Botswana Defence Force is one of our most professional militaries on the continent, and our military engagement remains strong. The U.S. also sponsors the International Law Enforcement Academy, which has trained more than 10,000 law enforcement professionals from 36 African partner nations.

Support to both of these institutions has improved the rule of law in the country as well as on the continent, including our capacity to protect the largest populations of elephants on Earth from increasingly sophisticated poaching and ivory trafficking networks. If confirmed, I will work to expand the U.S.-Botswana military connections and our regional security cooperation through education and training programs.

The U.S. Ambassador to Botswana also serves as the U.S. representative to the Southern African Development Community. And I am excited for the opportunity to work towards increased security, health, and prosperity across the region with other southern African nations.

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today. And I am happy to answer any questions.

Thank you.

[Mr. Cloud's prepared statement follows:]

#### PREPARED STATEMENT OF CRAIG CLOUD

Mr. Chairman, Ranking Member Booker and members of the committee: It is a great honor to appear before you today as President Trump's nominee to serve as the next Ambassador to the Republic of Botswana. I appreciate the confidence the President and Secretary Pompeo have placed in me by putting my name forward. I am also deeply grateful to my incredible parents who couldn't be here today, and to my wife, Angie, and children, Wallace Anne and John Beck; I would not be here without their tremendous support.

During my 26 years in the Foreign Service, I have served in senior leadership positions in a number of challenging posts including, most recently, Kabul, Afghanistan. My Africa experience includes fifteen years serving in West, Central, and Southern Africa, including as Deputy Chief of Mission in Swaziland, working on democracy, health, and security issues.

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The U.S. Ambassador to Botswana also serves as the U.S. representative to the Southern African Development Community, and I am excited about the opportunity to work towards increased security, health, and prosperity across the region with other southern African nations.

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today. I would be happy to answer any questions.

Senator FLAKE. Thank you, Mr. Cloud.  
Mr. Pelletier.

**STATEMENT OF MICHAEL PETER PELLETIER, OF MAINE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MADAGASCAR, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNION OF THE COMOROS**

Mr. PELLETIER. Mr. Chairman, Ranking Member Senator Booker, I am honored to appear before you today as the nominee for Ambassador to the Republic of Madagascar and the Union of the Comoros. If confirmed, I look forward to strengthening our relationships with the governments and the peoples of Madagascar and Comoros.

Mr. Chairman, allow me at this time, please, to introduce to you and the rest of the committee my wife, Sujatha, and our sons, Aniketan and Ethan, who are here with me. I have been so blessed over the years to have their company and their support as we have traveled around the world representing the United States of America, and I am so pleased that they are as excited as I am about this opportunity.

I believe that my educational and professional experiences have prepared me well for this moment. My studies focused on the political and social development of Africa and led me to the Foreign Service and to my first tour overseas in Senegal. Since then, I have been privileged to work across Africa, the Arab world, and several times in India. Having served around the Indian Ocean throughout my career, it is truly an honor now to be considered as the nominee to serve as Ambassador to these great island countries of Madagascar, with its rich, proud, and unique history, and cultural and linguistic unity, and the Comoros, with its many ties to all of the regions bordering the Indian Ocean.

These are critical times for both Madagascar and Comoros. Madagascar is preparing for elections in November, on schedule, 5 years after the 2013 elections that reestablished democracy there. Comorians recent approved a number of constitutional changes in a referendum and are now working through the results of that referendum. The U.S., of course, fully supports the strengthening and reinforcing of democratic systems and the respect for democratic rights in both countries, as we do around the world.

A successful, free, fair, and transparent election this year in Madagascar would signal the further strengthening of its democracy and give us an outstanding opportunity to redouble our efforts

there to support political stability and to engage with the democratically elected government to encourage resilient and sustainable development for all of Madagascar's people and to protect its unique resources.

Madagascar's task is made even more difficult by the ongoing drought in the southwest and the seasonal outbreaks of the plague. Our development assistance and our partnerships with Madagascar, including a vibrant Peace Corps program and our work with other international partners, can help Madagascar successfully address these challenges, including providing for the education and health needs of its people, combating illegal harvesting and export of Madagascar's unique and rich flora and fauna, fighting corruption, encouraging a positive business climate, and transparency conducive to trade and investment.

If confirmed, I would also serve as Ambassador to the Union of the Comoros. Our goal is to continue to develop our positive and constructive relations with Comoros, and I look forward to supporting our local staff there and the staff in our Embassy in Antananarivo, who are dedicated to our relations, as well as to our well-focused Peace Corps program in Comoros.

Mr. Chairman, Ranking Member Booker, I am truly honored and grateful to appear before you today. I look forward, if confirmed, to the opportunity to serve as Ambassador to Madagascar and the Union of the Comoros, and to strengthen and advance our partnerships.

Thank you.

[Mr. Pelletier's prepared statement follows:]

#### PREPARED STATEMENT OF MICHAEL PELLETIER

Mr. Chairman, Ranking Member Senator Booker, and members of the committee, I am honored to appear before you today as President Trump's nominee as Ambassador to the Republic of Madagascar and the Union of the Comoros. If confirmed, I look forward to strengthening our relationships with the Governments and people of Madagascar and the Union of the Comoros.

Mr. Chairman, please allow me at this time to introduce to you and the rest of the committee my wife, Sujatha, and our two sons, Aniketan and Ethan. I have been so blessed to have their company and support as we have travelled the world representing the United States of America, and I am so pleased that they are as excited about this opportunity as I am.

I believe that my educational and professional experiences have prepared me well for this moment. My studies focused on political and social development in Africa, and led me to the Foreign Service and to my first assignment overseas in Senegal. Since then, I have been privileged to work across Africa, in the Arab world, and several times in India. Having served around the Indian Ocean throughout my career, it is truly an honor to now be considered as the nominee to serve as Ambassador to these great island countries: Madagascar, with its rich, proud, and unique history and cultural and linguistic unity; and Comoros, with its many ties to all of the regions bordering the Indian Ocean.

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The United States supports Madagascar's efforts to promote democracy and human rights. A successful, free, fair, and transparent election this year would signal the further strengthening of Madagascar's democracy and give us an outstanding opportunity to redouble our efforts there to support political stability and to engage with the democratically-elected government to encourage resilient and

sustainable development for all of Madagascar's people, and to protect its unique resources. Madagascar's task is made even more difficult by the ongoing drought in the southwest and seasonal outbreaks of plague. Our development assistance and partnerships with Madagascar, including a vibrant Peace Corps program, and our work with other international partners, can help Madagascar successfully address these challenges, including providing for the education and health needs of the people, combatting the illegal harvesting and export of Madagascar's unique and rich flora and fauna, fighting corruption, and encouraging a positive business climate and transparency conducive to trade and investment.

If confirmed, I will also serve as Ambassador to the Union of the Comoros.

Our goal is to continue to develop our positive and constructive relations with Comoros. I look forward to supporting our local staff there and the staff in our Embassy in Antananarivo who are dedicated to U.S.-Comoros relations, as well as our well-focused Peace Corps program there.

Mr. Chairman, Ranking Member Booker, members of the committee, I am truly honored and grateful to appear before you today. I look forward to the opportunity to serve as Ambassador to Madagascar and the Union of the Comoros, and to strengthen and advance our partnerships there.

Senator FLAKE. Thank you, Mr. Pelletier.

Mr. Scott.

**STATEMENT OF ROBERT K. SCOTT, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI**

Mr. SCOTT. Thank you. Mr. Chairman, Ranking Member Booker, I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Malawi. I appreciate the confidence he and Secretary Pompeo have shown to me through this nomination. If confirmed, I look forward to working with you and other members of Congress and staff to advance American interests in Malawi.

My wife, Anne, and our twins, Jennifer and Nicolas, are here with me today. Nicolas and Jennifer grew up in Tanzania and Zimbabwe, where I served as Deputy Chief of Mission before my most recent position as Acting Deputy Assistant Secretary of State for African Affairs. If I am confirmed, we would welcome the opportunity to return to serve our country in that region.

Malawi is a strong partner for the United States. Our goals in the country are to strengthen core institutions, helping make Malawi a more prosperous, healthier, and more democratic partner for the United States, and creating new jobs and investment opportunities for American companies.

MCC is winding down its energy-focused compact, and I will urge the Government of Malawi to implement the reforms needed to take full advantage of its improved power infrastructure. I will also encourage the government's crucial anti-corruption efforts.

Malawi has been a leader in adopting policies to control and combat HIV/AIDS. PEPFAR has helped sharply reduce the number of HIV/AIDS deaths and infections. These advances are fragile, however, and if confirmed, I will work with our team to sustain and maximize the impact of all of our health programs in the country.

Agriculture is also a key to successful development. It generates nearly 80 percent of household income in Malawi and needs to be a focus of our efforts. Peace Corps is another successful program active in Malawi. My wife, Anne, is a former Peace Corps volun-

teer, and I fully appreciate the positive impact of this important program.

Our security cooperation with Malawi is excellent. Malawi actively contributes to U.N. peace support operations on the continent. I would build on this strong relationship. If confirmed, I anticipate witnessing Malawi's sixth consecutive peaceful national democratic election in May of 2019, a process supported by our governance programs.

Mr. Chairman, I will vigorously pursue the safety and security of American citizens and ensure responsible stewardship of taxpayer dollars through effective leadership of U.S. Mission Malawi's strong interagency team, if confirmed.

Thank you, Mr. Chairman, Senator Booker, for the opportunity to appear before you today. I would be honored to respond to any questions.

[Mr. Scott's prepared statement follows:]

PREPARED STATEMENT OF ROBERT KENNETH SCOTT

Mr. Chairman, Ranking Member Booker, and Distinguished Members of the committee:I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Malawi. I appreciate the confidence he and Secretary of State Pompeo have shown in me through this nomination. If confirmed, I look forward to working with you and other Members of Congress and staff to advance American interests in Malawi.My wife, Anne, and our twins, Jennifer and Nicolas, are here with me today.

Nicolas and Jennifer grew up in Tanzania and Zimbabwe, where I served as Deputy Chief of Mission before assuming my most recent position as Acting Deputy Assistant Secretary of State for African Affairs. We would welcome the opportunity to return to serve our country in that region. If confirmed, I would draw on my experience in the Africa bureau, and embassies in leading the outstanding Mission Lilongwe team in advancing U.S. interests in Malawi.

Malawi is a strong partner for the United States, and a regional leader that can showcase a history of democratic elections and peaceful transfers of power. Our goals in Malawi are to strengthen core institutions that underpin democracy, economic growth, health and security—helping make Malawi a more prosperous, healthier, and more democratic partner for the United States—and creating new jobs and investment opportunities for American companies.

If I am confirmed, I will work to ensure that our efforts to date continue to bear fruit, to the benefit of both countries. MCC is winding down a 5-year \$350 million compact focused on energy, and I will urge the government of Malawi to implement the reforms needed to take full advantage of its improved power infrastructure. I will also encourage the Government of Malawi's anti-corruption efforts, sustainable management of its environmental resources, and pursuit of regional and continent-wide economic integration. Providing Malawi's women access to education and economic opportunities will be an important part of any future growth.

Malawi has been a leader in Africa in the adoption of policies and programs to control and combat HIV/AIDS. PEPFAR has helped reduce the number of HIV/AIDS deaths by 73 percent, and the number of new HIV infections by 41 percent since 2003, but in a country as poor as Malawi, these advances are fragile, and can easily reverse. A healthy population is fundamental to development, and, if confirmed, I will work with our USAID and CDC programs to maximize the impact of PEPFAR and our other health programs in Malawi, which have also resulted in significant gains in maternal and child health.

Agriculture is a key to successful development and also can provide opportunities for increased trade and markets for U.S. companies focused on value addition. Agriculture generates nearly 80 percent of household income in Malawi and this needs to be a special focus of our efforts; to improve resilience, generate increased income, provide better nutrition and break the cycle of food insecurity.

Peace Corps is another successful program active in Malawi. A strong and historic program, Peace Corps volunteers have been working in Malawi since 1963. My wife, Anne, is a former Peace Corps volunteer, and I fully appreciate the impact that these incredible Americans have on building capacity in communities and ties between our peoples.

Our security cooperation with Malawi is excellent. Malawi contributes to U.N. peace support operations on the continent. It currently has a battalion deployed in the Democratic Republic of the Congo with the Force Intervention Brigade and has pledged another battalion for a peacekeeping mission. Malawi also recently hosted AFRICOM's Southern Accord Exercise. I will build on this strong relationship, if confirmed, working with the Office of Security Cooperation to explore new partnership opportunities.

Our work to reinforce democratic institutions and enhance government responsiveness to its citizens is at the core of our efforts. If confirmed, I anticipate witnessing Malawi's sixth consecutive peaceful, national democratic election in May 2019—a process supported by our governance programs.

Mr. Chairman, if I am confirmed, I will vigorously pursue the safety and security of American citizens and ensure responsible stewardship of taxpayer dollars through effective leadership of U.S. Mission Malawi's strong interagency team.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I would be honored to respond to any questions.

Senator FLAKE. Thank you, Mr. Scott.  
Ambassador Tamlyn.

**STATEMENT OF HON. LUCY TAMLYN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CENTRAL AFRICAN REPUBLIC**

Ambassador TAMLYN. Thank you, Mr. Chairman, Ranking Member Booker. It is a great honor for me to appear before you. I am grateful to President Trump and Secretary Pompeo for the confidence they have placed in me as their nominee for Ambassador to the Central African Republic. I am very happy that my husband, Jorge Serpa, is here today. Jorge is a tireless advocate for Foreign Service families.

Mr. Chairman, Ranking Member Booker, I have served as a foreign officer since 1982, culminating with the privilege of serving as the U.S. Ambassador to the Republic of Benin. Assignments across three continents and in war zones have given me experience in balancing the imperatives of the diplomatic mission with the sacred mission of protecting lives.

United States interests in the Central African Republic are primarily security and humanitarian. The Central African Republic is a mineral-rich country but largely ungoverned and dominated by armed groups. More than half of the country needs humanitarian assistance, of which the United States is the largest donor.

Our primary U.S. objective is to help the elected government of President TouadChargé ra expand state authority. We support the African Union-led peace process, efforts to bring justice to victims of atrocities, and reestablishment of civilian security and justice capabilities.

The United States is also the largest contributor to one of the most challenging U.N. peacekeeping missions in the world. I would like to pay tribute to the 75 MINUSCA peacekeepers who have lost their lives carrying out their mandate.

If confirmed, I will seek to continue the leadership role which my predecessors so ably performed to keep the AU-led peace process on track. Progress requires coordination with other international actors, but must be consistent with U.N. Security Council resolutions. The safety of those under my authority will be my paramount con-

cern, along with ensuring the best use of the resources entrusted to us by the U.S. taxpayer.

Mr. Chairman and members of the committee, I recognize that, if confirmed, I will be assuming leadership of a post in a country of extreme fragility, one where our diplomatic presence has been suspended three times in the past 20 years. The Central African Republic has looked into the abyss, and seen, in the words of Henry Kissinger, that, quote, if order cannot be achieved by consensus or imposed by force, it will be wrought at disastrous and dehumanizing cost, from the experience of chaos, end quote.

I hope that you agree with me that it is important to maintain a focus on the longer term, recognizing that there will be advances and setbacks, and that the United States has an important role to play here.

If confirmed, I very much look forward to your advice and counsel on this challenging task, and I am very happy to take your questions.

Thank you.

[The prepared statement of Hon. Lucy Tamlyn follows:]

#### PREPARED STATEMENT OF HON. LUCY TAMLYN

Mr. Chairman, Ranking Member Booker, and members of the committee, it is an honor for me to appear before you today. I am grateful to President Trump and Secretary Pompeo for the confidence they have placed in me as their nominee for Ambassador to the Central African Republic (CAR).

My husband, Jorge Serpa, is here today along with other family members. Jorge has represented our nation by my side for over 27 years and been a tireless advocate for Foreign Service families.

Mr. Chairman and members of the committee, I have served as a Foreign Service Officer since 1982, culminating with the privilege of serving as the U.S. Ambassador to the Republic of Benin. Assignments across three continents and in war zones have given me experience in balancing the imperatives of the diplomatic mission with the sacred mission of protecting lives.

United States interests in the Central African Republic are primarily security and humanitarian. The Central African Republic is a mineral-rich but largely ungoverned territory the size of Texas. In the absence of state authority, local armed groups hold sway. More than a quarter of the population has been displaced over the past decade and more than half of the country needs humanitarian assistance.

The primary U.S. objective in the Central African Republic is to help the elected government of President Touadéra expand state authority to bring security to the country. We support the African-Union-led peace process, efforts to bring justice to victims of atrocities, and re-establishment of credible civilian security and justice capabilities. U.S. humanitarian assistance brings succor to a population in desperate need.

The United States is also the largest contributor to one of the most challenging U.N. peacekeeping missions in the world. I would like to pay tribute to the 75 U.N. peacekeepers who lost their lives carrying out their mandate in CAR.

If confirmed, I will seek to continue the leadership role my predecessors so ably performed to keep the AU-led peace process on track. Progress requires coordination and thoughtful division of labor with other international actors, but must be consistent with U.N. Security Council Resolutions. The safety of those under my authority, Americans and local staff, will be my paramount concern, along with ensuring the best use of the resources entrusted to us by the U.S. taxpayer.

Mr. Chairman and members of the committee, I recognize that, if confirmed, I will be assuming leadership of a post in a country of extreme fragility, one where our diplomatic presence has been suspended three times in the past twenty years. The Central African Republic has looked into the abyss, and seen, in the words of Henry Kissinger, that, “if order cannot be achieved by consensus or imposed by force, it will be wrought at disastrous and dehumanizing cost, from the experience of chaos.” I hope that you agree with me that it is important to maintain a focus on the longer term, recognizing that there will be advances and set-backs, and that the United

States has a role to play here. I look forward to your advice and counsel in this challenging task, if confirmed, and I am very happy to take your questions.

Senator FLAKE. Thank you all for your testimony. And thank you to the families as well. You must be very proud.

Mr. Cloud, with regard to Botswana, recently there was an up-tick survey of elephants. Animal counts revealed that there have been a bunch slaughtered lately, and there is concern that some of the problems that have been mostly confined in terms of large-scale poaching to East Africa may move south, and Botswana has been, obviously, as you mentioned, the largest concentration of elephants on the continent by far. What can we do specifically? What programs are we undertaking right now to help them deal with this issue?

Mr. CLOUD. Thank you, Senator. I have consulted with the departments in the State Department and the—or the sections in the State Department and USAID who deal with conservation and biodiversity as well as the Department of Interior's Fish and Wildlife Service about the programs that are going on.

First, there are quite significant deviations in the stories. If you look at the Elephants Without Borders versus the Government of Botswana story, it is 87 elephants versus 53. And we have actually sent our Fish and Wildlife attachChargé as well as our regional environmental attachChargé up to the area to confirm the stories. And I think continuing our programs to develop professional law enforcement—law enforcement professionals who deal in cross-border trade in combating wildlife trafficking and in countering poaching are some of the best ways that we continue to do that through the International Law Enforcement Academy, as well as through SADC, because the wild—the economic benefits of the diverse wildlife and ecosystem in southern Africa benefits all the SADC region countries, and I think that it would benefit everybody to—to combat—to work to fight this kind of wildlife poaching regardless of where they are from.

Senator FLAKE. Well, great. We do have a good partnership with the government there. We have worked with them on this issue—

Mr. CLOUD. Yes, sir.

Senator FLAKE.—and a number of other issues, PEPFAR. President Masisi has committed to move ahead and work with our—with, you know—in a partnership with us on many of these issues. So you are walking into a good situation there. Ambassador Miller did a great job in the previous post, and so look forward to your representation there if you are confirmed.

Mr. Pelletier, with regard to Madagascar, we hear often—you mentioned the issues of public health, reoccurrence of the plague every once in a while, and then on the resources as well, trying to make sure that the flora and fauna, the diversity that they have there and nowhere else, is preserved. What programs do we have that you can continue to work with on in the public health sphere as well as conservation?

Mr. PELLETIER. Thank you very much, Senator. You are absolutely right to point out the numerous development challenges that exist in Madagascar. And I think we have a good program working particularly through USAID that is focused on health, health

issues, such as the plague and other disasters, sort of emergency issues, but also the longer term issues: water, sanitation issues, et cetera. That is probably the biggest part of the AID program. We also have a very active sustainable agriculture development program through USAID to try to support the people of Madagascar to meet their own development needs.

I know that there are other parts of the U.S. Government that are focused on other details of the economic situation and economic growth for Madagascar, including Treasury and others. And then we have, as I mentioned earlier, a really vibrant Peace Corps program that has been in Madagascar for a long time with over 145 volunteers there separate from our other program in Comoros. So I think we have a wide-ranging program.

The other challenge really I think is to try to coordinate with all of the other donors in Madagascar, including international bodies, to try to make sure that we have the maximum impact possible.

Senator FLAKE. Thank you.

Mr. PELLETIER. Thank you.

Senator FLAKE. Mr. Scott, with regard to Malawi, you mentioned the energy sector that has been a focus of ours for a while. How have things improved there in that sector, and how do we continue those gains?

Mr. SCOTT. Thank you, Senator Flake. The MCC compact, a 5-year program, \$350 million, is winding up this month, but it has certainly put in a lot of capacity based on the hydropower that is dominant there. I also just recently had a chance to speak with some colleagues from OPEC, and they are looking at about 100 megawatts of solar power, which would also be brought onto the grid. So what we are seeing is a very positive trend line to try to bring more power provided to the population. Only 10 percent currently have access to energy, to electricity.

So my sense is that our specific efforts have been very productive, that between MCC and OPEC, we have had a large impact in that sector. And if confirmed, I would certainly seek to ensure that the government takes full advantage of that program and makes the reforms necessary to take full advantage of those.

Senator FLAKE. Thank you.

Ms. Tamlyn, you mentioned in my office earlier today the government's authority only extends to about 15 percent of the country in the Central African Republic. How—what are we doing to expand that with the help of international partners?

Ambassador TAMILYN. Thank you, Senator. Our primary tool is MINUSCA, the U.N. peacekeeping mission, which has approximately 14,000 people on the ground. Through MINUSCA, we have been able to secure humanitarian corridors and also start to push back the armed groups a little bit, but it needs to be a double-edged process with not only MINUSCA holding the ground in those key corridors, but also through our work with the government to stand up a national army and also to stand up a credible police and judicial system. So we are doing this bit by bit. It is going to be a long-term process, though.

One thing that—that is in our favor is that the Central African Republic is not that big a country, and we do feel that with the re-

sources that we have been able to muster, that we will be able to make slow but steady progress.

Thank you.

Senator FLAKE. Thank you.

Senator Booker.

Senator BOOKER. Mr. Chairman, thank you. Thank you very much. And I'd pick up where Senator Flake left off. So more than 2 years ago, we know that President Touadéra was inaugurated, and 4 years ago, as you just mentioned, MINUSCA was first deployed. Humanitarian and security conditions, though, have really deteriorated since we started those efforts. I am just not confident that I see a really cohesive strategy that is focused on improving the situation in the Central African Republic.

And my senior Senator, Senator Menendez, who is not here but passionate about these issues, actually went to the floor and gave a really powerful speech that lays out a convincing case for a new strategic vision overall for the Central African Republic. And so I'd like to know what changes, if any, in diplomatic engagement, bilateral aid, military cooperation, or just general policy do you see that needs to be made?

Ambassador TAMILYN. Thank you, Senator. Well, I think we need to keep on using all the tools at our disposal. We need to keep on using the multilateral peace process and insist that regional actors, strong regional actors, such as Chad and Sudan, are there at the table and pushing parties to peace. We need to continue to work with MINUSCA and make it a more agile and more effective organization. We need to obviously leverage our bilateral relationship with the government to try to make it stronger and more effective and understand who its real friends are in this long-term path ahead to a Central African Republic which is more stable and more secure.

Thank you.

Senator BOOKER. Thank you very much. It was interesting from my first trip to Africa seeing the influence of China and other competitors on the continent, and I am deeply concerned about reports of Russia's increasing influence in the country and what the Russian intentions are. I know that President Touadéra has met with Putin and that Russia has received an exemption from the arms embargo to deliver weapons to the government. And now there are also reports of activities by Russian private military contractors, some apparently seeking to engage in extractive industries, and this obviously is a concern. So how do you assess the nature of Russia's efforts, and how do you think the United States should respond?

Ambassador TAMILYN. Thank you, Senator. That is a very important question and one that I think we are all working on right now. As you have noted, the Russian presence in part responds to a legitimate need of the Central African Republic army for equipment and training, but, as you note, the Russians are also leveraging this assistance to advance their commercial interests and to expand their influence. And they are also setting up parallel peace processes, which is both dangerous and unhelpful. I believe that the best path for the United States is to maintain a strong seat at the table with resources and through presence, and we have to make

clear to President Touadéra and to the Government that the United States and western donors are the best bet for the long-term progress of the country.

My message to the CAR government, if confirmed, is that it needs to do its utmost to ensure that any commercial deals are transacted with full transparency and ensure that no sanctions redlines are crossed in the process. But definitely this is an important issue, and I will be continuing to track it very closely.

Senator BOOKER. Well, thank you very much. If I can have one more question with you. I understand that the African Union-led peace mediation effort has really suffered in general, suffered from delays, a lack of will amongst armed groups, and an apparent lack of commitment amongst regional powers with influence. What would be required for the AU mediation initiative to be more successful? Do you think there needs to be a higher level of engagement from leaders in the region? And, again, what can we do, as the United States, to more robustly support that initiative?

Ambassador TAMILYN. Thank you, Senator. I do agree that regional engagement is key to this. And, if confirmed, one of my highest priorities will be to make sure that I am able to work effectively with my colleagues in neighboring countries, as well as with multilateral institutions, so that we are bringing a real concerted pressure to bear on all of the parties to the—to the conflict.

It is difficult—it is a difficult proposition, however, dealing with armed groups who have, let us face it, few incentives to put down their arms and seek other livelihoods. So I think we need to be creative and also in the long run thinking about, ultimately what kind of development programs are we going to be putting in place here that help the country grow and develop and create an investment climate that will encourage investment in the country and job creation?

Senator BOOKER. Thank you very much.

Mr. Cloud, I am going to go over some territory again that my friend and colleague Senator Flake went over, but it is just an issue that is very important for me. As you pointed out, American tourists are the biggest per capita spenders in Botswana. Ecotourism is an important part of diversifying Botswana's economy away from the extractive industries. Nevertheless, I understand legislation in Botswana have recently proposed lifting the ban on trophy hunting, specifically the ban on elephants. Botswana has long faced challenges from organized commercial poaching, but the country has made what I think are good efforts to halt poaching altogether, which should be recognized, and I am grateful for that.

But it seems to me that the existing policy was farsighted on moral and economic grounds because there are many wildlife-watching tourists. Those tourists provide an economic boon to the region and to farmers, and they are more numerous than the people who are interested in trophy hunting. The net-net balance to me, seems very clear when I look at the numbers. Ecotourism and preserving these animals could be more helpful to the local communities.

Could you go a little bit deeper on what the United States can do to support the protection of wildlife in Botswana. And are you

concerned about the effect that lifting the hunting ban may have on wildlife populations and ecotourism? I really do believe that lifting the hunting ban may not even address the problem that a lot of the small farmers are concerned with in terms of protecting their crops.

Mr. CLOUD. Yes, sir. Thank you, Senator, for the question. It—in my consultations with both the Department of Interior, Fish and Wildlife Service, and the USAID and the Oceans and Environmental Sciences sections in the State Department, everybody seemed to have a consensus view that—that professional hunting, trophy hunting, if properly managed, can be a benefit to the country, but it is predicated on the ability of the country to properly control it and to ensure that the profits from that hunting are redirected back to the conservation and biodiversity of the—of the country, and to protect the natural resources.

I am—not being on the ground there, I—I believe that broadly I have served in Zimbabwe and other countries where there were both professional hunting and ecotourism based on photographing and just game viewing, and seen it work successfully both ways.

So if the Government of Botswana is able to successfully ensure that—that they have the—the controls and protocols in place, ultimately it is—it is their decision, and I understand that President Masisi is currently doing a round of consultations in the country to—to find out what—which way the country would like to—to move on this effort.

Senator BOOKER. Well, it is an issue of great concern to me, so I hope we can stay in touch, if you are confirmed, when you get your feet on the ground. Maybe then you could talk to my team a little bit more about it.

Mr. CLOUD. Thank you, Senator.

Senator BOOKER. Thank you, sir.

Senator FLAKE. Well, thank you. Thank you for your testimony. We have two panels, so we will need to move to the other one. We appreciate your participation here. The hearing record will remain open until tomorrow night, so you will likely get some questions from some of the other members of the panel that were unable to be here. So if you could respond as quickly as possible, that would be great.

And with that, we would invite the next panel to take their place. And thank you so much. And thank you to the families as well. [Panel change.]

Senator FLAKE. Welcome to the second panel. And thank you for being here.

Our first nominee is Mr. Stromayer, who is previously Acting Deputy Assistant Secretary for East Africa and the Sudans in the Bureau of African Affairs. Additionally, he served as Chargé d’Affaires with—and the Deputy Chief of Mission Madagascar, and the Executive Director of the Bureau of African Affairs.

The second nominee, Mr. Henshaw, who most recently served as senior advisor on health initiatives. Additionally, he served multiple positions in the Bureau of Population, Refugees, and Migration, eventually achieving the rank of Principal Deputy Assistant Secretary. And I understand you have had a family loss here, and appreciate you still being able to be here. So—so thank you.

Mr.—let us see, the third nominee is Mr. Hankins, Dennis Hankins, our second confirmed Ambassador, this afternoon. He currently serves as Ambassador to the Republic of Guinea, previously served as Deputy Chief of Mission at the U.S. Embassy in Khartoum.

And let us see, then Mr. Hearne, who is currently Principal Deputy High Representative in the Office of High Representatives in Sarajevo, Bosnia, and Herzegovina. Previously served Deputy Chief of Mission Afghanistan, Senior Advisor to the Under Secretary of State for Political Affairs.

We look forward to all of your testimony.

So please proceed, Mr. Stromayer.

**STATEMENT OF ERIC WILLIAM STROMAYER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC**

Mr. STROMAYER. Mr. Chairman and Ranking Member Booker, I am deeply honored to have the opportunity to appear before you today, and I am grateful to the President and Secretary Pompeo for the confidence that they have placed in me as their nominee to be the next Ambassador to the Togolese Republic.

If confirmed, I will be honored and privileged to lead our Embassy team in working to advance the interests of the American people in Togo. I am immensely proud today to be joined by my wife of almost 21 years, Susmita Dastidar, and two of our daughters, Antara Helena and Lalita Leonora, all three of whom are behind me. And our eldest daughter, Aditi, is away at college. Also unable to join us is my 84-year-old mother, Sarah. She and my father, Jim, introduced me to this career. My father, who was a Foreign Service officer, died tragically young in 1983, but their lessons of decency, integrity, and patriotism have guided me throughout my life.

My interest in West Africa began when I was a Peace Corps volunteer in Senegal in the early 1980s. My second assignment with the State Department was in Burkina Faso, and I visited Togo overland several times during my 3-year tour. Additionally, I served in Africa as Deputy Chief of Mission and Chargé d'Affaires in Madagascar, held senior positions in the Bureau of African Affairs, have held senior positions in the Bureau of African Affairs, over the last 5 years, and was a desk officer for several West African countries. These experiences and other postings during my 29 years with the Department have prepared me for this next challenge, if confirmed.

Togo has experienced some political instability over the past year. Despite broad consensus on several reforms, there is disagreement on the details, rooted in deep distrust between Togo's ruling party and the opposition that feels frozen and out of power. If confirmed, I would support and emphasize the role of law—rule of law, solid democratic institutions, and the role of civil society to encourage positive change.

The Government of Togo has improved the country's investment climate, creating a special Presidential body to expedite reforms;

however, much work lies ahead. Among my major objectives will be increasing transparency, tackling corruption, promoting trade and economic growth. Consolidating the economic reforms will be helped by a Millennium Challenge Corporation threshold program approved this year to further open the telecommunications market and improve land title registry, two critical constraints holding back Togo's own efforts to lift its people out of poverty.

Thank you, Mr. Chairman and distinguished members of the committee, for this opportunity to appear before you. If confirmed, I will strive to reinforce our interests in a stable, prosperous, and peaceful Togo. I warmly welcome any questions.

[Mr. Stromayer's prepared statement follows:]

#### PREPARED STATEMENT OF ERIC STROMAYER

Mr. Chairman, Ranking Member, and Distinguished Members of the committee, I am deeply honored to have the opportunity to appear before you today and am grateful to the President and Secretary Pompeo for the confidence they have placed in me as their nominee to be the next U.S. Ambassador to the Togolese Republic. If confirmed, I will be honored and privileged to lead our Embassy team in working to advance the interests of the American people in Togo.

I am immensely proud today to be joined by my wife of almost 21 years, Susmita Dastidar, and two of our daughters, Antara Helena and Lalita Leonora. Our eldest, Aditi Alexandra is away at college. Also unable to join us is my 84-year old mother, Sarah. She and my father, Jim, introduced me to this career so many years ago. My father, who was a Foreign Service Officer, died tragically young in 1983, but their lessons of decency, integrity and patriotism have guided me throughout my life.

A recent commemoration of September 11 at the State Department and remembrances of the challenges all of us have faced over the years, reaffirmed for me all the reasons I am proud to be an American and to represent our nation overseas, if confirmed as an Ambassador.

My interest in West Africa began when I was a Peace Corps Volunteer in Senegal in the early 1980s. My second assignment with the State Department was Burkina Faso, and I visited Togo overland several times during that three-year assignment. I have served in Africa as Deputy Chief of Mission and Chargé d'Affairs in Madagascar, senior positions in the Bureau of African Affairs over the last five years, and as a desk officer for several West African countries. These experiences and other postings around the world during my 29 years with the State Department have prepared me for this next challenge, if confirmed.

The United States and Togo enjoy a strong relationship and share broad mutual interests. Our policy priorities in Togo are to advance peace and security; promote fair trade and economic growth; strengthen democracy, human rights, and governance; and support opportunity and development. A stable, peaceful and prosperous Togo serves America's interests and expands Togo's ability to contribute to regional stability.

Our highest priority is to advance peace and security. Despite a small population, Togo is currently the 15th largest contributor of peacekeeping forces in the world. We continue to help professionalize its security forces. Togo's military is graduating from the U.S. Africa Contingency Operations (ACOTA) to providing its own pre-deployment peacekeeping training, building capacity that I hope to continue to support if confirmed.

Togo has experienced some political instability over the past year. Despite broad consensus on several of the reforms, there is disagreement on the details, rooted in deep-seated mistrust between Togo's ruling party and an opposition that feels frozen out of power. If confirmed, I would support and emphasize rule of law, solid democratic institutions, and the role of civil society to encourage positive change.

The Government of Togo has improved the country's investment climate, with a special presidential body to expedite reforms. Togo's hosting of the African Growth and Opportunity Act forum provided momentum for modernizing its economy. Much work lies ahead. Increasing transparency, tackling corruption, and promoting trade and economic growth will be a major focus. A Millennium Challenge Corporation Threshold program approved this year will help consolidate and extend these reforms, further opening the telecommunications market and improving land title reg-

istry—the two binding constraints holding back Togo's own efforts to lift its people out of poverty.

A fast-growing population has presented a significant youth unemployment challenge. The education system faces challenges from underfunding; infant mortality, maternal health, HIV/AIDS and malaria remain a concern. Humanitarian assistance and supporting the work of private American organizations in the health and education sectors are areas I would focus on, if confirmed.

Thank you, Mr. Chairman and distinguished members of the committee for this opportunity to appear before you. If confirmed, I will strive to reinforce our interests in a stable, prosperous and peaceful Togo, with the ability to contribute to regional stability and advocate for the safety and security of American citizens and our interests in Togo. I warmly welcome any questions.

Senator FLAKE. Thank you.

I introduced you out of order, but we will go ahead straight through. So, Ambassador Hankins.

**STATEMENT OF HON. DENNIS B. HANKINS, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALI**

Ambassador HANKINS. Thank you, Mr. Chairman, Ranking Member Booker. I am honored to appear before you today as President Trump's nominee as the next Ambassador to the Republic of Mali. I appreciate the confidence he and Secretary of State Pompeo have shown in me through this nomination. If confirmed, I look forward to working with you and other Members of Congress to advance American interests in Mali. I would like to thank you, Mr. Chairman, for your support and this committee's support 3 years ago when I was nominated to serve in the Republic of Guinea. I am proud that my son, Navy Lieutenant Danu Hankins, could be with me today, and also that my brother, Knute—and, Senator Booker, he manages a Mondelz factory near Paramus. So not one of your constituents, but he does live in your State and do business there.

Senator BOOKER. God bless him. [Laughter.]

Ambassador HANKINS. Unfortunately, my wife of 36 years, Mira, could not be with me today.

My current assignment in Guinea has offered me the opportunity to help that country transition from the Ebola crisis and make real political, economic, and social progress. Postings in Sudan, the Democratic Republic of Congo, Mauritania, and Haiti have offered me opportunities for strong activist diplomacy. If confirmed, I will draw upon those experiences to deepen U.S.-Mali ties as we continue to work towards our top policy priorities in Mali, which are supporting the full and rapid implementation of the 2015 Algiers Accord, working with the Government of Mali, International Partners, and Mali's neighbors to respond to terrorists and criminal threats that undermine peace and security, not just in Mali, but throughout the region.

And, finally, to ensure that our assistance supports those previous two priorities while also then helping the Malian people in areas of food security, health, education, governance, and economic growth.

Mr. Chairman, if confirmed, I will work together with our partners to create greater stability and prosperity for the Malian peo-

ple. I will vigorously pursue the safety and security of American citizens and advance U.S. interests in Mali.

Thank you, Mr. Chairman, Ranking Member, Senator Risch, for seeing me today. I look forward and would be honored to respond to any questions.

Thank you.

[Ambassador Hankins's prepared statement follows:]

PREPARED STATEMENT OF HON. DENNIS BRUCE HANKINS

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Mali. I appreciate the confidence he and Secretary of State Pompeo have shown in me through this nomination. If confirmed, I look forward to working with you and other Members of Congress and staff to advance American interests in Mali.

I am supported here today by my friends and colleagues from the State Department's Bureau of African Affairs and USAID. I am proud that my son, Navy Lieutenant Danu Hankins, could be with me today. Unfortunately, my wife of 36 years, Mira, could not attend. My career in the Foreign Service began in 1984 and has led me to challenging assignments all over the world. My current assignment in Guinea has offered me the opportunity to help that country transition from the Ebola crisis and make real political, economic, and social progress. I have sought out many opportunities in countries either in, or emerging from, conflict. Postings in Sudan, the Democratic Republic of Congo, Mauritania, and Haiti offered opportunities for strong diplomacy, where the effectiveness of our policies is immediately evident. If confirmed, I would draw upon these experiences and many others to deepen U.S.—Mali ties as we continue to work towards our mutual goals of combating violent extremism, strengthening democratic governance and respect for human rights, and fostering inclusive economic growth.

Mali faces serious challenges from growing terrorist threats, increasing communal violence, a frustratingly slow peace process, and severe poverty.

Despite these obstacles, Mali recently held presidential elections for the second time since the military coup in 2012. It remains a willing counterterrorism partner, and we continue our partnership to bring development and economic opportunities to its people.

Terrorists are vying for control of more territory in Mali than at any time since the 2012 crisis. Al-Qa'ida- and ISIS-affiliated groups have been expanding their areas of operational control from the north to the center. These threats are spilling over borders and destabilizing the Sahel region. While Malian security forces have a number of challenges, ultimately they must provide security throughout the country.

The United States supports reforming and strengthening these forces so they can address these threats head-on through programs such as the International Military Education and Training, Security Governance Initiative, Trans Sahara Counterterrorism Partnership, Crisis Response Team training, and Defense Department's Joint Combined Exchange Training. These programs complement the efforts of our partners, notably France and the European Union, for whom an unstable Mali represents a direct threat, fueling terrorism, mass migration, and drug trafficking. At the same time, we continue to raise our concerns regarding serious human rights issues, including credible allegations of serious human rights violations by Malian security forces. The Government of Mali has a responsibility to extend its presence with key services, including education and health care, throughout the country to benefit all of its people.

Mali, together with its neighbors Burkina Faso, Chad, Mauritania, and Niger, have formed the G5 Sahel Joint Force, an African-led, African-owned response to terrorism and banditry that plagues the Sahel region, particularly in the Mali-Niger-Burkina Faso tri-border area. The United States supports this effort through bilateral support to the G5 members, pledging an initial \$60 million to the members of the Joint Force. We recognize the Joint Force is a long-term project and want to set it up for success. This means that our focus should be on not only operational support, but also law enforcement, civilian-military relations, the promotion respect for human rights, accountability, and stabilization activities. In addition to support for the G5 Sahel Joint Force, we support the French-led counterterrorism operations and efforts to build the defense capacity in Mali and its neighbors working to contain the regional threat. Part of the reason that terrorist groups have been gaining

operational space is the unacceptably slow pace of implementation of the 2015 Algiers Accord for Peace and Reconciliation in Mali. By not living up to their commitments, the signatory parties perpetuate instability that threatens the entire region.

MINUSMA, the most deadly peacekeeping mission in the U.N. system, is a vital element in creating enabling conditions that allow for implementation of the Algiers Accord. We provide significant contributions to MINUSMA by funding 25 percent of the mission costs, training and equipping troops deploying to MINUSMA, and providing 27 U.S. military observers for support. It is costly and dangerous. The sacrifice of so many should not be for naught.

It is ultimately the parties themselves that must show the political will to make compromises and act on their commitments. If confirmed, I will redouble our efforts, along with those of our international and regional partners, to bring the parties to action. In particular, I will focus on the actions called for by U.N. Security Council Resolution 2423 (2018) that include: decentralization of state services; setting up interim authorities in northern Mali; integration of at least 1,000 members of signatory armed groups into Malian security forces; joint patrols by mixed units from the signatory parties; establishment of the Northern Development Zone; and ensuring equal and meaningful participation of women in the implementation of the peace process.

Underlying the terrorist threats and the conflict in Mali's north is the desperate poverty of the country. A growing youth population that lacks economic opportunities, corruption, ineffective governance, lack of capacity, growing instability, extreme poverty, and communal violence all contribute to challenging conditions in Mali. The United States is the largest bilateral donor to Mali, and we intend to maintain our strong partnership for development and stability. Our assistance promotes democracy and improved governance as well as increases sustainable livelihoods. USAID programs also improve maternal and child health and reduce the incidence of malaria in Mali. The United States will continue encouraging economic growth and opportunity by supporting sustainable development and increased U.S. economic investment.

Mr. Chairman, if confirmed, I will work, together with our partners, to create greater stability and prosperity for Malians. I will vigorously pursue the safety and security of American citizens and advance U.S. interests in Mali. I will ensure responsible stewardship of taxpayer dollars through effective leadership of U.S. Embassy Bamako's strong interagency team.

Thank you for the opportunity to appear before you today. I would be honored to respond to any questions.

Senator FLAKE. Thank you.

Mr. Hearne.

**STATEMENT OF DENNIS WALTER HEARNE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE**

Mr. HEARNE. Thank you very much, Mr. Chairman, Ranking Member Booker, Senator Risch. It is an honor for me to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of Mozambique. I am profoundly grateful for this opportunity and the confidence that the President and the Secretary have placed in me. If confirmed, I look forward to working closely with you to advance and protect American interests in Mozambique.

I was sworn into the Foreign Service in 1985, and my 33-year career has spanned six countries and two wars, affording me the extraordinary honor of serving my country alongside many distinguished and heroic colleagues. I am deeply grateful. I cannot imagine a more rewarding life.

Yet this would be my first time in Mozambique and Africa, and I am professionally and personally inspired by that prospect. On a personal level, while my son Christopher, here today, is busy with

school in Virginia and will not be joining me at post, he is very excited about the chance to visit me and get to know a wonderful country and continent, particularly its beaches. My parents, in their eighties, who have lovingly supported me throughout my career, are also hoping to make it over for a visit.

On a professional level, I believe I have a blend of experience that, while gained in other places, is particularly relevant for Mozambique at this time. I have been speaking Portuguese for 3 decades, and that can be a key facilitator for my engagements with both officials and people from all walks of life. If they chuckle a bit at my Brazilian accent, that is okay, it will be an icebreaker.

In addition, I have served in wartime in the Balkans and in Afghanistan, and I understand well the challenges of recovery from and prevention of armed conflict. My familiarity with these issues will be helpful in supporting Mozambique's political leadership both to implement their recent peace agreement and to consolidate democracy and security.

I believe we have a moment of opportunity now to consolidate encouraging gains in political stability in Mozambique following the 2016 cessation of hostilities and the recent peace agreement, and to get ahead of developing threats in the northern part of the country. We would accomplish this in cooperation with Mozambique's leaders and using a whole-of-government approach that could also leverage resources from the private sector and civil society.

I am eager to move ahead creatively, knowing from experience that building a solid platform of improved governance and effectively fighting corruption will be as critical for success in Mozambique as they are elsewhere.

Reconciliation and stability will allow the country to capitalize on its vast natural resources, including one of the world's largest natural gas deposits. U.S. companies are preparing to invest \$40 billion to develop liquefied natural gas in northern Mozambique, among the largest investments in Sub-Saharan Africa.

Mozambique's expanding economy also depends on the ability to address development challenges and values the development—and Mozambique values the development assistance the United States provides to support peace and security, democratic institutions, human rights, a healthy and educated population, and sustainable, inclusive economic growth. The U.S. is the top bilateral donor to Mozambique with the majority of our support focused on health programs, notably PEPFAR, and that is our largest assistance program in Mozambique.

Thanks to the generosity of the American people, more than 1 million people living with HIV are now on lifesaving treatment, and, if confirmed, I will continue to vigorously support those efforts.

Mr. Chairman, members of the committee, I want to thank you for the privilege of appearing before you today. If confirmed, I will aim to exemplify the highest standards of our great nation and look forward to partnering with you to advance America's interests in Mozambique.

Thank you, and I look forward to your questions.

[Mr. Hearne's prepared statement follows:]

## PREPARED STATEMENT OF DENNIS W. HEARNE

Chairman Flake, Ranking Member Booker, and distinguished members of the committee, it is an honor for me to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of Mozambique. I am profoundly grateful for this opportunity and the confidence President Trump and Secretary Pompeo have placed in me. If confirmed, I look forward to working with you to advance and protect American interests in Mozambique.

I was sworn into the Foreign Service in 1985, and my 33-year career has spanned six countries and two wars, affording me the extraordinary honor of serving my country, alongside many distinguished and heroic colleagues. I am deeply grateful—I cannot imagine a more rewarding life. Yet this would be my first time in Mozambique and Africa, and I am professionally and personally inspired by that prospect. On a personal level, while my son Christopher is busy with college here in Virginia and won't be joining me at post, he is also excited about the chance to visit me and get to know a wonderful country and continent. My parents, in their 80s, are also planning to come over.

On a professional level, I believe that I have a blend of experience that, while gained in other places, is particularly relevant for Mozambique at this time.

I have been speaking the Portuguese language for three decades—that can be a key facilitator for my engagements with both officials and people from all walks of life. If they chuckle a bit at my Brazilian accent, that's OK—it will be a good ice breaker. In addition, I have served in wartime in the Balkans and Afghanistan and understand the challenges of recovery from and prevention of future armed conflict. My familiarity with these issues and extensive background in working with our military will be helpful in supporting Mozambique's political leadership both to implement their recent peace agreement and to consolidate democracy.

I believe we have a moment of opportunity now to consolidate encouraging gains in political stability in Mozambique, following the 2016 cessation of hostilities and recent peace agreement, and to get ahead of developing threats in the northern part of the country. We would accomplish this in cooperation with Mozambique's leaders and using a whole of U.S. Government approach that could also leverage resources from the private sector and civil society. I am eager to move ahead creatively, knowing from experience that building a solid platform of improved governance and effectively fighting corruption will be as critical for success in Mozambique as they are elsewhere.

Reconciliation and stability will allow the country to capitalize on its vast natural resources, including one of the world's largest natural gas deposits. U.S. companies are preparing to invest \$40 billion to develop liquefied natural gas in northern Mozambique, among the largest investments in sub-Saharan Africa. Mozambique's expanding economy also depends on its ability to address significant development challenges, and Mozambique values the development assistance the United States provides to support peace and security, strong democratic institutions, respect for human rights, a healthy and educated population, and sustainable and inclusive economic growth. The United States is the top bilateral donor to Mozambique with the majority of our support focused on health programs, notably the President's Emergency Plan for AIDS Relief (PEPFAR), our largest assistance program in Mozambique. Thanks to the generosity of the American people, more than one million people living with HIV are now on life-saving treatment, and if confirmed, I will continue to vigorously support these efforts. In all of these areas, if confirmed, I will be fortunate in building on the superb work of Ambassador Pittman and his team.

Mr. Chairman and members of the committee, I want to thank you for the privilege of appearing before you today. If confirmed, I will aim to exemplify the highest standards of our great nation and look forward to partnering with you to advance America's interests in Mozambique. It is a duty and responsibility I would be honored to accept. Thank you and I welcome any questions you might have now and in the future.

Senator FLAKE. Thank you.

Mr. Henshaw.

**STATEMENT OF SIMON HENSHAW, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA**

Mr. HENSHAW. Mr. Chairman and members of the committee, I am deeply honored to appear before you today and grateful to President Trump and Secretary Pompeo for the confidence they have placed in me as their nominee for Ambassador to the Republic of Guinea.

I want to recognize the attendance of my wife, Jackie Greene, and my daughter, Maddie Henshaw Greene. Jackie is originally from New Jersey. [Laughter.]

Mr. HENSHAW. My second foreign assignment was in Abidjan, and my wife and I have fond memories of our time there traveling throughout the country and region. In fact, we were married by the Mayor of Abidjan.

More recently, I traveled to the continent three times in my last assignment in the Bureau of Population, Refugees, and Migration. Most of my career has been in the developing world, and I have extensive experience working with USAID and other developmental actors, particularly on democracy, human rights, and good governance. Throughout my career, I have worked on election issues.

Despite Guinea's proud history of independence, it was only in 2010 that Guineans finally embraced democracy. With programs such as our efforts through USAID to assist the National Election Commission in revising the electoral code, to our participation as an observer in the national political roundtable, we remain committed to helping Guinea complete its democratic transformation.

The 2013–2016 Ebola epidemic killed over 2,500 people in Guinea alone and significantly set back the country economically. However, with the assistance of the international community, including the United States, Guinea overcame that horrible illness.

Today, the economy is growing faster than anticipated, sustained mostly by strong mining activity, construction, and agriculture. With the assistance of the Overseas Private Investment Corporation in 2016, U.S. investors were able to expand mining operations in Guinea. In addition, the U.S. company Endeavor was able to break ground this year on a 50-megawatt power plant.

Concerning peace and security issues, we support efforts to reform Guinea's security institutions and greatly appreciate Guinea's peacekeeping work, including in Mali.

If confirmed as the 22nd U.S. Ambassador to the Republic of Guinea, my objectives will be to continue to support and encourage the ongoing democratic process; economic development, including more advocacy for U.S. investment and economic diversification; improved public health; and a stronger security partnership.

Thank you, Mr. Chairman and members of the committee, for the opportunity to address you today. If confirmed, I look forward to working with you in representing the interests of the American people in Guinea. I am happy to answer any questions.

[Mr. Henshaw's prepared statement follows:]

## PREPARED STATEMENT OF SIMON HENSHAW

Mr. Chairman and members of the committee, I am deeply honored to appear before you today, and grateful to President Trump and Secretary Pompeo for the confidence they have placed in me as their nominee for Ambassador to the Republic of Guinea. I want to recognize the attendance of my wife, Jackie Greene.

My second Foreign Service assignment was in Abidjan, and my wife and I have fond memories of our time there traveling throughout the country and region. In fact, we were married by the mayor of Abidjan. We look forward to returning to the region. I traveled to the continent three times in my last assignment in the Bureau of Population, Refugees, and Migration. Most of my career has been in the developing world and I have extensive experience working with USAID and other developmental actors, particularly on democracy, human rights, and good governance. Throughout my career, I have worked on election issues in the Philippines, El Salvador, Honduras, and Russia.

On October 2nd, Guinea will celebrate 60 years of independence. Despite Guinea's proud history of independence, it was only in 2010 that Guineans finally embraced democracy. From working through USAID to assist the national election commission in revising the electoral code, to our participation as an observer in the national political roundtable, we remain committed to helping Guinea complete its democratic transformation. Just as positive political and economic trends were starting to take shape, however, the 2013–2016 Ebola epidemic struck Guinea and other countries in the region and beyond, killing over 2,500 people in Guinea alone, and significantly setting back the country economically. However, with the assistance of the international community, including the United States, Guinea overcame that horrible affliction.

Today, the country is looking toward the future. The economy is growing faster than anticipated, sustained mostly by strong mining activity, construction, and agriculture. With the assistance of the Overseas Private Investment Corporation, in 2016, U.S. investors were able to expand mining operation in Guinea in an environmentally friendly and community responsive way. In addition, the U.S. company, Endeavor, was able to break ground this year on a 50 megawatt power plant in the capital of Conakry. While remaining challenges are great and the work to be done is daunting, the United States will remain a committed partner in support of Guineans as they pursue their aspirations toward more robust democratic institutions and stronger and more inclusive economic growth. Concerning peace and security issues, we support efforts to reform Guinea's security institutions and greatly appreciate Guinea's peacekeeping work, including its deployment to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).

If confirmed as the 22nd U.S. Ambassador to the Republic of Guinea, my objectives will be to continue to support and encourage the ongoing democratic process; to promote economic development, including more advocacy for U.S. exports, investment and economic diversification; improved public health; and a stronger security partnership.

Thank you, Mr. Chairman and members of the committee, for the opportunity to address you today. If confirmed, I look forward to working with you in representing the interests of the American people in Guinea. I am happy to answer any questions.

Senator FLAKE. Thank you.

Thank you to all of you.

Mr. Hearne, with regard to Mozambique, you mentioned the large investment in natural gas. What U.S. companies are involved there?

Mr. HEARNE. Thank you very much for the question. Both ExxonMobil and Anadarko are leading international consortium that are moving ahead with probably taking decisions over the next year about concerning potentially a \$40 billion total investment. So those are the two main firms. Anadarko is already present in the country in a significant way. And I look forward to meeting with them, if confirmed, in the near future.

Senator FLAKE. Well, thank you.

Mr. Hankins, with regard to Mali, we invest in security issues there, the G5 countries, some of the other countries. Do you want

to talk about that, that cooperation that we have in the region and what that involves?

Ambassador HANKINS. Yes, sir. Recently the bordering countries, through the G5, have come together to try to help Mali in handling its security threats. The northern part of the country for nearly 20 years has been essentially ungoverned, and we have seen that threat spill over and seen terrorist attacks. When I was in Mauritania 10 years ago, terrorists came and killed an American missionary in the capital when I was there. We have seen spillover into Niger, into Cote d'Ivoire, into Burkina Faso. So we see these countries coming together through the G5 to increase border security to help then on the counterterrorism part. The U.S. Government has so far already earmarked \$60 million to help those countries in that operation.

We continue to have differences with those countries and with the French that are looking for a long-term stable financing arrangement. We certainly welcome and see the need for these countries to deal jointly on what is a regional threat. And we are more than prepared to help them bilaterally in that effort, but at this point, we do not support then seeing it as a Chapter 7 operation financed through financing mechanisms.

Senator FLAKE. Thank you.

Mr. Henshaw, with Guinea, the Ebola outbreak that occurred within three countries—Sierra Leone, Liberia, and Guinea—Guinea was perhaps the most difficult, the remote part, to arrest it. What are we doing to make sure that we do not have the renewed outbreak? What are we doing in terms of cooperation in public health?

Mr. HENSHAW. Thank you for the question, Senator. USAID's program in Guinea is mostly health care. I think \$23 out of the \$25 million a year that we have been spending there is for health. And that program will continue. CDC is there, as is NIH. They have set up an excellent countrywide system for early detections of diseases, but human and animal, which in the future will hopefully get to stop—get to stop a disease before it reaches the—the level that Ebola did before.

Senator FLAKE. Thank you.

Mr. Hearne, we talked a little with the last panel, Botswana in particular, and wildlife preservation, conservation efforts. Mozambique has certainly a large land mass that borders almost on Kruger Park, where a number of—well, long-term poaching issues there. Also, I was able to visit Gorongosa, where a significant investment from an American, Greg Carr, in cooperation with a number of colleges and universities and NGOs, who has really done some extraordinary things there. How can we, the U.S. Government, help promote efforts that are going on in the nongovernmental organization area?

Mr. HEARNE. Thank you very much, Senator. I—I—I think we are, as with some of the other areas I covered, at a moment of opportunity here. President Nyusi has shown himself to be quite proactive and interested in conservation and countering poaching. He has—he has made some significant changes to legislation to reinforce and fortify penalties and the ability to prosecute those cases.

With regard to our direct involvement, as you say, in Gorongosa, USAID has partnered regularly with the Carr Foundation. We have had an investment there through that cooperation of about \$11 million, and that is proceeding. Also, in Niassa, we are working closely with the wildlife conservancy NGO there, and in Limpopo as well with the World Wildlife Foundation.

So I think these partnerships with NGOs, public-private partnerships, that we participate in directly, including financially, coupled with an encouraging attitude on the part of President Nyusi and his administration on this subject, give us a lot of room to expand, and I look forward to building on my predecessor's work in that area.

Senator FLAKE. Right.

Mr. Stromayer, with Togo, they contribute to U.N. peacekeeping efforts. That is one of the areas where they have some income. Will that continue? And are we working with them in that regard? What military cooperation or education efforts do we have with them—or, I am sorry, cooperation, military training, and whatnot?

Mr. STROMAYER. Thank you for that question, Senator. It is an opportunity to highlight one of the great areas in which we cooperate with the Togolese, though one of the smaller countries on the continent with a population of barely 7 million, they contribute 1,400 troops to U.N. peacekeeping operations, which makes them one of the 15 largest—they are the 15th ranked contributor to such operations in the world. And they have had losses in deployments in Mali, which they have—they have performed very well in those deployments. In fact, I understand with reference to the panel, that, in fact, they are proposing to deploy an additional 700 troops to supplement what is going on in CAR.

We have been their partner of choice over the years, both through IMET and ACOTA. We have provided significant support to their decision, I believe it is in the last 5, 10 years, to play a role in peacekeeping, and so much so that at this point they have, as we put it, graduated from ACOTA, they are doing some of their own training now, and we are scaling that back. But our IMET commitment remains, though it is relatively small. And I expect to do everything I can to improve and continue that cooperation with the Togolese military.

One of the other things in my research so far that I was struck by is that they have a partnership with North Dakota, of all States, on the—or sort of the—what is it? The reserve training program where we get our North Dakota National Guard, excuse me, out there and working with them, and that is a great partnership that I would hope to be able to continue and foster.

Senator FLAKE. North Dakota, Togo, it is all the same. [Laughter.]

Senator FLAKE. Thank you.

Mr. STROMAYER. My pleasure, sir.

Senator FLAKE. Senator Booker.

Senator BOOKER. I am going to defer to my much more senior Senator, Mr. Risch, and—

Senator RISCH. In what regard did you mean that?

Senator BOOKER. I meant just in years of service, sir. We are clearly the same age. And you have a lot more hair than me, sir, so I respect you. [Laughter.]

Senator RISCH. Well, thank you.

Actually, Mr. Hearne, I came up here to specifically talk to you because Idaho has a very distinct connection to Mozambique. You mentioned Gorongosa, and Mr. Carr, he, of course, is a citizen of Idaho, and we are glad to have him. And what he has done there has been nothing but heaven's work. I mean, he went in there after the civil war and single-handedly took Gorongosa from nothing, in decimation, to what it is today, where it is coming back.

I think there are a lot of people familiar with that work. Certainly, it is a model of ways to do this. He got a little pushback because he did it differently than some of the other conservation groups do it, where he recognized that the stability of the populace was—had to come before the stability of the animal populations because it just—it would not work in the reverse. And he has been—he has been very dedicated to that, and, of course, as a result of that, a lot of us have come to know the officials in Mozambique, and they certainly say the right things, which we are glad to do, and they are doing the—doing the right things where they can.

The questions I have for you have to do with the civil war has been quite some time ago, but nonetheless, they get flare-ups every once in a while, and every time that happens, of course, it makes you a little—it makes the hair on the back of your neck stand up and wonder, you know, is this going to take off again, because it was so devastating the last time it happened?

What is your prognosis on that? What are your thoughts on that? Are you convinced the government is doing enough and got a good enough handle on this to tamp down anything that arises?

Mr. HEARNE. Yes. Thank you very much, Senator. It is a subject that I have been thinking a great deal about as I have been preparing to, if confirmed, assume responsibilities in Mozambique. This is a center of gravity for me. I think it is essential to the consolidation of democracy, security, and stability in the country that we see a successful way forward.

Early indications are encouraging, but it is early days. We are seeing in October the—the local and municipal elections, which will be kind of the pilot really for the decentralization aspect of the agreement reached between Frelimo and Renamo. If that is successful, and certainly there will be lessons to be gleaned from it, it would be encouraging and a hopeful sign for the general election next year in which again decentralization of power and greater democratization is supposed to be part of what has been agreed to.

On the military side, we are really at the beginning of a demobilization effort, demobilization for the second time in some ways, where again it appears that President Nyusi is very forward-leaning and wanting active international engagement. He has invited the United States and a number of other partners to—to provide observers and support for this process. We—we have already a State Department officer going out very soon to fill that role, and we will look at having it staffed on an enduring basis.

But given that the size of the forces now are not what they once were, given the—given that, the age of some of the combatants, in-

dications that President Nyusi is going to support integration into the armed forces of some of these combatants, then I think that there is real potential here to get it right this time.

And the other center of gravity that I think we have to be aware of on the stability side is the evolving potential threat in the northwest around the Cabo Delgado region. It is early days. We are still trying to get a better understanding of what we are seeing there. We have had one interagency evaluation team out there at the end of last year. We have another one on the ground right now. So we hope to get more fidelity on that and see with that information what kind of support and strategy we can work with the Mozambicans on to get ahead of that issue early on. And I am committed, if confirmed, to vigorously and creatively looking at an approach for that.

Senator RISCH. I was going to ask about the northwest because I think my sense is that that seems to be the center of the difficulties there. And you say you are working on that. Do you have any sense at all, any granularity on that at this point, as to, is it an individual? Is it a group of individuals? How—what is your—what is your sense on that?

Mr. HEARNE. Well, again, early days and most of the information I have—I have had access to is open source, but what we think we are seeing is something that began its evolution around 2014, 2015. It is—

Senator RISCH. Is that when they were having the incidents with the trains, the transportation system, up there?

Mr. HEARNE. I—I think that was around that time and into 2016. The—the early attacks were primary against police stations, and increasingly that are worrisome, we have seen them against civilians, including quite recently, just last week.

It appears at this point—and again we are proceeding cautiously with our evaluation—to be a relatively small and relatively contained phenomenon. It does, at least by their own rhetoric, have an ideological dimension to it, a religious ideological dimension, one that is worrisome to and resisted by mainstream Islamic leaders in Mozambique. They have a very different tradition, of course, there.

And so I think given that even though it is in a large ungoverned space, given that it is still—and does abut, of course, border with Tanzania, that it is still geographically and in terms of size relatively contained, and we need to work to get ahead of it quickly. And I think, again, a whole-of-government approach, once we have more fidelity on what we are dealing with, closely in coordination with the Mozambicans and with regional networks on counterterrorism, and leveraging the interests of the private sector, the companies that are going to be investing in this LNG development, which is directly related to this area, that is the littoral support platform for that activity, I think we can try to be creative in looking at ways to address any genuine local grievances or frustrations, drivers, while also working intelligently on the security and the civil affairs dimensions of this.

Senator RISCH. Thank you, Mr. Hearne. I appreciate that.

Thank you, Mr. Chairman.

Senator FLAKE. Thank you.

Mr. Booker.

Senator BOOKER. Thank you very much.

Ambassador, first of all, I am grateful for our time together and your willingness to meet, not just with me, but my two colleagues.

Since the coup in 2012, Mali has not been a major recipient of U.S. aid, military aid specifically. Since then, the Malian military has been implicated in numerous human rights abuses—I think we mentioned this a little bit in our private conversation—during their counterinsurgency deployments in particular in central Mali. As Mali's defense minister acknowledged in June, a recent study by the Simon-Skjodt—Center for Prevention of Genocide, warned that overlapping violence amongst jihadists, Malian security forces, and communal self-defense groups could produce a lot of mass atrocities. And there seems to be a lot of concern, especially in north-eastern Mali.

What is your understanding of our current assistance to the security forces? Is the United States considering increasing or expanding its assistance to those security forces to include training, advice, and equip assistance? And if so, to what extent is the Leahy human rights vetting a challenge for U.S. assistance to the military?

Ambassador HANKINS. Thank you, Senator. As you note, it is a challenge. At the same time, we are asking the government to reestablish its presence and authority in the northern parts of the country, but a country—a military that has a history of human rights abuses. Particularly through the security—the SGI initiative, we have been working on trying to build the institutions themselves, sending people to the U.S. to build a corps of the National Security Agency, National Security Council. We have been engaging in trying to make it a more professional entity.

There are, of course, major partners. The French have significant influence. And we are looking at how we can expand our direct engagement with the Malian armed forces. But up into there, our goal is not just to supplement what others are already doing, whether it is the European Union, which has training activities, or the French. I know we are looking, for instance, at looking at counter-IED training. We are looking at JCETs that then offer more opportunity to do exercises.

We do have challenges as well because the Malian government works not only through their own armed forces, but they work then through armed groups, many of whom, like GATIA, have problems in terms of child soldiers and the rest.

It is an area where you have terrorist organizations that create atrocities in their own right. As we discussed, it is always government troops must be held to a higher standard. If the government troops do not respect their own uniform, then they will—at no time will the population respect that uniform.

So our goals are to build their capacity, to make them more professional, to make sure that they are inclusive of the population. It is a—a challenge because there are units, there are individuals, that have created human—that have done human rights violations in the past. The Leahy vetting is an important part and a key part to make sure that none of those advance, but, again, we do not have partners that are 100 percent ideally what we would want, but if the peace process—if stability is going to be successful, those

partners must eventually reestablish authority, they must gain the confidence of the Malian people, and they must be present throughout the whole country.

Senator BOOKER. Thank you very much, sir, for that substantive answer.

Mr. Henshaw. U.S. bilateral aid for Guinea has overwhelmingly focused on global health, \$21.5 million in fiscal year 2017. In line with the administration's proposal to cut foreign aid worldwide. It proposed \$3.2 million in aid for Guinea in fiscal year 2018, which is an 88 percent decrease from the fiscal year 2017 actual allocation of \$26.1 million. Congress largely did not adopt the administration's aid and budget proposals. I have been really grateful about the bipartisan nature of the support for aid from my colleagues on the right and the left.

What would be the effect in Guinea of such a dramatic cut in foreign assistance, as previously proposed by the administration?

Mr. HENSHAW. We remain committed to supporting Guinea's attempts and work to improve its health system. I think as time goes on, we need to encourage the Guineans to put more and more of their own resources in, and we have seen that happen in the past few years. Guinea has increased its own health budget from less than 3 percent of the total budget to over 8 percent. But I do think that we need to continue our own assistance for several more years in order to help them move forward and make sure that we do not return to the situation we saw 5, 6 years ago with Ebola.

Senator BOOKER. Thank you very much, sir. That was more a question to see how good of a diplomat you are because I tried to get you to criticize the administration, and you dealt with that so aptly. [Laughter.]

Senator BOOKER. I am going to come back to you, though. You have got one more test. [Laughter.]

Senator BOOKER. Mr. Stromayer, in August 2017, opposition groups united to push for democratic reforms in a transition from roughly 5 decades of presidential rule by members in the GnassingbChargé family. The economic community of West African states has been facilitating an end to this crisis, as I am sure you know. ECOWAS urged the adoption of constitutional reforms, a two-round presidential voting system, and term limits, but did not address the key matter of GnassingbChargé's future electoral eligibility.

To what degree should we engage in this critical issue of term limits?

Mr. STROMAYER. Well, the issue of term limits, Senator, is obviously one that gets a lot of discussion at different levels. I think your question is very timely. As it happens, literally in the last several days, the ECOWAS-led mediation has succeeded in getting the opposition and the government to agree to move forward with parliamentary elections that are planned for the end of this year, which is a very positive sign. There have been threats of boycotting.

The issue of term limits remains the challenge, the big challenge. How do they play that out? Certainly, the G5 has been mentioned up here. There is a G5 in Togo, which consists of us, the French, the Germans, and the U.N., and the EU, who have been playing

a role in encouraging all parties, the opposition and the government, to work together with the ECOWAS mediation to find a way forward through this thicket, to find a way to get to a compromise because clearly long-term democratic stability for Togo is—is our goal, is the goal of our likeminded friends, and seems to be the goal of various members of the elite in the country.

And so continuing to work with that process, encouraging the ECOWAS process, using the leverage that we have gained through our MCC threshold program, which has been very, very well received by the government and where have made it very clear, your progress toward democratic processes is going to be critical to our willingness to move beyond this point with the MCC because our aid at the moment is rather limited. The MCC program is twice what our annual aid is, of which it is only \$17.5 million this year, the MCC program is larger. And so those kinds of leverage, it seems to me, with the likeminded, are the kinds of things we can use to try and find a resolution.

Togo is one of those countries where there was not a term limit process in place, and one of the things that has come up has been a willingness to talk about term limits on all sides and also to look at second—second—what would you—runoff elections, which obviously is a process that could be an incentive to the opposition to join. So despite their numerous different opposition parties, if they can coalesce in a runoff, that might give them the ability to succeed in an election, even if four were to stand in 2020, but that is a decision the Togolese will have to make for themselves.

But we would continue to participate with the support of the G5 I have mentioned in furthering the ECOWAS mediation, which, you know, is—is building off of the kinds of progress we have seen across the West Africa region. I mean, clearly, the wave of the future there seems towards democratic alternance and progress, and we would do everything—I would do, if confirmed, everything I could to further that process, as my predecessor has been doing.

Senator BOOKER. Thank you, sir.

And I said I would get back to you, sir. So, Mr. Henshaw, this is a question, and I warn you that I look askance if truth telling is not done during this questioning, and this answer of yours is going to stand in history, it is going to be part of the congressional record. Your family, your ancestors, will look back on this question. [Laughter.]

Senator BOOKER. And so I very simply ask you, sir, this is a direct question to put you on the spot. You married a Jersey girl, yes or no? Did you marry up? [Laughter.]

Mr. HENSHAW. Absolutely. I married up.

Senator BOOKER. Yes.

Mr. HENSHAW. Yes.

Senator BOOKER. Your ancestors will note that for the record. Thank you very much, sir.

Mr. HENSHAW. Thank you for that question, Senator.

Senator FLAKE. Thank you. The hearing record will stay open for another day. I doubt you will get any questions like that last one. [Laughter.]

Senator FLAKE. But if you do, or do not, but please try to answer promptly so we can make it as part of the record.

And with the thanks of the committee, to you and your families, this hearing stands adjourned.

[Whereupon, at 3:52 p.m., the hearing was adjourned.]

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## **Additional Material Submitted for the Record**

### **RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO CRAIG LEWIS CLOUD BY SENATOR ROBERT MENENDEZ**

*Question 1.* Botswana is designated Tier Two in the 2018 Trafficking in Persons Report. The report indicates that anti-trafficking efforts decreased, and recommends that Botswana among other things “amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment; disallow suspended sentences for convicted traffickers; [and] implement the newly adopted anti-trafficking national action plan.” What explains the decrease in anti-trafficking efforts on the part of the Government? If confirmed, what specific actions will you take to encourage the Government to change laws where needed and implement the anti-trafficking national action plan?

Answer. Currently, the Government of Botswana does not fully meet the minimum standards for the elimination of trafficking in persons, but is making efforts to do so. Botswana remained a Tier Two country in 2018 and has publicly reiterated its commitment to reaching Tier One status. The most recent Trafficking in Persons Report noted that Botswana’s anti-trafficking efforts have decreased in some areas, such as identifying fewer trafficking victims, but progress was been made in other areas such as training law enforcement officials, and Botswana launched a national anti-trafficking action plan for the first time. If confirmed, I will encourage the Government of Botswana to increase its efforts to prosecute trafficking offenders and to ensure improved efforts to protect victims. By utilizing available resources, such as the International Law Enforcement Academy in Botswana, we can assist Botswana’s work to train law enforcement and judicial officials on Botswana’s Anti-Human Trafficking Act and sentencing guidelines, improving anti-trafficking efforts. If confirmed, I would emphasized the importance of strengthening existing legislation and implementing the anti-trafficking national action plan with our Government of Botswana counterparts.

*Question 2.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As the Deputy Chief of Mission in Swaziland (now the Kingdom of Eswatini), I worked with youth, political opposition groups, trade unions, and civil society organizations on the issues of human rights and democracy. The Embassy hosted regular meetings as part of our public diplomacy program highlighting the U.S. experience, including our challenges with race relations, school integration, the Freedom Riders, and effecting change through non-violent protest; we used the International Visitor Leadership Program to send promising young leaders to the United States to learn about democratic institutions; and we worked through Non-Governmental Organizations to strengthen capacity building in democratic institutions. Eswatini is an absolute monarchy and our programs emphasized how the United States dealt with human rights and democracy issues and introduced the role of civil society in pressuring government to enact democratic reforms. The Ambassador and I met with King Mswati III on several occasions to directly express the United States’ view that democratic reforms would benefit Eswatini and the Swazi people. Democratic progress in Eswatini has been slow, but opposition voices continue to grow louder.

In India, where I served as the Minister Counselor for Management Affairs, I regularly met with Ministry of External Affairs officials to discuss legalizing same-sex relations and advocate for equal treatment for the same-sex domestic partners in our community. The Indian Government recently overturned Section 377 of the Indian penal code which criminalized same-sex sexual activities. Our management team also supported a taxi company with all female drivers, sending the founder on an International Visitor Leadership Program and giving the female drivers safe driving instruction and orientations on the expectation of American passengers.

*Question 3.* What issues are the most pressing challenges to democracy or democratic development in Botswana? These challenges might include obstacles to

participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Botswana has a long and impressive democratic history since independence in 1966. I will enthusiastically work with the embassy team and the Government of Botswana to strengthen democratic institutions and the rule of law, if confirmed. Botswana has regularly held fair and credible elections, and I look forward to the opportunity to witness this first-hand during the next elections in 2019.

Botswana does face challenges and, if confirmed, I would encourage improvements in areas such as the treatment of asylum seekers in government detention, and possible improvements in the judicial process, which have been highlighted in previous Human Rights Reports.

*Question 4.* What steps will you take—if confirmed—to support democracy in Botswana? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Botswana is a country with a strong democratic tradition and good governance. It is a stable country with a proven record of free and fair elections. If confirmed, I will work with the Government of Botswana to further strengthen its democratic institutions. Botswana is a strong partner of the United States and a strong regional partner as well and, if confirmed, I will work to further extend this relationship. Some of the potential impediments are reluctance to accept outside, non-indigenous critiques and assistance, lack of U.S. funding and capacity to address areas of concern, and suspicions about U.S. motivations.

*Question 5.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I would encourage the Government of Botswana to increase responsiveness to civil society and respect for civil liberties and would seek ways to work with civil society and media groups in this area. While we currently utilize a significant amount of assistance resources in Botswana, the vast majority goes to combat the country's HIV/AIDS epidemic. While it is vital that we continue our response to Botswana's epidemic, I would, if confirmed, look for additional ways we can expand our bilateral relationship.

*Question 6.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Botswana? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. I consider working to advance human rights central to my work as Ambassador, if confirmed, and I would commit to meeting with organizations that can help further this goal. If confirmed, I would communicate these goals to my Government of Botswana counterparts and encourage the work of civil society organizations that contribute to maintaining and improving the human rights environment in Botswana.

*Question 7.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Botswana has been democratic since its independence in 1966. However, one party has been in power since that time. As Botswana's democracy matures, it will be imperative to ensure all democratically oriented parties are afforded fair and equal access to the democratic process. If confirmed, I will work to encourage free and fair political competition and will advocate for access for all the people of Botswana.

*Question 8.* Will you and your embassy team actively engage with Botswana on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Botswana?

Answer. A free and open press is vital to a healthy democracy. The most recent Human Rights Report noted attempts to limit freedoms of the press and assembly in Botswana. This is a serious issue, and I will work with my team, if confirmed, to encourage press freedoms in Botswana. A free and professional press corps is good for Botswana, and can also help amplify the good work of our embassy team in Gaborone. If confirmed, I plan to meet regularly with the press in Botswana.

*Question 9.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will engage with civil society and government counterparts to encourage free and open access to information and will work to counter the spread of misinformation. I will encourage the embassy team to prioritize work in this area as well.

*Question 10.* Will you and your embassy teams actively engage with Botswana on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I would encourage the Government of Botswana to respect the rights of all the people of Botswana. I believe that Botswana is at a moment of opportunity when it comes to taking measures to diversify its diamond-dependent economy. Amendments made to Botswana's Trades Dispute Act limited the numbers of workers in Botswana allowed to strike. If confirmed, I would encourage the Government of Botswana to follow fair labor practices that protect its workers and encourage growth and diversification.

*Question 11.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Botswana, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Botswana? What specifically will you commit to do to help LGBTI people in Botswana?

Answer. If confirmed, I commit to using my position to uphold and defend the rights and dignity of all, including members of the LGBTI community. I intend to work through the PEPFAR program and with the Government of Botswana and civil society organizations to improve the lives of all members of society. I appreciate recent positive developments in Botswana, such as a High Court decision that ruled in favor of a transgender man who successfully fought to change the gender on his government-issued identity documents.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CRAIG LEWIS CLOUD BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As the Deputy Chief of Mission in Swaziland (now the Kingdom of Eswatini), I worked with youth, political opposition groups, trade unions, and civil society organizations on the issues of human rights and democracy. The Embassy hosted regular meetings as part of our public diplomacy program highlighting the U.S. experience, including our challenges with race relations, school integration, the Freedom Riders, and effecting change through non-violent protest; we used the International Visitor Leadership Program to send promising young leaders to the United States to learn about democratic institutions; and we worked through Non-Governmental Organizations to strengthen capacity building in democratic institutions. Eswatini is an absolute monarchy and our programs emphasized how the United States dealt with human rights and democracy issues and introduced the role of civil society in pressuring government to enact democratic reforms. The Ambassador and I met with King Mswati III on several occasions to directly express the United States' view that democratic reforms would benefit Eswatini and the Swazi people. Democratic progress in Eswatini has been slow, but opposition voices continue to grow louder.

In India, where I served as the Minister Counselor for Management Affairs, I regularly met with Ministry of External Affairs officials to discuss legalizing same-sex relations and advocate for equal treatment for the same-sex domestic partners in our community. The Indian Government recently overturned Section 377 of the Indian penal code which criminalized same-sex sexual activities. Our management team also supported a taxi company with all female drivers, sending the founder on an International Visitor Leadership Program and giving the female drivers safe driving instruction and orientations on the expectation of American passengers.

*Question 2.* What are the most pressing human rights issues in Botswana? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Botswana? What do you hope to accomplish through these actions?

**Answer.** The most pressing human rights issues in Botswana include excessive use of force by security personnel; lengthy judicial delays; government attempts to limit freedoms of the press and assembly; mistreatment of asylum seekers and refugees; gender-based violence and lack of effective government response; marginalization of the Basarwa (San) people; and government curtailments of the right to strike.

Botswana has historically proven to be a trusted partner in the promotion and advancement of democracy and a model for the region. If confirmed, I plan to work to continue and strengthen this relationship, especially on the issues of advancing human rights and democracy by making sure these issues are part of our engagement with Botswana. While Botswana has a storied democratic history, recent questions regarding restrictions on press and labor freedoms in the country have emerged. If confirmed, I plan to engage with the Government of Botswana to support its ongoing efforts to address these challenges and also work with youth, civil society, and media organizations through programmatic outreach.

By engaging with the Government of Botswana, civil society, and directly with the population, I hope to improve the lives of those affected by human rights violations. Through these actions, I hope to see a Botswana with stronger institutions to promote accountable, transparent, and democratic governance, protecting the rule of law and human rights for all.

**Question 3.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Botswana in advancing human rights, civil society and democracy in general?

**Answer.** Some of the potential obstacles are the Government of Botswana's reluctance to accept critiques from a foreign nation, and weak capacity of Botswana's own civil society organizations, which impedes their ability to press their government for change.

Additionally, though Botswana has held regular elections which have widely been regarded as free and fair, there is still room for improvement in the country's democracy. The same political party (the BDP, or Botswana Democratic Party) has held power since independence in 1966. In addition, the Government owns and operates the country's most popular newspaper and two radio stations, and state-owned media generally feature reporting favorable to the Government and the ruling party. If confirmed, I will emphasize that true democracy entails more than just elections, and requires that all voices and political views are free to be heard.

**Question 4.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Botswana? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** I would consider working to advance human rights central to my work as Ambassador, if confirmed, and I commit to meeting with organizations that can help further this goal.

Additionally, if confirmed, I would ensure that U.S. security assistance in Botswana is provided consistent with the Leahy Law and that our security cooperation activities advance our mission on human rights. I would keep this mission in mind as we look for opportunities to enhance our already strong security partnership with Botswana.

**Question 5.** Will you and your embassy team actively engage with Botswana to address cases of key political prisoners or persons otherwise unjustly targeted by Botswana?

**Answer.** There were no reports of political prisoners or detainees cited in the State Department's most recent Country Report on Human Rights for Botswana. Nevertheless, if I am confirmed, the embassy team will encourage the Government of Botswana to maintain its good record on this front and continue to live up to its reputation as a peaceful, just, and democratic nation which respects the rule of law.

**Question 6.** Will you engage with Botswana on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Botswana's legacy as a stable, democratic, and peaceful nation puts it in a strong position to stand up for values of human rights, civil rights, and good governance both domestically and regionally. If confirmed, I look forward to engaging with the Government of Botswana on these matters, and will make this a focus of our bilateral relationship.

**Question 7.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you sus-

pect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

*Answer.* If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

*Answer.* If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Botswana?

*Answer.* My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in Botswana; however, these funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Answer.* If confirmed, I will verify the existence of a robust EEO program at post that includes continuous training and sensitization, meet individually with EEO Counselors to gain their perspectives, and ensure that personnel are aware of the Department's discrimination and harassment policies and how to report violations. I will review the mentoring and support programs currently in place, meet with the American and local staffs in the Mission to determine where inclusivity is perceived as lacking, and work with employee organizations to discuss their support. I will also meet with Mission supervisors and the management team to discuss what I have heard from the employees, where improvements are needed and, based on all of the information gathered, put a plan in place to correct any weaknesses or gaps.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

*Answer.* If confirmed, I will meet with supervisors, section heads, and agency heads to ensure that they are familiar with EEO rules, reinforce mandatory reporting requirements for supervisors and other responsible officials, solicit ideas on how to recruit a more diverse workforce, and affirm that all supervisors are expected to cultivate a work environment of respect, inclusion, and mutual support.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Botswana specifically?

*Answer.* Political corruption undermines democratic governance and the rule of law. Botswana has been democratic since its independence in 1966. It has a history of holding regular, credible, and fair elections. If confirmed, I pledge to work with our country team to support Botswana's democracy and respect for the rule of law. I look forward to seeing Botswana's next free and fair elections take place in 2019, if confirmed.

*Question 13.* What is your assessment of corruption trends in Botswana and efforts to address it by that government?

*Answer.* Botswana has a strong democratic history and is a relatively prosperous country. If confirmed, I plan to work to strengthen Botswana's democratic institutions to ensure the country can continue to avoid the corruption that has plagued other countries in the region and hindered their prospects for development.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Botswana?

*Answer.* Botswana has well-governed, strong, democratic institutions. If confirmed, I will enthusiastically work to strengthen good governance and anticorruption efforts. I plan to do this by utilizing the talents of our interagency country team and by taking advantage of our engagement with the Government of Botswana and civil society to emphasize these goals.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CRAIG LEWIS CLOUD BY SENATOR CORY A. BOOKER**

*Question 1.* While there are large coal reserves in Botswana, according to Power Africa, the country has significant solar potential, with 3,200 hours of sunshine per year. I understand Power Africa is assisting with the Government's ongoing procurement for 100 Megawatts of solar panels.

- What's the status of that investment and our engagement on helping Botswana diversify its energy needs away from fossil fuels?

Additionally, Power Africa lists poor implementation of policy frameworks to encourage private sector investment and the lack of experience with renewable energy, both on and off grid, as the biggest issues and bottlenecks.

- How do you think the United States can help Botswana address these issues?

Answer. Through Power Africa, the United States is helping Botswana strengthen its regulatory environment, attract private investment, and diversify its electricity supply. Power Africa is directly supporting the Botswana Energy Regulatory authority as it develops regulatory frameworks and the Botswana Power Corporation as it develops the 100 megawatt solar project. Regionally, Power Africa's Southern Africa Energy Program (SAEP) helps increase electricity supply and access in Southern Africa. If am confirmed, the embassy team and I will continue these valuable and important projects that not only increase Botswana's electricity access and lessen its dependence on fossil fuels, but also create investment opportunities for American firms. Renewable energy presents an opportunity for American business to increase its presence in Botswana and showcase American technical expertise in this field. If confirmed, I look forward to connecting U.S. companies to opportunities in Botswana, and working with the Government of Botswana to diversify its economy and improve the environment for foreign direct investment.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL PELLETIER BY SENATOR ROBERT MENENDEZ**

*Question 1.* According to the most recent State Department Country Report on Human Rights Practices for Madagascar, "there were numerous reports that the Government or its agents committed arbitrary or unlawful killings of criminal suspects." The State Department report referred to reports from media and non-governmental organizations that indicated that "security forces subjected prisoners and criminal suspects to physical and mental abuse, including torture."

- Are security forces that engage in abuses held accountable? What steps will you take, if confirmed, to support efforts to improve human rights practices of security forces?

Answer. Accountability for security force abuses, including unlawful killings, remains a problem in Madagascar. If confirmed, I would take all allegations of human rights abuses seriously, speak out against any unlawful killings, and press for accountability. I would also work to support and build institutions that promote human rights and the rule of law. If confirmed, I intend to work with organizations such as the Human Right Commission in Madagascar to promote improved oversight of security forces. In addition, if confirmed, I intend to focus on capacity building of the judiciary to help address human rights violations and abuses. If confirmed, I would also prioritize reducing corruption, which undermines the effectiveness of institutions charged with providing oversight.

The Department of State follows Leahy vetting requirements for all security force units to which we provide U.S. assistance. This is true worldwide, and there would be no exception for Madagascar, and I will work to ensure that all assistance is provided consistent with the Leahy Law.

*Question 2.* Elections are slated for November of this year: What are the prospects for credible elections in November? What programs and activities is the U.S. supporting related to democracy in Madagascar? Do we have programs aimed at combatting corruption? What specific actions will you take, if confirmed, to help improve democracy and governance in Madagascar?

Answer. We have seen significant progress in the months since the pre-electoral crisis that characterized spring 2018, most notably through the establishment of a government of consensus and the September 7 departure of the incumbent president, in keeping with the constitutional court's decision. We are watching the pre-electoral environment closely, and we continue to stress the importance of freedom

of expression throughout. The embassy will continue to work closely with the international community, in particular multilateral institutions like the AU and U.N., which have sent envoys to Madagascar to help facilitate solutions to other political crises. The current government and all political parties and candidates must facilitate genuinely free and fair elections in Madagascar, so that the country—and foreign assistance and trade agreements—will not be put at risk once again due to extraconstitutional events, such as those following the coup of 2009. If confirmed, I will work closely with all member of government, NGOs and civil society to encourage cooperation in order to improve democracy and governance.

*Question 3.* In 2008, Comoros launched a program whereby Comoran passports could be awarded to stateless residents of Kuwait and the United Arab Emirates (UAE) in return for development assistance from those countries. The program was halted in 2016, and an ensuing investigation found passports had been illegally sold, including through criminal syndicates:

- How many Comoran passports were issued under the program? Are there concerns that passports may have been issued to criminals or terrorists? Are the Governments of Kuwait and UAE helping identify those who have obtained passports from Comoros? Is the United States engaged in efforts to help identify those who may have obtained Comoran passports? If confirmed, what steps will you recommend the U.S. take related to helping identify who may have obtained these passports?

Answer. More than 47,000 travel documents were issued under this program. This is a key priority for the mission, given the national security implications of individuals from countries of concern potentially using travel documents to facilitate financial transactions, and possibly avoid sanctions, or for criminal or terrorist elements to obtain and use these travel documents. I understand that the Governments of Kuwait and UAE have not identified those who have obtained travel documents under the Comoran economic citizenship program. Nonetheless, the Department has determined that travel documents issued under the Comoran economic citizenship program are not acceptable for visa issuance. The consular sections in Abu Dhabi and in Dubai follow enhanced vetting procedures for all bearers of economic citizenship passports, to include Comoros passports obtained through this program. We continue working with all relevant law enforcement and other agencies to investigate the issue, and inform all relevant parties of the possible abuse of these travel documents.

If confirmed, I will continue to work with the Comoros's leaders to ensure that the program does not restart, and together with my team, we will try to gain as much information as possible about the individuals who were given these travel documents, so we can communicate it to relevant law enforcement and other agencies.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Over the course of my 30-year career in Africa, the Arab world, and India, I have worked to support those who share our values regarding human rights and democracy. Whether I was witnessing or monitoring elections in Nigeria and Sierra Leone, supporting nascent NGOs and civil society organizations in Africa and the Arab world, or engaging with India's vibrant civil society, these topics have been a constant focus throughout my career. For example, I worked with journalists and NGOs in Mali in the mid-90s to establish the Maison de la Presse, which continues to this day to support independent journalism. More recently, as DCM and Charge d'Affaires in India, I directed the embassy and consulates in India to highlight U.S. Government support for equal rights for LGBTI persons through lighting rainbow lights and/or displaying the rainbow flag on our buildings. I issued a public statement in support of LGBTI rights as the Charge d'Affaires in India in June 2016. I look forward to continuing to support human rights and democracy and the proponents of these values in Madagascar and the Comoros, if I am confirmed to serve there.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in Madagascar and Comoros? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. In Madagascar, the most pressing challenges to democracy and democratic development include pervasive poverty and the lack of infrastructure and public services, all exacerbated by corruption. Madagascar is the only country in the world whose GDP and consumption per capita have continued to decline since inde-

pendence (in 1960) despite the absence of conflict. It is still recovering from a political crisis that lasted from 2009 to 2013 and saw the withdrawal of most foreign aid. In November, the country will have a presidential election, which, if successful, will be the first time there have been two successive peaceful transfers of power. Madagascar has one of the worst corruption perception ratings (ranking 155 out of 180 countries per Transparency International). There are few truly independent media outlets.

In the Comoros, which has suffered from political instability, including numerous attempts to overthrow the Government, since independence in 1974, corruption is also a major challenge, but one of the main factors that undermines democratization is the tension between the central government, which seeks to consolidate power, and the individual islands, which value the autonomy they have enjoyed throughout much of the country's history. President Azali's successful passage of a referendum in July 2018 significantly altered that system and has been met with resistance by many political opponents.

The African Union recently sent an envoy to the Comoros and may facilitate a dialogue to help resolve the current tensions. I understand the embassy is monitoring this issue very closely and will continue to do so in the coming months. If confirmed, I would use high-level engagements to encourage the Government to find a political solution with the aim of ensuring continued stability in the Comoros.

*Question 6.* What steps will you take—if confirmed—to support democracy in Madagascar and Comoros? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The most urgent need in Madagascar and the Comoros is to foster a sense of public service, accountability, and responsibility among all levels of government, and to push for the decentralization of some of the governance responsibilities. If confirmed, I intend to engage regularly with senior political leaders, in co-ordination with other like-minded representatives of the international community, on the importance of decentralization, accountability, and transparency as essential to the development of their countries. There is also a need to foster a sense of civic duty and increase awareness of political rights and responsibilities among the people. In both Madagascar and the Comoros, I believe this should include empowering host nation civil society organizations and NGOs, bringing in speakers on key topics, and supporting and encouraging participation in exchange programs such as the Young African Leaders Initiative and the many Fellowship programs that are available.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Additional exchange programs such as the Young African Leaders Initiative, the International Visitor Leadership Program, and various fellowships are key resources for us in the promotion of democracy, as they provide networks, training, and support to key groups and individuals who are supporting democracy and governance. For both Madagascar and the Comoros, sending qualified candidates to the International Law Enforcement Academy in Gaborone is another important tool. I understand USAID personnel at Embassy Antananarivo are currently implementing a program to support Madagascar's independent election commission in the run-up to national elections. USAID personnel at post are also designing a new project that will build the capacity of civil society organizations over the next few years. That project, together with the other support our embassy already provides to that sector, will help civil society become even more effective in the future.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Madagascar and Comoros? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. For over two decades, our embassy in Madagascar has provided meeting space and participated in a monthly meeting of 40 to 50 civil society organizations and NGOs. This offers a valuable forum to engage that community on a variety of topics and, if confirmed, I intend to continue supporting this initiative. The release of the annual congressionally-mandated reports on human rights and related issues provides other important opportunities to host public and private events with civil society and government officials to maximize the impact of those reports and to collectively seek solutions to address the issues those reports highlight. In addition,

USAID is developing activities to strengthen the capacity of NGOs and civil society organizations so that they are more capable of supporting communities by advocating for respect for human rights and for improvements in government services.

*Question 9.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with political opposition figures and parties who support adherence to and participation in democratic processes. Our support to the United Nations basket fund for the 2018 presidential election includes the training of Madagascar's independent national electoral commission staff; production and distribution of a voting procedure manual; and adoption of a code of ethics by the Government of Madagascar, local organizations, political parties, and the media. This is an important initiative, and, if confirmed, I will continue supporting programs such as these that ensure that all members of society are represented.

If confirmed, I will advocate for access and inclusivity for women, minorities and youth within political parties. It is important to demonstrate through words and deeds that the United States values democratic principles and processes rather than individual candidates.

*Question 10.* Will you and your embassy team actively engage with Madagascar and Comoros on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Madagascar and Comoros?

Answer. Madagascar and the Comoros enjoy relatively good press freedom, but there is always room for improvement. In Madagascar, the new communications code passed in late 2016 could create opportunities for the Government to hinder press freedom through regulatory measures. Thus far the law has been loosely enforced, and in a few cases used to restrict press freedom through alleged defamation on social media, and to jail and levy sentences to silence environmental defenders. The embassy has made public statements supporting media freedom and has continued to engage with responsible officials when necessary and appropriate. If confirmed, I commit to meeting with the widest possible range of media outlets, especially those who are independent or making efforts to be so, to promote awareness of media ethics and the promotion of real media independence.

In the Comoros, despite relative media independence in the past, there is an increasing trend of government meddling in press freedom. This has included short-term jailing of journalists due to their work, public berating of journalists because they report unfavorably on the Government and the suspension or withholding of media licenses. If confirmed, I commit to engaging responsible Comorian Government officials on these trends in accordance with the U.S. commitment to press freedom worldwide.

*Question 11.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, the embassy team and I will actively engage with civil society and government counterparts to promote accurate information sharing.

*Question 12.* Will you and your embassy teams actively engage with Madagascar and Comoros on the right of labor groups to organize, including for independent trade unions?

Answer. Madagascar and the Comoros have a handful of independent trade unions, to include some in the media and the public service sectors. If confirmed, I certainly would advocate for the right of labor groups to organize, while carefully considering how to address specific cases of labor abuse in ways that avoid jeopardizing the employment of those affected.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Madagascar and Comoros, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Madagascar and Comoros? What specifically will you commit to do to help LGBTI people in Madagascar and Comoros?

Answer. In Madagascar, sexual relations between individuals of the same sex is a punishable offense under age 21. While there are no laws prohibiting same-sex sexual contact over age 21, there is no antidiscrimination law that applies to LGBTI

persons. No laws prevent transgender persons from identifying with their chosen gender. LGBTI persons are subject to social stigmatization and there have been reports of denial of services, including health services, for LGBTI persons. The embassy in Madagascar has routinely raised the issue in public and fostered dialogue, especially during Pride Month, and, if confirmed, I intend to continue pressing the dialogue and demonstrating U.S. support for equality and rights for all people, no matter their sexual orientation or gender identity. In Madagascar, our emphasis will be on access to basic services, employment, and protection from violence.

In the Comoros, same-sex sexual activity is illegal and subject to strict penalties. Arrests or prosecutions are very rare, as LGBTI persons are extremely unlikely to reveal their orientation or identity. Advocating for the rights of LGBTI persons in the Comoros is an extremely delicate issue due to strict legal prohibitions and the stigma associated with the issue, which Comorians frequently associate with religious beliefs. In the Comoros, advocating for LGBTI rights is best accomplished within the context of broader human rights, and through means such as the annual human rights report. If confirmed, I commit to advocating for LGBTI rights within this delicate context.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL PELLETIER BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Over the course of my 30-year career in Africa, the Arab world, and India, I have worked to support those who share our values regarding human rights and democracy. Whether I was witnessing or monitoring elections in Nigeria and Sierra Leone, supporting nascent NGOs and civil society organizations in Africa and the Arab world, or engaging with India's vibrant civil society, these topics have been a constant focus throughout my career. For example, I worked with journalists and NGOs in Mali in the mid-90s to establish the Maison de la Presse, which continues to this day to support independent journalism. More recently, as DCM and Charge d'Affaires in India, I directed the embassy and consulates in India to highlight U.S. Government support for equal rights for LGBTI persons through lighting rainbow lights and/or displaying the rainbow flag on our buildings. I issued a public statement in support of LGBTI rights as the Chargé d'Affaires in India in June 2016. I look forward to continuing to support human rights and democracy and the proponents of these values in Madagascar and the Comoros, if I am confirmed to serve there.

*Question 2.* What are the most pressing human rights issues in Madagascar? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Madagascar? What do you hope to accomplish through these actions?

Answer. In Madagascar, unlawful killings and other security force abuses, life-threatening prison and detention conditions, and child sexual exploitation are the most pressing issues. Some of these issues have emerged as part of Madagascar's challenge in addressing governance concerns, including during the 2009 political crisis and its aftermath. It is also important to note that Madagascar is one of the poorest countries in the world. According to the World Bank, 76.2 percent of the population lives on less than \$1.90 per day, earning Madagascar the rank of 10th poorest country in the world in 2017. More than 80 percent of the population depends on subsistence agriculture to meet basic needs. It is the only non-conflict country in the world that is poorer today than it was at independence in 1960.

If confirmed, my priority would be to support efforts to reduce corruption and impunity, which underpins and exacerbates many human rights problems. If confirmed, I would expect that we would use all the tools we have to encourage government support of anti-corruption entities and programs. If confirmed, I would support the work of organizations such as Madagascar's Human Rights Commission, with the hopes that their work, in conjunction with training and exchanges for key members of the judiciary and others, will result in stronger and more effective efforts to combat corruption.

If confirmed, my priority would be to support efforts to reduce corruption and impunity, which underpins and exacerbates many human rights problems. If confirmed, I would expect that we would use all the tools we have to encourage government support of anti-corruption entities and programs. If confirmed, I would support

the work of organizations such as Madagascar's Human Rights Commission, with the hopes that their work, in conjunction with training and exchanges for key members of the judiciary and others, will result in stronger and more effective efforts to combat corruption.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Madagascar in advancing human rights, civil society and democracy in general?

Answer. Madagascar has an Independent Human Rights Commission composed of key civil society representatives. The Commission is very active, but struggles to get the support it requires from the Government. If confirmed, I plan to reinforce with the Malagasy Government the importance of supporting such independent commissions.

In Madagascar, widespread poverty coupled with pervasive corruption is the most significant obstacle to addressing human rights issues. The concentration of wealth among the elite means that between 80 and 90 percent of the people live on less than \$2 per day. The struggle to make ends meet often drives people to banditry, child sexual exploitation, and other crimes; and security officials and the judiciary often engage in corruption because they are similarly struggling to survive financially.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Madagascar? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I am committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S., and with local human rights NGOs in Madagascar. In Madagascar, non-governmental organizations and civil society groups are on the frontlines in terms of advancing and advocating for human rights, and, if I am confirmed, the Embassy team and I must continue to meet with them regularly. Our embassy in Antananarivo has been hosting monthly roundtables for local NGOs and civil society groups for more than 20 years. If confirmed, I plan to continue this tradition. The Congressionally-mandated human rights, trafficking in persons, and religious freedom reports that we produce each year also offer strong opportunities to engage on these issues with local NGOs.

Accountability for security force abuses, including unlawful killings, remains a concern in Madagascar. If confirmed, I would take all allegations of human rights violations and abuses seriously, speak out against any unlawful killings, and press for accountability. I would also work to support and build institutions that promote human rights and the rule of law. If confirmed, I intend to work with organizations such as the Human Right Commission in Madagascar to promote improved oversight of security forces. In addition, if confirmed, I intend to focus on capacity building of the judiciary to help address human rights violations and abuses. If confirmed, I would also prioritize reducing corruption, which undermines the effectiveness of institutions charged with providing oversight.

The Department of State follows Leahy vetting requirements for all security force units who receive assistance. This is true across the board worldwide, and there would be no exception for Madagascar.

*Question 5.* Will you and your embassy team actively engage with Madagascar to address cases of key political prisoners or persons otherwise unjustly targeted by Madagascar?

Answer. There are currently no known political prisoners in Madagascar. In Madagascar, I would continue to urge the Government to stop all cases of unjust detention and imprisonment, including those of environmental defenders who highlight trafficking of rosewood and protected animal species. Up to 70 percent of the prison population is held in pretrial detention, and we must work with our international partners to continue engaging the Government's judiciary to clear this backlog and reduce the number of prisoners being held in crowded and life-threatening prison conditions.

*Question 6.* Will you engage with Madagascar on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Bilateral engagement at all levels of government and support for local non-governmental efforts are important tools to address human rights, civil rights, and governance. If confirmed, I will regularly engage with the highest levels of government and with civil society on these issues.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Madagascar?

Answer. Neither I nor any member of my immediate family has any financial interests in Madagascar.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I have promoted and supported diversity in the Department of State throughout my career, and believe that is a key responsibility and opportunity for senior leaders. For example, I was honored to serve as the Senior Leadership Liaison to the South Asian American Employee Association at the Department over the last two years. If confirmed, I look forward to continuing to support and mentor all of my colleagues, helping us to build a strong Department, which truly represents America's brilliant diversity.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. A key responsibility of a leader is to set the right example and tone for the team, and if confirmed, I look forward to reinforcing the importance of a diverse and inclusive environment by making it clear this is a priority and by setting a positive example in all my actions and those of the Embassy.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Madagascar specifically?

Answer. Political corruption impacts democratic governance and the rule of law, redirecting significant resources away from key areas such as education, infrastructure, and health services. Security is another core issue that is affected by corruption. We know from experience around the world that when security forces are not paid a living wage, they often try to make money by seeking bribes. This creates a culture of distrust towards the security services, and contributes to an increase in mob justice: people take matters into their own hands when they do not believe the security forces will help them. Locally developed codes, procedures, and penalties are often in conflict with national laws. This can create ambiguity and uneven application of national laws, and can result in impunity for perpetrators.

*Question 13.* What is your assessment of corruption trends in Madagascar and efforts to address and reduce it by that government?

Answer. Madagascar has been making slow but steady progress in addressing corruption. Since the 2013 election, which put an end to the 2009 political crisis, the Government has taken a number of steps. They have established and funded an independent anti-corruption commission (BIANCO) which has credibly taken on a number of corruption cases; established anti-corruption courts; and created a special tribunal for the prosecution of rosewood traffickers, an issue that is believed to be linked with high-level corruption. In 2018, nearly five years into his term, President Rajaonarimampianina named the members of the High Court of Justice (as required by the constitution) and the High Council for the Defense of Democracy and the Rule of Law. However, neither institution has been sufficiently funded or given working space. In addition, there have been very few, if any, prosecutions of high-level officials for corruption, and the Government's efforts to address rosewood trafficking have been primarily focused on regaining control of confiscated stocks from other countries.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Madagascar?

**Answer.** One of the top-level goals of Embassy Antananarivo's country strategy is to help enable Madagascar to provide reliable and effective governance that supports our mutual interests in the region. A key component of this governance is the delivery of public services, including security, and countering corruption. If confirmed, I plan to encourage the Government of Madagascar to support its own institutions whose mandates include combatting corruption. This can be reinforced by high-level visitors from the U.S. Government, including congressional delegations. If confirmed, I hope to plan regular meetings with Madagascar's anti-corruption agency, BIANCO, with the goal of completing one or more high-level corruption investigations to break the cycle of impunity. If confirmed, I plan to encourage the various exchange and capacity building programs within the embassy to continue focusing on leaders and organizations that can help the Government focus on anti-corruption efforts and the provision of services. Finally, if confirmed, I intend to hold government leaders accountable for acts of corruption or efforts to cover up corruption—at first, discreetly, but if necessary, publicly.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL PELLETIER BY SENATOR CORY A. BOOKER**

**Question 1.** Since 2014, Madagascar has tried to recover from a series of political crises, though recent moves in the past several months have only increased civil strife and raised questions on how free and fair the upcoming elections will be. The President has recently stepped down to run in the November 7th elections, which appears by all indications will be a hard-fought campaign between three political heavyweights. There are concerns, given Madagascar's recent history, that electoral disputes could trigger renewed instability.

- What are the prospects for a credible electoral process?
- What actions would you like to see the current government take to ensure that the public accepts the results of the November 2018 election?

**Answer.** The pre-electoral crisis that occurred in the spring of this year was a reaction to the Government's proposed electoral code changes, which the opposition thought were designed to exclude certain opposition candidates. We have seen significant progress in recent months, most notably the establishment of a government of consensus and the stepping down on September 7 of the incumbent president, in keeping with the constitutional court's decision. We are watching the pre-electoral environment closely, and we continue to stress the importance of freedom of speech at all times but particularly in this important pre-election time.

Madagascar has a history of contested elections, and the country must come together to avoid a difficult election cycle this time. We will continue to work closely with the international community, in particular multilateral institutions like the AU and U.N., who have sent envoys to Madagascar to help facilitate solutions to other political crises in Madagascar. The current government and all political parties and candidates must facilitate free, fair, credible, and inclusive elections in Madagascar, so that the country—and foreign assistance and trade agreements—will not be put at risk once again due to extraconstitutional events, such as those following the coup of 2009.

**Question 2.** Comoros currently ranks 148 out of 180 countries in the Corruption Perceptions Index and the State Department reports “endemic judicial and official corruption” as a key human rights issue. And clearly with the passport scandal, corruption and poor oversight can lead to real security challenges as has been witnessed with Iranian nationals allegedly buying passports to potentially circumvent U.S. sanctions.

- What do you see as the most effective ways for the U.S. to engage to combat corruption in Comoros?
- Is there U.S. foreign assistance you think would be useful to engage with Comoros other than IMET?

**Answer.** We must continue working with organizations such as the Human Rights Commission in Comoros, with the hopes that their work, in conjunction with training and exchanges for key members of the judiciary, will result in a stronger effort to combat corruption. Capacity building in the judiciary would help directly address the issues surrounding corruption in Comoros. We have made progress with the Comorian Government in ensuring that Economic Citizenship Passports (ECPs) are no longer available. We must continue working closely with our counterparts in the Comoros to address the corruption that allowed such a program to exist. A society

with a functioning rule of law stands the best chance of defeating the rise of corruption. Comoros has made progress toward improving its rule of law, specifically by targeting new economic reforms designed to attract foreign direct investment; solve insolvency; increase enforcement of existing laws; further integrate into the Organization for the Harmonization of Corporate Law in Africa (OHADA); and update the national development strategy.

We remain committed to seeking ways to engage with vulnerable populations in the Comoros. We continue to pursue programming to counter violent extremism, and opportunities to engage with the people and government of Comoros. If confirmed, I look forward to exploring opportunities for additional assistance.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ROBERT K. SCOTT BY SENATOR ROBERT MENENDEZ**

*Question 1.* Malawi is scheduled to hold elections in 2019. How much funding is the United States providing to support democracy and governance in Malawi? Is there specific support for elections activities? If confirmed, what actions will you take to help support efforts to ensure that elections are credible and the outcome reflects the will of the people?

Answer. The United States has contributed funds to two programs that are working to support the 2019 elections in Malawi. These programs will expand long-term political process monitoring; enhance detection, reporting, and mitigation of conflict; and assist media with professional and balanced reporting to inform citizens. Malawi has held regular, peaceful elections since democratization in 1994, and we will work to see this trend continue. If confirmed, I will lead our Mission in supporting issue-based civic and voter education to support peaceful elections. The 2019 elections are expected to be highly competitive, and we must take advantage of the opportunity to deepen our engagement with the people of Malawi. If confirmed, I will work with the Government of Malawi, civil society, and citizen groups to help ensure the elections are free and fair.

*Trafficking in Persons*

*Question 2.* Malawi is listed as a Tier Two country in the 2018 Trafficking in Persons Report, what programs or activities is the United States undertaking to support training for judges and prosecutors and police to identify, investigate, and prosecute trafficking crimes? Do any U.S. funded programs support efforts to help working in the labor sector to recognize trafficking victims? If confirmed, what specific actions will you take to help Malawi improve its efforts to combat trafficking?

Answer. The Department of State's Office to Monitor and Combat Trafficking in Persons (J/TIP) currently has one Southern African Development Community (SADC) regional program with the United Nations Office on Drugs and Crime (UNODC), in which Malawi is included. Additionally, there are three regional programs with the American Bar Association and UNODC that could benefit Malawi indirectly. There are no current projects that provide training for judges and prosecutors, but several Malawian police officers recently took part in an INTERPOL/SARPCCO regional training in Botswana that focused on trafficking in persons investigation techniques. If confirmed, I would fully support efforts to combat trafficking in persons, including in the labor sector. I would encourage Malawian Government officials to develop and participate in future training programs.

*Question 3.* Malawi ranks 122 out of 180 countries on Transparency International's 2017 Corruption Perception Index, and in recent years a number of scandals have implicated government officials. In April of this year, thousands of people around the country participated in widespread protests against corruption and bad governance after reports surfaced that the Government had planned to distribute \$5.5 million in development funds without parliamentary approval:

- What programs and activities are we supporting to improve transparency and good governance in Malawi? What steps will you take, if confirmed, to support those engaged in the fight against corruption?

Answer. The United States has provided grant assistance from the Fiscal Transparency Innovation Fund to support two projects, totaling almost two million dollars, to help Malawi improve budget transparency, performance, and accountability. These projects helped strengthen budget planning, execution, and monitoring and provided members of Malawi's parliament with analytical tools for better understanding the nation's budget.

If confirmed, I will support continued efforts to improve transparency in Malawi, such as these U.S. Government-sponsored projects and the implementation of recently passed anti-corruption legislation. If confirmed, I would encourage the Government of Malawi to fully implement these laws and, when possible, would offer U.S. technical assistance.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. My engagement on human rights and democracy issues began with my first tour in Accra, Ghana in 1995–1997. I was responsible for our human rights portfolio and became very involved in assisting Liberian refugees who were seeking shelter in Ghana from the civil war in their country. I worked with USAID colleagues to generate emergency funds to support the Ghanaian Government's hosting of a large number of Liberian refugees, visiting the camps and reporting on conditions and needs back to Washington. I also spent nearly a week on the road following a ship loaded with almost 1,000 Liberian refugees, the Bulk Challenger, up and down the coast until these individuals finally disembarked at a regional Ghanaian port. I purchased supplies in local markets and assisted in setting up an emergency housing center in a local school, as local authorities processed the refugees. My efforts were part of an overall U.S. engagement that ultimately helped bring peace to Liberia through supporting regional peacekeeper deployments and safeguarded the lives of refugees throughout the region. While serving in Kyiv, Ukraine (2006–2008) I worked with Crimean Tatar civil society organizations to support their efforts to develop a political voice as they returned to homes from which Stalin had removed them during World War II. As Deputy Chief of Mission in Zimbabwe (2010–2013), I helped lead our strong engagement on preserving political space for civil society, media, and political parties faced with an extremely difficult operating environment under the rule of then-President Mugabe. Most recently, as Acting Deputy Assistant Secretary for African Affairs, I had oversight of our human rights portfolio, working closely with colleagues in the field and our Democracy, Human Rights, and Labor Bureau and Trafficking in Persons team to ensure that human rights were among our core considerations in our bilateral and multilateral engagements in Africa. For example, I worked with our Africa Bureau team in developing lists of individuals ultimately sanctioned under the Global Magnitsky Act for their human rights abuses.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in Malawi? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Malawi has held regular, peaceful elections since democratization in 1994. Malawi's 2014 elections were successful and credible in the eyes of the United States, regional bodies, and the international community. The 2014 elections included Malawi's first local elections since 2000, an important step toward fulfilling the country's intentions to decentralize its government structures. Building on these democratic gains will be important for Malawi as it approaches its 2019 elections and, if confirmed, I will support the Government of Malawi's needed reforms to tackle corruption, a main challenge to development, and build capacity to ensure it can be accountable to citizens and safeguard development gains.

*Question 6.* What steps will you take—if confirmed—to support democracy in Malawi? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Building on Malawi's democratic tradition, if I am confirmed, the embassy team and I will support reforms that enable democracy to mature in Malawi, including those that build government and civil society capacity to enable the Government of Malawi to be accountable to its people. As Malawi gears up for its 2019 national elections, the United States and other development partners should work with the Government of Malawi to support full implementation of electoral, civil service, and public sector financial reforms. If confirmed, I will work with other donors in supporting the Malawi Electoral Commission to conduct the 2019 election, while also supporting independent civil society and media election observation.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** To reinforce public accountability, if confirmed, I will work to strengthen the Government of Malawi's public institutions and its independent media. One USAID project has already assisted with the successful devolution of the payroll function for over 100,000 front-line civil servants, the identification of potential "ghost workers" at the district level, and the elimination of a three-year backlog in the financial reporting of eight targeted districts to increase accountability and transparency. If confirmed, I would prioritize these types of programs that support democracy and governance.

**Question 8.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Malawi? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** If confirmed, I commit to meeting with civil society organizations, human rights activists, and other non-governmental organizations in the United States and Malawi, and will address any efforts to restrict or penalize their work. Malawi faces many development challenges, and we engage many partners to achieve our development goals. I am happy to say that I understand our Mission in Malawi is actively engaged with the Government of Malawi and civil society partners, and I will, if confirmed, continue these efforts. For example, in collaboration with other development partners, the United States engages with our Government of Malawi counterparts to thwart proposed regulatory barriers on civil society space through restrictive registration fees and requirements. Through the Supporting the Efforts of Partners (STEPS) program, USAID has supported 30 Malawian civil society organizations to build core organizational capacity and advocacy skills. This program equips these organizations to advocate for freedoms of association and expression. I look forward to continuing this work, if confirmed.

**Question 9.** If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** If confirmed, I will meet with democratically oriented opposition figures and parties as appropriate and will encourage genuine political competition as Malawi approaches the 2019 elections. The country's four peaceful transfers of power provide a strong precedent for rotation of power between different individuals and political parties. If confirmed I will continue the embassy team's work to ensure peaceful elections in Malawi, including advocating for the access of women, minorities, and youth to the political process.

**Question 10.** Will you and your embassy team actively engage with Malawi on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Malawi?

**Answer.** Malawi has generally enjoyed a fair degree of press freedom, and journalists have been able to write on any issue, including government corruption, without significant reprimand from the Government of Malawi. While usually a positive model in the region for press freedom, Malawi had three cases in 2018 of politically motivated physical attacks against journalists. If confirmed, I will actively engage with the Government of Malawi on freedom of the press and will meet regularly with the independent local press. I look forward, if confirmed, to continuing great programs in support of press freedoms such as sending Malawian journalists, editors, and journalism professors to participate in the International Visitor Leadership Program to enhance their skills and knowledge of investigative journalism and media ethics.

**Question 11.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** If confirmed, I would look forward to engaging with civil society and government counterparts on these issues and continuing positive programs already in place to provide media training. The U.S. Mission to Malawi continues to partner with the Malawi chapter of the Media Institute of Southern Africa to provide training to community radio stations, government spokespersons, and investigative journalists. With support from the Voice of America, the U.S. Mission has provided in-country training to community radio announcers, the primary source of information for most Malawians.

**Question 12.** Will you and your embassy teams actively engage with Malawi on the right of labor groups to organize, including for independent trade unions?

Answer. If I am confirmed, the embassy team and I will actively engage with civil society and government partners to advance the goals of the U.S. Mission in Malawi, including promoting the rights of labor groups. I would urge the Government of Malawi to adopt safe labor practices that protect the workforce and encourage growth, and would encourage a peaceful and productive relationship with labor groups.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Malawi, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Malawi? What specifically will you commit to do to help LGBTI people in Malawi?

Answer. Malawi generally respects human rights. However, in Malawian society there is currently little community support for equal rights of LGBTI people. At the same time, the Government of Malawi has maintained a moratorium on prosecuting persons for engaging in same-sex sexual activity. The rights of LGBTI people in Malawi is a serious issue that I, if confirmed, will raise as an area where advancements need to be made. If confirmed, I would engage with human rights activists, support and inform their efforts, and monitor progress.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ROBERT K. SCOTT BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. My engagement on human rights and democracy issues began with my first tour in Accra, Ghana in 1995–1997. I was responsible for our human rights portfolio and became very involved in assisting Liberian refugees who were seeking shelter in Ghana from the civil war in their country. I worked with USAID colleagues to generate emergency funds to support the Ghanaian Government's hosting of a large number of Liberian refugees, visiting the camps and reporting on conditions and needs back to Washington. I also spent nearly a week on the road following a ship loaded with almost 1,000 Liberian refugees, the Bulk Challenger, up and down the coast until these individuals finally disembarked at a regional Ghanaian port. I purchased supplies in local markets and assisted in setting up an emergency housing center in a local school, as local authorities processed the refugees. My efforts were part of an overall U.S. engagement that ultimately helped bring peace to Liberia through supporting regional peacekeeper deployments and safeguarded the lives of refugees throughout the region. While serving in Kyiv, Ukraine (2006–2008) I worked with Crimean Tatar civil society organizations to support their efforts to develop a political voice as they returned to homes from which Stalin had removed them during World War II. As Deputy Chief of Mission in Zimbabwe (2010–2013), I helped lead our strong engagement on preserving political space for civil society, media, and political parties faced with an extremely difficult operating environment under the rule of then-President Mugabe. Most recently, as Acting Deputy Assistant Secretary for African Affairs, I had oversight of our human rights portfolio, working closely with colleagues in the field and our Democracy, Human Rights, and Labor Bureau and Trafficking in Persons team to ensure that human rights were among our core considerations in our bilateral and multilateral engagements in Africa. For example, I worked with our Africa Bureau team in developing lists of individuals ultimately sanctioned under the Global Magnitsky Act for their human rights abuses.

*Question 2.* What are the most pressing human rights issues in Malawi? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Malawi? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues in Malawi include: excessive use of force by security officers; harsh and sometimes life-threatening prison conditions; violence against women and lack of an effective government response; the criminalization of consensual same-sex sexual relationships; and the exploitation of children.

If confirmed, I will use my position to encourage the Government of Malawi to tackle these issues and improve the human rights environment in the country, including through collaboration with civil society. I will work with the embassy team to continue the good efforts we are currently undertaking to advance these issues.

Additionally, if confirmed, I will advocate for human rights protections for marginalized populations, including LGBTI people, women and girls, and people with albinism and ensure effective and efficient use of U.S. Government resources to address these issues. I hope to continue to emphasize human rights issues in current projects and to look for additional ways we can contribute to eliminating abuses and contribute to a more just and accountable Malawi.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Malawi in advancing human rights, civil society and democracy in general?

Answer. Impunity remains a problem in Malawi, and sometimes investigations are delayed, abandoned, or remained inconclusive. I commend the steps the Government of Malawi has taken to address human rights issues, such as prosecuting those who commit human rights abuses. However, impunity, the level of poverty, and the Malawian Government's serious lack of resources remain large obstacles.

Corruption and impunity for abuses remain problems. While the Government of Malawi generally respects civil liberties, it does not always respect freedoms of peaceful assembly and association. The lack of available resources in Malawi creates serious challenges in advancing human rights, civil society, and democracy in general. These are serious and vital issues that must be dealt with, and I will, if confirmed, prioritize improving the human rights environment by engaging with the Government, civil society, and like-minded partners.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Malawi? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Advancing human rights would be integral to my work as Ambassador, if confirmed, and I would commit to meeting with organizations that can help further this goal.

Further, if confirmed, I would ensure that U.S. security assistance is provided consistent with the Leahy Law and that our security cooperation activities advance our mission on human rights.

*Question 5.* Will you and your embassy team actively engage with Malawi to address cases of key political prisoners or persons otherwise unjustly targeted by Malawi?

Answer. Yes, if I am confirmed, the embassy team and I will actively engage with the Government of Malawi to address these issues, should they arise. Tolerance and inclusion of any opposition parties, for example, will be vitally important as Malawi approaches its next democratic election, and I look forward to the opportunity to help Malawi keep its electoral process free and fair.

*Question 6.* Will you engage with Malawi on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will engage with the Government of Malawi on matters of human rights, including civil rights, and governance. As Malawi takes on many serious challenges, such as improving food security, improving the energy sector, and diversifying and expanding its economy, it must also be attentive to human rights and good governance. This will be a focus of our bilateral relationship.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Malawi?

Answer. My investment portfolio includes companies that have a presence in Malawi, but I have worked closely with the State Department Ethics Office and the Office of Government Ethics and, if confirmed, will divest my interests in those companies the State Department Ethics Office deems necessary to avoid a conflict of interest. My investment portfolio also includes diversified mutual funds that may hold interests in companies with a presence in Malawi; however, such funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I strongly believe that teams perform best when they incorporate different viewpoints and value the experience and insights that members bring from varied backgrounds. If confirmed, I will ensure that Mission Malawi is known as a post that allows all members to contribute substantively, values a diversity of opinions and background, and provides opportunities for professional growth and advancement.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I would lead by example and ensure that each member of my team was involved in and contributing to our common goal of advancing the interests of the United States in Malawi. I would emphasize to supervisors that our shared success is based on their ability to help all members of their teams thrive, through open and inclusive management and mentoring.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Malawi specifically?

Answer. Political corruption undermines democracy and governance. Political corruption exists in Malawi and has had a negative impact on governance and rule of law. The U.S. Mission in Malawi works very closely with the Government of Malawi, civil society, and the Malawian people to address this serious issue, which threatens to undercut the gains and positive developments in the country. If confirmed, I will keep our focus on combatting corruption and will encourage the Government of Malawi to continue in its efforts to enact reforms.

*Question 13.* What is your assessment of corruption trends in Malawi and efforts to address and reduce it by that government?

Answer. President Mutharika has stated that his administration will have zero tolerance for corruption, and the Government of Malawi has passed several pieces of legislation aimed at combatting corruption. President Mutharika set up a public sector reform commission but his administration has yet to fully implement its recommendations. If confirmed, I would encourage the Government of Malawi to act upon the new legislation and would work to ensure that the promises of reform are met with actions.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Malawi?

Answer. If confirmed, I will continue our work to combat corruption in Malawi. The United States has provided grant assistance from the Fiscal Transparency Innovation Fund to support two projects, totaling almost two million dollars, to help Malawi improve budget transparency, performance, and accountability. These projects helped strengthen budget planning, execution, and monitoring and provided members of Malawi's parliament with analytical tools for better understanding the nation's budget.

This is part of an ongoing U.S. effort to improve fiscal transparency in countries identified as not meeting minimal standards of transparency. If confirmed, I would support continuing anticorruption programming to make real improvements in Malawi.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ROBERT K. SCOTT BY SENATOR CORY A. BOOKER**

*Question 1.* As you may know, over two-thirds of Malawi's population is under 25 years old. The CIA World Factbook states, "Rapid population growth and high population density is putting pressure on Malawi's land, water, and forest resources. Re-

duced plot sizes and increasing vulnerability to climate change, further threaten the sustainability of Malawi's agriculturally based economy and will worsen food shortages. About 80 percent of the population is employed in agriculture."

- What steps do you think the United States and our donor partners must take to ensure these young people have opportunities while also addressing the threats from climate change on the Malawian agriculture sector?
- What role do you think U.S. public diplomacy programs can play in empowering young people in Malawi?

**Answer.** The agriculture sector generates nearly 80 percent of household income in Malawi, but the country suffers chronic food insecurity. Over the past decade, the onset, distribution, and intensity of rains have become less predictable, rendering agricultural planning more difficult and reducing yields. The agriculture sector in Malawi is also susceptible to drought and pests, such as the Fall Armyworm infestation that recently ravaged the country's harvest. If confirmed, I would work with the Government of Malawi and donor partners to encourage adaptations in Malawi's agricultural sector to promote food security and create opportunities for the youth of the country. We can do this by helping to improve the agricultural policy environment, increasing the use of modern agricultural technologies, strengthening the competitiveness of selected value chains, diversifying smallholder farmer production away from maize and tobacco into other crops, and building household and community resilience.

If confirmed, I would emphasize outreach to and exchange opportunities for youth in our public diplomacy programs, especially for youth entrepreneurship, science, and technology programming. I would highlight our ongoing focus on adolescent girls and young women and improving their access to education, especially in the STEM field. Through the Young African Leaders Initiative (YALI) Mandela Fellowship, our mission sends young Malawian leaders to the United States, and, if confirmed, I look forward to supporting this program and making contact with program alumni.

**Question 2.** Ahead of what will likely be a closely contested election next May, I was concerned by the recent statement by the U.N. High Commission on Human Rights about the increasing number of threats and intimidation against human rights defenders and activists, particularly women. Additionally, there have been allegations of widespread corruption, during the current administration and previous ones, an issue that is likely to play into the May 2019 elections.

- What observers and assistance is planned for the elections next year and what efforts do you think are needed now to ensure the elections are conducted in a free, fair, and transparent manner?
- How would you assess the current government's commitment to reform and political backing for efforts to eradicate all corruption, not just from political rivals, including through the Anti-Corruption Bureau?

**Answer.** The United States has contributed funds to programs that support the 2019 elections in Malawi. These programs will expand long-term political process monitoring; enhance detection, reporting, and mitigation of conflict; and assist media with professional and balanced reporting to inform citizens. Malawi has held regular, peaceful elections since democratization in 1994, and we will work to see this trend continue. If confirmed, I will lead our Mission in supporting issue-based civic and voter education to support peaceful elections. The 2019 elections are expected to be highly competitive, and we must take advantage of the opportunity to deepen our engagement with the people of Malawi. If confirmed, I will work with the Government of Malawi, civil society, and citizen groups to help ensure the elections are free and fair, including continuing the embassy team's work advocating for the access of women, minorities, and youth to the political process. If confirmed, I will continue the U.S. Government's leadership on elections-related issues, both in public and private diplomatic engagements, including participating in the Election Program Steering committee, a forum between the Government of Malawi and donors.

Corruption remains a problem in Malawi. President Mutharika has stated that his administration will have zero tolerance for corruption, and the Government of Malawi has passed several pieces of legislation aimed at combatting corruption. President Mutharika set up a public sector reform commission, but his administration has yet to fully implement its recommendations. If confirmed, I would encourage the Government of Malawi to act upon the new legislation and would work to ensure that the promises of reform are met with actions.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. LUCY TAMLYN BY SENATOR ROBERT MENENDEZ**

*Question 1.* Russia and the Central African Republic (CAR) signed a military co-operation agreement in August, and Russians are providing security for President Faustin-Archange Touadéra. What does the agreement entail? Have Russia and CAR engaged in significant transactions of military equipment as defined under Countering America's Adversaries Through Sanctions Act and the administration's Executive Orders and guidance with respect to the law? If confirmed, how will you ensure the Government is aware of the law and that it is working to diminish significant transactions with the Russian defense sector? What alternatives to Russian security assistance will you recommend if confirmed as Ambassador? Should the U.S. continue to support an exemption to the current U.N. Arms Embargo allowing Russia to provide arms to the Central African Republic? How would this exemption be reconciled under mandates under the CAATSA law? If confirmed, what will you do to advocate that the Government of CAR fully cooperate with credible efforts to investigate the deaths of three Russian journalists investigating Wagner's activities in CAR?

*Answer.* Russia and the Central African Republic (CAR) signed a military co-operation agreement on August 21, 2018. This agreement appears to codify actions that are already taking place. With the permission of the U.N. Security Council, Russia donated weapons and also sent 175 personnel to train the Central African Armed Forces (French acronym: FACA). The donation of military equipment and training do not represent a clear violation of the Countering America's Adversaries Through Sanctions Act (CAATSA). The CAR Government does not have the financial means to pay for significant numbers of weapons, but it is worth noting that there has been an increase in the activities of private Russian mining operations in CAR. If confirmed, I will work to ascertain whether the CAR Government received the weapons in exchange for granting mining concessions to private Russian companies, and if so, how that arrangement might have violated U.S. sanctions.

If confirmed, I will leverage our strong relations with President Touadéra and his government in order to highlight that the United States and its allies are CAR's best partners in the path towards creating a peaceful and stable country. I will also work with the CAR Government to ensure that it understands our laws (such as CAATSA) and how interactions and transactions with the Russian defense sector and Russian companies like Wagner could put CAR at risk of severe penalties and sanctions and compromise our ability to continue supporting CAR's progress.

If confirmed, I will coordinate with State and Treasury Department officials to assess the interactions between the CAR Government and the Russian defense sector. I will also continue to caution the CAR Government that involvement with the Russian defense sector will place it at risk of sanctions.

The United States and its partners, the European Union Training Mission (EUTM) and the U.N. Multi-dimensional Integrated Stabilization Mission to CAR (MINUSCA), are already helping build military and civilian security institutions in CAR. While the EUTM focuses in particular on training the FACA, the United States has focused on the police and gendarmerie. Currently, the Department of State provides training, uniforms, communications equipment, and funding for the renovation of key law enforcement facilities (training academies, investigations offices, and law enforcement stations). We also have provided the armed forces with tools they need to carry out their mission, including vehicles, uniforms, and first-aid kits. If confirmed, I look forward to working with the inter-agency to see how we might provide logistical and technical support to the FACA, so that it can better sustain its forces, especially outside of Bangui.

If confirmed, I will increase our efforts in the area of public diplomacy in order to highlight the many ways in which we are already helping CAR. Although we are the largest humanitarian donor and a significant partner in building the capacity of the Government of CAR, that message does not always resonate with the public at large. I will work to improve our efforts to show Central Africans how our efforts and programs are helping to create a safer country and a stronger and more capable FACA. It is also essential that we engage more with the CAR military and law enforcement through programs like INCLE, IMET, military exercises, and other training and mentoring opportunities. For instance, we recently secured observer spots for high-ranking CAR military officers for the Silent Warrior exercise in Germany and are sending a team of law enforcement advisors to CAR for more than a year. These efforts will allow us to train future leaders within the military and civilian security sectors, establish rapport between the U.S. and CAR militaries, and improve the quality of the FACA through professional military education. These programs would also provide an alternative to Russian assistance, help achieve our

shared goal of preparing the FACA to take back control over the entirety of CAR's national territory, and build the capacity of the police and gendarmes to maintain the peace.

The United States and other U.N. Security Council members granted Russia an exemption to the U.N. arms embargo, which allowed it to provide much-needed weapons to the CAR military. The FACA needed these weapons, as its soldiers lacked the necessary equipment to carry out their mission. However, it is important that Russia and CAR conduct these weapons transfers transparently and in coordination with international partners and the U.N. peacekeeping mission (MINUSCA). Given the precarious security situation in CAR, we must ensure that we have the ability to track, inspect, and safeguard the weapons donated to the FACA. It has been our position on the Security Council, and that of France and the UK, to place a hold on any future transfers of weapons until these requirements are met. I will continue to communicate that position to the CAR Government and our other partners.

The United States is committed to the strengthening of civil society and a free press in CAR. The Department of State supports programs to train journalists in CAR and highlights the importance of a critical and vibrant free press. The recent deaths of three Russian journalists investigating activities of the U.S.-sanctioned paramilitary company Wagner in CAR are deeply concerning. If confirmed, I will leverage our relationship with the CAR Government to press for further investigations into these deaths and ensure that those responsible for this gruesome crime face justice.

*Question 2.* The mandate of the Multidimensional Integrated Stabilization Mission in the Central African Republic is due to be renewed in November:

- In your view, how effectively has the mission fulfilled its mandate to take active steps to "anticipate, deter and effectively respond to serious and credible threats to the civilian population?" What resources would the mission need in order to be more effective? If confirmed, what steps will you recommend be taken to enhance effectiveness of the mission?

Answer. It is important to acknowledge the incredibly difficult circumstances that MINUSCA faces. In a country the size of Texas, MINUSCA has fewer than 15,000 troops, police, and headquarters staff with which to pursue an expansive mandate that includes civilian protection. It has performed adequately in most instances. MINUSCA's ability to protect civilians, however, is limited by its inability to move around the country. Troops are tied to semi-permanent camps, and a lack of air transport and reliance on resource-intensive convoys hinders its mobility. In some instances, the Department of State is aware of reports of specific troop contingents failing to fulfill the mandate to protect civilians. We are closely engaged with MINUSCA's leadership and with U.N. officials to investigate these reports, determine the cause of any failures, and take swift action to correct them. If confirmed, I will press MINUSCA leadership to more effectively deploy its troops and enforce standards for performance and behavior.

While MINUSCA is striving to fulfill its expansive mandate, it must also look for ways to more effectively leverage its limited resources. The marked lack of mobility hampers MINUSCA's ability to respond quickly to attacks against civilians or to emerging threats against the peace. Much of the mission is dedicated to operating and protecting convoys that move troops, police, and humanitarian aid around the Central African Republic. The lack of passable roads in much of the country means that it can take up to a month for a convoy to travel 750 miles. One way that MINUSCA might improve its responsiveness is by revamping its forces to be more mobile and to streamline processes. The Secretary General and his Special Representative have provided recommendations for the Mission to improve in some of these areas. We are taking a close look at these recommendations to see which are sensible and likely to be effective and which ones may be better addressed through bilateral assistance.

If confirmed, I will remain in close contact with MINUSCA leadership in the Central African Republic and with U.N. leadership in New York. As Ambassador, I would have no authority over the MINUSCA mission, but I would continue to build on the close working relationship that my predecessors have established. I will encourage MINUSCA to work closely with the CAR Government to expand state authority while protecting civilians and addressing intercommunal conflict at the local level. I will also emphasize our expectations for the effective deployment of peacekeepers to fulfill their mandate and for appropriate standards of performance and behavior.

*Question 3.* According to Najat Rochdi, the U.N. Deputy Special Representative in CAR, 64 percent of the population are in need of assistance, but the humani-

tarian budget is less than 40 percent funded. What will you do as Ambassador to encourage other donors to provide additional support to the Central African Republic?

**Answer.** The United States is currently, by far, the largest donor of humanitarian assistance to the Central African Republic. This is not to diminish the contributions of other international partners, such as the European Union. These partners are contributing in other key areas, including in security sector reform and the recently operationalized Special Criminal Court. If confirmed, I will work with our international partners to identify critical gaps and how we can address them. I will advocate for prioritizing response to emergency needs and building governmental and societal capacity to prevent and mitigate future emergencies. If confirmed, I will work to ensure that planning is informed and realistic. We will continue to work to address critical needs where we must, while instilling resilience and capacity as quickly as we can.

USAID humanitarian assistance in CAR is leveraging other donor resources aimed primarily at recovery, rehabilitation, and development (where possible), by focusing on areas and populations with the most acute humanitarian needs and which are inaccessible to non-humanitarian actors. For example, in 2018 several USAID partners handed over health service activities in areas with relative stability to government structures supported by EU recovery funding. While difficult to predict locations, USAID will continue to phase out programming in areas where development actors are able to intervene and will focus humanitarian resources on locations and populations with the most acute needs.

USAID is also funding a \$9.9 million project to support the Central African Republic to improve traceability in its diamond supply chain in order to foster social cohesion, economic growth, and domestic resource mobilization. USAID is coordinating closely with the EU and the World Bank to leverage their funding to improve transparency and accountability in CAR's diamond mining sector.

**Question 4.** What activities is the U.S. engaged in to strengthen key ministries and parliamentary bodies responsible for oversight of defense, the administration of justice, and law enforcement bodies? If confirmed, what activities in those areas will you recommend we emphasize?

**Answer.** The United States currently focuses its efforts on improving the operations and capabilities of the security and justice sectors. We are also engaged with the CAR Government at the highest levels to improve its capacity to manage these institutions. In civilian security and justice sector reform, the Department of State is working to re-establish the operations of criminal justice institutions in CAR's cities to train and build capacity of law enforcement offices, investigators, prosecutors, judges, and prison staff; renovate key facilities; and improve operations management policies and processes. In terms of members of parliament, we have focused primarily on improving their connections to their constituents. Many of them are unable to visit the districts they represent and therefore communicate back to them primarily via radio.

**Question 5.** Has there been a recent assessment about the potential for mass atrocities in CAR? Is the interagency prepared to take relevant preventative diplomatic and programmatic actions on an urgent basis should such atrocities unfold? If confirmed, what contingency plans to forestall mass atrocities will you recommend be put in place?

**Answer.** The Atrocity Prevention Board in 2017 identified the potential for mass atrocities in the Central African Republic, and the interagency continues to monitor the situation. The Department of State has a team that has provided continual, updated analysis of conflict drivers and dynamics—not only in CAR but also in the region. In my preparations for this post, I have consulted with experts at the Department, at USAID, and our partners in the interagency. I am confident that we are closely monitoring these elements in CAR and are enacting specific programming, including community violence reduction and reconciliation programs, to combat potential atrocities.

In the violence that spiked in April and May of this year, a combination of action taken by MINUSCA and the local security forces, as well as efforts by our embassy to calm the populace while supporting the Government of CAR, helped to prevent a wider spread of conflict. I want to express my admiration for the effective work done by our Embassy during that difficult time, and I intend to build on that work to continue our outreach to communities and to the Government. I will continue to work closely with our experts to craft plans and advocate for policies to prevent and mitigate potential atrocities.

*Question 6.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to the Central African Republic?

Answer. Yes. If confirmed, I commit to working with and briefing Members of Congress and their staff during my tenure.

*Question 7.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Promoting and protecting human rights has been a core part of my Foreign Service career. As a delegate to the U.N. Human Rights Commission from 1995–1999, I lobbied for U.S.-sponsored resolutions that shed light on horrific human rights abuses in numerous countries and put political pressure on those countries to improve their human rights regime. I was also the primary negotiator for the landmark “Right to Democracy” resolution approved at the Commission in 1999. In 2014, as Director of the Office of the Special Envoy for Sudan and South Sudan, I led the team that coordinated the asylum request for a Sudanese woman who faced threats to her life due to her religion.

*Question 8.* What issues are the most pressing challenges to democracy or democratic development in the Central African Republic? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The Central African Republic has a democratically elected government, following internationally recognized free and fair elections in 2016. However, the authority of the central government does not reach far beyond the capital of Bangui. Armed groups—primarily community militias and criminal organizations—control the majority of CAR’s territory. Most elected officials live in Bangui and cannot effectively represent their constituents; their presence in their districts is at the whim of the armed groups that control those areas. The security and justice sectors, which collapsed during the conflict in 2015, are in the slow process of rebuilding, and courts are only beginning to function again, with U.S. assistance. Recent strides in the capability of the security forces and the courts are heartening, but are only the first steps of a process to rebuild.

The National Assembly recently brought the Special Criminal Court (SCC) into operation through legislation. The SCC has a panel of judges, officials, and a body of investigations officers. It suffers, though, from a lack of resources and does not have sufficient resources to operate through its five-year mandate.

*Question 9.* What steps will you take—if confirmed—to support democracy in the Central African Republic? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The Department of State will continue its robust support to the elected government of President Touadéra, the security and justice institutions, and the AU-led peace process. We have provided considerable support and training to the military and to the police forces and gendarmerie that secure the country and protect the civilian population. In the meantime, we continue to support the U.N. peacekeeping mission in CAR (MINUSCA) that is helping provide stability and security in CAR until the CAR Government can provide its own security. We work with the criminal justice institutions to deploy and extend governance to CAR’s provinces. The United States engages with civil society actors to manage local conflict in communities and is also working with elected officials to improve their communication and outreach. If confirmed, I will continue to support our efforts towards improving governance and accountability in CAR. I will work closely with our international partners and the CAR Government to help build its capacity while also conveying our expectations for improvement.

*Question 10.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. In CAR we are balancing the immediate need for security with the understanding that, ultimately, a political solution is needed to provide enduring peace and prosperity for Central Africans. If confirmed, I will continue to support the expansion of the rule of law by strengthening the courts, law enforcement, and corrections institutions through our existing programming. USAID, the Department of State, and partner NGOs will continue to provide immediate humanitarian needs to forestall the desperation that can fuel violence. We are also working to build re-

silence in communities threatened by armed groups. USAID supports improved governance in protected areas and in the artisanal mining sector, including efforts to disrupt the illicit trafficking of minerals and wildlife that finances criminal groups in CAR. Conservation activities will retain CAR's embattled Chinko Nature Reserve as a pole of governance and stability for surrounding communities, in part by disrupting trafficking in wildlife and other products. In addition, we will work with civil society and with the AU to reduce the conflict in CAR. These efforts complement and reinforce each other. I would also continue to work with the Government of CAR to improve its ability to communicate with the people of the country, both in responding to emergencies and in countering the kinds of hate-speech and inflammatory rhetoric that can fuel violence.

*Question 11.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the Central African Republic? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. The Department of State is already working in CAR with a number of civil society actors: local communities in towns around the country, as well as NGOs, such as Search for Common Ground and Communities in Transition. We are addressing issues ranging from intercommunal conflict, horrific sexual and gender-based violence, and child soldiers, to the disruption of humanitarian aid. If confirmed, I will continue this work.

*Question 12.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. In the Central African Republic, U.S. officials have maintained a constructive dialogue with the legitimate political opposition, while encouraging the armed groups to cease hostilities and join the political process. If confirmed, I intend to ensure that this effort is continued and that support widens for the AU-led peace process. We will also continue to engage with the democratically elected government to ensure that political space for opposition and criticism is not closed.

*Question 13.* Will you and your embassy team actively engage with the Central African Republic on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the Central African Republic?

Answer. CAR has an active radio and printed press and, if confirmed, I will work with the elected government in CAR to see that this continues. The Department of State already supports local press and provides training and advice to budding journalists and documentarians. If confirmed, I would like to broaden our efforts to make the media space in CAR more resistant to misinformation and rumor, and to strengthen voices that counter the calls to violence or discrimination.

*Question 14.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. This is a serious concern in CAR. We are engaged in a number of programs to quell the rumors and conspiracy theories that can spread in CAR's political environment. At the same time, we are working to the counter malign influence of external actors seeking to upset the fragile political balance with false information or inflammatory rhetoric and hate speech. If confirmed, I will continue to work with civil society and government leaders to ensure that outside actors do not unduly influence political processes or coopt Central African voices for their own purposes.

*Question 15.* Will you and your embassy teams actively engage with the Central African Republic on the right of labor groups to organize, including for independent trade unions?

Answer. Per Central African law, there are no restrictions on workers forming labor unions to collectively represent themselves. There are membership and leadership restrictions based on citizenship—for example, non-citizens must be resident in CAR for two to three years. Under my tenure, if confirmed, we will continue to engage with the Government and through the International Trade Union Confederation to encourage the CAR to maintain and expand the rights of workers. Our greatest concern is the practice of forced labor by criminal armed groups who coerce workers, even children, to work in artisanal mines and to serve as combatants. Our focus will be on ending these abhorrent practices as part of the peace process.

*Question 16.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the Central African Republic, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in the Central African Republic? What specifically will you commit to do to help LGBTI people in the Central African Republic?

Answer. Although our focus in CAR is on the continuing violence and the widening intercommunal and sectarian divides, we engage in discussions of basic human rights, whether it involves religious freedom, protection and inclusion for women and girls, or the rights of LGBTI individuals. The dignity and rights of all people are sacred, and we will work to see that Central Africans of all walks of life enjoy those rights. While same-sex relationships are not illegal in CAR, our own report on human rights practices in CAR notes that they are subject to discriminatory practices and restrictions on public expression. The Department of State is working with vulnerable populations, such as LGBTI individuals, to protect them from mob violence, mob justice, and assist them in getting access to justice when they need it. As CAR develops its democratic institutions and the reach of its government's authority, we will explore ways to more closely engage on this topic.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. LUCY TAMLYN BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Russia's military, military intelligence, and private security contractors appear to have increased their presence in CAR in recent years. What is the nature of Russia's interests in CAR?

Answer. Currently, there are two different sets of Russian actors with different but interconnected interests in the Central African Republic (CAR). First, there is the official Russian Government presence in CAR, represented by the five Ministry of Defense officers overseeing the Russian mission to train, equip, and advise the Central African military forces (FACA). There is also a non-governmental Russian presence in CAR in the form of the U.S.-sanctioned paramilitary company, Wagner.

In our estimation, the Russian Government's primary interests in CAR are to extend its geopolitical and military influence in CAR and on the continent by presenting itself as a more responsive partner than Western countries and with fewer conditions on human rights and governance. Moscow sought and received a waiver from the U.N. Security Council last year to donate much-needed weapons to the FACA. It also provided a cadre of approximately 175 trainers, primarily paramilitary contractors, operating under the name of a CAR-based company, Sewa. On August 21, 2018 Russia and CAR signed a military cooperation agreement which codified these activities.

Wagner operates through locally created affiliates Sewa Security and a mining company, Lobaye Invest. The United States has sanctioned Wagner, along with its founder, Dmitry Utkin, and alleged owner, Yevgeny Pregozhin, for their activities in Ukraine. Wagner has also been active in Syria, Sudan, and Libya. Wagner serves as a tool to further the goals and objectives of the Russian Government in CAR, but the company's primary interest in CAR is commercial. It has been involved in diamond and gold mining activities throughout the country, including in areas dominated by armed groups—a potential violation of U.N. sanctions. Wagner provides the security detail for President Touadéra, as well as the majority of the Russian trainers on the ground in CAR. Furthermore, Valerii Zakharov, a Russian national who currently serves as President Touadéra's National Security Counselor, is a contractor and very likely a Wagner employee.

*Question 2.* Does Russia's engagement in CAR compromise U.S. interests?

Answer. Russia's security sector activities in CAR have been legally permissible. However, Russia's engagement in CAR could potentially have serious repercussions for U.S. interests in the country. First, the United States has strongly supported the AU-led peace process, both diplomatically and financially. Recently, Russia and Sudan have facilitated parallel talks in Khartoum between armed groups. Recent reports in CAR state that during these meetings, armed group leaders received 30 million CFA (\$53,000) to depart the country. These negotiations occurred without input from the AU, and without outside observers, including the United States. Russian and Sudanese Governments claim that they support the AU-led process, but these parallel talks could create confusion and undermine the authority of these negotiations. Also, the armed groups could use the Khartoum talks as an alternative

process to strengthen their position or pursue blanket amnesty for their role in atrocities.

The United States and its partners are training and building the capabilities of the CAR security forces. In coordination with the European Union Training Mission (EUTM) and MINUSCA, we have provided more than \$20 million in logistics, equipment, and training to the FACA since 2015 and nearly \$17 million supporting the law enforcement sector. Training led by the United States, MINUSCA, or the EUTM includes the importance of respecting human rights and of civilian control of the military. Wagner and Russian military personnel are also training FACA troops and have expressed interest in training police and gendarmes. Given Wagner's record of disregard for human rights and international norms in Ukraine and Syria, we are concerned that the training they are providing could undermine previous efforts. The FACA and police have moved away from a history of predation on the population and serious human rights violations. That could be at risk if they continue to be associated with Wagner.

Russia's engagement in CAR could place the Government of CAR at risk of U.S. sanctions, undermining our ability to engage with Touadéra and his Government. The donation of military equipment and training by the Russian Government does not represent a clear violation of the Countering America's Adversaries Through Sanctions Act (CAATSA). However, by deepening its ties with Wagner and the Russian defense sector, the CAR Government is coming close to that line. If confirmed, I will leverage our strong relationship with Touadéra and his government in order to highlight that the United States and its allies are CAR's best partners in the path towards creating a peaceful and stable country. I will reinforce that all international partners are welcome to assist in the effort of rebuilding CAR's security forces, but that their involvement must be transparent and coordinated to ensure success. And, I will also work with the CAR Government to ensure that it understands our laws (such as CAATSA) and how interactions and transactions with the Russian defense sector and Russian companies like Wagner could put it at risk of severe penalties and sanctions and compromise our ability to continue supporting CAR's progress.

*Question 3.* Will you commit to tracking Russia's engagement in CAR and keeping this committee abreast of any concerning developments related to Russia's involvement in CAR?

Answer. If confirmed, I will follow Russia's ongoing engagement very closely and seek to ensure that it does not compromise our work, objectives, or interests. I also commit to working with Members of Congress and ensure that they stay informed on the latest developments in CAR. Congress has always been a key player in the process of crafting and implementing the U.S. Government's policies and objectives for CAR. If confirmed, I will do my best to ensure that this strong partnership continues.

*Question 4.* Our European allies have provided support to establish an internationally-backed Special Criminal Court to prosecute war crimes and crimes against humanity committed since 2003. What is the status of the Court and what is your assessment of its resources, capacity and effectiveness?

Answer. The Special Criminal Court is operational, and investigations began earlier this year. The United States has commended the CAR Government on the progress made so far. We also recognize that the Special Criminal Court (SCC) faces severe constraints. These include a lack of funding for this year and future years; lack of judicial and law enforcement capacity; lack of permanent premises; lack of maximum-security corrections facilities; and security risks to victims and witnesses from powerful armed groups. The Department currently has programs to address the lack of judicial capacity and corrections facilities to support the lower courts and the SCC. If confirmed, I will continue this important work.

*Question 5.* Is the United States providing assistance to the Court? Do you support United States assistance to the Court?

Answer. The Department of State has supported the CAR Government's efforts to establish and operationalize the CAR Special Criminal Court. The Department of State has also provided more than \$1.25 million in general assistance to CAR's court system, including to the Special Criminal Court. That assistance has included training of CAR judges, prosecutors, investigative police, and defense lawyers, providing equipment for SCC staff, establishing case file management and evidence control systems, and renovating judicial and corrections facilities. If confirmed, I will continue to explore additional ways to support the Special Criminal Court and the judicial sector in CAR more broadly.

*Question 6.* MINUSCA's mandate is due for renewal in November 2018. It appears that MINUSCA is looking to provide logistical support to CAR Security Forces (FACA), which is outside its mandate. What is your stance on the U.N. Secretary General's proposal to the U.N. Security Council to authorize MINUSCA logistical support for FACA?

Answer. Currently, MINUSCA is responsible for the stability and security that we see in CAR. International efforts to build the capacity of the FACA and law enforcement bodies have shown good results in the soldiers, police, and gendarmes who have been able to deploy outside of Bangui. In some cases, FACA soldiers and law enforcement officers have deployed alongside MINUSCA troops, and their relative advantages have worked well together. MINUSCA has a superior administrative and logistical capacity, but its personnel are largely tied to working from established bases or from their vehicles. Few MINUSCA personnel speak the local language, and many are not comfortable interacting with the population they are mandated to protect. On the other hand, FACA troops and internal security forces often have a superior knowledge of the geographic and human terrain, speak the language, and can operate on foot and among the people.

My colleagues at the Department of State are discussing the recommendations of the Secretary General with great interest. If confirmed, I will support the position of the administration and the decision that is made in New York regarding MINUSCA support to the FACA. In the meantime, I will continue to further our bilateral relationship with the CAR Government and its military and security forces. I will also work with our international partners, such as France and the European Union, to provide support and capacity building to the security sector.

*Question 7.* Under what conditions should support be offered, if any?

Answer. If offered, support should be practical and serve the purpose of working towards the goal of a stable, self-sufficient, and peaceful Central African Republic. The resources must be available not only to make the support effective at supporting current operations, but also to build the capacity of CAR's military and security forces in order to avoid the pitfall of fostering dependency. This would have to be done in the context of an already constrained budgetary environment and will be a difficult hurdle. The support should also strengthen the military and security forces to be self-sufficient; respect civilian authority, human rights, and the rule of law, and represent the population of the Central African Republic.

*Question 8.* What changes to MINUSCA's mandate would you advocate, if any?

Answer. In preparation for this position, I will continue to consult with experts at the Department of State regarding MINUSCA and the security situation in CAR. If confirmed, I will rely on that expertise and the direction of the Department and the administration to advocate for policies with the Government in CAR. If confirmed, I will continue the strong relationship with MINUSCA's leadership that my predecessors have established and do what I can to continue to support the mission's successful completion.

*Question 9.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. From service as a U.S. delegate to the U.N. Human Rights Commission to working to protect the life of a young Sudanese woman accused of apostasy, promoting and protecting human rights has been a core part of my Foreign Service career. As a delegate to the U.N. Human Rights Commission from 1995–1999, I advocated for important U.S.-sponsored resolutions that shed light on horrific human rights abuses in numerous countries and put political pressure on those countries to improve their human rights practices. I was also the primary negotiator for the landmark "Right to Democracy" resolution approved at the Commission in 1999. In 2014, as Director of the Office of the Special Envoy for Sudan and South Sudan, I led the team that coordinated the asylum request for a Sudanese woman who faced threats to her life because of her religion.

*Question 10.* What are the most pressing human rights issues in CAR? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in CAR? What do you hope to accomplish through these actions?

Answer. As noted in the 2017 Human Rights Report, the most significant human rights issues include reports of arbitrary and unlawful killings by government agents, enforced disappearance, and sexual violence. There are also instances of arbitrary arrest and detention; delays in holding criminal sessions in the judicial system, harsh and life-threatening prison conditions, seizure and destruction of property without due process, use of excessive and indiscriminate force in internal

armed conflict, restrictions on freedom of movement, lack of protection and access for internally displaced persons to basic services, corruption, harassment of and threats to domestic and international human rights groups, lack of accountability, forced labor, and use of child soldiers.

To address these issues, if confirmed, I will continue to support efforts to reduce the influence and power of armed groups throughout CAR. These efforts include the disarmament, demobilization, and reintegration (DDR) of armed elements that contribute to an environment of predation, violence, and lawlessness in the country. Such efforts also include supporting the AU-led peace process and addressing the illicit supply chains of minerals, wildlife, and other natural resources that finance armed groups. I will also continue to support humanitarian assistance to meet the immediate needs of the people of CAR and development assistance to build the capacity of the CAR Government and civil society.

If confirmed, I would continue our partnership with the CAR Government to help train the military and civilian security forces and our work with the U.N., the CAR Government, and our international colleagues to advance security assistance and judicial sector reforms. These go beyond training soldiers and police to include reinvigorating courts, improving the detention system, and enabling deployment of forces to where they are needed. Advancing the presence and power of the state will further advance accountability, respect for human rights, and support protection of civilians and access to justice in CAR.

*Question 11.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in CAR in advancing human rights, civil society and democracy in general?

Answer. The lack of state presence and capacity outside of the capital is the greatest obstacle to improving the human rights situation in CAR. In many regions, local residents insist that they want to see the military and police deployed, and courts properly functioning, to ensure stability and the safety of the population. Central Africans do not want to have to rely on poorly organized and largely uncontrolled local militia for protection. The proliferation of such militia has only fed conflict and predation. Combating the longstanding and widespread impunity in CAR will require a strong security sector with proper accountability and a justice sector that can hold criminals responsible.

Given CAR's history of violence, reconciliation between communities will be both difficult and vital. The increasingly sectarian rhetoric used by some parties to motivate, support, and justify violence must be defused. Communities that have fallen victim to violence will have to enact mechanisms, whether through restorative justice or otherwise, to reconcile and create a better future.

*Question 12.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in CAR? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. We have strong relationships with NGOs, civil society, and political organizations in CAR. Over the last few years, our embassy staff has developed a strong, frank, and open relationship with these actors. This has helped us to focus resources where they are most needed and to prevent political conflict. If confirmed, I will continue those efforts.

We are careful to vet all recipients of our security assistance. This requirement can sometimes slow the rollout of programs and cause some consternation in the CAR Government, but we must ensure that taxpayer dollars are spent wisely and appropriately. If confirmed, I will proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights, and I will strongly urge the CAR Government to hold any violators accountable for their actions.

Our training for the military, the police, and gendarmes includes human rights elements. If confirmed, I will work to make sure that we are teaching the appropriate material at the appropriate level, engaging with each level of command on the importance of respecting human rights and how this makes the security forces more effective in their duties.

*Question 13.* Will you and your embassy team actively engage with CAR to address cases of key political prisoners or persons otherwise unjustly targeted by CAR?

Answer. Our embassy in Bangui has been proactive in engaging with the CAR Government regarding the need to provide political space for opposition. President Touadéra himself ran as an independent rather than as a candidate of a pre-existent

ing political party. He has included political opposition within his government and has voiced an intent to assemble a government and security apparatus that is representative of the country as a whole. I will hold him to this and help him to institute the policies to get there, if confirmed.

*Question 14.* Will you engage with CAR on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will strive to ensure that the United States and our embassy remain an active partner of the CAR Government as it continues to work towards creating a peaceful and democratic nation characterized by the protection of human rights, strong governance, and a vibrant civil society.

Our embassy officials have maintained a constructive dialogue with the legitimate political opposition, while encouraging the armed groups to cease hostilities and join the political process. If confirmed, I intend continue this effort and will engage with the elected government to ensure that political space for opposition, civil society, and criticism is not threatened.

If confirmed, I will continue to support bilateral and international efforts to improve good governance, development, justice, and security in CAR. U.S. assistance has been essential in helping the democratically elected government to weather several crises. We will continue to help build an accountable and professional government, military, security, and judicial structure that will serve and protect the people of CAR and aid in bringing peace, security, and prosperity to the country.

*Question 15.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 16.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 17.* Do you or do any members of your immediate family have any financial interests in CAR?

Answer. Neither I nor any members of my immediate family have any financial interests in the Central African Republic.

*Question 18.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will ensure that all staff understand the importance of full compliance with Equal Employment Opportunity (EEO) and that we have well-trained and active EEO counselors who conduct EEO trainings and carry out activities that highlight the importance of promoting inclusion and diversity for American and local employees alike. As part of routine mentoring, I will encourage staff from diverse backgrounds and underrepresented groups to seek out resources and advice on performance and career planning make sure that they are aware of "affinity groups" within the State Department and elsewhere and make clear my support for similar affinity groups at post if employees are interested in forming them.

*Question 19.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will make clear that the EEO language in every employee's work requirements will be considered an integral part of successful job performance during the evaluation period. I will regularly seek feedback from employees on their perceptions of their workplace environment and correct issues, which detract from an inclusive workplace. I will recognize those employees who demonstrate exceptional EEO leadership.

*Question 20.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in CAR specifically?

Answer. The largest threat to democratic governance and the rule of law in CAR remains the fact that the state controls little beyond the capital. Armed groups—primarily community militias and criminal organizations—control the majority of

CAR's territory and natural resources where they tax, plunder, and exploit the local populations with impunity. Furthermore, such groups mimic legitimate governance, abusing their power to punish crimes and mete out arbitrary justice. With our assistance, the security forces are rebuilding their capability to take back control of the country.

Since 2015, the CAR Government has worked to rebuild its governance capabilities, but corruption remains. The judicial system suffers from a lack of resources, training, and personnel. It does not have a consistent presence throughout the country. Moreover, judicial officials are reluctant to leave Bangui and attend to their assigned offices in the provinces. This leads to extended detentions, persistence of impunity, failure to support local governance, and the uneven application of justice. The CAR penal code criminalizes bribery, undue benefits, embezzlement, abuse of office, favoritism, and the offer, promise, or solicitation of gifts. However, the corruption of local officials and companies is rarely prosecuted or punished.

The police and military continue to suffer from incidences of petty corruption. There is also corruption among government officials, particularly those involved with customs administration and CAR's natural resources. The lack of state presence has created a fertile ground for illegal economic activity, particularly mining and smuggling of natural resources, including diamonds, gold, and wildlife products such as elephant ivory. Smuggling of diamonds, gold, and other natural resources is common and at times facilitated by corrupt government officials, fostering impunity and undermining the rule of law. Private companies still engage in bribery, with government officials receiving gifts and other benefits in return for obtaining permits, bypassing prosecution, and receiving special access to government resources and processes.

*Question 21. What is your assessment of corruption trends in CAR and efforts to address and reduce it by that government?*

Answer. The CAR Government, judiciary, and security forces face many challenges as they seek to combat long-standing issues of corruption. However, progress has been made towards reducing corruption in the country.

Embassy Bangui has played a key role in helping the CAR Government in its fight for increased transparency and good governance. The embassy team has forged strong ties with President Touadéra and his government. This close relationship has enabled us to be active participants in anti-corruption efforts in the country. If confirmed, I look forward to building on this relationship and continuing this positive trend.

The United States Government is the leading force in a variety of programs that are essential in creating a more efficient, responsive, representative, and transparent government in CAR. For example, we are working to build the expectation for proper governance by helping elected officials improve their communication, outreach, and representation of their constituencies.

The United States, along with our international partners, has helped train and prepare the police and military forces of CAR, and our efforts have yielded positive results. Over the last few months, FACA troops have deployed outside of Bangui with success. Significantly, they have maintained a positive reputation with the local population. Although these are only the first steps, the professionalism and competence exhibited by these forces have been heartening.

We also have been a key partner to law enforcement and the judiciary in CAR as it seeks to break the cycle of criminality and impunity that has held the country back and fueled violence. We have provided training and equipment to the courts; helped train lawyers, judges, and court staff; and educated the public on their rights. This has allowed the district criminal courts in Bouar, Bangui, and Bambari to re-open, with some courts operating for the first time in more than ten years. Furthermore, the CAR Government has recently operationalized the Special Criminal Court (SCC). The SCC has a panel of judges, officials, and a body of investigations officers. The Court expects to begin formal investigations in October of this year.

USAID supports the Government of CAR to implement the Kimberley Process (KP) for diamonds to address the issue of conflict diamonds and tackle corruption in the sector. CAR is the only country in the world that still has conflict diamonds as defined under the KP. From 2013 to 2015, CAR was temporarily suspended from the KP, effectively banning the legal export of diamonds. Since lifting of the temporary suspension in 2015, incremental progress has been made, but significant challenges remain. An estimated 82 percent of rough diamonds continue to exit the country illegally. In addition, only 36 percent of mined rough diamonds in the KP-compliant zones are legitimately exported. In an effort to increase legal exports, the Government of CAR has undertaken a number of activities to implement the KP

Operational Framework, which sets forth how CAR must comply with KP requirements to maintain the legal export of diamonds.

*Question 22.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in CAR?

Answer. If confirmed, I will build on the excellent work already done by our embassy in Bangui and will engage directly with President Touadéra and his ministers to address issues of petty corruption by strengthening oversight of ministries and cracking down on “informal” taxation and fees often used by officials to add to their income. As the people and officials of CAR work to create a more transparent, democratic, and responsive government, I will work to ensure that they continue to find in the United States a strong and dependable partner.

If confirmed, I will serve as a strong advocate and supporter of our efforts and programs to train and rebuild the CAR military and security forces as professional and law abiding institutions that protect the rights of the citizenry. I will also work with President Touadéra and our international partners to ensure the success of our programs which seek to strengthen the CAR justice system and expand the reach of the rule of law. From training judges and investigators, implementing standard procedures and practices, repairing courts and prisons to educating the public on their rights, the U.S. Government is committed to helping develop lawful governance in CAR as the best way to fight corruption and impunity. If confirmed, I will work tirelessly to ensure that we are making steady progress to achieving these objectives.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIC WILLIAM STROMAYER BY SENATOR ROBERT MENENDEZ**

*Question 1.* In July, heads of state from the Economic Community of West African States (ECOWAS) issued a communique suggesting the Government and political actors adopt a series of measures, among them speeding up the judicial procedures for those arrested during political demonstrations, and constitutional reforms including limitations on presidential term limits.

- In your view, will the recommended reforms help lessen current political tensions? What is the status of the constitutional reforms? Have proceedings for those arrested during demonstrations been expedited? What role should the United States play to support political reforms in Togo? If confirmed, what specific actions will you take to support reforms?

Answer. Following the ECOWAS summit in July 2018, the opposition agreed to participate in the ECOWAS electoral monitoring committee and the independent electoral commission (CENI). The Government has made progress on expediting proceedings for some of those arrested during the demonstrations. The Government has further shown readiness to compromise in accepting an ECOWAS-proposed rebalancing of the Electoral Commission. While the Government has been open to enacting run-off voting and term limits, ECOWAS did not take a position on whether term-limits should apply to the incumbent, leaving this decision to the political process. This has been a source of tension and a sticking point in the ongoing negotiations. If confirmed, I will continue to support this ECOWAS-facilitated political dialogue to ensure implementation of the recommendations, and that members of the opposition are consulted and are active participants in instituting these reforms.

*Question 2.* What programs and activities is the United States undertaking to support democracy and governance in Togo? If confirmed, what actions will you recommend we take to further open democratic space in Togo?

Answer. U.S. assistance has been critical to encouraging positive democracy and governance reforms in Togo. For example, efforts by the Togolese Government to implement reforms in order to meet Millennium Challenge Corporation (MCC) pre-conditions have had an overall positive effect on government transparency. If confirmed, I will seek to leverage the Government’s strong desire for an MCC Compact to encourage further reforms that improve transparency and reduce corruption. On the security assistance side, International Military Education and Training (IMET) support targets civil-military relations, human rights, military justice, and the role of the military in a democracy. If confirmed, I will continue to leverage our very successful public diplomacy programs such as the Young Africa Leaders Initiative to help support and encourage the next generation of reformist Togolese leaders. Programs to support and defend the freedom of the press are also critically important, and I will seek to continue those, should I be confirmed.

*Question 3.* The 2018 Trafficking in persons report lists Togo on the Tier Two Watch List. According to the report, "The Government reported investigating and prosecuting eight cases involving eight alleged traffickers. Authorities convicted seven of the eight suspects under articles 317 through 320 in the revised penal code in 2017, compared with 101 investigations and 60 convictions of traffickers in 2016. The Government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses."

- What accounts for the decrease in investigations and convictions? What types of assistance should the United States provide to help combat trafficking? If confirmed, what steps will you take to ensure that the Government takes meaningful steps to combat trafficking in persons?

Answer. The Government of Togo has demonstrated the will to fight trafficking in persons (TIP) but lacks sufficient capacity to do so. In 2015, the Government of Togo instituted a new penal code, drafted with support from France and the U.N., which included strict TIP-related penalties. Ministry of Justice officials tell us, however, that the harsher penalties contained in the new law have resulted in reduced arrests and prosecutions. Criminal justice sector officials appear to believe that incarcerating heads of households who traffic their children will exacerbate the poverty driving them to traffic their children in the first place.

The Togolese Government, with support of the U.S. Embassy, has already taken steps to improve its anti-trafficking efforts. In April 2018, two State Department-funded workshops trained over 42 participants, including magistrates, police officers, and customs officials on the trafficking provisions of the 2015 penal code. In addition, U.S. funding supported a local NGO to train 23 journalists and 35 social workers from various NGOs and conduct an awareness raising campaign that included a trafficking documentary, brochures, posters, and a series of radio and drama productions throughout the country. Following this, the Government of Togo established a formal partnership with an international NGO in support of a regional program targeting TIP and illegal immigration.

If confirmed, I will urge the Government of Togo to increase efforts to convict and punish traffickers, complete and enact the draft law prohibiting forced labor and forced prostitution of adults, and train law enforcement and other government officials to provide care to victims.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As a junior officer I joined election monitoring teams overseas to promote democratic processes, and in more recent years, I have played a more senior policy-related role. As the Executive Director for the Africa Bureau (AF) from 2014–2017, I advocated in senior staff meetings for AF funding for election monitoring and human rights related programming in numerous places across the continent. With this support, the U.S. Mission in Abuja played a crucial role in the Nigerian elections which resulted in a peaceful transfer of power in 2015. As Deputy Chief of Mission and Chargé d'Affaires a.i. 2008–2011 in Madagascar, I advocated for a return to democratic norms following the March 2009 coup. With like-minded third country diplomats, I maintained pressure on the coup regime, which eventually was forced to return to democratic processes. In the past year as Acting Deputy Assistant Secretary for East Africa and Sudan and South Sudan, I was a key player in Washington's efforts to encourage a peaceful, credible outcome to the two rounds of the Kenyan elections and to bring peace to South Sudan to address the ongoing human rights tragedy unfolding there. My role included advocating for democratic and human rights with senior-level government and opposition leaders from Kenya and South Sudan.

I led the Africa/Near East Asia/Oceans and International Environmental and Scientific Affairs delegation to meetings in Cairo, Khartoum, and Addis Ababa advocating for mutually advantageous ways to move forward with the eventual filling of the Grand Ethiopian Renaissance Dam (GERD) which, when operational, will potentially allow for enhanced standards of living and nutrition for tens of millions in all three of those countries. Our efforts contributed to calming what easily could have escalated into a serious international confrontation.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in Togo? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** Togo is going through a period of political upheaval, as the historically divided opposition has united in an effort to prevent President Faure Gnassingb  from standing for a fourth presidential term in 2020. This is a pressing challenge to democracy. A coalition of 14 opposition parties (C14) has demonstrated uncharacteristic solidarity in a dialogue with the Government facilitated by ECOWAS mediators. This was largely due to the coming together of two opposition figures, Tikpi Atchadam of the Panafrican National Party (PNP) and long-time opposition leader Jean-Pierre Fabre of the National Alliance for Change (ANC).

Political protests in 2017 and 2018 prompted the Government to propose constitutional amendments to institute a two-term limit for president and a two-round electoral system. In September 2017, the Parliament passed the amendments by 2/3 party-line majorities, without support from the opposition. The lack of a 4/5 majority to adopt the amendments directly made a popular referendum necessary, which has yet to take place.

Following a mediation effort led by Ghanaian President Nana Akufo-Addo and Guinean President Alpha Cond , ECOWAS has been pressing the Government and opposition to agree on constitutional reforms and pass them in the National Assembly by the necessary 4/5 majority, avoiding the need for a controversial referendum. However, opposition parties continue to insist constitutional changes must apply to the incumbent, barring President Faure from running for re-election in 2020. Togo is preparing to hold legislative elections in late 2018, and potentially hold local elections in 2019 for the first time in over 30 years. The disagreement between the opposition and the Government, and failure of the parties to reach an agreement, are potential obstacles to Togo's participatory governance.

**Question 6.** What steps will you take—if confirmed—to support democracy in Togo? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I will collaborate with the Government of Togo, political parties, civil society, and other diplomatic missions to promote political reforms, reinforce democratic institutions and expand political space, and strengthen electoral institutions and processes to promote fair and transparent elections. I will continue the ongoing constructive work with the Group of Five (G-5), consisting of the U.S., French, German, EU, and U.N. missions in Lom  to encourage constitutional reforms and an inclusive political settlement.

In 2015, Millennium Challenge Corporation (MCC) selected Togo as eligible to develop a Threshold Program to increase competition and private sector participation in the Information Communications Technology (ICT) services market and to improve land tenure and management. If confirmed, I will seek to leverage the Government's strong desire for an MCC Compact to encourage further reforms that improve transparency and reduce corruption.

**Question 7.** How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** USAID does not have a mission in Togo; however, a handful of regionally- and centrally-managed program activities are present and focused largely on health. The USAID West Africa Regional Mission located in Accra, Ghana manages USAID regional program activities in Togo, including approximately \$2 million a year for family planning and \$1 million a year for HIV/AIDS programs. The Peace Corps established its presence in Togo in 1962, and currently has over 90 volunteers in the field working on projects in agriculture, education, and health.

On April 3, the Millennium Challenge Corporation board approved a \$35 million threshold program focused on reforms to the Information Communications Technology (ICT) sector and land tenure. The MCC, in collaboration with the Government of Togo, spent nearly two years analyzing Togo's main economic binding constraints and designing the threshold program. Togo became eligible for the threshold program in 2015, and has maintained a passing scorecard for the last two years.

In approving the program, MCC noted it will closely monitor citizens' rights to freedom of expression and association. In addition to leveraging the MCC compact, if confirmed, I will seek opportunities to secure funding to expand political space and strengthen democratic institutions, particularly focusing on electoral processes.

**Question 8.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Togo? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** Meeting with human rights, civil society and other non-governmental organizations in the United States and with local human rights NGOs in Togo will be a priority of mine if confirmed as U.S. Ambassador to Togo. This is key to understanding the political and human rights' situation in any country, and a great privilege for those of us who serve overseas.

Togo is on the path towards greater democracy. Togo is planning to hold local elections next year for the first time in 30 years. Constitutional reforms are on the table that would place term limits on the president and enact run-off voting. These steps in the right direction were made possible by the strong participation of domestic civil society groups. If confirmed, I will continue to push the Government to increase political space so that the people of Togo can make their voices heard and peacefully express dissent through the ballot box and through greater respect for fundamental freedoms.

**Question 9.** If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** If confirmed, I will meet with democratically-oriented opposition figures and parties. I will continue to support the ECOWAS-facilitated political process to ensure implementation of the recommendations, and ensure that members of the opposition are consulted and are active participants in instituting reforms. The Public Affairs Section of Embassy Lomé has also organized a number of workshops over the last two years to encourage greater participation by youth and women in political life. Some of the participants in these trainings will be candidates in the upcoming local elections. If confirmed, I will continue to advocate for the inclusivity of women, minorities and youth within political parties through such programs.

**Question 10.** Will you and your embassy team actively engage with Togo on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Togo?

**Answer.** Independent media are active and express a wide variety of views, many highly critical of the Government. However, the Government has at times restricted these rights. The law imposes penalties on journalists deemed to have committed "serious errors" as defined in the media code. Authorities sometimes attempt to influence the press through illicit means, for example, by giving "year-end gifts" to encourage positive media coverage.

If confirmed, I will advocate for press freedoms and freedom of expression. The Togolese are receptive to our efforts. We are also engaged in public diplomacy programs that give young leaders a voice. Through various exchange programs like the Mandela Washington Fellows, we provide opportunities for them to visit the United States and bring back what they have learned in order to make Togo better, stronger, and more democratic. If confirmed, I will not compromise on these important American ideals. I will work hard, if confirmed, to encourage Togo to continue on this positive trajectory.

**Question 11.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** Yes, if confirmed, the Embassy team and I will continue to engage actively with civil society and government to counter disinformation and propaganda disseminated by foreign state or non-state actors in Togo. The Embassy is already a leader in this regard, having launched a nation-wide campaign in 2018 to counter misinformation that has trained 150 journalists and social media influencers on how to detect and resist disinformation. The campaign has been so successful that a member of Togolese parliament has asked our trainers to give a class to the legislature.

**Question 12.** Will you and your embassy teams actively engage with Togo on the right of labor groups to organize, including for independent trade unions?

**Answer.** Togo's constitution provides for the right of most workers to form and join unions and bargain collectively, prohibits forced labor, child labor, and discrimination in the workplace, and outlines a minimum wage, occupational safety and health, and hours of work protections. The Government has demonstrated on several occasions its willingness to negotiate with labor groups. If confirmed, I will advocate for freedom of assembly and independent trade unions and respect for labor rights provided under the law.

**Question 13.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Togo, no matter their sexual orientation

or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Togo? What specifically will you commit to do to help LGBTI people in Togo?

Answer. If confirmed, I will use my position to defend the human rights of all people in Togo, regardless of their sexual orientation or gender identity. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons face societal discrimination in employment, housing, and access to education and health care. Existing anti-discrimination laws in Togo do not apply to LGBTI persons. Togolese law provides that a person convicted of engaging in consensual same-sex sexual activity may be sentenced to one to three years' imprisonment and fined one million to three million CFA francs (\$1,701 to \$5,102). Police have arrested individuals for engaging in consensual same-sex sexual activity. If confirmed, I will work with the Togolese law enforcement and government representatives to advocate for legal rights and safety for the LGBTI community.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIC WILLIAM STROMAYER BY SENATOR BENJAMIN L. CARDIN**

*Question 1* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As a junior officer I joined election monitoring teams overseas to promote democratic processes, and in more recent years, I have played a more senior policy-related role. As the Executive Director for the Africa Bureau (AF) from 2014–2017, I advocated in senior staff meetings for AF funding for election monitoring and human rights related programming in numerous places across the continent. With this support, the U.S. Mission in Abuja played a crucial role in the Nigerian elections which resulted in a peaceful transfer of power in 2015. As Deputy Chief of Mission and Chargé d’Affaires a.i. 2008–2011 in Madagascar, I advocated for a return to democratic norms following the March 2009 coup. With like-minded third country diplomats, I maintained pressure on the coup regime, which eventually was forced to return to democratic processes. In the past year as Acting Deputy Assistant Secretary for East Africa and Sudan and South Sudan, I was a key player in Washington’s efforts to encourage a peaceful, credible outcome to the two rounds of the Kenyan elections and to bring peace to South Sudan to address the ongoing human rights tragedy unfolding there. My role included advocating for democratic and human rights with senior-level government and opposition leaders from Kenya and South Sudan.

I led the Africa/Near East Asia/Oceans and International Environmental and Scientific Affairs delegation to meetings in Cairo, Khartoum, and Addis Ababa advocating for mutually advantageous ways to move forward with the eventual filling of the Grand Ethiopian Renaissance Dam (GERD) which, when operational, will potentially allow for enhanced standards of living and nutrition for tens of millions in all three of those countries. Our efforts contributed to calming what easily could have escalated into a serious international confrontation.

*Question 2.* What are the most pressing human rights issues in Togo? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Togo? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues that the United States is deeply concerned about in Togo are allegations of human rights violations, violence against civilians, and restrictions on freedom of expression and assembly, specifically surrounding the opposition-led protests in late 2017.

If confirmed, the most important step I expect to take will be to call upon the Government of Togo to uphold its citizens’ human rights, notably freedom of expression, freedom of peaceful assembly, and internet freedom, and to ensure that all those arrested during demonstrations are afforded the right to due process. If confirmed, I will seek to leverage the Government’s strong desire for a Millennium Challenge Corporation (MCC) Compact to encourage further reforms that improve transparency and reduce corruption.

Finally, if confirmed, I will work with the team at Embassy Lomé and civil society and hope that these actions will encourage the Government of Togo to ensure the Togolese people have freedom of expression, freedom of peaceful assembly, and internet freedom.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Togo in advancing human rights, civil society and democracy in general?

Answer. One significant obstacle to addressing human rights and democracy in Togo would be a breakdown or stalemate in the Economic Community of West African States (ECOWAS) mediation of the current political crisis. To help avoid that breakdown, I will, if confirmed, support this ECOWAS-mediated peace process to ensure implementation of the recommendations and to ensure that members of the opposition are consulted and are active participants in instituting these reforms. I will work with like-minded countries to continue to press the Government to make progress on reforms and advance democratic freedoms in Togo.

Additionally, a major challenge I would face, if confirmed, would be the failure of the Government and opposition to arrive at a compromise acceptable to both sides. An opposition boycott of the Economic Community of West African States (ECOWAS)-endorsed parliamentary elections scheduled for December 20, 2018, for example, could increase the risk of violence on election day.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Togo? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes. If confirmed as U.S. Ambassador to Togo, I will make meeting with human rights, civil society, and other non-governmental organizations in the United States, and with domestic and international human rights NGOs in Togo, a priority.

Additionally, the United States maintains a good relationship with the Togolese military and police, who have been willing partners in key areas such as maritime security and peacekeeping. Our assistance to the Togolese armed forces is designed to develop the professionalism of its ranks. All security force participants in U.S. Government programs go through a Leahy vetting process to ensure participants have not committed gross human rights violations. Units with histories of human rights violations are not permitted to receive U.S. training or assistance. This also reinforces our message that human rights violations by security forces will not be tolerated. If confirmed, I will actively support our Embassy in gathering information to contribute to important reports such as the Human Rights Report and Trafficking in Persons Report to highlight areas of weakness and opportunities for further co-operation between the United States and Togo.

*Question 5.* Will you and your embassy team actively engage with Togo to address cases of key political prisoners or persons otherwise unjustly targeted by Togo?

Answer. If confirmed, I will continue the work Embassy Lomé has begun, and will call on the Government of Togo to uphold its citizens' human rights, notably freedom of expression, freedom of peaceful assembly, and internet freedom, and to ensure that all those arrested during demonstrations are afforded the right to due process.

*Question 6.* Will you engage with Togo on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes, if confirmed, I will engage with Togo to emphasize the importance of rule of law, solid democratic institutions, and the role of civil society to encourage positive change.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Togo?

Answer. Neither I nor any members of my immediate family have any financial interests in Togo.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I plan to lead by example, ensuring regularly scheduled sessions stressing for all staff, American and local, the importance of full compliance with Equal Employment Opportunity (EEO) legislation and principles. I will ensure that we have well trained and active EEO counselors who conduct EEO trainings and carry out activities which highlight the importance of promoting inclusion and diversity for American and local employees alike. I will stress that mission leadership will not accept anything less. As part of routine mentoring, I will encourage staff from diverse backgrounds and underrepresented groups to seek out resources and my advice on performance and career planning, make sure that they are aware of "affinity groups" within the State Department and elsewhere, and make clear my support for similar affinity groups at post if employees are interested in forming them.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will make clear that the EEO language in every employee's work requirements will be considered an integral part of successful job performance during the evaluation period. I will regularly seek feedback from employees on their perceptions of their workplace environment and correct issues that detract from an inclusive workplace. I will recognize those employees who demonstrate exceptional EEO leadership.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Togo specifically?

Answer. Corruption remains a pervasive problem in Togo, especially for businesses. Often, "donations" or "gratuities" result in shorter delays for obtaining registrations, permits, and licenses, thus resulting in a competitive advantage for companies that are willing and able to engage in such practices. Government corruption exists among prison officials, police officers, and members of the judiciary. Corruption and inefficiency are endemic among police, and impunity is a problem. There are reports of police misusing arrest authority for personal gain.

*Question 13.* What is your assessment of corruption trends in Togo and efforts to address and reduce it by that government?

Answer. The law provides criminal penalties for conviction of corruption by officials, but the Government does not implement the law effectively, and officials frequently engage in corrupt practices with impunity. The National Commission for the Fight against Corruption and Economic Sabotage and other state entities, such as the Government Accounting Office and Finances Inspectorate, have limited resources to reduce levels of corruption and produce few results.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Togo?

Answer. Efforts by the Government of Togo's Millennium Challenge Corporation (MCC) cell to make reforms and pass good governance indicators have had a positive effect on government transparency and reform. If confirmed, I will seek to build upon the positive momentum generated by MCC's approval of a \$25 million Threshold Program to encourage further reforms that improve transparency and reduce corruption.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS B. HANKINS BY SENATOR ROBERT MENENDEZ**

*Question 1.* In February, I wrote a letter to then-Secretary Rex Tillerson to express my concern about ongoing instability in Mali, recommending the administration consult with Congress on a strategy for Mali that includes sustained, high-level diplomatic engagement with regional governments, signatory groups to the 2015 Agreement for Peace and Reconciliation in Mali, and civil society actors as part of a broader integrated plan on the Sahel-Maghreb:

- What is the status of the development of that strategy for Mali as part of a Sahel/Maghreb strategy? Has Congress, to your knowledge, been consulted on the development of such a strategy? When will that consultation occur?

**Answer.** I understand that Mali is part of a West Africa Counterterrorism Strategy, the development of which is currently underway. I agree on the need for sustained, high-level diplomatic engagement with regional governments, signatory groups to the 2015 Algiers Accord for Peace and Reconciliation in Mali, and civil society actors. I share your concern about the ongoing instability in Mali. Part of the reason that terrorist groups have been gaining operational space is the unacceptably slow pace of implementation of the Accord. By not living up to their commitments, the signatories perpetuate instability that threatens the entire region. If confirmed, I plan to continue Embassy Bamako's efforts to press the parties to the Accord for full and speedy implementation of the Accord.

**Question 2.** What specific actions has the United States taken to build civilian institutions to promote good governance and strengthen civilian oversight in the security sector? What have these actions achieved? If confirmed, what actions will you recommend be undertaken to further strengthen civilian institutions in Mali?

**Answer.** The United States is committed to supporting Malian security sector reform efforts through an interagency, long-term effort focused on developing national level processes and institutions. Since 2015, the Security Governance Initiative (SGI) has worked to strengthen civilian institutions and promote good governance and civilian oversight of the security sector. Specific areas of focus include aligning Ministry of Defense (MOD) resources to operational needs; National Police (NP) recruitment and human resource management; Ministry of Justice (MOJ) human resource development; and Inter-ministerial defense and security planning and coordination. SGI has experienced varying both successes and degrees of success and challenges within each focus area. If confirmed, I will continue to promote good governance and improved civilian oversight of support these efforts to reform Mali's security sector as well as focus on transparent investigations of serious allegations against security forces and accountability for perpetrators.

**Question 3.** What train-and-equip programs is the U.S. Government currently engaged in in Mali? In your view, should the resumption or continuance of such programs be tied to accountability for alleged human rights abuses committed by the military and/or other security forces?

**Answer.** My understanding is that the United States continues to provide assistance to reform and professionalize Mali's security sector. Security forces must more effectively address the rapidly growing threat from violent extremists and bolster their legitimacy with the population. We have begun episodic training with select units deploying to the G5 Sahel Joint Force to assess their capabilities and improve core competencies. We also working to build the capacities of a Gendarmerie crisis response team, military intelligence, Counter-Improvised Explosive Device capabilities, aviation, civil-military affairs, and limited International Military Education and Training. Human rights concerns should inform the scope of our security assistance policy. The United States is committed both to reforming the Malian security sector and to providing assistance to fill gaps in Malian security forces' operational capacity. All recipients of U.S. security assistance undergo Leahy vetting and, if confirmed, I will ensure that all provisions of U.S. security assistance and security cooperation activities continue to reinforce the importance of human rights, including transparent investigations and accountability for human rights violations.

**Question 4.** What assistance, if any, should we be providing through the G-5 Sahel Joint Force as opposed to bilaterally, in your view?

**Answer.** The United States is committed to supporting the G5 Sahel Joint Force as an African-led, African-owned effort to improve security in the Sahel. If confirmed, I will support continued strong bilateral assistance for the G5 Sahel Joint Force as the most effective way to build the capacity of G5 member states' forces.

**Question 5.** What formal mechanisms exist for ensuring coordination with other donors funding security assistance activities? If confirmed, how can you ensure our activities are coordinated with those of other donors?

**Answer.** My understanding is that the EU through its EU Training Mission and EU Capacity Mission is Mali's largest security assistance partner. Embassy Bamako remains in close consultation with the EU, its missions, and other donors to coordinate and de-conflict international security assistance. U.N. Security Council resolution 2391 (2017) acknowledged the EU as the coordinator for international voluntary contributions to the G5 Sahel Joint Force and the African Peace Facility as the financing mechanism to channel donor contributions. If confirmed, I will closely monitor security assistance coordination and work to achieve even closer cooperation among donors.

**Question 6.** Mali is on the Tier 2 Watch List. What activities is the United States engaged in to assist Mali to investigate and prosecute trafficking offenses, and/or

convict and punish traffickers? Have we provided any assistance to help train law enforcement on effective case investigation techniques? What have we further trained judges and prosecutors on Law 2012-023, Relating to the Combat against Trafficking in Persons and Similar Practices, as amended? What assistance or further assistance will you recommend we provide to Mali in these areas if confirmed as Ambassador?

**Answer.** The Government of Mali (GOM) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. I understand that in 2016, the U.S. Department of State awarded a grant to the International Organization for Migration to train criminal justice practitioners on victim protection measures, to institutionalize a National Referral Mechanism and Standard Operating Procedures for referring victims of trafficking to services, to build local capacity to serve victims of trafficking by issuing sub-grants to local NGO Trafficking in Persons (TIP) service providers in Bamako and Gao, and to ensure effective implementation of the country's National Action Plan on TIP. I also understand that USAID, through a judicial strengthening program, is training paralegals on TIP so they can work with communities to raise awareness. This U.S. Government anti-trafficking funding complements other donor funding that has trained criminal justice practitioners on effective investigations and prosecutions. If confirmed, I would continue these efforts with Mali to build its capacity to address TIP issues and to urge the Government of Mali to ensure that it does not provide any material support to non-state actors who recruit and use child soldiers.

**Question 7.** What key obstacles to implementing the 2015 Agreement for Peace and Reconciliation remain? What assistance are we providing to assist with implementation of the provisions of the agreement? What actions will you take if confirmed as Ambassador to foster implementation of the agreement?

**Answer.** Key obstacles to implementing the 2015 Algiers Accord for Peace and Reconciliation in Mali include the signatories' lack of political will to make necessary compromises, low capacity and resources, and growing instability in Mali's north and center. I understand that the United States continues to play a very strong role in supporting the full implementation of the Algiers Accord for Peace and Reconciliation in Mali. The Embassy in Bamako takes a leading role in the International Mediation group by engaging with the parties to the Accord as well as the international community to resolve disagreements as they arise. The United States also works closely with regional and international partners to push for rapid and full implementation of the agreement. We have provided \$1.15 billion in U.N. assessed contributions to MINUSMA and over \$200 million in bilateral logistical support, training, and equipment to several countries providing troop contingents to MINUSMA since its inception. Furthermore, we continue to look for ways to reform and strengthen Mali's security forces to facilitate the reestablishment of state presence in ungoverned areas. Additionally, USAID governance programs have worked with the Ministries of Justice and Decentralization to develop GOM work plans that operationalize the steps involved in implementation of the accord. If confirmed, I will continue these robust efforts with a particular focus on pushing the parties to fulfill the measures called for by the U.N. Security Council in resolution 2423 regarding decentralization; disarmament, demobilization, and reintegration; and development.

**Question 8.** Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to Mali?

**Answer.** Yes. If confirmed I will look forward to fully briefing Members of Congress and/or their staff when I am in Washington for visits or consultations.

**Question 9.** What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** I have always viewed the promotion of human rights and democracy as an integral component of American diplomacy. Real development and security cannot be achieved if they are not accompanied by respect for human rights and a democratic process that respects the will of the people.

In my current assignment as Ambassador to the Republic of Guinea, I have devoted a substantial amount of my time to the support of Guinea's young democratic process. Throughout 2017 and 2018, I harnessed Mission resources to help unblock the political blockages leading to Guinea's first local elections since establishing a democratic system in 2010, personally leading "Election Roadshows" to all of Guinea's regional capitals with senior members of the ruling coalition and opposition party. These efforts raised public confidence in the political process, fostered better

personal relations between political rivals, and, ultimately, resulted in largely successful elections in February 2018. Those local elections have set the preconditions for national legislative elections in 2019 and a presidential election in 2020.

As Deputy Chief of Mission in Khartoum, Sudan, I played a coordinating role in ensuring the successful completion of the Referendum on South Sudanese Independence in the northern parts of Sudan. Through daily meetings between State and USAID personnel working on the Referendum, and through contacts with partners and Sudanese Government officials, I was able to address small problems before they became big ones. The Referendum allowed the citizens of South Sudan to achieve their long-sought self-determination.

As Deputy Chief of Mission in Nouakchott, Mauritania, I led efforts to counter the 2008 coup. Serving as Chargé d’Affaires through most of the year following the coup, I played a very public role in denouncing the military seizure of power. My efforts focused on ensuring Mauritania could hold free and fair elections that were based on the rights of citizens to vote and take part in the conduct of public affairs. The Africa Bureau nominated me as a State Department “Champion of Democracy” for my efforts.

*Question 10.* What issues are the most pressing challenges to democracy or democratic development in Mali? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. While the recent presidential elections were a demonstration by the Malian voters of their commitment to democratic values, democracy in Mali is still developing. ECOWAS found these elections “acceptable” despite some irregularities and some limited violence in less-governed areas. Some of the challenges to Mali’s democracy include the growing insecurity in Mali’s north and center, transportation problems over vast and sparsely populated territory, and low capacity and resources. Prior to the recent presidential election, the Government of Mali used powers from the ongoing state of emergency to deny a permit for a June 2, 2018 protest and then cracked down on peaceful marchers. More than 30 peaceful protesters, including presidential candidates, were injured during the violence. Following that incident, however, the Government allowed about a dozen opposition protests to take place throughout the election period, all of which proceeded without incident. The United States was also concerned by reports that the Government disrupted the internet in the election period, closed a radio station because of a controversial program it aired, and arrested opposition campaign workers.

*Question 11.* What steps will you take—if confirmed—to support democracy in Mali? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will work to ensure that Mali has free, fair, and transparent elections, and the rights of free speech, assembly, and the press are protected to encourage a healthy democratic dialogue. This includes not only programmatic assistance supporting elections and a strong civil society, but also the use of all the tools in our diplomacy toolkit to advance democratic values. I would make it clear that we expect open, unfettered public political discourse and credible democratic processes. While Mali suffers from very low capacity, large geographical challenges, and increasing instability, Mali must provide the opportunity for all Malians to engage in democratic expression, especially women and people from marginalized communities.

*Question 12.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will continue the United States’ strong commitment to support democracy, human rights, and good governance in Mali. This includes supporting elections, working to address corruption that fuels instability and inhibits economic development, and reforming the security sector. I will continue to fully support international exchange visitors from Mali for a variety of programs including those focused on countering violent extremism, supporting entrepreneurship, and improving economic opportunities for U.S. businesses in Mali such as in the solar sector and others. USAID is supporting a two-year \$6 million project to promote women in public policy; establish a code of conduct for political parties; improve media coverage of the electoral process; strengthen civil society organizations; and advance effective voter education and voter mobilization strategies. It also has programs supporting public accountability, rule of law, access to justice, and

strengthening civil society. We support a \$1 million program to strengthen community resilience to violent extremism through more inclusive responses to security concerns by increasing mutual trust and cooperation between security services and citizens.

*Question 13.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Mali? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to meet with human rights and other non-governmental organizations in the United States and with local human rights NGOs, and other members of civil society in Mali to ensure that human rights for all Malian are respected. I understand that our Embassy in Bamako is in close touch with NGOs that monitor the human rights situation in Mali. If confirmed, I would work to ensure local and international NGOs are able to report on troubling situations and demand that the Government conduct credible investigations, improve both civilian and military judicial processes, and hold accountable those responsible for human rights abuses and violations.

*Question 14.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will commit to meet with democratically oriented political opposition figures and parties. I would also advocate for access and inclusivity for women, minorities, and youth within political parties. We have seen encouraging signs, as President Keita's most recent cabinet has met the 30 percent legal mandate for the inclusion of women. This is a first step but there much work remains, especially with regard to the inclusion for the growing youth population. I would call for meaningful efforts to allow younger people to express freely their political opinions, register, and vote; for women to play a much greater role in elections, political affairs, and the peace process; and for the inclusion of voices from marginalized groups.

*Question 15.* Will you and your embassy team actively engage with Mali on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Mali?

Answer. If confirmed, I will actively engage with Mali on freedom of the press and address any government efforts designed to control or undermine press freedom. I would also commit to meeting regularly with independent, local press in Mali.

*Question 16.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will be vigilant in monitoring disinformation and propaganda disseminated by foreign state or non-state actors and will actively engage all appropriate actors if such problems come to light.

*Question 17.* Will you and your embassy teams actively engage with Mali on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will actively engage with Mali on the right of labor groups to organize, including for independent trade unions. I understand that Mali does have active, independent labor unions, especially in the public sector, as demonstrated by the currently ongoing Magistrates Union strike.

*Question 18.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Mali, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Mali? What specifically will you commit to do to help LGBTI people in Mali?

Answer. If confirmed, I will commit to using my position to defend the human rights and dignity of all people in Mali, no matter their sexual orientation, gender identity, or transgender status. While I understand that homosexuality in Mali is not per se illegal, members of the LGBTI population face severe legal and social hurdles. If confirmed, I will stand for the dignity of all people, regardless of sexual orientation, gender or transgender status. I would communicate a strong public mes-

sage that the United States supports human rights, tolerance and respect for everyone, including members of the LGBTI community.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS B. HANKINS BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* In recent years we have seen a breakdown in implementation of Mali's 2015 peace process coupled with "amplified intercommunal violence" in the northern and central parts of the country. However, MINUSMA, France's security operations, and the G5 Sahel force are largely focused on counter-terrorism in the North.

- How can MINUSMA's mandate and the United States' engagement be adapted to the current and evolving security situation in central Mali?

Answer. MINUSMA, as with other peacekeeping missions in the U.N. system, is tasked with supporting a peace process. MINUSMA's core focus is supporting the signatories' implementation of the Algiers Accord for Peace and Reconciliation in Mali. That peace agreement focuses on the conflict in the north and certain armed groups' desire for greater autonomy. MINUSMA is not a counterterrorism force. However, full and rapid implementation of the Accord will address many of the grievances and instability that drive the conflict in the center and would allow the Government of Mali to address violent extremism and inter-communal violence. For this year's mandate, the U.S. worked to place specific benchmarks within UNSC resolution 2423 (2018) to apply more pressure on the signatory parties to implement the Accord. Additionally, it provided the Force Commander more flexibility to move forces into the center of the country. We will continue to closely monitor and assess the implementation of and progress on the benchmarks to determine how to best adapt next year's mandate to bring peace and stability throughout all of Mali.

*Question 2.* What in your opinion is the appropriate political mechanism that might lead to peaceful settlement in central Mali?

Answer. The establishment of a positive state presence in Mali's center will be critical to promoting greater stability, decreased conflict, and greater respect for human rights. Lack of government resources, trustworthy security services, development, protection of human rights, and opportunities for the growing youth population all contribute to the growing instability. All people in Mali should have security, justice, protection of human rights, and meaningful economic opportunities. Long-term resolution will require improved trust of security forces, accountability, and development in the center.

*Question 3.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have always viewed the promotion of human rights and democracy as an integral component of American diplomacy. Real development and security cannot be achieved if they are not accompanied by respect for human rights and a democratic process that respects the will of the people.

In my current assignment as Ambassador to the Republic of Guinea, I have devoted a substantial amount of my time to the support of Guinea's young democratic process. Throughout 2017 and 2018, I harnessed Mission resources to help unlock the political blockages leading to Guinea's first local elections since establishing a democratic system in 2010, personally leading "Election Roadshows" to all of Guinea's regional capitals with senior members of the ruling coalition and opposition party. These efforts raised public confidence in the political process, fostered better personal relations between political rivals, and, ultimately, resulted in largely successful elections in February 2018. Those local elections have set the preconditions for national legislative elections in 2019 and a presidential election in 2020.

As Deputy Chief of Mission in Khartoum, Sudan, I played a coordinating role in ensuring the successful completion of the Referendum on South Sudanese Independence in the northern parts of Sudan. Through daily meetings between State and USAID personnel working on the Referendum, and through contacts with partners and Sudanese Government officials, I was able to address small problems before they became big ones. The Referendum allowed the citizens of South Sudan to achieve their long-sought self-determination.

As Deputy Chief of Mission in Nouakchott, Mauritania, I led efforts to counter the 2008 coup. Serving as Chargé d'Affaires through most of the year following the coup, I played a very public role in denouncing the military seizure of power. My efforts focused on ensuring Mauritania could hold free and fair elections that were

based on the rights of citizens to vote and take part in the conduct of public affairs. The Africa Bureau nominated me as a State Department “Champion of Democracy” for my efforts.

*Question 4.* What are the most pressing human rights issues in Mali? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Mali? What do you hope to accomplish through these actions?

Answer. Mali faces many serious human rights issues. There is ineffective civilian control over security forces and a lack of accountability for numerous allegations of serious human rights violations and abuses by security forces, non-state armed groups, and terrorists. Security forces have reportedly committed extrajudicial killings; effected disappearances; and engaged in torture and other cruel, inhuman, or degrading treatment or punishment. Armed groups have committed significant human rights abuses, including summary executions, torture, and unlawful use of child soldiers. Violent extremist groups commit frequent human rights abuses and continue to kill civilians and military forces including peacekeepers with impunity. Over the past year, the Government of Mali (GOM) has increased restrictions on freedoms of association and expression, including for the press. The GOM also disrupted access to the Internet and social media surrounding the recent presidential elections. Trafficking in persons and exploitative labor, including child labor, continue to be concerns.

If confirmed, I intend to draw on my experience throughout my career in addressing human rights and democracy issues and, working together with international partners and civil society, press the Government to improve human rights and democratic conditions in Mali. Our Embassy in Bamako remains very engaged on these extremely important issues. I will focus on addressing corruption; reforming security institutions and strengthening civilian oversight; calling for credible investigations into human rights allegations; pressing for accountability; and working for free expression and free, fair, transparent and peaceful elections. If confirmed, I will strengthen efforts already in place and will look for any additional opportunities to promote human rights and democracy in Mali.

*Question 5.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Mali in advancing human rights, civil society and democracy in general?

Answer. In Mali, obstacles to addressing these specific human rights issues include corruption, lack of resources, weak institutional capacity within the Government, and insufficient civilian control over security forces.

One important factor in advancing human rights, civil society, and democracy in Mali is a shift in the culture of corruption and impunity that currently prevails. Many Malians have low expectations for their government. Many officials engage in corruption and lack a commitment to public service. Changing minds will not be easy or fast, but will be necessary to address the root causes of many of Mali's problems.

*Question 6.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Mali? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I will commit to meeting with human rights, civil society and other non-governmental organizations in the United States and with local human rights NGOs in Mali.

Additionally, if confirmed, I will work to ensure that U.S. security assistance is provided consistent with the Leahy Law and that our security cooperation activities reinforce human rights. If confirmed, I will ensure that our vetting continues to be comprehensive, thorough, and in full compliance with the Leahy Law, and that those who violate human rights are restricted from receiving any assistance until the GOM takes effective steps to bring the responsible members of the security forces unit to justice. I will strongly urge the GOM to hold those responsible for human rights violations and abuses accountable for their actions.

*Question 7.* Will you and your embassy team actively engage with Guinea to address cases of key political prisoners or persons otherwise unjustly targeted by Guinea?

Answer. If confirmed, I will actively engage with Mali to address cases of key prisoners of conscience or persons otherwise unjustly targeted by Mali.

*Question 8.* Will you engage with Mali on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will engage with Mali on matters of human rights, including civil rights and governance, as part of my role leading U.S. Embassy Bamako.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Mali?

Answer. Neither I, nor my spouse nor our dependent children are invested in companies that have a presence in Mali. I am committed to ensuring that my official actions will not give rise to a conflict of interest.

*Question 12.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will help ensure that all staff understand the importance of full compliance with Equal Employment Opportunity (EEO) principles and that we have well-trained and active EEO counselors who conduct EEO trainings and carry out activities which highlight the importance of promoting inclusion and diversity for American and local employees alike. As part of routine mentoring, I will encourage staff from diverse backgrounds and underrepresented groups to seek out resources and advice on performance and career planning, make sure that they are aware of Employee Affinity Groups within the State Department, and make clear my support for participation in employee organizations at post.

*Question 13.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will make clear that the EEO language in an employee's work requirements will be considered an integral part of successful job performance. I will regularly seek feedback from employees on their perceptions of their workplace environment and correct issues which detract from an inclusive workplace. I will recognize those employees who demonstrate exceptional EEO leadership.

*Question 14.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Mali specifically?

Answer. Corruption has a strong negative impact on democratic governance and the rule of law. Corruption is an obstacle for foreign investment and economic development in Mali. It plays a role in facilitating trafficking and terrorist financing. It interferes with the delivery of state services such that many Malians have severely diminished expectations for the role of the state. This makes it easier for violent extremist groups to fill the void by providing quasi-state services. Public perceptions of corruption and dissatisfaction with the state are factors driving recruitment by violent extremists. Corruption in all sectors of the administration is widespread, and the lack of accountability exacerbates the problem.

*Question 15.* What is your assessment of corruption trends in Mali and efforts to address and reduce it by that government?

Answer. Corruption is a chronic problem in Mali, and radical changes are unlikely to occur overnight. Malian law provides criminal penalties for corruption by officials, but the Government has not implemented the law effectively, and officials frequently engage in corrupt practices with impunity. To improve governance and accountability, President Keita has advocated for a "cour de comptes" (special public financial oversight entity akin to the U.S. Government Accountability Office), noting that Mali is the only country in ECOWAS that does not have one. Mali already has a Central Office for Combating Illicit Enrichment (OCLEI), which does not appear to have made a significant impact on the problem.

*Question 16.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Mali?

Answer. The United States is working to address the entrenched problem of corruption in Mali and, if confirmed, I will be a strong advocate for good governance and anti-corruption efforts. I will continue and strengthen our programming in these areas. Our assistance works to improve civil society's capacity for oversight functions, and strengthen Malian Government institutions to reduce administrative corruption in the justice sector and at the sub-national level. Our Mali Justice Project works to increase the Ministry of Justice's institutional capacity, to promote good governance and anti-corruption efforts. Our Sub-National Governance Program works to generate responsive, accountable service delivery. Our Civic Engagement Program aims to promote effective civic engagement for improved public accountability. In the security sector, the Security Governance Initiative focuses on fiscal and human resource management in an effort to reduce corruption and promote effective service delivery. I will support all these efforts, if confirmed.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS B. HANKINS BY SENATOR CORY A. BOOKER

*Question 1.* The U.N. Security Council in June gave the parties to the 2015 peace agreement six months to implement the 2015 peace roadmap. The text calls for the beginning of the Disarmament, Demobilization and Reintegration (DDR) process, which sets a basis for demobilizing or integrating fighters into the Malian army or police. So far, progress has been disappointing.

- What can be done to more quickly bring into force the faltering peace accords with rebels as Islamist militants keep up actions to destabilize Mali and the region?

Answer. The peace process appeared to lose momentum during the recent presidential elections, but there is now an opportunity to reinvigorate the peace process. The United States works closely with regional and international partners to push for rapid and full implementation of the Algiers Accord for Peace and Reconciliation in Mali. Our Embassy in Bamako is particularly active as an observer to the International Mediation.

If confirmed, I will continue the United States' robust efforts to encourage the parties to fulfill the measures called for by the U.N. Security Council in resolution 2423. That resolution urges the parties to take action on: decentralization of state services, setting up interim authorities in northern Mali, integration of at least 1,000 members of signatory armed groups into Malian security forces, joint patrols by mixed units from the signatory parties, establishment of the Northern Development Zone, and meaningful participation of women in implementation of the peace process. These actions not only start the process of reconciliation in the north, they also will provide greater stability, facilitating efforts to address the growing terrorist threats in the country.

*Question 2.* The United Nations has deployed a peacekeeping mission of roughly 12,000 troops in Mali while the French, Americans, British and others have also sent troops or military support, and countries in the region have deployed a 5,000-man support force. But the solutions to Mali's problems cannot be solved with guns—they depend on inclusive, fair and transparent governance. Unfortunately, the governance problems in the north also exist throughout the country, providing opportunities for extremists to expand their influence.

- The 2015 peace agreement provided for some degree of autonomy in the North. Should we be supporting decentralization efforts in the rest of the country? If so, how?
- How can we help the Malians address governance challenges throughout the country so that grievances elsewhere don't fuel conflict?

Answer. The Algiers Accord for Peace and Reconciliation in Mali, while focusing on the conflict in Mali's north, calls for regulatory, legislative, and constitutional measures to decentralize power to all regions in the country. Measures include the establishment of elected regional assemblies, elected local councils and mayors, and a second chamber of Parliament. The United States supports the Algiers Accord, particularly provisions giving greater power to people at the regional and local levels and helping establish positive state presence throughout the country.

Poor governance is a critical factor in driving much of the conflict in Mali and remains an obstacle for economic development. Our democracy, human rights, and

governance activities in Mali improve civil society's capacity for oversight functions and strengthen Malian Government systems to reduce administrative corruption in the justice and public finance sectors. The United States also focuses on reforming governance in the security sector through the Security Governance Initiative. While there are no easy solutions, if confirmed, I will continue these efforts.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS WALTER HEARNE BY SENATOR ROBERT MENENDEZ**

*Question 1.* Mozambique has set general elections for October 2019: What will be the biggest challenge to the administration of elections? As it stands, are political conditions conducive to credible elections? What program and activities is the United States engaged in in the areas of democracy and human rights in Mozambique, and which of those activities is aimed specifically at supporting credible elections? What specific actions will you take, if confirmed, to support credible elections in Mozambique?

Answer. Both the nationwide municipal elections in October 2018 and the general elections in October 2019 will be the first held within the framework of the decentralization reforms agreed to as part of the peace process between the ruling and main opposition parties. In 2019, voters will for the first time ever elect—through a party list system—provincial governors, who were previously appointed by the president. It will also be the first general election since the August 2018 agreement governing the disarmament, demobilization, and reintegration of Renamo combatants went into effect.

As a result, the importance of free, fair, and credible elections that all parties can accept will be higher than ever, and international and domestic observers will be watching them closely, which should encourage transparency. The U.S. Government provides development assistance to strengthen democracy, human rights, and governance through a variety of activities and programs to attain an inclusive and transparent government accountable to its constitution and its citizens and to support civil society's engagement in electoral transparency and related issues. Some projects support activities to increase women's participation in electoral processes and train stakeholders on conflict resolution and mitigation of electoral violence. If confirmed, I would expect to mount a major U.S. Embassy election observation effort in coordination with other foreign missions for the general election in 2019, as the embassy is doing for the 2018 municipal elections. I would also continue the embassy's regular engagement with Mozambique's National Elections Commission, political parties, and election-related civil society organizations, who are working hard to increase transparency and efficiency in the electoral system.

*Question 2.* Little is known about the origins and aims of the terrorist group known as Ansar al Sunna: How large is the group, and what motives drive recruitment? Are members all of Mozambican origin? Are there any links to major transnational terrorist groups? What should the U.S. be doing to help enhance the capability of national security forces to prevent and respond to attacks by the group and to prosecute members of the group? What types of countering violent extremism programs and activities are the State Department and USAID undertaking in Mozambique? If confirmed, what actions will you take as Ambassador to help Mozambique's efforts to counter the growing terrorist threat?

Answer. If confirmed, I will work to prioritize assistance to help Mozambique counter this growing threat. The United States has been engaged on this issue since the first attacks in October 2017, carried out by primarily homegrown Islamic extremists. Growing access to the internet among impoverished, disenfranchised youth is facilitating self-radicalization, while Mozambican law enforcement remains ill-equipped to deal with the complex challenges of extremism. Some foreigners have been arrested in conjunction with the attacks. We are closely monitoring reports that the group may have links to international terrorist organizations. The pace, scale, and geographic reach of the attacks suggest the group numbers no more than a few hundred members.

Two interagency teams have traveled to post to date to conduct assessments and develop specific U.S. Government programming recommendations to assist the Mozambican Government. At the request of the Mozambican Government, the United States increased Mozambique's participation in regional counter-terrorism initiatives and training and added Mozambique as a member of the Partnership for Regional East Africa Counterterrorism. The United States has also initiated support to civil society organizations seeking to address the root causes of extremism among

young people and to improve dialogue with local government and security forces. If confirmed, I will use all appropriate and available U.S. Government resources to help our Mozambican partners better understand and counter this threat.

*Question 3.* The 2018 State Department Trafficking in Persons Report classifies Mozambique as Tier Two: What activities and programs does the U.S. Government engage in aimed at building the capacity of the labor inspectorate and the Women and Children's Victim Assistance Units to investigate trafficking cases? What support have we provided to train officials to investigate and prosecute those facilitating child sex trafficking or adult forced prostitution? If confirmed, what specific actions will you recommend we support to help Mozambique improve its efforts to stop trafficking in persons?

Answer. If confirmed, I will fully support efforts to build the capacity of the Mozambican Government to monitor and combat trafficking in persons (TIP). The Government of the Republic of Mozambique improved the management of human trafficking cases in 2017, resulting in its removal from the Department of State's TIP Watchlist, which it had been on for two consecutive years. The U.S. Embassy in Maputo engages regularly with the Attorney General, who serves as the key focal point and coordinator on trafficking issues, and Mozambique is close to approving a long-awaited National Action Plan and the National Referral Mechanism for countering human trafficking. The embassy recently sent two Mozambican prosecutors to the United States for an American Bar Association Rule of Law Institute exchange on anti-TIP issues, resulting in action plans for improving investigation and prosecution of all child trafficking crimes, and the embassy will send another prosecutor to the United States on a TIP-related International Visitors Leadership Program next year.

A two-year program funded by the Department of State aimed at building the capacity of provincial-level coordinating bodies to combat TIP resulted in improved capacity of immigration officials to identify TIP victims and the upgrading of three shelters for unaccompanied minors turned back at Mozambique's borders or repatriated, mostly from South Africa. The Department of State will also invite Mozambican Government officials to participate in a Human Trafficking and Child Exploitation Course at the International Law Enforcement Academy in Gaborone, Botswana. If confirmed, I will encourage Mozambique's continued participation in such training and other initiatives to help Mozambique continue its efforts to stop trafficking in persons.

*Question 4.* In 2016, the Government of Mozambique reported over \$2 billion in off-budget state borrowing to the International Monetary Fund (IMF), breaching the Government's obligations under the IMF's concessional lending program. The loans were partly derived from bonds issued by Russian banks, and were kept secret on national security grounds. Though the World Bank demanded an audit, the Government restricted the auditor's access to data related to the loans. The audit found that about 10 percent of the loans went to bank and other fees, but could not fully document disposition of the funds:

- Do the IMF and World Bank believe there is undisclosed debt in addition to the \$2 billion reported in 2016? Are we aware of any debt the Government might owe to China? If so, what is the amount of debt owed? If confirmed, what steps will you recommend we take working through the IMF and World Bank to ensure that Mozambique is transparent about the amount of debt it owes to other creditors and other countries?

Answer. We have seen no indication to date of additional undisclosed debt, but we are obviously watching the situation closely and in regular contact with the relevant authorities. We have seen unofficial reports that Mozambique may owe the Chinese up to \$2 billion, primarily for Chinese-financed infrastructure projects, including a \$725 million bridge in Maputo, roads, airports, and other projects, but China (or Chinese banks) was not among the lenders in the \$2 billion illicit debt scandal. The United States has supported IMF demands for additional information and for reform and further transparency in the wake of the hidden debt scandal, and, if confirmed, I will continue with this policy and encourage all other major donors to do the same.

The United States consistently highlights to Mozambican officials the hazards of taking on unsustainable levels of debt, including debt acquired through Chinese-financed projects, and I would continue highlighting this issue, if confirmed.

*Question 5.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to Mozambique?

Answer. Yes. If confirmed, I would look forward to briefing members of Congress and/or their staff when I am in Washington for official consultations during my tenure as Ambassador to Mozambique.

*Question 6.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have worked to promote democracy and human rights throughout my 33-year Foreign Service career, and I will continue to do so as Ambassador, if confirmed. While serving in the Balkans during the war in the early 1990s, I helped establish and operate the Bosnian refugee program for the United States, which eventually resettled in safety over 130,000 victims of war crimes, ethnic cleansing, and persecution. I established and operated other corollary programs for medical and humanitarian evacuation and rescue of Bosniaks and Croatians from war zones. During the war, I reported on major human rights issues, notably in the aftermath of Operation Storm, the major Croatian operation into the Serb Krajina. After the war, I worked for two years with the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague. At the ICTY, I participated directly in the investigations and preparation of indictments for multiple war crimes suspects. Moreover, I helped establish and then was the principal operational liaison for a dedicated special operations activity, which forcibly detained in former Yugoslavia and transferred to The Hague for trial dozens of persons indicted for war crimes.

In Afghanistan, at both the combat level while serving as an advisor with U.S. airborne infantry units in the eastern provinces, and later on the senior policy level as Deputy Chief of Mission, I persistently emphasized the necessity of genuine democratic progress, improved governance and respect for human rights in all aspects of our national effort and strategy.

*Question 7.* What issues are the most pressing challenges to democracy or democratic development in Mozambique? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Strengthening democratic governance is essential to building a more peaceful and prosperous Mozambique. Mozambique's post-civil war democratic development was hampered by episodic armed conflict between the Frelimo-led Government and the main opposition party Renamo for more than two decades. A recently concluded peace agreement that foresees the demilitarization of Mozambique's main opposition party and a decentralization process creating elected local, district, and provincial governments provides a unique opportunity for the United States to help Mozambique consolidate its democracy and achieve durable peace.

If confirmed, promoting democracy and respect for human rights will be among my highest priorities as Ambassador. I commit to continuing the work of my predecessor and his team to support the peace process and advocate for political inclusion and the rule of law for long-term peace and stability in Mozambique.

*Question 8.* What steps will you take—if confirmed—to support democracy in Mozambique? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The recently achieved peace agreement presents a particularly significant opportunity for U.S. engagement to support democracy in Mozambique. Sustained U.S. support in strengthening democratic norms, processes, and institutions as the country pursues decentralization and in implementing the demilitarization, demobilization, and reintegration process envisioned for the country's peace agreement will be critical to overcoming decades of political conflict and ensuring a durable peace.

Continuing my predecessor's strong support for the peace process will be among my highest priorities, if confirmed. Supporting the two tracks (decentralization and demilitarization) of the nascent and fragile peace agreement, particularly as it weathers the critical test of national elections (president, legislative, and provincial) in October 2019 will unquestionably be a major challenge not just for the United States but for all of Mozambique's international partners. If confirmed, I will fully support these and other efforts to ensure a democratic, peaceful, and prosperous Mozambique.

*Question 9.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Strengthening democracy and governance is essential to building a more peaceful and prosperous Mozambique. Mozambique's post-war economic gains have

not been evenly distributed, thus extreme poverty remains pervasive. Political inclusion, respect for human rights, and the rule of law remain weak, undermining the country's long-term prospects for peace and stability. The continued convergence between the state and the ruling party has constrained democratic debate and led to endemic corruption at all levels of government. Local civilian capacity to press for reforms will require continued donor technical assistance and funding.

If confirmed, I would work with the embassy team, using a whole-of-government approach, to promote accountable, transparent, and effective democratic governance across all sectors. I will ensure the effective and efficient use of State Department and USAID resources to strengthen democracy, human rights, and governance through activities that educate magistrates and justice officials on anti-corruption laws, train journalists, improve the organizational capacities of civil society to hold their government accountable, encourage greater political participation among women and youth, and aid election observation efforts. I would also utilize the full arsenal of public diplomacy tools, including the strategic use of speaker and grant programs, to support democracy, transparency, and good governance.

*Question 10.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Mozambique? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, I will as I have throughout my career. If confirmed, I will urge the Mozambican Government to increase political space for all stakeholders and seek ways to strengthen judicial independence. I will also work to increase capacity to uphold Mozambique's constitution and laws, which provide for an independent and impartial judiciary and enshrine certain rights and freedoms. I will also continue the mission's work to provide institutional and individual support for democratic rights through civil society and human rights organizations that advocate for legal and regulatory reforms.

*Question 11.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes. If confirmed, I commit to meet with democratically oriented political opposition figures and parties and will advocate for access and inclusivity for women, minorities, and youth in the political process. I would seek to continue the efforts of our current Ambassador in Mozambique and his team, which include regularly meeting with women and youth leaders to discuss political, economic, social, and health issues. I would also continue embassy efforts that focus on women's political, economic, and social participation. These include entrepreneurship and mentoring programs and support to local NGOs to promote increased female political participation, change the stereotypes and cultural norms that negatively affect women in society, and promote legislation to prevent and combat violence against women.

If confirmed, I would lead embassy efforts to support the decentralization piece of the peace agreement with programming aimed at the efficient functioning of the newly decentralized provincial and local governments, which could serve as an important element in ensuring democratic development and increased political competition.

*Question 12.* Will you and your embassy team actively engage with Mozambique on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Mozambique?

Answer. Yes, if confirmed, my embassy team and I will actively engage on a regular basis with government-owned and independent media, promote freedom of the press, and address any attempts to undermine or limit press freedom or control media content. I will also commit to use all methods at our disposal to build professional capacity within media institutions. Mozambique currently has a number of independent print and electronic media outlets, which regularly carry reporting and editorials that could be viewed as critical of the Government, government officials, and the ruling part on a host of issues without reprisal.

Despite many positive developments, I remain concerned that those responsible for murders or physical attacks on prominent journalists and political commentators have not been identified and brought to justice. Allowing those responsible for such high-profile crimes to escape with impunity will have a negative impact on press freedom in Mozambique. If confirmed, I will advocate for an end to violence against

journalists, and would hope to work closely with the Mozambican Government to urge successful investigations and prosecutions in these outstanding cases and to ensure that press freedom is respected.

*Question 13.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. Misinformation and disinformation challenges have arisen in Mozambique. If confirmed, I will continue our mission's support for digital and information security and work with government and civil society partners to respond promptly in correcting the record when necessary.

*Question 14.* Will you and your embassy teams actively engage with Mozambique on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, if confirmed, we will actively engage on the right of labor groups to organize, and meet with trade union leaders on a regular basis. It is my understanding that the Mozambican constitution and laws provide for freedom of peaceful assembly and association and for workers, with limited exceptions, to form and join independent trade unions, conduct legal strikes, and bargain collectively, and these rights are generally respected. This is important as labor unions have historically played a key role in advocating for broader fundamental human rights in addition to worker rights in Mozambique and in other countries.

*Question 15.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Mozambique, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Mozambique? What specifically will you commit to do to help LGBTI people in Mozambique?

Answer. Yes. I commit to using my position, if confirmed, to defend the human rights and dignity of all people in Mozambique, regardless of their sexual orientation or gender identity. In Mozambique, there is societal discrimination based on sexual orientation and gender identity. Antidiscrimination laws in Mozambique protect LGBTI persons only from employment discrimination. No hate-crime laws or other criminal justice mechanisms exist to aid in the prosecution of bias-motivated crimes against LGBTI persons. Since 2008, the Government has failed to take action on Mozambique's only LGBTI civil society organization, LAMBDA's, request to register locally. Discrimination in public medical facilities has been reported. Medical staff sometimes chastise LGBTI individuals for their sexual orientation when they seek treatment.

If confirmed, I will promote the rights of LGBTI persons and all people of Mozambique, and will continue to report on developments on this issue in post's annual human rights report.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS WALTER HEARNE BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have worked to promote democracy and human rights throughout my 33-year Foreign Service career, and I will continue to do so as Ambassador, if confirmed. While serving in the Balkans during the war in the early 1990s, I helped establish and operate the Bosnian refugee program for the United States, which eventually resettled in safety over 130,000 victims of war crimes, ethnic cleansing, and persecution. I established and operated other corollary programs for medical and humanitarian evacuation and rescue of Bosnians and Croatians from war zones. During the war, I reported on major human rights issues, notably in the aftermath of Operation Storm, the major Croatian operation into the Serb Krajina. After the war, I worked for two years with the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague. At the ICTY, I participated directly in the investigations and preparation of indictments for multiple war crimes suspects. Moreover, I helped establish and then was the principal operational liaison for a dedicated special operations activity, which forcibly detained in former Yugoslavia and transferred to The Hague for trial dozens of persons indicted for war crimes.

In Afghanistan, at both the combat level while serving as an advisor with U.S. airborne infantry units in the eastern provinces, and later on the senior policy level as Deputy Chief of Mission, I persistently emphasized the necessity of genuine

democratic progress, improved governance and respect for human rights in all aspects of our national effort and strategy.

*Question 2.* What are the most pressing human rights issues in Mozambique? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Mozambique? What do you hope to accomplish through these actions?

Answer. The two most pressing human rights concerns in Mozambique are arbitrary arrest and detention and the lack of investigative follow-up on unresolved crimes against prominent opposition politicians, their supporters, and journalists, which calls into question police commitment to solving politically motivated crimes. I understand the Attorney General's Office in Mozambique has taken steps to review cases of arbitrary arrest and detention, which has led to the release of some who were detained contrary to existing law and procedures, but not all cases have been resolved.

The Government and police leadership have publicly expressed commitment to thorough investigations in many of the unresolved cases of crimes against prominent opposition politicians, their supporters, and journalists. However, these commitments have not yet resulted in identification, arrest, or prosecution of those responsible.

Specifically, if confirmed, I hope to work closely with the Mozambican Government and civil society to urge thorough and successful investigations and prosecutions in the outstanding cases against prominent opposition politicians, their supporters, and journalists.

More generally, if confirmed, I would work with the embassy team, using a whole-of-government approach, to promote accountable, transparent, and effective democratic governance across all sectors to build a more peaceful and prosperous Mozambique. This would include utilizing the full arsenal of public diplomacy tools, including the strategic use of speaker and grant programs, to support democracy, human rights, transparency, and good governance.

If confirmed, I will advocate for an end to violence against journalists and work closely with the Mozambican Government toward successful investigations and prosecutions in the outstanding cases of murders or physical attacks on prominent journalists and political commentators. Those responsible for these high-profile crimes should not be permitted to escape with impunity, as this has a negative impact on press freedom and basic human rights.

More broadly, if confirmed, I will ensure the effective use of U.S. Government resources to strengthen democracy, human rights, and governance through activities that educate magistrates and justice officials on anti-corruption laws, train journalists, improve the organizational capacities of civil society to hold the Government accountable, encourage greater political participation among women and youth, and aid election observation efforts.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Mozambique in advancing human rights, civil society and democracy in general?

Answer. While the Government has taken steps to investigate, prosecute, and punish some individuals who have committed abuses, impunity remains a problem at all levels. Many crimes against prominent opposition politicians, supporters, and journalists remain unsolved, which calls into question local authorities' commitment to seek justice in these cases. A shortage of prosecutors, judges, and other legal professionals also exists, and some civil society groups assert that the executive branch exerts influence on the understaffed and inadequately trained judiciary.

If confirmed, I would hope to work closely with the Mozambican Government to promote the rule of law and respect for human rights, and urge thorough and successful investigations and prosecutions in outstanding cases.

Political inclusion, respect for human rights, and the rule of law remain weak, undermining the country's long-term prospects for peace and stability. The continued convergence between the state and the ruling party has constrained democratic debate and led to endemic corruption at all levels of government. Local civilian capacity to press for reforms will require continued donor technical assistance and funding.

If confirmed, I will work to increase capacity to uphold Mozambique's constitution and laws, which provide for an independent and impartial judiciary and enshrine certain rights and freedoms. I will also continue the mission's work to provide institutional and individual support for democratic rights through civil society and human rights organizations that advocate for legal and regulatory reforms.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Mozambique? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I am committed to engaging with human rights, civil society, and other non-governmental organizations in the United States and in Mozambique, as I have proactively done throughout my career.

If confirmed, I will fully support the Leahy Law and similar efforts and ensure that U.S. security assistance and security cooperation reinforce respect for human rights. I will ensure that my staff do the same.

*Question 5.* Will you and your embassy team actively engage with Mozambique to address cases of key political prisoners or persons otherwise unjustly targeted by Mozambique?

Answer. Yes. The most recent State Department Human Rights Report did not identify any cases of political prisoners or detainees in Mozambique. However, if I am confirmed, my team and I will actively engage with the Government of the Republic of Mozambique to address any cases of political prisoners or others unjustly targeted which may arise in the future. I will continue to advocate for the respect of fundamental human rights and for all persons to receive timely, fair, and equitable access to justice in Mozambique.

*Question 6.* Will you engage with Mozambique on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I also commit to engage with Mozambique on matters of human rights, civil rights, and governance. I would consider this central to my role as the U.S. Ambassador.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Mozambique?

Answer. No. Neither I, nor members of my immediate family have financial interests in Mozambique.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Diversity and inclusion are core principals of the Department of State, and I firmly believe that embracing diversity promotes stronger teams and a workplace culture that values the efforts of all individuals, increases our capabilities and creativity, and enhances the professional experiences of all of our staff. As has been the case throughout my career, if confirmed, I would reaffirm my commitment to recruiting, mentoring, and supporting employees from different backgrounds and experiences, and ensure the strict adherence to equal employment opportunity principles. I consider it a duty and a privilege to position a broad range of officers for success in the profession that has afforded me tremendous opportunities. I would actively promote a diverse, inclusive, and professionally fulfilled workforce at the U.S. Embassy in Maputo.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. As called for in the Department's precepts, I will cultivate an environment that values diversity and respect for equal employment opportunity and merit principles. I will model those behaviors and hold those under my direction to the very highest standards in accordance with Department regulations and the law.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Mozambique specifically?

Answer. Corruption undermines the rule of law, democratic governance, accountability, and sustainable development. It breaches the contract between citizens and public officials and diverts national resources needed to improve the lives of a country's citizens to enrich a few. Corruption erodes the people's confidence in government and its institutions, disrupts the provision of public services, and has a powerful negative effect on foreign investment by destroying investor confidence and impeding productivity, stifling a country's economic growth.

Strengthening democratic governance is essential to building a more peaceful and prosperous Mozambique. With the promise of significant government revenues in the next five to ten years flowing from Mozambique's vast natural gas reserves, the United States has a unique opportunity to support good governance, strong and independent institutions, and a robust civil society to ensure that resource-derived revenues are used for the public good rather than the betterment of a few. Additionally, with a new peace agreement in place and demilitarization underway, increased focus on political inclusion and the rule of law will be essential to long-term peace and stability. If confirmed, these will be among my highest priorities.

*Question 13.* What is your assessment of corruption trends in Mozambique and efforts to address and reduce it by that government?

Answer. Corruption is a serious and pervasive issue in Mozambique. Systemic weaknesses in transparency and accountability have facilitated corruption and need to be addressed, particularly before the arrival of government revenues from Mozambique's vast natural gas reserves. Building government systems and civil society capacity to enable necessary reforms will require continued development partner technical assistance and funding.

Mozambique's President Filipe Nyusi recently launched an anti-corruption campaign, and the Mozambican Government continues reform discussions with the International Monetary Fund. Both provide avenues through which the United States can productively engage on government transparency and accountability.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Mozambique?

Answer. If I am confirmed, promoting transparency and strengthening national institutions and civil society will be a key part of my work in Mozambique. I would anticipate employing a whole-of-government approach working with Mozambican partners to improve accountable, transparent, and effective governance across all sectors. I would encourage regular inclusion of transparency and accountability themes in our embassy's public outreach efforts and continue the embassy's engagement with civil society and Mozambican Government partners on these critical issues.

Long-term growth and stability depends upon investor confidence and the active participation of the Mozambican Government and public in ensuring the responsible and sustainable use of revenue.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DENNIS WALTER HEARNE BY SENATOR CORY A. BOOKER**

*Question 1.* There has been a long simmering conflict in Mozambique between the socialist FRELIMO ruling party against RENAMO, a guerrilla group first formed as a proxy of the white regime in Rhodesia. Direct talks between President Nyusi and the RENAMO leadership led to an early 2018 deal—albeit one requiring constitutional changes—calling for decentralization reforms. Parliament, however, conditioned passage of implementing legislation on a prospective separate deal on the demobilization and military integration of RENAMO fighters.

- To what extent are the two deals being implemented? What is your view on whether they are likely or not to definitively end the conflict? What further RENAMO-Government talks on other issues, if any, are expected?

Answer. A cessation of hostilities between the FRELIMO-led Government and the main opposition party RENAMO has held since December 2016. This, coupled with the successful conclusion of peace negotiations in August 2018, creates the opportunity for genuine reconciliation in Mozambique. Formal negotiations between the parties have ended, and the process has now advanced to the implementation phase.

As the question highlights, direct talks between President Nyusi and the late RENAMO leader Afonso Dhlakama led to the approval of constitutional amend-

ments in May 2018 aimed at implementing a decentralization agreement, addressing a key RENAMO demand. These amendments open the door to opposition parties being able to govern the provinces and districts in which they earn a majority of votes, and the creation of elected local, district, and provincial governments provides an opportunity to assist Mozambique in consolidating its democracy. The first test of the decentralization agreement will be the October 2018 municipal elections, for which the U.S. Embassy in Maputo will field multiple teams of observers.

In August 2018, the parties concluded an agreement on the second and final element of the peace process—the demilitarization, demobilization, and reintegration (DDR) of RENAMO combatants—offering a real chance at achieving sustainable peace in Mozambique after decades of conflict. Under the terms of the DDR accord, the Government and RENAMO agreed to the integration of a small number of leaders from RENAMO's armed wing into senior leadership positions in the national armed forces and police, followed by the integration of several hundred personnel into both national security institutions and the demobilization and disarmament of the remainder of its forces. A small group of international partners, including the United States, has already responded affirmatively to an invitation by President Nyusi to provide experts to assist with monitoring the implementation of the DDR agreement, which will begin in October.

Supporting the two tracks (decentralization and demilitarization) of the nascent and fragile peace agreement and continuing the exceptional work of my predecessor and his team in this area will be among my highest priorities as Ambassador, if confirmed. Sustained U.S. and international support both for both processes will be critical for long-term peace and stability.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SIMON HENSHAW BY SENATOR ROBERET MENENDEZ

*Question 1.* What is the budget for democracy and governance in Guinea? What activities does it support? What activities are we supporting to help ensure credible legislative elections in 2019? What specific steps will you take, if confirmed as Ambassador, to support credible elections?

Answer. In Fiscal Year 2017, U.S. foreign assistance provided \$3.0 million in support of good governance and political competition activities. These funds will improve citizens' understanding and participation in legal governance reform efforts and the accountability of elected and appointed officials both at the national and local levels. Activities will expand opportunities for citizen involvement and oversight as well as encourage a public dialogue on the importance of transparent political competition in order to rebuild public trust in the Government of Guinea.

The U.S. Embassy in Conakry continues to work with the Government, the ruling coalition, the opposition, and civil society groups to encourage dialogue, respect for the democratic process, and interethnic cooperation during Guinea's ongoing transition to democracy.

If confirmed, I will continue, and where appropriate, expand upon, the consistent and robust engagement we have with all legitimate actors in the run-up to the national legislative elections, notionally scheduled for 2019. This includes support of the Independent National Electoral Commission (CENI) and civil society efforts. We will also have Embassy observers on the ground during the legislative elections and coordinate our efforts with the international community, including but not limited to the Economic Community of West African States, the United Nations, and the European Union.

*Question 2.* In September 2009, security forces allegedly killed at least 150 protesters and raped more than 100 women while suppressing a peaceful protest against the military junta in what became known as the "stadium massacre." In late 2017, a panel of Guinean judges concluded an investigation into the massacre:

Has anyone been held accountable for the so called stadium massacre? Has there been a credible investigation and or prosecution of those responsible for the killing of seven protestors in February of 2017 or the 2016 death of Thiermo Hamidou Diallo? What role should the U.S. play in supporting accountability? What steps will you take, if confirmed, to foster accountability in the security sector?

Answer. Through participation in the Comité de Pilotage, the steering committee responsible for organizing the trial for the 2009 stadium massacre, and continued Embassy outreach, we continue to encourage and work with the Government of Guinea on holding the perpetrators of the 2009 stadium massacre accountable and on the organization of a fair trial. The Department of State has also allocated funds

to assist Guinea with holding the trial. We are working with the United Nations, the European Union, and Guinean victim advocacy groups to help bring those responsible to justice.

We recognize that Guinea has had a long and unfortunate history that has encompassed grievous human rights violations and other atrocities. The current democratically elected government has committed itself to national reconciliation and the improvement of human rights in the country. As part of our support for human rights and national reconciliation, the United States Government has supported numerous training programs for law enforcement in the area of modern police techniques that respect human rights. The Department of State also funds security sector reform advisors in the Ministries of Security and Defense, who help support and implement police accountability and respect for human rights.

If confirmed, I will engage with the Government of Guinea on the need to continue progress in dealing with the tragedies of the past and preventing such abuses in the future. If confirmed, I will also support our Guinean friends in their own efforts to modernize and reform their security and law enforcement services.

*Question 3.* The 2018 Trafficking in Persons Report lists Guinea as Tier Two Watch List. Are there any State Department programs that are aimed at training magistrates and prosecutors in the lower courts on the new articles related to trafficking in the 2016 penal code? What steps will you take to ensure that the Government of Guinea holds complicit officials accountable for crimes related to trafficking? If confirmed, what specific steps can you take as Ambassador to raise public awareness about trafficking, included forced child labor?

*Answer.* While Guinea does not meet the Trafficking Victims Protection Act's Minimum Standards for the Elimination of Trafficking in Persons, the Government of Guinea demonstrated significant efforts in the 2018 TIP reporting period to merit an upgrade to Tier 2 Watch List.

The Office to Monitor and Combat Trafficking in Persons (TIP) and Embassy Conakry are working with U.N. Office on Drugs and Crimes to deliver two five-day training courses for police, border officials, labor inspectors, prosecutors, and magistrates on victim-centered investigation and prosecution of human trafficking cases, with a special focus on the 2016 penal code trafficking articles. If confirmed, I will continue on-going coordination efforts with the TIP office and our international partners on future training opportunities for the Government of Guinea.

During the 2018 Trafficking in Persons Report reporting period, the Government of Guinea prosecuted and convicted 18 individuals in four cases. Of the 18 convicted traffickers, one received a suspended sentence while 17 received non-suspended sentences; eight traffickers received sentences of at least two years' imprisonment. This is an improvement from the 2017 TIP Report reporting period, when only four suspects were charged and three were convicted. Those three all received suspended sentences. Yet despite the progress, law enforcement capacity and victim protection efforts remained low.

If confirmed, I will work to encourage the Government to continue taking action against human trafficking, including through raising awareness and enlisting the support of communities and local government to address this crime.

*Question 4.* Will you commit, if confirmed, to ensuring that you fully brief Members of Congress and/or their staff when you are in Washington for visits or consultations during your tenure as Ambassador to Guinea?

*Answer.* If confirmed, I will fully brief Members of Congress and/or their staff when I am in Washington for official consultations.

*Question 5.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

*Answer.* My work on the El Salvador Desk and then as political officer in El Salvador from 1991 to 1996 supported the end of the war and the establishment of a freely elected government. I worked closely with the political parties formed by the ex-guerrillas, including pushing for investigations of all human rights abuses. In Honduras, as Deputy Chief of Mission from 2008 to 2011, I supported and implemented our policy to reject the coup d'état against the Government and to support free elections to restore democracy. In my first tour in the Philippines, 1985 to 1987, I assisted in organizing and participated in political reporting teams that spread around the country to cover the Marcos/Aquino election. As Principal Deputy Assistant Secretary and then Acting Assistant Secretary for the Bureau of Population, Refugees, and Migration (PRM), I promoted U.S. humanitarian policies worldwide. I was instrumental in pushing several first asylum countries to expand employment and educational opportunities for large refugee populations. I also quickly brought

U.S. resources to bear to respond to the Rohingya crisis, visiting both Bangladesh and Burma to focus attention on the issue.

*Question 6.* What issues are the most pressing challenges to democracy or democratic development in Guinea? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Guinea's democratic development continues to face numerous challenges, as it remains in the early stages of a transition from decades of authoritarian rule. The challenges include, but are not limited to, creating a culture and tradition of adherence and respect for constitutional and democratic norms, including due process, combatting official impunity and corruption, increasing transparency in the governing and legislative process, and ongoing efforts to reform the security and police services.

*Question 7.* What steps will you take—if confirmed—to support democracy in Guinea? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, my priorities will include continuing our work with Guinea to develop strong government institutions, and promote inclusive, effective, and participatory governance. I am also committed to continuing U.S. participation in the Comité de Suivi, the national political roundtable created to encourage dialog and peaceful dispute resolution between political parties, government authorities, non-governmental organizations, civil society groups, and international observers. In addition to promoting dialogue and consensus, if confirmed, I will work to strengthen the capacity and structure of political parties; expand civic and voter education; and enhance the monitoring of electoral systems.

It is my hope that if confirmed as Ambassador to Guinea, these efforts, along with those from other international governmental and non-governmental partners, will help solidify a solid democratic political foundation for Guineans to nurture and cultivate their young democracy. While it is inevitable that challenges and other bumps on the road will happen, as with the creation of any national political culture, I am convinced that the United States, along with our Guinean and other international partners, can play a positive role in democracy's taking root in Guinea and West Africa. If confirmed, I will be committed to keeping the United States as a reliable partner in Guinea's efforts to strengthen its democracy.

*Question 8.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will ensure that U.S. Government assistance will target good governance, the reinforcement of democratic processes, and improved access to justice. By assisting those Guinean institutions which fight against inequity, encourage public accountability and transparency, and counter the drivers of violence and instability, we will be strengthening citizen-responsive governance, democracy, and human rights. Specifically, our past work with non-governmental organizations, the National Assembly, the Ministry of Health, the Ministry of Territorial Administration and Decentralization, the Ministry of Justice, and the Ministry of Security and Civil Protection have demonstrated how much of an impact we can have when we carefully target our efforts to supporting rule of law, transparency, and democratic processes.

If confirmed as Ambassador, I intend for our assistance programs to prioritize those efforts which will prove the most beneficial in the long term to strengthening democracy, justice, and governance programs, while seeking to maximize cost efficiencies and avoid duplication with other U.S. Government or international donor efforts.

*Question 9.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Guinea? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed as Ambassador to Guinea, I will engage with members of civil society, human rights and other NGOs, whether in Guinea or in the United States. I will also pro-actively engage the Government of Guinea to address any situation in which NGOs or other civil society organizations are restricted or penalized by the authorities. We will continue to prioritize the protection and defense of civil society, including all human rights defenders.

*Question 10.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, my priorities will include regular meetings with all democratically oriented political actors. I will use all tools at my disposal to encourage the creation and maintenance of an inclusive and transparent political system, dedicated to democracy, and accessible to women, minorities, and the youth.

The U.S. Embassy in Conakry has taken and continues to take deliberate and concrete steps to foster gender equality, empower women and girls, and encourage their participation in all spheres of Guinean political and civil life. If confirmed, I will ensure that the U.S. Mission to Guinea continues to make efforts to include women, girls, ethnic and religious minorities, young people, and other underrepresented groups in our programming efforts. In addition, I am committed to combatting gender-based violence, abuse, and female genital mutilation (FGM)—one of the most widespread and damaging human rights abuses in Guinea. I will also prioritize women's and girls' access to and participation in the education, justice, health care, and economic sectors.

*Question 11.* Will you and your embassy team actively engage with Guinea on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Guinea?

Answer. If confirmed, I will continue to support all efforts to advance press freedom. In addition, if confirmed, I will meet with independent media and local press as part of our Embassy's efforts to reinforce a free and open media environment in Guinea.

*Question 12.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I commit to ensuring the embassy remains actively engaged with government counterparts and members of civil society to counter any disinformation or propaganda disseminated by any foreign or non-state actors. Given how damaging disinformation campaigns can be, we will remain vigilant should any such methods of propaganda emerge in Guinea, particularly as we approach legislative and presidential elections.

*Question 13.* Will you and your embassy teams actively engage with Guinea on the right of labor groups to organize, including for independent trade unions?

Answer. Guinea has a long history of labor activism. Currently, major industries, including the mining, port, public service, and transportation sectors all have active unions. In many cases, unions have freely organized and executed demonstrations against government policies. If confirmed, I will continue our long-standing engagement with the Guinean labor movement, independent trade unions, and other non-governmental organizations dedicated to defending labor rights under the law.

*Question 14.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Guinea, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Guinea? What specifically will you commit to do to help LGBTI people in Guinea?

Answer. Guinea is a tolerant, multi-ethnic, multi-religious society. I am not aware of any acts of violence or intimidation against anyone in Guinea based on their sexual orientation, or gender identity.

If confirmed, I will use my office to highlight the strengths of diversity and acceptance of all people for who they are. The United States is rightfully proud of the strides we have made, and continue to make, in living up to our founding principle that everyone is equal under the eyes of the law. I believe that if confirmed, I can use the persuasive power of the Embassy to help Guineans begin to address this important issue.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SIMON HENSHAW BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. My work on the El Salvador Desk and then as political officer in El Salvador from 1991 to 1996 supported the end of the war and the establishment of a freely elected government. I worked closely with the political parties formed by the ex-guerrillas, including pushing for investigations of all human rights abuses. In Honduras, as Deputy Chief of Mission from 2008 to 2011, I supported and implemented our policy to reject the coup d'état against the Government and to support free elections to restore democracy. In my first tour in the Philippines, 1985 to 1987, I assisted in organizing and participated in political reporting teams that spread around the country to cover the Marcos/Aquino election. As Principal Deputy Assistant Secretary and then Acting Assistant Secretary for the Bureau of Population, Refugees, and Migration (PRM), I promoted U.S. humanitarian policies worldwide. I was instrumental in pushing several first asylum countries to expand employment and educational opportunities for large refugee populations. I also quickly brought U.S. resources to bear to respond to the Rohingya crisis, visiting both Bangladesh and Burma to focus attention on the issue.

*Question 2.* What are the most pressing human rights issues in Guinea? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Guinea? What do you hope to accomplish through these actions?

Answer. Guinea's democratic development continues to face numerous challenges, as it remains in the early stages of a transition from decades of authoritarian rule. The challenges include, but are not limited to, creating a culture and tradition of adherence and respect for constitutional and democratic norms, including due process; combatting official impunity and corruption; increasing transparency in the governing and legislative process; and reforming the security and police services.

If confirmed, my priorities will include continuing to work with the Government of Guinea and civil society organizations to develop strong government institutions and promote inclusive, effective, and participatory governance. I am also committed to continuing active U.S. participation in the Comité de Suivi, the national political roundtable created to encourage dialogue and peaceful dispute resolution between political parties, government authorities, non-governmental organizations, civil society groups, and international observers. In addition to promoting dialogue and consensus, if confirmed, I will continue to work to strengthen the capacity and structure of political parties; expand civic and voter education; and enhance the monitoring of electoral systems.

It is my hope that if confirmed as Ambassador to Guinea, these efforts, along with those from other international governmental and non-governmental partners, will help solidify a solid democratic political foundation for Guineans to nurture and cultivate their young democracy. While it is inevitable that challenges will remain, as with the creation of any national political culture, I am convinced that the United States, along with our Guinean and other international partners, can play a positive role in democracy taking root in Guinea and West Africa. If confirmed, I will be committed to keeping the United States a reliable partner in Guinea's struggle for democracy.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Guinea in advancing human rights, civil society and democracy in general?

Answer. Guinea's democratic development continues to face numerous challenges as it remains in the early stages of a transition from decades of authoritarian rule. The challenges include, but are not limited to, promoting greater adherence to the constitution and democratic norms, including due process and sound policy making; countering deeply entrenched mismanagement and corruption at all levels of government; and advancing security sector reform.

The challenges in advancing human rights, civil society, and democracy in general stem from decades of authoritarian government and general mismanagement. Advancing civic education should, over time, improve civic culture, thereby reducing at least some of the challenges Guinea faces, including the lack of understanding of basic constitutional and democratic norms; the prevalence of corruption and impunity; and the need for transparency in governing and the legislative process.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Guinea? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed as Ambassador to Guinea, I will engage with members of civil society, human rights organizations, and other NGOs, whether in Guinea or in the United States.

Further, if confirmed, I will proactively support the Leahy Law and similar efforts, and ensure that U.S. security assistance and security cooperation activities reinforce human rights. The Leahy laws are based on a basic principle: a government security apparatus' respect for human rights bolsters its legitimacy and trustworthiness and enhances its ability to protect its citizens. Moreover, holding violators accountable fortifies the rule of law, which is key to improving governance in Guinea. If confirmed, I will work with the team at our Embassy in Conakry to convey this message forthrightly and consistently to the Government of Guinea at all levels. The Department of State vets all assistance to security forces in Guinea in accordance with the Leahy Law, without exception. If confirmed, I will ensure that our vetting continues to be comprehensive, thorough, and in full compliance with the Leahy Law, and that any units whose members violate human rights are restricted from receiving any training or other assistance until the responsible actors are brought to justice. I will strongly urge Government of Guinea to hold any violators accountable for their actions.

*Question 5.* Will you and your embassy team actively engage with Guinea to address cases of key political prisoners or persons otherwise unjustly targeted by Guinea?

Answer. While currently there are no known political prisoners in Guinea, if confirmed, I will actively engage with the Government of Guinea to address any cases of known persons otherwise unjustly targeted by Guinea.

*Question 6.* Will you engage with Guinea on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will absolutely engage Guinean officials on human rights, civil rights, and governance issues as part of my bilateral mission.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Guinea?

Answer. Neither I nor any member of my immediate family, have any financial interests in Guinea.

*Question 10.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will seek to appoint staff that come from diverse backgrounds and underrepresented groups. I will mentor members of those groups, as I have in past assignments, and will work with them to help them advance their careers, including recommending promotion and future assignments.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I will make clear that the EEO language in every employee's work requirements will be considered an integral part of successful job performance during the evaluation period. I will regularly seek feedback from employees on their perceptions of their workplace environment and correct issues that detract from an inclu-

sive workplace. I will recognize those employees who demonstrate exceptional EEO leadership.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Guinea specifically?

Answer. Poverty in Guinea is rooted in the deeply entrenched mismanagement and corruption of the state. Specifically, official corruption opens the door to human rights abuses and negatively affects good governance and the rule of law. For example, corruption and complicity by government agents in supporting the illicit drug trade in Guinea remain major impediments to international and local counter narcotics efforts.

*Question 13.* What is your assessment of corruption trends in Guinea and efforts to address and reduce it by that government?

Answer. Guinea has made significant strides to reduce the deeply entrenched corruption that exists at every level of government. For example, in July 2017, as a sign of its commitment to improving the business climate, Guinea passed an anti-corruption law. The Government has worked hard on transparency reforms, tackling corruption, and sustaining its commitment and leadership in the implementation of the Extractive Industries Transparency Initiative (EITI), in part in response to previous corruption scandals.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Guinea?

Answer. If confirmed, I will support Guinea's continued efforts to combat corruption. I will also seek to advance human rights in Guinea by working with the Government to address the culture of impunity and official corruption that has opened the door to human rights abuses in the past. I will also support U.S. efforts that focus on developing stronger Guinean institutions that can effectively combat corruption, narcotics trafficking, and transnational crime.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SIMON HENSHAW BY SENATOR CORY A. BOOKER**

*Question 1.* As with many African states North Korea has had long-standing relations with Guinea stemming from the 1960s and 70s. Over the past several years, the U.N. Panel of Experts responsible for monitoring compliance with U.N. sanctions on North Korea has identified a number of prohibited economic activities by North Korean individuals and enterprises in Guinea.

- What is your understanding of the current status of prohibited North Korean activities in Guinea and should we be doing more to address this issue?

Answer. The Guinean Government has indicated to us that relations with North Korea are a legacy of Guinea's post-independence period and are more symbolic than policy driven. North Korea has an embassy in Conakry that is staffed with very few diplomats. The government of Guinea has not denied the existence of DPRK guest workers in the country and claims to be exploring ways to limit their presence.

The Department has raised the issue of Guinea's relations with the DPRK, both economic and diplomatic, at the highest levels of government and will continue to raise the matter until Guinea is in full compliance of all U.N. Security Council resolutions aimed at the DPRK.



## NOMINATIONS

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THURSDAY, OCTOBER 4, 2018

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

The committee met, pursuant to notice, at 11:11 a.m., in Room SD-419, Dirksen Senate Office Building, Hon. Ron Johnson, chairman of the committee, presiding.

Present: Senators Johnson [presiding], Murphy, Kaine, and Menendez.

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

Senator JOHNSON. The hearing of the Senate Foreign Relations committee will come to order. I apologize for being late, and for the tardiness of this entire hearing.

We are gathered today to consider four nominations, the Ambassador for—Ambassador to Cyprus, to Iceland, to Azerbaijan, and Bosnia and Herzegovina.

I want to welcome all the nominees. I want to thank them for their willingness to serve, your past service. I certainly want to welcome the families as well.

Because I am late, I will just ask that my opening statement be entered into the record. Suffice it to say these are incredibly important nations—countries to be represented by what I consider some excellent nominees here for the position.

[Senator Johnson's prepared statement follows:]

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

Today's nominees, if confirmed, will represent U.S. interests in four important relationships.

Iceland has been a U.S. ally for almost 70 years. In 1949, with a population of only 140,000 and without a standing army, Iceland became one of only twelve founding members of NATO. Iceland's location astride the sea lanes between Greenland, Iceland, and the United Kingdom gave NATO control over the Soviet Baltic Fleet's only access points to the North Atlantic—a critical asset throughout the Cold War. Iceland also became an important part of the U.S. early warning radar array in the Arctic. Russia's destabilizing resurgence over the last several years has reemphasized Iceland's enduring importance to NATO's security. Russia has launched new classes of nuclear attack and ballistic missile submarines, modernized its nuclear arsenal, and declared expansive intentions in the Arctic. Strengthening our economic and political ties with Reykjavik and reinvesting in our longstanding defense partnership should be top foreign policy priorities.

Azerbaijan, like Iceland, punches well above its weight in international politics. The U.S. and Azerbaijan share common security and economic interests. After 9/11, Azerbaijan became an important U.S. partner in the wars in Afghanistan and Iraq,

providing troops and serving as a logistics hub supporting NATO and U.S. operations. With sizeable natural gas deposits in the Caspian Sea, Azerbaijan is also the key to U.S. efforts to open a southern gas corridor to Europe. However, these common interests are complicated by ongoing concerns about the state of democracy and human rights protections in Azerbaijan. Balancing this delicate relationship will require a deft touch from our Ambassador in Baku.

In Bosnia and Herzegovina, though the economy has experienced around 3 percent annual growth for several years, the unemployment rate remains high and corruption is widespread. Bosnia's election next week may be a critical juncture in its history. The failure of this year's electoral reform efforts has cast doubt on whether a new government can be formed after the election. This difficult situation is complicated further by Milorad Dodik's separatist intrigues in Bosnia's Republika Srpska. Having an experienced American diplomat in Sarajevo will be important as Bosnia navigates these challenges and seeks to forge a durable political solution.

In Cyprus, the stalemate between Greek and Turkish Cypriots continues to be one of the most intractable disputes in international politics. Over nearly half a century, numerous multilateral and bilateral efforts to negotiate Cyprus' reunification have fallen short. The most recent effort appeared close to a breakthrough before it too collapsed in July 2017. The U.S. has significant interests in resolving this conflict. Cyprus continues to be a source of considerable tension between Greece and Turkey, negatively affecting NATO solidarity. Additionally, the discovery of considerable offshore natural gas deposits over the last decade have made Cyprus a major emerging energy player in the Mediterranean and an enticing option for weaning Europe off its dependence on Russian gas.

Before moving to introductions, I would like to recognize the distinguished ranking member for his comments. Senator Murphy.

Senator JOHNSON. So with that, I will turn it over to Senator Murphy.

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

Senator MURPHY. Thank you very much, Mr. Chairman. Looking forward to your testimony. I will just say a few words about the important posts we are about to attend to, we hope.

In Bosnia and Herzegovina, ethnic tensions continue to pull this country apart at the seams, while political self-interests and navel gazing by many of its leaders has prevented Bosnia from moving forward on EU or NATO integration.

It is about time that the United States step up and try to provide some real leadership here. Ultimately, these decisions are up to the people of Bosnia and Herzegovina themselves. But U.S. leadership has been critical at so many times in the past trying to reconcile these tensions in the region, and they will be in the future.

Cyprus is another complicated assignment, given the long-standing division of the island, but we are still hopeful that an agreement can be reached as reunification under our bi-zonal, bicommunal federation would bring benefits to everyone there. And the Eastern Mediterranean gas discovery offers some significant new economic opportunities to strengthen regional cooperation, especially with Israel.

Just as Cyprus's energy resources are a potential alternative to Russian gas, Azerbaijan is so important as a natural gas supplier to Europe. We are appreciative of their partnership, and their partnership with Europe on energy securities, but we have to remain concerned about the lessening political freedom inside Azerbaijan.

As a bipartisan taskforce on extremism recently noted, where citizens are free to engage in civic and political organizations, extremists struggle to attract followers. But where extremists provide the only viable option for change, they gain traction.

And finally, Iceland, it had its own brush with instability following the banking collapse of 2008, but it is now an economic and democratic success story, with an up- and-coming soccer team to boot.

And so we are glad to have all four of you before us today. We look forward to your testimony.

Senator JOHNSON. And as I mentioned, Dr. Gunter, make sure you have a good rain suit for Iceland.

Our first nominee will be Ambassador Judith Gail Garber. Ambassador Garber is the nominee to be U.S. Ambassador to Cyprus. Ambassador Garber is a career member of the senior Foreign Service, with a rank of career minister. She is currently Principal Deputy Assistant Secretary for the Bureau of Oceans and International Environmental and Scientific Affairs, a position she has held since 2014.

She also has served at six U.S. missions overseas, including as Ambassador to Latvia, from 2009 to 2012. Ambassador Garber is a recipient of 20 notable State Department awards, and speaks Spanish, Hebrew, Czech, and Latvian.

Ambassador Garber.

**STATEMENT OF HON. JUDITH G. GARBER, NOMINEE TO BE  
U.S. AMBASSADOR TO THE REPUBLIC OF CYPRUS**

Ambassador GARBER. Mr. Chairman, Ranking Member Murphy, and members of the committee, I am honored to appear before you today to be considered for the position of the United States Ambassador to the Republic of Cyprus.

I am grateful to be nominated by President Trump, and appreciate Secretary Pompeo's confidence in me. If confirmed, I pledge to work with all of you to advance in Cyprus the fundamental U.S. interests in a Europe whole, free, prosperous, and at peace.

I would like to recognize my husband, Paul, who is here today, and thank him for his love and support over a long Foreign Service career. I am humbled to be considered again to serve as a U.S. Ambassador. It is an honor and a privilege to represent the United States.

This is an important time for Cyprus, a country situated at the crossroads of Europe, the Middle East, and Africa. It is at this place that U.S. national interests in anchoring the Euro-Atlantic Alliance, securing the Eastern frontier, and stabilizing the south intersect. Our commitment to encouraging the leaders of the Greek Cypriot and Turkish Cypriot communities to forge a just and lasting settlement remains as resolute as ever.

If confirmed, I would do all that I could to support efforts by these leaders, by ordinary Cypriots, by the guarantor powers, and by the U.N. to reach the promise of a bi-zonal, bi-communal federation.

A reunified Cyprus would provide a more prosperous future for all Cypriots. Such an example would resonate well beyond the island, strengthening the relations in all corners of the Eastern Mediterranean and throughout the world. It would also serve as an inspiration for others who wish to define a new future after a painful past.

The Republic of Cyprus is a valued friend and important strategic partner with whom we cooperate on a range of priorities, including counterterrorism, maritime security, and law enforcement. Cyprus's participation in the Global Coalition to Defeat ISIS as well as its regional efforts to prevent the proliferation of weapons of mass destruction demonstrate its commitment to international security.

We are working systematically to strengthen our relations with the Republic of Cyprus, including in the areas of security cooperation and counterterrorism. If confirmed, I will continue this effort.

The discovery of natural gas resources in the Eastern Mediterranean, including in Cyprus's offshore waters, has expanded possibilities for increasing regional energy security through diversification of resources, routes, and suppliers.

We have emphasized our support to the Republic of Cyprus's right to develop hydrocarbon resources in its Exclusive Economic Zone. We also believe the resources should be shared equitably between both communities within the context of an overall settlement.

Hydrocarbons have the potential, if managed correctly, to be a catalyst for increased cooperation, for enhanced regional stability and prosperity, and should serve as an incentive to Cyprus for settlement. If confirmed, I would seek to build upon this potential.

Cyprus's economy has proven to be resilient, with the help of an IMF program, but additional reforms will be necessary to sustain future growth. Cyprus continues to support IMF post-program monitoring, illustrating their resolve to keep the economy on a positive trajectory. However, Cyprus needs to modernize its foreclosure and bankruptcy laws, and accelerate efforts to reduce the high level of non-performing debt.

It also needs to take more steps to combat the numerous challenges and risks posed by illicit Russian money in the economy. To sustain economic growth, Cyprus needs to control public sector spending, take steps to diversify the economy, and implement legal reforms to preserve confidence in the banking sector.

We also pay close attention to the integrity of the Cypriot financial sector. We are encouraged by the progress of local banks to boost regulations by culling suspicious accounts, and hiring additional personnel to conduct due diligence. If confirmed, I will encourage the Republic of Cyprus to continue to strengthen its banking regulations and implement measures to limit the ease of shell company formation.

At the same time, progress on a settlement could have a positive impact on the entire island's economy. Study after study has shown a Cyprus settlement would create opportunities for greater trade and investment, bringing tangible benefits to all Cypriots.

If confirmed, I will be accredited to the Republic of Cyprus. I will support both Greek Cypriot and Turkish Cypriot communities in their efforts to pursue reconciliation and reunification.

I believe my experience has prepared me well for the challenges and opportunities ahead. I have dedicated much of my career to advancing U.S. economic interests. If confirmed, I will also draw upon my previous experience as an ambassador in a small European

Union country with communal divisions in a complicated neighborhood.

If confirmed, I will work to strengthen the bonds between the United States and the Republic of Cyprus. I will work with Members of Congress, partners throughout the U.S. Government, and the private sector, and with the dedicated staff of the Embassy in Nicosia to further our goals in Cyprus and support the promise of a better future for all Cypriots.

Mr. Chairman, members of the committee, thank you again for the opportunity to be here with you today. I would be pleased to answer any questions you may have.

[Ambassador Garber's prepared statement follows:]

PREPARED STATEMENT OF HON. JUDITH G. GARBER

Mr. Chairman, Ranking Member Murphy, and members of the committee, I am honored to appear before you today to be considered for the position of the United States Ambassador to the Republic of Cyprus.

I am grateful to be nominated by President Trump and appreciate Secretary Pompeo's confidence in me.

If confirmed, I pledge to work with all of you to advance in Cyprus the fundamental U.S. interest in a Europe whole, free, prosperous, and at peace.

I'd like to recognize my husband, Paul, who is here today and thank him for his love and support over a long Foreign Service career. Paul and our five children are truly the source of my strength.

I am humbled to be considered again to serve as a U.S. Ambassador. It is an honor and privilege to represent the United States.

This is an important time for Cyprus, a country situated at the crossroads of Europe, the Middle East, and Africa. It is at this place that U.S. national interests in anchoring the Euro-Atlantic Alliance, securing the Eastern frontier, and stabilizing the South intersect.

Our commitment to encouraging the leaders of the Greek Cypriot and Turkish Cypriot communities to forge a just and lasting settlement remains as resolute as ever.

If confirmed, I would do all that I could to support efforts by these leaders, by ordinary Cypriots, by the guarantor powers, and by the United Nations to reach the promise of a bi-zonal, bi-communal federation.

A reunified Cyprus would provide a more prosperous future for all Cypriots.

Such an example would resonate well beyond the island, strengthening relations in all corners of the Eastern Mediterranean and throughout the world. It would also serve as an inspiration for others who wish to define a new future after a painful past.

The Republic of Cyprus is a valued friend and important strategic partner with whom we cooperate on a range of priorities including counterterrorism, maritime security, and law enforcement. Cyprus' participation in the Global Coalition to Defeat ISIS, as well as its regional efforts to prevent the proliferation of weapons of mass destruction demonstrate its commitment to international security. We are working to systematically strengthen our relations with the Republic of Cyprus, including in the areas of security cooperation and counterterrorism. If confirmed, I will continue this effort.

The discovery of natural gas resources in the Eastern Mediterranean, including in Cyprus' offshore waters, has expanded possibilities for increasing regional energy security through diversification of resources, routes, and suppliers.

We have emphasized our support of the Republic of Cyprus' right to develop hydrocarbon resources in its Exclusive Economic Zone. We also believe the resources should be shared equitably between both communities within the context of an overall settlement.

Hydrocarbons have the potential, if managed correctly, to be a catalyst for increased cooperation, for enhanced regional stability and prosperity, and should serve as an incentive to a Cyprus settlement. If confirmed, I would seek to build upon this potential.

Cyprus' economy has proven to be resilient, with the help of an IMF program from 2013–2016, but additional reforms will be necessary to sustain future growth. Cyprus continues to support IMF post-program monitoring, illustrating their resolve to keep the economy on a positive trajectory. However, Cyprus needs to modernize

its foreclosure and bankruptcy laws, and accelerate efforts to reduce the high level of non-performing debt. It also needs to take more steps to combat the numerous challenges and risks posed by illicit Russian money in the economy. To sustain economic growth, Cyprus needs to control public sector spending, take steps to diversify the economy, and implement legal reforms to preserve confidence in the banking sector.

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At the same time, progress on a settlement could have a positive impact on the entire island's economy. Study after study has shown a Cyprus settlement would create opportunities for greater trade and investment, bringing tangible benefits to all Cypriots. If confirmed, I would encourage innovation and entrepreneurship to meet this goal.

If confirmed, I will be accredited to the Republic of Cyprus. I will support both Greek Cypriot and Turkish Cypriot communities in their efforts to pursue reconciliation and reunification.

I believe my experience has prepared me well for the challenges and opportunities ahead. I have dedicated much of my career to advancing U.S. economic interests. If confirmed, I will also draw on my previous experience as an Ambassador in a small European Union country with communal divisions in a complicated neighborhood.

If confirmed, I will work to strengthen the bonds between the United States and the Republic of Cyprus. I will work with Members of Congress, partners throughout the U.S. Government and the private sector, and with the dedicated staff of the Embassy in Nicosia to further our goals in Cyprus and support the promise of a better future for all Cypriots.

Mr. Chairman, members of the committee, thank you again for the opportunity to be here with you today.

I would be pleased to answer any questions you may have.

**Senator JOHNSON.** Thank you, Ambassador Garber.

Our next nominee is Dr. Jeffrey Ross Gunter. Dr. Gunter is the President's nominee to be the U.S. Ambassador to Iceland. Dr. Gunter is a physician and healthcare executive. He leads Jeffrey Ross Gunter, M.D., Incorporated, specializing in dermatology care for rural communities.

Previously, Dr. Gunter was a clinical professor of medicine at the Keck Medicine Center, at the University of Southern California, and Chief Resident of Dermatology at the Los Angeles County USC Medical Center. He speaks Spanish, French, and Dutch.

Dr. Gunter.

**STATEMENT OF DR. JEFFREY ROSS GUNTER, OF CALIFORNIA,  
NOMINEE TO BE AMBASSADOR TO THE REPUBLIC OF ICE-  
LAND**

Dr. GUNTER. Thank you, Mr. Chairman. Thank you Ranking Member Murphy, members of the committee.

It is a privilege and an honor to appear before you today as President Trump's nominee to serve as the United States Ambassador to Iceland. I am humbled by the confidence placed in me by the President and the Secretary of State.

If confirmed, I look forward to working with this committee and the Congress in advancing the interests, the prosperity, and the protection of the United States in Iceland.

I would briefly like to introduce and mention my twins. My daughter, Sophie, is here today, and my son, Simon, is watching us in England, where he is studying translational science.

My wife, Johanna, was a Jewish American Dutch immigrant, a naturalized citizen, who passed away 2 years ago after a brave battle with cancer. She is the main reason why I am sitting here today.

I would like to especially thank the chairman for introducing me to the committee.

Last, but not least, I would like to thank the 18 career diplomats, my classmates, at the Foreign Service Institute. For 3 weeks, these tremendous public servants and brilliant patriots, who sacrifice so much, mentored me, guided me, and led by a shining example. Thank you.

I sit here before this distinguished committee as a private citizen who has never held a government office. However, I have spent my life serving others as a doctor, treating patients, and managing medical clinics for over 25 years. I believe my experience as a practitioner of medicine and as an entrepreneur and manager in the private sector will suit me well, if confirmed.

My medical career has been spent in the field of dermatology, where my practice has focused on providing healthcare to primarily rural areas of the Western United States. Historically these areas have had a limited access to our healthcare system, patients needing to travel long distances to receive specialized care.

Providing health access to rural communities has also blessed me with the opportunity to provide care for a great number of our military men, and women, and their dependents. Their unparalleled dedication and sacrifice is humbling, inspiring, and motivating.

I believe I will succeed as an ambassador because I have learned how to build a large organization, manage and invest in staff, deliver care to patients, and be responsive to the needs of both the individual and the larger community. Strong values, a strong work ethic, and a focus on the mission, coupled with the ability to work with others, are the reasons why I believe I have been successful.

If confirmed, I am prepared to bring all of my experience and skills to my new responsibility. If confirmed, my foremost priority as Ambassador will be promoting the United States' interests in Iceland. I will work hard to identify areas of common interest, advance these issues, and allow both countries to support each other, while working towards progress for our common goals.

While I have never been to Iceland, I have spent a considerable amount of time in Western Europe, as my late wife was from the Netherlands. I speak Dutch, French, and Spanish. What is clear from my studies of Iceland is that it is a country of tremendous history, beauty, ambition, resilience, and accomplishment. Iceland is home to a proud people, with a land shaped by its environment. The environment, like for so many of us, is important to me, growing up in Southern California, on Santa Monica Bay.

I have spent my entire career building—I have spent my entire career battling on behalf of patients against the harmful effects of the sun, and the UVB radiation, which causes not only aging, but also life-threatening skin cancer.

If confirmed, I look forward to continuing the dialogue with the Icelandic government about our environment and finding ways of engagement to go forward on this important issue.

Iceland is a NATO founding member and an ally, a close partner of the United States. The United States and Iceland cooperate on a wide range of important issues, from transatlantic security, to the sustainable development of the Arctic. In addition, completion of the Embassy's move to the long-awaited new chancery, in a seamless fashion, is a top priority as well, if confirmed.

If confirmed, I look forward to working with the Embassy staff in Iceland in an encouraging and cooperative manner to achieve common goals. My management style is to respect everyone, encourage their success, while insisting on great work for you all, and the American people.

Iceland shares our democratic values and strong belief in the free market. Because of these fundamental pillars, Iceland and America can climb many mountains of opportunity together. If I am given the opportunity to represent the United States in Iceland, I cannot wait to climb together with the State Department and with the members of this committee to meet our mutual challenges, and to accomplish our goals.

Mr. Chairman and members of the committee, thank you for this tremendous opportunity to be here today. If confirmed, I look forward to hosting your visit to Iceland, and to working closely with each and every one of you. My door is always open.

Thank you.

[Dr. Gunter's prepared statement follows:]

#### PREPARED STATEMENT OF DR. JEFFREY ROSS GUNTER

Chairman Johnson, Ranking Member Murphy, members of the committee, it is a privilege and an honor to appear before you today as President Trump's nominee to serve as United States Ambassador to Iceland. I am humbled by the confidence placed in me by the President and the Secretary of State.

If confirmed, I look forward to working with this committee and the Congress in advancing the interests, prosperity and protection of the United States in Iceland.

I would briefly like to introduce my children, my twins, my son Simon, and my daughter, Sophie. My late wife, Johanna, was a Jewish American, and a Dutch immigrant naturalized citizen, who passed away two years ago, after a brave battle with cancer, and is a large reason why, I am sitting here today.

I would like to specially thank Senator Ron Johnson, for introducing me, to the committee.

I sit here before this distinguished committee as a private citizen who has never held government office. However, I have spent my life serving others as a doctor, treating patients and managing medical clinics for over 25 years. I believe my experience as a practitioner of medicine and as an entrepreneur and manager in the private sector will suit me well as Ambassador, if confirmed.

My medical career has been spent in the field of dermatology, and my practice has focused on providing healthcare to primarily rural areas of the Western United States, which has had historically less access our healthcare system, with patients needing to travel long distances with great inconvenience to receive care. Providing health access to rural communities has also blessed me with the opportunity to offer care for a great number of our military men and women and their families. Their unparalleled dedication and sacrifices are inspiring and have deepened my love of our great country.

I believe I will succeed as an ambassador because I have learned how to build a large organization, manage and invest in staff and providers, deliver care to patients, and be responsive to the needs of both the individual and the community. This work requires strong values, a strong work ethic, and a focus on the mission coupled with the ability to work with others. If confirmed, I am prepared to bring all of my experience and skills to my new responsibilities.

If confirmed, my foremost priority as Ambassador will be promoting United States interests in Iceland. I will work hard to identify areas of common interest, advance these issues, and allow both countries to support each other, while working toward progress for our common goals.

While I have never been to Iceland, I have spent a considerable amount of time in Western Europe, as my late wife was from the Netherlands. I speak Dutch, French, and Spanish. Nevertheless, what is clear from my studies of Iceland is that it is a country of tremendous history, beauty, ambition, and accomplishment. Iceland is home to proud people and a land shaped by its environment.

The environment, like for so many of us, is uniquely important to me. I have spent my entire career battling on behalf of patients, against the harmful effects of the sun and its ultraviolet radiation, and the life-threatening skin cancer, it can create. I look forward, if confirmed, to continuing the dialogue with the Icelandic government about our environment and mutual ways of engagement going forward.

Iceland is a NATO ally and close partner of the United States. Together, the United States and Iceland cooperate on a range of important issues, from transatlantic security, to the sustainable development of the Arctic. In addition, completion of the Embassy's move to the long-awaited new chancery, in a seamless fashion, is a top priority as well.

If confirmed, I look forward to working with the Embassy staff in Iceland in an encouraging and cooperative manner to achieve common goals. My management style is to respect everyone, encourage their success, while still insisting on great work for you all, and the American people.

Iceland shares our democratic values and belief in the free market. Iceland and America can climb many mountains of opportunity together. If I am given the opportunity to represent the United States in Iceland, I can't wait to climb together with the State Department and the members of this committee to meet our mutual challenges and goals.

Mr. Chairman and members of the committee, thank you for this tremendous opportunity to appear before your committee today. If confirmed, I look forward to hosting your visit to Iceland and to working closely with each and every one of you to advance the interests of the United States.

**Senator JOHNSON. Thank you, Dr. Gunter.**

Our next nominee is Mr. Earle D. Litzenberger. Mr. Litzenberger is the nominee to be U.S. Ambassador to Azerbaijan. Mr. Litzenberger is a career member of the Senior Foreign Service, with the rank of Minister Counselor. He currently serves as senior advisor in the Bureau of Political Military Affairs.

Previously, Mr. Litzenberger served as Deputy Chief of Mission to NATO, Deputy Chief of Mission in Serbia, and Deputy Chief of Mission in Kyrgyzstan.

Mr. Litzenberger is a recipient of the Matilda W. Sinclair Language Award. He speaks French, Russian, Serbian, and Bulgarian.

Mr. Litzenberger.

**STATEMENT OF EARLE D. LITZENBERGER, NOMINEE  
TO BE U.S. AMBASSADOR TO AZERBAIJAN**

Mr. LITZENBERGER. Thank you.

Mr. Chairman, Ranking Member Murphy, and distinguished members of the committee: I come before you today, both honored and humbled, to testify as President Trump's nominee to be the next U.S. Ambassador to Azerbaijan. I am grateful to the President and Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with this committee and all members of Congress to advance U.S. interests in Azerbaijan.

I would like to thank my family for supporting and sharing my 34-year career in the Foreign Service. My wife, Marianne, and daughter, Ashley, have joined me here today. Our son, Andrew, and daughter-in-law, Tara, and their children, our grandchildren, Zachary and Elliana, unfortunately are unable to be here.

Over the course of my career, I have dedicated myself to advancing U.S. foreign policy interests, promoting U.S. values, and safeguarding our national security.

Situated astride a geographic and cultural crossroads, the South Caucasus is a region of vital importance to the U.S. Azerbaijan, the only country to border both Iran and Russia, is an important U.S. partner. Our relationship matters not just to our two countries, but to Azerbaijan's neighbors and the wider region. We stand only to gain from a stable, democratic, peaceful, and prosperous Azerbaijan strategically linked to the United States and our European friends and allies.

Since the establishment of our diplomatic relations in 1992, our cooperation with Azerbaijan has centered on three interrelated and equally important areas: Security, energy and economic growth, and democracy and governance.

If confirmed, I will invigorate America's principled efforts in each of these areas and work with all of our partners to resolve the challenges the South Caucasus region continues to face.

Azerbaijan has long been a stalwart partner on international security. After the attacks of September 11, Azerbaijan was among the first country to extend support and offer close cooperation to combat terrorism. I saw firsthand Azerbaijan's contributions to peace and security while serving as NATO's Deputy Senior Civilian Representative in Afghanistan.

And earlier this year, Azerbaijan stepped up its commitment to that mission in Afghanistan, where it now deploys 120 troops. Azerbaijan is also part of the Northern Distribution Network for supporting U.S. and NATO operations in Afghanistan. If confirmed, I will sustain the security relationship and enhance our cooperation in areas such as border security, counter-proliferation, and countering human trafficking.

The United States and Azerbaijan have also enjoyed more than 20 years of cooperation on energy security that has produced some real wins for the longstanding U.S. policy of diversifying energy routes and sources for European and global markets. The Baku-Tbilisi-Ceyhan oil pipeline was an early success for energy diplomacy.

Today, the soon-to-be-realized southern gas corridor, stretching from Azerbaijan to Italy, is more important than ever for European energy security. If confirmed, I will work with Azerbaijan to realize the full potential of its energy resources, expand the southern gas corridor, and bolster critical energy infrastructure protection.

At the same time, if confirmed, I will support Azerbaijan's efforts to diversify its economy away from oil and gas. Azerbaijan is already a significant export market for U.S. airplanes, our farm equipment, and other goods and services. If confirmed, I will promote a level playing field and transparent business environment to foster economic development, and create even more opportunities for U.S. companies.

Azerbaijan's integration with the West, however, can and must go beyond pipelines, exports, and security cooperation. The United States must continue to work closely with Azerbaijan on advancing democratic and open economic principles through strong rule of law, transparency, and the protection of human rights and dignity.

It is in Azerbaijan's own interest to undertake these reforms, both to ensure its long-term stability, and to realize the full potential of its people and economy. Democracies thrive only when bol-

stered by an independent judiciary, respect for the rule of law, a free media, a vibrant civil society, political pluralism, and a democratic electoral process, and respect for human rights and fundamental freedoms.

As affirmed in the President's national security strategy, these principles form the foundation of our most enduring partnerships. As Azerbaijan advances along this path, our bilateral relationship will grow even stronger. Throughout my career I have worked to promote these core U.S. values by helping countries progress in their transitions to democratic governance.

If confirmed, I will bring all of these experiences to bear in developing a dialogue with Azerbaijan, based on mutual respect and confidence. I will also meet with a wide range of Azerbaijani society to share American values and learn about Azerbaijan's rich history and culture.

Finally, but no less importantly, Azerbaijan is a key player in the region's peace and stability. There is no higher priority for achieving a more secure and prosperous future for the South Caucasus than the peaceful settlement of the Nagorno-Karabakh conflict.

As cochair of the OSCE Minsk Group process, the United States continues to work with all sides to achieve a peaceful, lasting negotiated settlement of the conflict, based on the principles of the U.N. Charter and the Helsinki Final Act, including the nonuse of force or threat of force, territorial integrity, and the equal rights and self-determination of peoples.

If confirmed, I will have the honor of advancing all of these objectives, while safeguarding American citizens, and ensuring responsible stewardship of taxpayer dollars.

Thank you for considering my nomination, and I look forward to your questions.

[Mr. Litzenberger's prepared statement follows:]

#### PREPARED STATEMENT OF EARLE D. LITZENBERGER

Mr. Chairman, Ranking Member Murphy, and distinguished members of the committee: I come before you today, both honored and humbled, to testify as President Trump's nominee to be the next U.S. Ambassador to Azerbaijan. I am grateful to the President and Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with this committee and all Members of Congress to advance U.S. interests in Azerbaijan.

I would like to thank my family for supporting, and sharing, my 34-year career in the Foreign Service across much of the globe. My wife, Marianne, and daughter, Ashley, have joined me here today. Our son, Andrew, and daughter-in-law, Tara, unfortunately are unable to be here.

Over the course of my career, I have dedicated myself to advancing U.S. foreign policy interests, promoting U.S. values, and safeguarding our national security. As the Deputy Chief of Mission and—prior to the arrival of Ambassador Kay Bailey Hutchison—Chargé d'Affaires at the U.S. Mission to NATO, I worked closely with our Allies during the largest reinforcement of NATO's collective defense since the end of the Cold War while promoting more equitable burden sharing in the Alliance.

In my current role as Senior Advisor in the State Department's Bureau of Political-Military Affairs, I have worked closely with the Defense Department and the broader U.S. interagency to support Allied and partner nations, and promote security in regions of vital importance to U.S. national security.

Situated astride a millennia-old geographic and cultural crossroads, the South Caucasus is one of these key regions. Azerbaijan—the only country to border both Iran and Russia—is an important U.S. partner. Our relationship is important not just to our two countries, but to Azerbaijan's neighbors and the wider region. We stand only to gain from a stable, democratic, peaceful, and prosperous Azerbaijan strategically linked to the United States and our European friends and Allies.

Since the establishment of diplomatic relations in 1992, our cooperation with Azerbaijan has centered on three interrelated and equally important areas: security; energy and economic growth; and democracy and governance. If confirmed, I will invigorate America's principled efforts in each of these areas and work energetically with all of our partners to resolve the challenges that the South Caucasus region continues to face.

Azerbaijan has long been a stalwart partner on international security. After the attacks of September 11, then-Azerbaijani President Heydar Aliyev was among the first to extend support and to offer close cooperation to combat terrorism. That cooperation continues today. I saw firsthand Azerbaijan's contributions to peace and security in Afghanistan while serving as NATO's Deputy Senior Civilian Representative in Kabul from 2013 to 2014. Earlier this year, Azerbaijan stepped up its commitment to NATO's Resolute Support Mission in Afghanistan, where it now has 120 service members deployed shoulder-to-shoulder with U.S. and Allied personnel. Azerbaijan also supports the international community's commitment to Afghanistan as part of the Northern Distribution Network for supporting U.S. and NATO operations. If confirmed, I will sustain these crucial aspects of our security relationship and work to enhance cooperation in areas such as border security, counter-proliferation, and countering human trafficking.

The United States and Azerbaijan also have enjoyed more than twenty years of cooperation on energy security that has produced real wins for the longstanding U.S. policy of diversifying energy routes and sources for European and global markets. At the U.S. Embassy in Kazakhstan in the late 1990s, I was directly involved in our effort to support the establishment of the Baku-Tbilisi-Ceyhan oil pipeline, an early success for energy diplomacy that brought Azerbaijani and Central Asian oil to Western markets. Today, the soon-to-be-realized Southern Gas Corridor, stretching from Azerbaijan to Italy, is more important than ever in advancing European energy security. If confirmed, I will continue to work with Azerbaijan to realize the full potential of its energy resources, expand the Southern Gas Corridor, and bolster critical energy infrastructure protection.

At the same time, if confirmed, I will support Azerbaijan's efforts to diversify its economy away from oil and gas. Azerbaijan is already a significant export market for U.S. airplanes, farm equipment, machinery, and other goods and services, but we can create even more opportunities for U.S. companies. If confirmed, I will promote a level playing field and transparent business environment to—in the words of Secretary Pompeo—"foster good, productive capitalism" so that American firms can succeed, "local communities can flourish, and bilateral partnerships can grow."

Azerbaijan's integration with the West can and must go beyond energy pipelines, exports, and security cooperation. The United States must also continue to work closely with Azerbaijan on advancing democratic and open economic principles through strong rule of law, transparency, and the protection of human rights and dignity. It is in Azerbaijan's interest to undertake these reforms, both to ensure long-term stability and to unleash the full potential of its people and economy. Democracies thrive only when bolstered by an independent judiciary, respect for the rule of law, a free media, a vibrant civil society, pluralism, democratic electoral processes, and respect for human rights and fundamental freedoms.

As affirmed in the President's National Security Strategy, these principles form the foundation of our most enduring partnerships. As Azerbaijan advances along this path, our bilateral relationship will grow even stronger. As Deputy Chief of Mission in Kyrgyzstan and Serbia, and throughout my career, I have worked to promote these core U.S. values by helping countries progress in their transition to democratic governance. If confirmed, I will bring all of these experiences to bear in developing a robust dialogue on these issues with Azerbaijan based on mutual respect and confidence. I will also seek to meet with a wide range of Azerbaijani society, in order to share American values and learn more about Azerbaijan's rich history and culture.

Finally, but no less importantly, Azerbaijan is a key player in the region's peace and stability. There is no higher priority for achieving a more secure and prosperous future for the South Caucasus than the peaceful settlement of the Nagorno-Karabakh conflict. As Co-Chair of the OSCE Minsk Group, the United States continues to work with all sides to achieve a peaceful, lasting negotiated settlement of the conflict based on the principles of the U.N. Charter and the Helsinki Final Act, including the non-use of force or threat of force, territorial integrity, and the equal rights and self-determination of peoples. If confirmed, I will support the administration's commitment to achieving this goal.

On the recent centennial anniversary of the founding of the Azerbaijan Democratic Republic, Secretary Pompeo looked forward to deepening America's cooperation with Azerbaijan on "security, energy, and democratic governance" with the aim

of "further [strengthening] ties between our countries." If confirmed, I will have the great honor of advancing these objectives while safeguarding American citizens and ensuring responsible stewardship of U.S. taxpayer dollars. Thank you for considering my nomination, and I look forward to your questions.

Senator JOHNSON. Thank you, Mr. Litzenberger.

Our fourth nominee is Mr. Eric George Nelson. Mr. Nelson is the President's nominee to be the U.S. Ambassador to Bosnia and Herzegovina.

Mr. Nelson is a member of the Senior Foreign Service, with the rank of minister counselor. He is currently deputy executive secretary and director of the Executive Office of the Executive Secretariat, a position he has held since 2015.

Mr. Nelson has served in seven U.S. missions overseas, including as deputy chief of mission in Costa Rica, and general counsel in Munich.

He has received numerous awards for effective leadership, and speaks Spanish, German, and Italian.

Mr. Nelson.

#### **STATEMENT OF ERIC GEORGE NELSON, NOMINEE TO BE U.S. AMBASSADOR TO BOSNIA AND HERZEGOVINA**

Mr. NELSON. Good morning, Chairman Johnson, Ranking Member Murphy, Senator Shaheen, Senator Kaine. It is an honor to appear before the committee today as the President's nominee to serve as Ambassador to Bosnia and Herzegovina.

I am grateful for the confidence the President and the Secretary of State have placed in me. I am accompanied today by my partner, Filippo Tattoni, and I wish to recognize today the great sacrifices he has made to support me in my career.

I am proud that my nomination is an example of how much the United States values diversity. America's diversity is fundamental to our freedoms, and makes us the innovative and dynamic nation we are. Bosnia and Herzegovina shares this essential characteristic with a centuries-long history of religious coexistence.

I have been privileged to pursue a career in public service, beginning 35 years ago as a Peace Corps volunteer in Liberia, and continuing in the Foreign Service across Europe, Latin America, and Pakistan. My grandparents' and parents' examples of service continue to inspire me.

My Slovak grandparents ministered to Lutheran congregations across Pennsylvania and Ohio. And my Swedish and Danish grandparents survived the Great Depression, serving customers in their small New Jersey diner. My mother, Eleanor, watching today from Texas, was a school teacher, and my late father, Herbert, steered his corporate career into decades of philanthropic and community service.

If confirmed, I will proudly lead a successful interagency team in Bosnia Herzegovina, and will look for every opportunity to shine a spotlight on their excellence in service to America.

The United States is safer and more prosperous when Europe is indeed stable and prosperous. When 100,000 Bosnians died and more than 1 million fled the Bosnian War of 1992 to 1995, the United States intervened with force and diplomacy to end the war. As a guarantor of the Dayton Peace Accords, the United States re-

mains firmly committed to Bosnia and Herzegovina's sovereignty and territorial integrity.

Twenty-three years of relative peace has been a great achievement, but we cannot take this for granted. The surest path to securing a promising future is integration into Euro-Atlantic institutions. Unfortunately, too many politicians continue to put zero-sum ethnic nationalism and their personal enrichment ahead of critical reforms.

If confirmed, I will focus the work of the embassy on several priority areas. Firstly, expanding prosperity. A weak economy and endemic corruption undermines stability. Reforms are critical to reduce labor taxes, improve the ease of opening a business, and privatize bloated state enterprises. If confirmed, I will press for standards that ensure Bosnia Herzegovina can be an attractive destination for U.S. exports and direct investment.

Secondly, if confirmed, I will promote effective government and rule of law. Sadly, Transparency International ranks Bosnia Herzegovina as one of the most corrupt countries in Europe. I will continue our embassy's strong efforts to improve transparency and accountability. When local institutions fail to act, or if peace and stability are threatened, targeted sanctions can be an effective response.

Our third priority will be improving security. The United States will continue our efforts to help Bosnia and Herzegovina to counter violent extremism, and malign foreign influence, strengthen law enforcement, and increase border security.

The country is a committed partner on counterterrorism, and deploys with allied troops in Afghanistan. The United States supports Bosnia Herzegovina's continued progress towards NATO membership and Western democratic values.

Fourth, if confirmed I will press the government of Bosnia and Herzegovina to further human rights. President Trump said in Warsaw last year, "Above all, we value the dignity of every human life. We protect the rights of every person, and we share the hope of every soul to live in freedom."

The United States will advance democracy by promoting media freedom, religious liberty, and education reform. If confirmed, I will advocate for accountability for past atrocities and equal treatment before the law of all Bosnia Herzegovina citizens.

I will strengthen our partnerships with civil society, private sector, and European partners, and I will be eager to work with all leaders in Bosnia and Herzegovina who share our goals and are ready to tackle corruption and implement reform.

Mr. Chairman, I thank this committee and other members of Congress for your steadfast interest in Bosnia and Herzegovina. Thank you for your time, and I look forward to your questions.

[Mr. Nelson's prepared statement follows:]

#### PREPARED STATEMENT OF ERIC GEORGE NELSON

Chairman Johnson, Ranking Member Murphy, it is an honor to appear before the committee today as the President's nominee to serve as Ambassador to Bosnia and Herzegovina. I am grateful for the confidence the President and the Secretary of State have placed in me and I hope to earn your trust as well. I am accompanied today by my partner, Filippo Tattoni, who like many other Foreign Service spouses, has sacrificed much to support me in my career and I wish to recognize that.

I am proud that my nomination is an example of how much the United States values diversity. America's diversity is fundamental to our freedoms and makes us the innovative and dynamic nation we are. Bosnia and Herzegovina shares this essential characteristic with a centuries-long history of religious coexistence.

I have been privileged to pursue a career in public service, beginning 35 years ago as a Peace Corps Volunteer in Liberia and continuing in the Foreign Service across Europe, Latin America, and Pakistan. My grandparents' humble examples of service continue to inspire me. My Slovak grandparents ministered to Lutheran congregations across Pennsylvania and Ohio. And my Swedish and Danish grandparents survived the Great Depression tirelessly serving customers in their diner in New Jersey. If confirmed, I will proudly lead a dedicated and successful inter-agency team in Bosnia. I will look for every opportunity to shine a spotlight on their excellence in service to America.

The United States is safer and more prosperous when Europe is indeed stable and prosperous. When 100,000 Bosnians died and two million fled the Bosnian War of 1992–95, the United States intervened with force and diplomacy to end the war.

As a guarantor of the Dayton Peace Accords, the United States remains firmly committed to Bosnia and Herzegovina's sovereignty and territorial integrity. Twenty-three years of relative peace has been a great achievement, but we cannot take this for granted. The surest path to securing a promising future is integration into Euro-Atlantic institutions. Unfortunately, too many politicians continue to put zero-sum ethnic nationalism and their personal enrichment ahead of critical reforms.

If confirmed, I will focus the work of the Embassy on several priority areas:

- Firstly, expanding prosperity.

A weak economy and endemic corruption undermine stability. Reforms are critical to reduce labor taxes, improve the ease of opening a business, and privatize bloated state enterprises. If confirmed, I will press for standards that ensure Bosnia and Herzegovina can be an attractive destination for U.S. exports and direct investment.

- Secondly, if confirmed I will promote effective government and rule of law.

Sadly, Transparency International ranks Bosnia and Herzegovina as one of the most corrupt countries in Europe. I will continue our Embassy's strong efforts to improve transparency and accountability. When local institutions fail to act, or if peace and stability are threatened, targeted sanctions can be an effective response.

- Our third priority will be improving security.

The United States will continue our efforts to counter malign foreign influence and violent extremism, strengthen law enforcement, and increase border security.

Bosnia and Herzegovina is a committed partner on counterterrorism and deploys with Allied troops in Afghanistan. The United States supports Bosnia's continued progress towards NATO membership and Western democratic values.

- Fourth, if confirmed I will press the Government of Bosnia and Herzegovina to further human rights.

President Trump said in Warsaw last year, "Above all, we value the dignity of every human life, we protect the rights of every person, and we share the hope of every soul to live in freedom."

The United States will advance democracy by promoting media freedom, religious liberty, and education reform. If confirmed, I will advocate for accountability for past atrocities and equal treatment before the law of all Bosnia's citizens.

We need strong partnerships to help Bosnia and Herzegovina achieve peace with progress. If confirmed, I will combine forces with civil society, private sector, and our European partners. I will be eager to work with all leaders in Bosnia and Herzegovina who share our goals and are ready to tackle corruption and implement reform.

Mr. Chairman, I thank this committee and other members of Congress for their steadfast interest in Bosnia and Herzegovina.

I thank you for your time and I look forward to your questions.

Senator JOHNSON. Thank you, Mr. Nelson.

Out of respect for my colleagues' time, I will defer my questions to the end.

Senator Murphy.

VOICE. Not here.

Senator JOHNSON. Senator Kaine.

Senator KAINES. Thank you. Well, this never happens. [Laughter.]

Senator Kaine. I love this. Thank you, and congratulations to each of you for your nominations. I think you are all very qualified for these positions.

First, a question, I am not sure if you will have answer to it, if you have knowledge to answer it, but I was very disturbed when I read the news the other day that the State Department was changing a policy to say that members of the Foreign Diplomatic Corps coming to the United States would no longer be able to get a visa for same-sex partners. Many countries do not allow same-sex marriage, and the previous policy had been that we would grant a visa to same-sex partners of visiting members of the diplomatic corps, and the announcement occurred the other day that that is being stopped.

Are you aware, was that decision made purely within the State Department, or was it promoted by the White House, or others within the administration? Do any of you have knowledge of this?

Mr. NELSON. I am not aware of how that decision was reached, but I have read the briefings on it. I understand that the department made the decision based on achieving equality to following the Obergefell decision that recognized same-sex marriage—same-sex marriage in the United States.

The Department, before that time, had been forward-leaning in trying to accommodate same-sex partners coming to the U.S. They are now creating equivalence between—for same-sex and opposite-sex marriages, and they will continue to apply reciprocity when receiving states accept our families, our same-sex partners, and provide them privileges and immunities. The United States, I understand, is prepared to do the same.

Senator Kaine. Do any of you have additional facts that you could add to how the decision was made? Was it just within the State Department, or was it promoted more broadly by the administration?

Are any of you aware of whether there were any instances of the previous policy causing any problems for the United States? Sometimes a change is made because of policy that is causing a problem, and the problem needs to be fixed.

Was this change, to your knowledge, driven by any problem with the previous policy?

Ambassador GARBER. Senator, I am not familiar with the reasons behind the change in policy.

Senator Kaine. And I know Dr. Gunter is not career State, but I am assuming the others—you are not aware of any problems that had been experienced under the previous rule. Ambassador—

Mr. LITZENBERGER. Senator, I am not.

Senator Kaine. Okay. Thank you.

Ambassador Garber, let me ask you a question. I am often in these hearings. I am on the Armed Services committee, too. So I use these hearings to make me a better Armed Services member, and vice-versa. And I have a question about Cyprus dealing with mil-to-mil cooperation.

So historically, the U.S., in trying to remain balanced and objective in the ongoing dispute, and the negotiations between the two Cypriot communities, has refrained from providing military equip-

ment to the Republic, with a very few exceptions for policing, and also search and rescue.

There have been some in Congress that have advocated lifting that restriction. I do not know enough about the issue actually to have an opinion on it myself, but I would like to get educated.

There have also been reports that during a recent visit to Cyprus, U.S. military officials raised the potential use of Cypriot military bases as a backup to U.S. presence at Incirlik, Turkey.

What can you share with the committee about these issues? Are you aware of discussions with the republic about possibly greater use of military bases in the republic by the United States? And what would be your thought about that?

Ambassador GARBER. Thank you very much for that question, Senator.

You are right. Longstanding U.S. policy, with regard to arms exports has been to avoid further militarization of the island. We are, however, looking at systematically strengthening our security relationship with the government of Cyprus. Cyprus has been a very good partner on counterterrorism, maritime, and border security, as well as, I mentioned in my testimony, nonproliferation. We look to build on those efforts systematically to help to strengthen it.

With regard to the bases, the UK sovereign bases are UK sovereign territories. So as such, that is an issue that falls between the United Kingdom and the United States.

Senator Kaine. But you are not aware of—there had been reports of some discussions at the mil-to-mil level about the potential use of those bases. Have you been read into those discussions? Are you aware what, if any, progress or items had been discussed in that area?

Ambassador GARBER. I have not been specifically read into the discussions at this point. If confirmed, I look forward to learning more. Thank you.

Senator Kaine. Great. Great. Thank you so much.

Mr. Chair, that is all the questions I have. Appreciate it.

Senator JOHNSON. Senator Murphy.

Senator MURPHY. Thank you very much. Thanks all for your testimony. Thanks for being here, your willingness to serve.

I wanted maybe to start with you, Mr. Litzenberger, and actually draw on some of your experience in Serbia. We are often asking you questions about places that you have not been to yet. So maybe I will ask you about a question where you have been. Senator Johnson and I both have spent a lot of time thinking about the Balkans, worry a lot about the general instability, and the desire of the Kremlin to be more influential.

During my last trip, which was admittedly several years ago, our ambassador was begging for additional dollars to help stand-up exchange programs in Belgrade, which had been wildly successful. I went and sat for an hour or so with a bunch of Serbian leaders, who had spent time in the United States. And you could just see, you could feel the difference it made for U.S.-Serbian relationships to have folks who knew something about our country. It was a relatively small amount of money, and it was being pulled back at the time.

Maybe you can share a little bit of your experience, having been to D.C. and Belgrade as to where the United States could step up its assistance in the Balkans and in the Caucasus, frankly, to strengthen the vulnerabilities that the Kremlin or others might want to exploit.

They were, frankly, begging, and continue to beg for more American presence there. Not in the billions of dollars, but in the millions of dollars, and it seems like we still have not figured out how to answer that call.

Mr. LITZENBERGER. Senator, thank you for that question, and I am pleased to be able to talk to you about my experience in Serbia. But actually, it is my experience in all the posts I have been in overseas. The importance, and power, and effect of our exchange programs cannot be overemphasized.

When citizens, potential leaders, future leaders of countries have the opportunity to visit the United States, to study in the United States, to travel in the United States, and learn about our society and our culture, and see it firsthand, they can form their own opinions and impressions. They are not being influenced by any outside players. And most of the time, I would say the vast majority of the time, they come back hugely impressed by this great country of ours.

So I have long been a strong believer in the importance of exchange programs, both the educational and cultural exchange. And also in our security cooperation toolkit, we have a program called IMET, International Military Education and Training, which does a similar thing to help build military-to-military relationships with countries around the world, and enhance our security cooperation.

The reality is that assistance funding decisions have to be made in the context of competing priorities, and in the case of the European area of shrinking assistance budgets. So priorities come into play, and we have to make some tradeoffs between where we want to focus our assistance.

Exchanges are important. Programs that promote rule of law that support civil society, that help support human rights activists in countries like Serbia, and in countries like Azerbaijan, are hugely important to helping us develop that dimension of our bilateral relationship with these countries.

Senator MURPHY. It is just so strange to me that we force the Department of State, and in particular, the European section to make these tradeoffs, to accept the inevitability of shrinking aid budgets, when we do not expect the Department of Defense to do the same. We give them record increases in funding. We spend \$4 billion on a European reassurance initiative, and then we ask our ambassadors in the Balkans to beg for \$20,000 additional for exchange programs. So I appreciate your answer.

Let me go to you, Mr. Nelson. Boy, this is a—this is a tough job you are undertaking. I mentioned that there is real desire for American leadership there.

I wanted to ask you about the issue of land swaps. This is a pretty hot topic in the region, in general, and I am sure you are aware of these recent discussions around “border adjustments” between Serbia and Kosovo.

While the decision is ultimately up to the leaders in Belgrade and Pristina, many of us are worried that a precedent of changing borders might have a real destabilizing impact on places like Bosnia, where you have got a fragile political ecosystem as is.

Are you going into this with the idea that America is committed to Bosnia's territorial integrity, and do you think that there are legitimate concerns with some of the proposals out there to shift borders, and the follow-on effects that it could have as others try to think about ways in which they could move their borders to capture different ethnic populations that they would like to have inside their national boundaries?

Mr. NELSON. Thank you, Senator Murphy.

Yes, I am going in with a clear commitment to the United States support of Bosnia's territorial integrity and sovereignty. The discussions between Kosovo and Serbia, two sovereign states, to agree on normalizing their relations are important, are important for the region. We support the EU-facilitated dialog.

But it is important to make clear that there is no parallel in Bosnia Herzegovina. Now where sub-state entities have discussed secession, we remain steadfast in our support of Bosnia's territorial integrity, and we will continue to work with our partners to keep Bosnia moving forward, and focused on unification within the European Union. That is the future that Bosnia should be looking to.

Senator MURPHY. I am all for creative solutions, and frankly, the chairman knows more about this subject than I do. I just worry that if it is done wrong, it could lead to more, rather than less, destabilization. But I remain open to folks using some creative ideas to try to solve century's old problems.

Ambassador Garber, can you talk a little bit about why Russian money laundering in Cyprus should matter to America. This is something that we have spent a lot of time thinking about, and looking at. And Treasury is obviously involved in this, but it is still occurring. The Wall Street Journal called Cyprus Russia's favorite money haven.

Why does this matter to us, and what can the next ambassador do about it?

Ambassador GARBER. Thank you very much for that question, Senator Murphy.

Russian money laundering is a serious concern, and the integrity of Cyprus's financial system is a serious concern for the United States, so it is not abused by bad actors, to be able to have that happen for illicit means.

As you noted, sir, the Republic of Cyprus has been cooperating with the U.S. Treasury on strengthening its anti-money laundering regime. I dealt a lot with this issue in Latvia as well. Latvian banks have also been used for money laundering in the past. And I look forward to bringing what I have learned from that experience to bear should I be confirmed as Ambassador to the Republic of Cyprus.

We have been engaging government regulators, the private sector, trying to make clear the seriousness of it, which we will be enforcing U.S. sanctions, and our intention to pursue entities that facilitate money laundering.

It is very important for the future prosperity of Cyprus that it has a very strong banking system, and one that cannot be abused by illicit actors.

Senator MURPHY. Great. Thank you for that answer.

Dr. Gunter, none of these posts are easy, but yours is the easiest amongst them. We have got a great bilateral relationship with Iceland, and you will be the beneficiary of some fantastic work by previous ambassadors.

So I wanted to actually ask you a question about some of your prior work in the foreign relations space. You have been a board member of the Republican Jewish Coalition Organization, founded by Sheldon Adelson, and I want to ask you a sincere question about—your thoughts about the state of the political discussion surrounding support for Israel.

When I got to Congress 12 years ago there was very little political advantage that one party tried to seek over the other when it came to the issue of Israel. We had our differences, and there were certainly groups that existed working just with the republicans and just with democrats. But in the time that I have been here I have seen a rapid escalation of the electoral politics that get played out around the issue of Israel. And all of a sudden, whether the critiques are fair or not of one party or the other, all of a sudden you see lots of TV ads right now trying to expose vulnerabilities that one party may have over their support or lack thereof for Israel.

And I really worry that this sort of pulls apart one of the discussions that tended to be fairly nonpartisan here. It tended to be one of the things in this space that united us, and now all of a sudden there is political gain to be had. I may draw issue with some of the donors and supporters of the group that you belong to, but I understand this plays out on both sides.

So as you have worked in this space, do you worry about this—about the issue of Israel becoming politicized, becoming something that all of a sudden is inside our electoral politics in a way that it wasn't a couple decades ago?

Dr. GUNTER. Thank you for the question, Senator. It is a very good one.

And like many of the issues that we face today in the current political environment, I worry. I worry because I am an American first. It is not a D or not an R issue. It is an A issue, that we are all Americans. And I worry when things become so politicized, are we forgetting, quite frankly, why we are all here today, and what unifies us, instead of focusing so much on what divides us.

So I view my role coming to Iceland as providing for the prosperity and the protection of all Americans through building strong relationships with the Icelandic government, with Icelandic companies, and most importantly, the Icelandic people. And I come there not as a D or an R, I come there as a double A, representing all Americans. And for me, that is extremely important.

Thank you.

Senator MURPHY. I appreciate that answer. I take it at your word. We have sent at least ambassador to Europe who has not lost his political stripes upon taking a very important post. And so I trust that you will take a different path. Thank you for that good answer.

Thank you, Mr. Chairman.

Senator JOHNSON. Senator Menendez.

Senator MENENDEZ. Well, thank you, Mr. Chairman. Congratulations to all of your nominations. I have a particular interest with two of the nominees, so let me address them.

Ambassador Garber, I appreciate our visit yesterday, and our discussion. I am one who believes that in cases such as Cyprus, unless we reconcile ourselves with the past, it is difficult to move forward.

So to that end, do you acknowledge that there was an invasion of Cyprus, and that Turkey should seek to withdraw its troops?

Ambassador GARBER. Senator, thank you very much for that question, and I think it is right to recall the tragic events—you are right to recall the tragic events of 1974.

In 1974, following these tragic events, the United States supported U.N. General Assembly Resolution 3212. And this called for both sides to freely achieve a mutually acceptable political settlement on the island. This has led the United States for many years to support Cypriot-led U.N.-facilitated negotiations to reunite the island as a bi-zonal, bicultural federation.

We seek to use language that enables the United States to play an effective role, and we have played an effective role in helping to facilitate these discussions. We continue to see a settlement on the island as the best reason for security.

Senator MENENDEZ. Well, I appreciate that answer to a question that I did not pose. The question that I posed was not what do we seek in terms of a settlement. The question that I posed is whether or not Turkish troops invaded Northern Cyprus, and are still there in Northern Cyprus, occupying Northern Cyprus.

I think if we cannot accept a factual reality, then we are in trouble in terms of trying to figure out how do we move forward. So is it true that Turkish troops ultimately crossed into Northern Cyprus, and are presently there, continuing, since 1974?

Ambassador GARBER. The Turkish intervention on the island led to the events of the tragic divisions that we have today. I think the issue of the Turkish troops is one of the most sensitive issues in the negotiations, and one that will be part of a final settlement—

Senator MENENDEZ. Do you acknowledge that there are Turkish troops in Northern Cyprus?

Ambassador GARBER. Do I acknowledge that there—thank you, Senator. Do I acknowledge that there are Turkish troops on Northern Cyprus?

Senator MENENDEZ. Yes. Yes or no?

Ambassador GARBER. Yes, there are Turkish troops in—

Senator MENENDEZ. Thank you. You know, the State Department—I appreciate the nuances, but there are certain things that are just real. Turkish troops, which were not existent prior to this time, invaded Northern Cyprus, and have continued to be there, and makes it one of the most militarized places in the world. That is just a fact.

Now dealing with that fact, as we tried to seek a bi-zonal, bicultural federation, where people can live in peace and security, is an important fact. So, you know, I gather that you are constrained, because I know you have an incredibly successful history,

and a career history at the department, but this always baffles me, in terms of not just recognizing simple facts.

Let me ask you this. If confirmed, will you work to ensure access to Turkish military zones on the island, where missing Greek and Turkish Cypriot persons may be buried?

Ambassador GARBER. Thank you for that question, Senator.

The issue of missing persons is a very important issue of concern to the United States. If confirmed, I will work to make sure that the Committee on Missing Persons is able to have access to all burial sites—

Senator MENENDEZ. Hm-hmm.

Ms. GARBER.—and expeditiously conclude its work.

Senator MENENDEZ. I heard your previous answer to the question about lifting the arms embargo. I am one of those who believes we should lift the U.S. arms embargo on Cyprus. This is part of the European Union. Cyprus plays a critical role with us in so many different ways, in intelligence sharing. When we have had to airlift Americans out of other areas in the region, Cyprus has been our landing point. They have been receptive. They have been helpful. I believe we should lift the arms embargo against Cyprus.

Let me ask you finally, do you believe that the Cypriot government has the right to exploration in its exclusive economic zone in accordance with international law, and if you are confirmed, will you defend that right?

Ambassador GARBER. Senator, thank you very much for that question.

The United States recognizes the right of the Republic of Cyprus to the resources and its exclusive economic zone. We believe that they should be shared equitably in the context of an overall settlement. The energy has the ability to promote greater regional co-operation, and we believe a settlement will facilitate not only the development of these resources, but their ability to work to the benefits of all Cypriots.

Senator MENENDEZ. Mr. Litzenberger, I have some questions for you.

I am concerned by Azerbaijan's bellicose rhetoric and sporadic outbursts of violence along the Nagorno-Karabakh line of contact, which undermine diplomatic efforts to peacefully resolve the conflict.

If confirmed, what steps will you take to urge the Azerbaijani government to step back from its threatening behavior, and permit necessary monitoring along the line of contact.

Mr. LITZENBERGER. Thank you very much, Senator.

As one of the three cochairs of the Minsk Group process that is working to achieve a peaceful settlement to the Nagorno-Karabakh conflict, we are working along the lines of three principles. One is the non-use of force, and the non-threat of the use of force. The second is the respect for territorial integrity. And the third is the rights of peoples to self-determination. All three of those are important. Any agreement or settlement that does not fully take all three into account is unlikely to succeed.

For that reason, all of the cochairs, the U.S. especially, condemns any violence and any threat of the use of violence along the line

of contact. It undermines the peace process. It violates the 1994 ceasefire, and is very unhelpful.

So if confirmed, I will continue to support the efforts of Andrew Schofer, who is our U.S. cochair to the Minsk Group process, and will urge the government of Azerbaijan to work cooperatively to help settle this conflict.

Senator MENENDEZ. Hm-hmm. So I will take that, that as part of your overall answer, that you would urge all the parties, but certainly, since you are going to be the Ambassador of the United States to Azerbaijan, to urge the Azerbaijanis to step back from any threatening behavior that could disrupt the line of contact. Is that a fair statement?

Mr. LITZENBERGER. That's a fair statement, sir.

Senator MENENDEZ. Do you support the provision of security assistance to Azerbaijan, and should it be tied to progress towards a peaceful settlement of the Nagorno-Karabakh conflict, or to progress on accountability for human rights abuses committed by Azerbaijani security forces?

Mr. LITZENBERGER. Thank you, Senator, for that question.

The U.S. does provide some security assistance to Azerbaijan, and we do it because it directly serves U.S. national interests. Our security cooperation is focused in areas such as reinforcing Azerbaijan's border security along its southern border with Iran, clearly in our interest, towards enhancing its maritime awareness, and the ability to secure and safeguard its important energy infrastructure in the Caspian Sea. That is also clearly in our interest, as we try to support and help Azerbaijan to develop western export routes to get its energy resources to European markets, and reduce Europe's dependence on Russian energy sources.

And we also focus our security assistance on counterterrorism, training, and capabilities to combat violent extremism, and the threat of violent extremism. So those are all core U.S. security interests. Now in—

Senator MENENDEZ. I appreciate that.

Mr. LITZENBERGER. Senator, in carrying out all of this assistance, we are very careful to ensure that nothing that we do or provide to Azerbaijan undermines the effort to reach a peaceful settlement of the Nagorno-Karabakh conflict.

Senator MENENDEZ. Hm-hmm. And as many other places involved—I will just end on this, Mr. Chairman. And there are many other places in the world where we provide security assistance. One of the concerns of this committee, which has jurisdiction over arm sales, and other forms of assistance, is that while all of the stated reasons you gave me as to why we provide security assistance to Azerbaijan may be very valuable, we also do not want to see human rights abuses by the very forces that we arm.

So will you commit yourself to making sure that that is part of what you are looking at, if you are to be confirmed?

Mr. LITZENBERGER. Senator, thank you. And absolutely. And I apologize. I failed to mention that an important component of the security assistance that we provide Azerbaijan includes training in human rights, and the respect for human rights. So this actually affords us another avenue to engage the government of Azerbaijan on this important issue.

Senator MENENDEZ. Thank you, Mr. Chairman.

Senator JOHNSON. Thank you, Senator Menendez.

I spent time with all four nominees, pretty well got my questions answered. I do want to say that I think we have got some very well-qualified career Foreign Service going to very important countries. You know, we have opportunities here. I have spent a fair amount of time back and forth between Serbia and Kosovo.

I think there is a desire to solve that problem, which would certainly help in terms of Bosnia and Herzegovina. There are opportunities between Azerbaijan and Armenia. Maybe we can work in Cyprus, and start providing greater stability in these longstanding conflicts.

So, again, I really appreciate your willingness to serve in these regions. I certainly appreciate your families' willingness to work with you on that. It really is a shared sacrifice.

I do want to, before I close this out, to talk about an area of agreement. I also am hugely supportive of these change programs, things like J-1 visas. I would say, one thing I find pretty interesting when you go into the Balkan region, one of the concerns is economic opportunities outside of their countries, and so their young people are leaving.

I have always encouraged the leaders of those nations to identify those young people that for sure want to come back. You know, send those individuals to America to learn, whether it is in work programs, or study programs, or whatever. Military exchanges.

So you have got bipartisan support. I mean anything we can do working together to make sure that the State Department has resources to encourage those things, but also just working with those governments to encourage that, make sure we get the visas for doing so. You've got two people up here that will work with you in all four of your nations that you represent to do just that.

So that, again, I apologize for being late. I am mindful of the time. Again, thank you for your testimony, for your willingness to serve.

The hearing record will remain open for statements or questions until the close of business on Friday, October 5th. This hearing is adjourned.

[Whereupon, at 12:05 p.m., the hearing was adjourned.]

## **Additional Material Submitted for the Record**

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH G. GARBER BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my career I have promoted human rights and democracy. As Ambassador to Latvia, I championed human rights and democracy with the Embassy team through programs to strengthen investigative journalism, support LGBT rights, and improve tolerance between ethnic Russian and Latvian communities. In my current role in the Bureau of Oceans and International Environmental and Scientific Affairs, our activities to ensure public participation on environmental issues associated with CAFTA-DR Agreement's environment chapter implementation have

directly supported stronger governance and accountability. If confirmed, I will strongly support human rights and democracy in the Republic of Cyprus.

*Question 2.* What issues are the most pressing challenges to democracy or human rights in Cyprus? Please be as specific as possible.

Answer. If confirmed, I will urge the Republic of Cyprus to promote our shared democratic values, both in Cyprus and across Europe. If confirmed, and consistent with American values, I will continue to speak out strongly in support of human rights in Cyprus to include addressing such issues as trafficking in persons, and violence against members of ethnic and national groups.

*Question 3.* What steps will you take—if confirmed—to support democratic, accountable governance in Cyprus? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will engage Cypriot officials to encourage democratic, accountable governance. The Republic of Cyprus is a constitutional republic and multiparty democracy, which chooses its leaders through free and fair elections. If confirmed, and consistent with our shared values, I will support efforts to combat corruption and promote accountable government. I believe that illicit financial activities undermine democratic institutions. Cyprus recognizes the importance of strong financial institutions, including the risks of Russian money laundering, and has been working with the United States to make improvements to its anti-money laundering regulations and regulatory oversight. Cyprus, nevertheless, needs to remain vigilant and take additional steps to combat the numerous challenges and risks posed by illicit money in the economy. We are encouraged by the progress local banks have made to boost compliance with regulations by culling suspicious accounts and hiring additional personnel to conduct due diligence; however, we believe more needs to be done. If confirmed, I will encourage the Republic of Cyprus to continue to strengthen its banking and anti-money laundering regulations and implement measures to limit the ease of shell company formation.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. By urging our partners to uphold their own commitments to a vibrant democracy, good governance, and the rule of law, we can strengthen Cypriot capabilities to counter threats to their security and sovereignty. We have worked, and will continue to work, to strengthen cooperation with Cyprus on counterterrorism, maritime and border security, and will continue to look for opportunities for cooperation in other areas of mutual interest.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S., and local human rights NGOs, and other members of civil society across Cyprus?

Answer. If confirmed, I look forward to meeting with human rights, civil society, and other non-governmental organizations in the United States and Cyprus in continuation of the Embassy's practice of meeting civil society groups, from all communities on a regular basis and empowering their voices in policy debates. I will also meet with members of different religious groups and urge government officials to promote freedom of religion or belief for all Cypriots, consistent with our shared values.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I plan to continue the Embassy's practice of meeting with democratically-oriented political opposition figures. If confirmed, I will advocate for access and inclusivity for women, minorities, and youth within political parties.

*Question 7.* Will you and your embassy team actively engage with Cyprus on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press across Cyprus?

Answer. If confirmed, I will engage with Cypriot officials and members of the independent, local press across Cyprus on the issue of press freedom. As Ambassador to Latvia, I championed human rights and democracy with the Embassy team through programs to strengthen investigative journalism. If confirmed, I will engage

Cypriot officials on any government efforts designed to control or undermine press freedom through legal or regulatory measures.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will actively engage both civil society and Cypriot officials to counter disinformation and propaganda disseminated by foreign state or non-state actors.

*Question 9.* Will you and your embassy teams actively engage with Cyprus on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will actively engage both civil society and Cypriot officials on the rights of labor groups to organize, including for independent trade unions.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Cyprus, no matter their sexual orientation or gender identity?

Answer. If confirmed, I will engage with Cypriot officials on matters of human rights and civil rights as a matter of priority. As Ambassador to Latvia, I championed human rights and democracy with the Embassy team through programs to strengthen investigative journalism, support LGBT rights, and improve tolerance between ethnic Russian and Latvian communities. If confirmed, I will strongly support human rights and defend the dignity of all people in Cyprus, no matter their sexual orientation or gender identity.

*Question 11.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression across Cyprus? Will you commit to meet with representatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

Answer. If confirmed, I will continue the Embassy's practice of meeting with members of different religious groups and encouraging government officials to promote freedom of religion or belief for all Cypriots. I will interact with civil society groups, from all faith communities on a regular basis and encourage their participation in policy debates. In addition, I will continue to dedicate resources to gathering information and publicizing the annual Report to Congress on International Religious Freedom, which sheds light on challenges to religious freedom around the world, including in Cyprus. By urging our partners to uphold their own commitments and the rule of law, we can strengthen Cypriot capabilities to counter threats to their security and sovereignty.

*Question 12.* If confirmed, how will you seek to boost resilience to Russian Government meddling within Cyprus's institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address corrupt political and economic influence or other illicit dealings with Cypriot actors that can increase space in the country for the Kremlin to push its agenda on the island and within the EU and NATO?

Answer. The Republic of Cyprus is a democracy, an EU member, and a strategic partner. If confirmed, and consistent with our shared values, I look forward to working with Cypriots to increase resilience to any efforts to undermine Cypriot institutions and civil society.

Recognizing the importance of strong financial institutions and the risks of money laundering, the Republic of Cyprus has been working with the United States to make improvements to its anti-money laundering regulations and regulatory oversight. Cyprus still needs to take more steps to combat the numerous challenges and risks posed by illicit money in the economy. We are encouraged by the progress local banks have made to boost compliance with regulations by culling suspicious accounts and hiring additional personnel to conduct due diligence. If confirmed, I will encourage the Republic of Cyprus as a friend and a partner to continue to strengthen its banking and anti-money laundering regulations and implement measures to limit the ease of shell company formation.

*Question 13.* More broadly, what do you see as most needed to effectively counter interference from Turkey, China, and other states that restricts Cypriot independence or stifles peaceful, democratic processes?

Answer. The Republic of Cyprus is a democracy and a member of the European Union. If confirmed, I will reinforce United States support for Cyprus' democratic institutions and seek to further anchor Cyprus in the West. Strengthening domestic institutions and public faith in government can help, in part, to counter foreign malign influence. If confirmed, I will support efforts to combat corruption, fight money laundering and illicit finance, promote a free press, and encourage civic participa-

tion. Ultimately, I believe a unified Cyprus would be stronger and better able to counter external interference and preserve Cyprus' independence. To this end, I will continue to support Cypriot-led, UN-facilitated efforts to reunify Cyprus as a bi-zonal, bicultural federation.

*Question 14.* What specific steps will you take if confirmed to expose and punish corruption and money laundering on the island, including through FATF, U.S. Treasury sanctions tools, and other punitive measures?

Answer. Money laundering in the Republic of Cyprus is an issue of concern for the United States. Recognizing the importance of strong financial institutions and the risks of Russian money laundering, the Republic of Cyprus has been working with the United States to make improvements to its anti-money laundering regulations and regulatory oversight. Cyprus still needs to take more steps to combat the numerous challenges and risks posed by illicit money in the economy. We are encouraged by the progress local banks have made to boost compliance with regulations by culling suspicious accounts and hiring additional personnel to conduct due diligence; however, we believe more needs to be done. If confirmed, I will encourage the Republic of Cyprus to continue to strengthen its FATF compliance including FATF standards on beneficial ownership, and measures to limit the ease of shell company formation.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH G. GARBER BY SENATOR MARCO RUBIO**

*Question 1.* The increasingly close working relationship between Israel, Cyprus, and Greece has been described as the possible beginnings of an eastern Mediterranean alliance, one that would span security, energy, and diplomacy. Do you believe that a closer working relationship among Cyprus, Greece, and Israel is a positive development? If confirmed, is this a relationship that you would support?

Answer. Cyprus, Greece, and Israel are democracies and valued friends. They have important roles in enhancing peace, stability, and prosperity in the Eastern Mediterranean. We are examining how we can support their efforts and advance U.S. interests in the region. As part of this effort, we are working systematically to strengthen security and energy cooperation with the Republic of Cyprus. If confirmed, I will take steps to further enhance the relationship between the United States and the Republic of Cyprus. The administration's priority is to ensure the stability of the Eastern Mediterranean and, towards this end, I will support continued high-level U.S. engagement with the Republic of Cyprus on the wide range of issues of common concern to both countries, including regional security.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH G. GARBER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Under the ruling Justice and Development Party (AKP), the Turkish Government has encouraged public policy decisions and demographic changes that expand the political and cultural influence of religiously and socially conservative nationalism within the Turkish Cypriot community in contrast to the historically secular liberal identity of most Turkish Cypriots.

- Do you consider these developments a hindrance to reconciliation and reunification efforts on the island? How do you intend to address Turkey's influence on the island?

Answer. The issue of Turkish citizens who settled in Cyprus post-1974 has been a very sensitive matter that has been the subject of a great deal of discussion between the Greek Cypriot and Turkish Cypriot leaders and their respective communities. It underscores the need for the communities to find a just, lasting, and comprehensive settlement of this and all other matters. Turkey has conveyed publicly its support for the UN-facilitated settlement process and actively participated in the International Conference on Cyprus in Crans-Montana in 2017. We urge Turkey to play a constructive role in support of the UN-facilitated process. If confirmed, I will actively support efforts toward a settlement.

*Question 2.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

**Answer.** Throughout my career I have promoted human rights and democracy. As Ambassador to Latvia, I championed human rights and democracy with the Embassy team through programs to strengthen investigative journalism, support LGBT rights, and improve tolerance between ethnic Russian and Latvian communities. In my current role in the Bureau of Oceans and International Environmental and Scientific Affairs, our activities to ensure public participation on environmental issues associated with CAFTA-DR Agreement's environment chapter implementation has directly supported stronger governance and accountability. If confirmed, I will strongly support human rights and democracy in the Republic of Cyprus.

**Question 3.** What are the most pressing human rights issues in Cyprus? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Cyprus? What do you hope to accomplish through these actions?

**Answer.** If confirmed, I will urge the Republic of Cyprus to promote our shared democratic values, both in the Cyprus and across Europe. If confirmed, and consistent with American values, I will continue to speak out strongly in support of human rights in Cyprus to include addressing such matters as the need to fight trafficking in persons, corruption, and societal violence against members of ethnic and national groups.

**Question 4.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Cyprus in advancing human rights, civil society and democracy in general?

**Answer.** Addressing human rights concerns in other countries is often a challenging proposition as it touches on countries' domestic equities. If confirmed, and consistent with our shared values, I will urge officials of the Republic of Cyprus to promote policies both at home and abroad that support respect for human rights.

**Question 5.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Cyprus? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** If confirmed, I will continue to meet with human rights, civil society, and other non-governmental organizations in the United States and Cyprus in continuation of the Embassy's practice of meeting civil society groups, from all communities on a regular basis and empowering their voices in policy debates. I will also meet with members of different religious groups and government officials to promote freedom of religion or belief for all Cypriots. I will enforce the Leahy Law and ensure that no individual or unit credibly implicated in a gross violation of human rights receives U.S. funded assistance and will assist the Government of Cyprus to hold perpetrators of gross human rights violations accountable. We have worked to strengthen cooperation with Cyprus on counterterrorism, maritime and border security, and will continue to look for opportunities for cooperation in other areas of mutual interest. By urging our partners to uphold their own commitments and the rule of law, we can strengthen Cypriot capabilities to counter threats to their security and sovereignty.

**Question 6.** Will you and your embassy team actively engage with Cyprus to address cases of key political prisoners or persons otherwise unjustly targeted by Cyprus?

**Answer.** According to the State Department's 2017 Country Report of Human Rights Practices, there were no reports of political prisoners or detainees in the Republic of Cyprus.

In February 2018, the country held free and fair elections in which voters again elected Nicos Anastasiades as president. The law and constitution provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In national elections, only Turkish Cypriots who resided permanently in the Government-controlled area were permitted to vote and run for office. In elections for the European Parliament, Cypriot citizens, resident EU citizens, and Turkish Cypriots who live in the area administered by Turkish Cypriots have the right to vote and run for office. If confirmed, I plan to continue the Embassy's practice of meeting with representatives across the political spectrum, including voices seeking to hold the Government to account for corruption or other challenges to human rights.

**Question 7.** Will you engage with Cyprus on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will engage with Cypriot officials on matters of human rights, civil rights, and governance as a matter of priority.

*Question 8.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you or do any members of your immediate family have any financial interests in Cyprus?

Answer. No.

*Question 11.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. A diverse and inclusive team is the type of team that, if confirmed, I will aim to foster. If confirmed, I will lead by example in promoting greater diversity in the Foreign Service and will do everything I can to ensure the U.S. Mission in Cyprus continually strives to promote equal opportunity for our officers, including women and those from historically marginalized groups.

*Question 12.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, under my leadership, the Embassy will reflect our whole-of-mission commitment to promoting diversity and inclusion. I will emphasize the importance of diversity and inclusion to all Embassy supervisors, and will make sure that supervisors have the opportunity to receive proper formal training and regular guidance to ensure they are helping to foster a work environment that is diverse and inclusive. It is my firmly held belief that diverse and inclusive teams lead to stronger and better performing organizations.

*Question 13.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Cyprus specifically?

- What is your assessment of corruption trends in Cyprus and efforts to address and reduce it by that government?
- If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Cyprus?

Answer. Corruption corrodes democratic institutions and economic development. Corruption dissuades investors and weakens public confidence in institutions.

Recognizing the importance of strong financial institutions and the risks of Russian money laundering, the Republic of Cyprus has been working with the United States to make improvements to its anti-money laundering regulations and regulatory oversight. Cyprus still needs to take more steps to combat the numerous challenges and risks posed by illicit money in the economy. We are encouraged by the progress local banks have made to boost regulations by culling suspicious accounts and hiring additional personnel to conduct due diligence. If confirmed, I will encourage the Republic of Cyprus to continue to strengthen its banking and anti-money laundering regulations and implement measures to limit the ease of shell company formation.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH G. GARBER BY SENATOR JOHN BARRASSO

*Question 1.* What are the major barriers to achieving a permanent solution to the political and physical divisions on the island of Cyprus?

Answer. The Republic of Cyprus is a valued friend and important partner. The United States has supported Cypriot-led, UN-facilitated negotiations to reunify the

island as a bizonal, bicommunal federation as the best means to achieve a just and lasting settlement that benefits all Cypriots. Experts have pointed out that, over time and until the island is reunified, social, political, and economic differences could deepen. If confirmed, I will continue to encourage the leaders and all stakeholders to achieve an agreement, sooner rather than later, that benefits all Cypriots.

*Question 2.* What additional efforts can the United States take to encourage a negotiated settlement and reunification of the two communities in Cyprus?

Answer. If confirmed, I will actively support the reunification of Cyprus as a bizonal, bicommunal federation, which has been the long-standing policy of the United States, consistent with United Nations Security Council Resolutions. I will also continue to encourage the parties to engage constructively to reach a just and lasting settlement. The United States supports the Cypriot-led, UN-facilitated settlement effort and will continue to do so. As a friend to all Cypriots, the United States supports and engages with both sides in their efforts to reach a settlement. The Cypriots, themselves, must find a solution in the talks that is satisfactory to both sides.

*Question 3.* What opportunities exist for close cooperation between Cyprus, Israel, and Greece, as part of an Eastern Mediterranean Alliance?

Answer. Cyprus, Greece, and Israel are democracies and valued friends. We believe that they have important roles in enhancing peace, stability, and prosperity in the Eastern Mediterranean. We are examining how we can support their efforts and advance U.S. interests in the region. If confirmed, I will work to continue strengthening our cooperation with the Republic of Cyprus on counterterrorism, law enforcement, maritime and border security and regional stability, as well as continuing to look for opportunities to cooperate in other areas of mutual interest.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH GAIL GARBER BY SENATOR JEANNE SHAHEEN**

*Question 1.* The close and increasingly closer working relationship between Israel, Cyprus and Greece—the Western World outpost countries in the Eastern Mediterranean—and America have been described as the Eastern Mediterranean Alliance (EMA) in recent articles. How do you believe this Alliance contributes to American interests?

Answer. Cyprus, Greece, and Israel are democracies and valued friends. They have important roles in enhancing peace, stability, and prosperity in the Eastern Mediterranean. We are examining how we can support their efforts and bolster the U.S. presence in the region to counter Iranian efforts to develop a window onto the Mediterranean and the growing Russian naval presence. As part of this effort, we are working systematically to strengthen security and energy cooperation with the Republic of Cyprus. If confirmed, I will take steps to further enhance the relationship between the United States and the Republic of Cyprus. The administration's priority is to ensure the stability of the Eastern Mediterranean and, towards this end, I will support continued high-level U.S. engagement with the Republic of Cyprus on the wide range of issues of common concern to both countries, including regional security.

*Question 2.* Ambassador, Cyprus came close to a political settlement recently. What do you feel are the challenges to reaching a settlement in Cyprus? What role has Turkey played in negotiations between the two communities?

Answer. The United States has supported Cypriot-led, UN-facilitated negotiations to reunify the island as a bizonal, bicommunal federation as the best means to achieve a just and lasting settlement that benefits all Cypriots. We continue to believe that this process is the most promising way to arrive at a lasting solution. A settlement would unlock Cyprus' significant unrealized economic potential, facilitate relations throughout the Eastern Mediterranean and could lead to greater cooperation between the EU and NATO. A settlement could also improve regional energy cooperation. Turkey has conveyed publicly its support for the UN-facilitated settlement process and actively participated in the International Conference on Cyprus in Crans-Montana in 2017. We continue to encourage Turkey to play a constructive role in support of the UN-facilitated process.

If confirmed, I will continue to encourage the leaders and all stakeholders to achieve an agreement that benefits all Cypriots.

*Question 3.* Ambassador, Cyprus has traditionally attracted Russian investment and use of the banks in that country. While Cyprus has certainly done a lot to

counter money laundering, are you concerned that Cypriot banks are still being used as a destination for dirty money?

Answer. Money laundering in the Republic of Cyprus is an issue of concern for the United States. Recognizing the importance of strong financial institutions and the risks of money laundering, both from Russia and elsewhere, the Republic of Cyprus has been working with the United States to make improvements to its anti-money laundering regulations and regulatory oversight. Cyprus still needs to take more steps to combat the numerous challenges and risks posed by illicit money in the economy. We are encouraged by the progress local banks have made to boost compliance with regulations by culling suspicious accounts and hiring additional personnel to conduct due diligence; however, we believe more needs to be done. If confirmed, I will encourage the Republic of Cyprus to continue to strengthen its anti-money-laundering efforts, and measures to limit the ease of shell company formation.

*Question 4.* What is your view on lifting the restrictions on selling arms to Cyprus?

Answer. Long-standing U.S. policy with regard to arms exports to Cyprus has focused on avoiding further militarization of the island. Nevertheless, the United States has licensed the sale of defense equipment to Cyprus on a case-by-case basis. We have done so within existing restrictions to strengthen cooperation on explosive ordnance disposal, counterterrorism, maritime and border security, and other areas of mutual interest. If confirmed, I will continue to look at ways to systematically strengthen our security relationship with Cyprus.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. JUDITH G. GARBER BY SENATOR CHRISTOPHER A. COONS**

*Question 1.* The State Department referred to Cyprus in September 2017 as a strategic partner of the United States. Cyprus has provided assistance to the United States in many instances, such as medical treatment for U.S. soldiers in the aftermath of the 1983 Marine barracks bombing in Beirut and the evacuation of more than 2,500 Americans during an outbreak of fighting in Lebanon in 2006. What is the strategic importance of Cyprus to the United States and what are potential avenues of increased cooperation in the bilateral relationship?

Answer. The Republic of Cyprus is a democracy, an EU member state, and a key partner in a strategically important but unstable region. We are working systematically to strengthen security cooperation with the Republic of Cyprus, while continuing to support Cypriot-led, U.N.-facilitated negotiations to reunite the island. The administration's priority is to ensure the stability of the Eastern Mediterranean and, towards this end, I will support continued high-level U.S. engagement with the Republic of Cyprus on the wide range of issues of common concern to both countries, including regional and maritime security, law enforcement cooperation, and educational and cultural exchanges.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DR. JEFFREY ROSS GUNTER BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. In 2012, I co-founded the Early Investigator High School (EiHS) program for stem cell research at the University of Southern California where we supported high school students from the inner city to study and perform stem cell research regardless of social economic consideration. This provided these students an excellent education here in America regardless of their socio-economic situation.

In addition, I have supported various charities supporting our United States military who have bravely defended human rights and democracy around the world.

Regarding the impact of my actions, inner city students have had opportunities to participate in America in ways they would not have had otherwise unless given this access to education. Our military has used these donations to take care of those who fight for democracy and human rights around the world.

*Question 2.* What issues are the most pressing challenges to human rights in Iceland? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in Iceland and, working in partnership with Iceland, to promote human rights around the globe? What do you hope to accomplish through these actions?

Answer. Iceland is a constitutional parliamentary republic with no egregious human rights abuses. However, Iceland does not currently fully meet the minimum standards for the elimination of human trafficking, although it is making significant efforts to do so. If confirmed, I will continue our U.S. Embassy's robust engagement with Icelandic officials and non-government organizations to intensify Iceland's efforts to investigate, prosecute, and convict suspected traffickers. I will also continue our close partnership with Iceland to promote human rights and democracy around the globe.

*Question 3.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations, and other members of civil society in Iceland?

Answer. I commit to meet with civil society members, human rights and other non-governmental organizations, and other members of civil society in Iceland, if confirmed.

*Question 4.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. I commit to meet with democratically oriented political opposition figures and parties, if confirmed. I also commit to advocate for access and inclusivity for women, minorities and youth within political parties.

*Question 5.* Will you and your embassy team actively engage with Iceland on freedom of the press and any undermining of freedom of expression in the country? Will you commit to meeting regularly with independent, local press in Iceland?

Answer. I commit to engage actively with Iceland on press freedom issues and any undermining of freedom of expression in the country. I also commit to meeting regularly with independent, local press in Iceland.

*Question 6.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. I commit to engage actively with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Iceland.

*Question 7.* Will you and your embassy teams actively engage with Iceland on the right of labor groups to organize, including for independent trade unions?

Answer. I commit to engage actively with Iceland on the right of labor groups to organize, including for independent trade unions.

*Question 8.* Will you commit to using your position, if confirmed, to support the human rights and dignity of all people in Iceland, no matter their sexual orientation or gender identity?

Answer. If confirmed, I commit to support the human rights and dignity of all people in Iceland, no matter their sexual orientation or gender identity.

*Question 9.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Iceland?

Answer. If confirmed, I will continue our U.S. Embassy's robust engagement with Icelandic officials and civil society groups in support of religious freedom and peaceful religious expression in Iceland.

*Question 10.* How will you work with Icelandic counterparts to boost resilience to Russian Government meddling within its democratic institutions and civil society, and to counter Kremlin threats in the Nordic and Arctic region?

Answer. If confirmed, I will continue our U.S. Embassy's engagement with Icelandic counterparts to boost resilience to Russian Government malign influence and to counter Kremlin threats in the Nordic and Arctic region. Iceland is a like-minded democracy that shares our values. If confirmed, I will work closely with Iceland officials to maintain transatlantic unity and push back against Russian malign influence.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DR. JEFFREY ROSS GUNTER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. In 2012, I co-founded the Early Investigator High School (EiHS) program for stem cell research at the University of Southern California where we supported high school students from the inner city to study and perform stem cell research regardless of social economic consideration. This provided these students a world class education here in America regardless of their socio-economic situation.

In addition, I have supported various charities supporting our United States military who have bravely defended human rights and democracy around the world.

Regarding the impact of my actions, inner city students have had opportunities to participate in America in ways they would not have had otherwise unless given this access to education. Our military has used these donations to take care of those who fight for democracy and human rights around the world.

*Question 2.* Will you engage with Iceland on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Promoting human rights, civil rights, and good governance is an important part of U.S. foreign policy. If confirmed, I look forward to discussing these issues with Icelandic officials as part of our broader bilateral relationship.

*Question 3.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 4.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you or do any members of your immediate family have any financial interests in Iceland?

Answer. I do not have any financial interests in Iceland. No immediate family members have financial interests in Iceland.

*Question 6.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, upon arrival at post, I will review with the entire mission the importance of diversity within our embassy community.

I will utilize all resources available to ensure that we promote, mentor, and support our staff from all diverse backgrounds.

*Question 7.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Upon arrival at post, I will review current policies in place and ensure that all supervisors at the embassy are fostering an environment that is diverse and inclusive. This will be reviewed continuously per embassy protocol.

*Question 8.* How do you believe political corruption impacts democratic governance and the rule of law generally?

Answer. Political corruption undermines peoples' faith in their government leaders and institutions. It can also rob ordinary citizens of their right to a more prosperous future. Democratic ideals are at the core of U.S. foreign policy, and if confirmed, I look forward to working together with the Icelandic Government to promote transparency and rule of law around the world.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DR. JEFFREY ROSS GUNTER BY SENATOR JEANNE SHAHEEN**

*Question 1.* Russian aggression towards our NATO allies has included violations of Icelandic waters and airspace by Russian submarines and planes. How concerned is Iceland about a resurgent Russia, and what are some areas where the United States might work with Iceland to address and counter any threat?

Answer. Icelandic leaders have said publicly that they share our concerns about Russian aggression and malign influence in Europe. They have also condemned Russia's purported annexation of Crimea and continued aggression in eastern Ukraine.

While not an EU member state, Iceland maintains sanctions on Russia in response to its actions in Ukraine, even though Russia imposed retaliatory counter-sanctions on Icelandic fish exports.

If confirmed, I will work with Icelandic officials to maintain our like-minded approach to holding Russia accountable for its malign behavior.

*Question 2.* In your assessment, how prepared is Iceland for an attack on its cyber infrastructure? What steps is Iceland taking to prepare, and how can the U.S. assist in building Iceland's cyber defenses?

Answer. The Icelandic Government recognizes cyber defense as a critical component to its national security. The United States and Iceland cooperate closely on cyber issues, including through annual meetings with U.S.-Nordic-Baltic counterparts.

If confirmed, I will work with Icelandic officials to maintain our dialogue on cyber security and to identify and address threats, gaps, and vulnerabilities.

*Question 3.* Iceland has identified the Arctic and climate change as important priorities, and is a leader in renewable energy. If nominated, will you work with Iceland to advance its climate priorities?

Answer. The United States Government maintains a close dialogue with Iceland on climate and environmental issues. Iceland, like the United States, is an Arctic nation and will take over the Chairmanship of the Arctic Council in 2019.

If confirmed, I will continue to maintain our close cooperation with Iceland on these important issues.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
EARLE D. LITZENBERGER BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career—in Afghanistan, Kazakhstan, Kyrgyzstan, Serbia, at the U.S. Missions to the EU and NATO, and elsewhere—I have worked to promote the core U.S. values of democracy and human rights. As the Political Counselor at the U.S. Embassy in Kazakhstan, I met regularly with civil society and opposition activists to support them at a time when opposition leaders were being physically assaulted for exercising their fundamental freedoms. I worked with my colleagues at the Mission of the European Union in Kazakhstan to develop a joint U.S.-EU Democracy Award to recognize human rights activists in the country.

As the Deputy Chief of Mission in Kyrgyzstan, I met with all elements of civil society and worked to ensure that U.S. assistance programs supported civil society, an independent judiciary, and free and fair elections. On the eve of Kyrgyzstan's presidential elections, when I learned the Government planned to deny domestic and OSCE election observers the opportunity to observe the vote, I immediately called the foreign minister to express deep U.S. concern. The Government ultimately allowed election monitors to observe the elections.

As Deputy Chief of Mission in Serbia, I consistently emphasized respect for human rights, with a particular focus on rule-of-law reforms. I worked directly with the ministry of justice to ensure U.S. assistance programs could continue to operate, and I supported cooperation that resulted in Serbia rendering all remaining Serbian indictees of the International Criminal Tribunal for the former Yugoslavia to The Hague for prosecution.

In Afghanistan, I led a NATO team that participated in the recount of votes in the 2014 presidential election that led to recognition of results that allowed the formation of the current Government of National Unity.

At the U.S. Mission to the European Union, I worked closely with the EU to encourage it to join the United States in imposing sanctions on Belarus for human

rights violations and abuses. At NATO, I worked with our Allies to hold Russia accountable for its violations of international law and human rights, and I led the U.S. Mission's engagement with the NATO Parliamentary Assembly to highlight the vital role of legislative oversight in democracies.

In all posts, I have supported vigorous U.S. exchange programs to shape the views and understanding of U.S. democracy for key opinion makers, civil society activists, and independent journalists in the countries in which I have served.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Azerbaijan? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights, and press freedom. Please be as specific as possible.

Answer. If confirmed, I will urge the Azerbaijani authorities, consistent with Azerbaijan's constitution and international obligations and commitments, to ensure human rights and fundamental freedoms, including of assembly, association, religion, and expression; to foster an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence, due process, and access to justice. I look forward to working with all partners to advance these goals. Azerbaijan's progress in these areas would help to deepen our bilateral relationship and enhance the country's long-term security. As U.S. officials have previously stated, Azerbaijan's release of all those incarcerated in connection with the exercise of their fundamental freedoms would be a good first step.

*Question 3.* What steps will you take—if confirmed—to support democracy in Azerbaijan? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. There are several potential obstacles to addressing our human rights concerns. These include challenges to pluralism in civil society, the media, political parties, religious groups, and the private sector. If confirmed, I will urge the Azerbaijani Government to create an environment in which civil society, the media, political parties, religious groups, and the private sector can operate freely, and I will work closely with all partners to ensure they can conduct their work as effectively as possible. Rule of law is critical to democratic and economic development, as well as to human and national security. The Department has raised our concerns about respect for human rights, fundamental freedoms, and the rule of law in Azerbaijan publicly and privately with the Azerbaijani Government. If confirmed, I will advocate these core U.S. values and develop a dialogue with Azerbaijan on these important issues.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. The Department of State and USAID democracy assistance seeks to strengthen civil society, encourage and facilitate citizens to participate in local decision-making and constructive community engagement with the authorities, and support independent media. It seeks to ensure citizens have access to reliable media and outlets for independent expression and participation. If confirmed, I will continue to support these assistance efforts.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Azerbaijan? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, and, if confirmed, such meetings will be among my first priorities upon arriving in Azerbaijan. I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with those outside of the Government, such as civil society representatives and independent journalists, to demonstrate our support for pluralism and fundamental freedoms. If confirmed, I also will address our concerns publicly and privately about the shrinking space for civil society and restrictions on fundamental freedoms. Azerbaijan's progress in this area would help to deepen our bilateral relationship and enhance the country's long-term security.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities, and youth within political parties?

Answer. Yes, and, if confirmed, such meetings will be among my first priorities upon arriving in Azerbaijan. I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with those outside of the Government, including political opposition figures and parties, to demonstrate our support for pluralism and fundamental freedoms. I will advocate for access and inclusivity for women, minorities, and youth in all spheres, including in political life.

The United States has pressed publicly and privately for full respect for political pluralism and a level playing field for democratic competition. If confirmed, I will work with the Azerbaijani Government and with Azerbaijani stakeholders in these and other related areas. I also will support continued public messaging to raise U.S. concerns about democratic electoral processes, as well as on human rights issues.

*Question 7.* Will you and your embassy team actively engage with Azerbaijan on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory, or other measures? Will you commit to meeting regularly with independent, local press in Azerbaijan?

Answer. Independent media are key to Azerbaijan's democratic and economic development. The Azerbaijani people deserve access to independent journalism in all media forms. If confirmed, it will be among my first priorities to meet with independent, local media representatives. I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with those outside of the Government, including independent journalists, to demonstrate our support for pluralism and fundamental freedoms. If confirmed, I will continue to engage the Azerbaijani Government publicly and privately about the importance of media freedom.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. If confirmed, I will engage with civil society and Azerbaijani Government officials to counter disinformation and malign propaganda disseminated by foreign state or non-state actors in Azerbaijan. The Embassy currently supports training for journalists to counter disinformation and promote professional journalism. If confirmed, I will support these and other efforts to counter disinformation in Azerbaijan about U.S. policy and other issues.

*Question 9.* Will you and your embassy teams actively engage with Azerbaijan on the right of labor groups to organize, including for independent trade unions?

Answer. In line with Department of State priorities, if confirmed, I will promote worker rights in Azerbaijan through a focus on internationally-recognized labor rights related to the freedom of association, effective recognition of the right to collective bargaining, and the elimination of forced labor, child labor, and employment discrimination. In so doing, I will engage with local civil society organizations, trade unions, companies, and other organizations. If confirmed, I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with such groups.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the Azerbaijan, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender, and intersex (LGBTI) people face in Azerbaijan? What specifically will you commit to do to help LGBTI people in the Azerbaijan?

Answer. Governments have a responsibility to respect the human rights and fundamental freedoms of all individuals, including LGBTI persons. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing universal human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same freedoms, protections, and respect as everyone else.

With respect to Azerbaijan, if confirmed, I would consult closely with LGBTI human rights defenders on how best to support them in their advocacy, including through capacity building exchange programs like the International Visitor Leadership Program. I would not shy away from speaking out publicly and privately in support of the rights of all, including LGBTI persons, as the State Department spokesperson and other U.S. Government officials did following reports of the detention of LGBTI persons in Azerbaijan. If confirmed, I will continue to urge the Azerbaijani Government to uphold and respect its international human rights obligations and commitments.

*Question 11.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Azerbaijan? Will you commit to meet with representatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

**Answer.** Azerbaijan is a Shi'a Muslim majority country with a reputation of religious tolerance. However, as documented in the Department of State's annual International Religious Freedom Report on Azerbaijan, the Government restricts legal registration of some minority religious groups, controls importation and distribution of religious materials, and disrupts the peaceful gatherings of unregistered religious communities. If confirmed, I will continue our efforts to urge the Azerbaijani Government to facilitate the registration of all religious groups and permit the importation, distribution, and sale of religious materials, and to protect the rights of members of all groups. If confirmed, I also will hold regular meetings with a diverse swathe of civil society members, religious organizations, and human rights activists.

**Question 12.** If confirmed, how will you seek to boost resilience to Russian Government meddling within Azerbaijan's institutions and civil society? What types of U.S. engagement do you see as most critical in this regard? How will you address corrupt political and economic influence or other illicit dealings with Azerbaijani actors that can increase space in the country for the Kremlin to push its agenda?

**Answer.** In addition to diplomatic engagement, the United States Government supports programs that enhance rule of law, independent media and civil society, and economic resilience as three key areas where U.S. assistance is most effective against the levers of Russian influence. These programs—including anti-corruption activities, efforts to support independent media, assistance in finding non-Russian markets for agricultural produce, and advocating for effective government supervision of financial institutions—help make Azerbaijan less vulnerable to foreign malign influence, including from Russia, and more transparent.

**Question 13.** More broadly, what do you see as most needed to effectively counter violent extremist influences in Azerbaijan emanating from the Gulf, Iran, or other states? If confirmed, how will you ensure that the Azerbaijani Government's response to violent extremist threats does not involve violating individual human rights and religious freedom?

**Answer.** U.S. foreign assistance priorities in Azerbaijan include efforts to combat terrorism and drivers of violent extremism. U.S. assistance aims to prevent the radicalization of populations by addressing the root causes of economic, political, and social malaise, and to mitigate the appeal of violent extremist ideologies, with a particular focus on youth capacity development and employment. If confirmed, I will continue to support these efforts and make clear to the Azerbaijani Government our expectation that the Government's response to violent extremist threats should not involve violations or abuses of human rights and fundamental freedoms.

**Question 14.** Reports continue to surface of widespread corruption in Azerbaijan, including involving the Aliyev family and other senior officials, and the Organized Crime and Corruption Reporting Project investigated an "Azerbaijani Laundromat" scheme to launder illicit funds, buy influence, and whitewash the country's poor human rights record among foreign audiences. What specific steps will you take if confirmed to expose and punish corruption and abuses in the country, including through the use of Global Magnitsky Act sanctions and other punitive tools?

**Answer.** As the Department of State's annual Human Rights Report makes clear, the United States remains concerned about systemic corruption in Azerbaijan, although the Government has made some progress in combatting low-level corruption in provision of government services. Corruption is a matter we have raised consistently with the Azerbaijani Government and, if confirmed, I will continue to raise U.S. concerns publicly and privately. If confirmed, I will push for progress in all areas crucial for strengthening the rule of law, including judicial independence, access to justice, citizens' awareness of rights, engagement on legal issues, and equal protection under the law; equal status in practice for prosecutors and defense attorneys; and systemic anti-corruption measures. The State Department is committed to combatting corruption with all of the tools at our disposal.

**Question 15.** If confirmed, how will you support an honest accounting of corruption and human rights abuses by Azerbaijani Government officials and incorporate this information into policy decisions regarding security assistance and other engagement with Azerbaijan?

**Answer.** Security cooperation and democratic reform are key pillars of our bilateral agenda with Azerbaijan. Azerbaijan has been an important partner in U.S. and NATO missions in Kosovo, Iraq, and Afghanistan, as well as in combating terrorism and other transnational threats. Security cooperation with Azerbaijan is an important part of our bilateral relationship and advances U.S. strategic interests and our national security. This does not conflict with the U.S. commitment to work with Azerbaijan on improving its human rights record and, in fact, it widens the opportunities we have to raise human rights issues with the Azerbaijani Government. If

confirmed, I will ensure full adherence to all applicable laws, including the Leahy Law, to ensure that U.S. security assistance and security cooperation in Azerbaijan reinforces human rights.

*Question 16.* What measures is the United States taking to hold Azerbaijan accountable for violence and atrocities its forces have committed against Armenian troops and humanitarian or civilian infrastructure during violent flare-ups across the line of contact?

Answer. If confirmed, I will ensure the Department of State continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to the Nagorno-Karabakh conflict, and to ensure the implementation of concrete measures to reduce tensions and increase effective monitoring along the Line of Contact and the Armenia-Azerbaijan international border. The United States strongly condemns the use of force and regrets the loss of life that has occurred along the Line of Contact. Such incidents are an unacceptable violation of the 1994 ceasefire agreement. We have frequently, publicly and privately, called upon both sides to refrain from the use of force or the threat of force. Such incidents only harm the peace process. The latest statement issued by the OSCE Minsk Group Co-Chairs expressed deep regret over the continuing and unnecessary loss of life resulting from this unresolved conflict. If confirmed as Ambassador, I will support our U.S. Co-Chair, Andrew Schofer, in his efforts to help achieve a peaceful resolution to the Nagorno-Karabakh conflict.

*Question 17.* National Security Advisor John Bolton recently signaled openness to selling U.S. arms to both Armenia and Azerbaijan—a policy that could escalate conflict in the region and stoke Azerbaijani aggression along the Nagorno-Karabakh Line of Contact. Please explain the justification for this policy development and what you will do, if confirmed, to ensure that arms sales or transfers to Azerbaijan are precluded from fueling conflict or human rights abuses.

Answer. Ambassador Bolton made clear in his comments that the United States could only consider weapons sales if they were consistent with our statutory framework. As a matter of policy, the United States does not approve the transfer of controlled defense articles or services that could undermine or hamper efforts to find a peaceful settlement of the Nagorno-Karabakh conflict. The United States remains actively engaged as one of the OSCE Minsk Group Co-Chairs to help the sides reduce tensions and move toward a negotiated settlement. If confirmed, I will carefully implement this longstanding U.S. policy and ensure full adherence to all applicable laws.

*Question 18.* The ethnic hatred and anti-Armenian sentiment that is perpetrated on Azerbaijan's state-owned and pro-government media continues to poison prospects for a peaceful settlement of the conflict, and contributes to increasing violence along the Line of Contact. President Aliyev himself has said that Armenians around the world—presumably including Armenian-Americans—are the country's "main enemies." If confirmed, what specific steps will you take to combat ethnic hatred in the media and reduce prospects of further Azerbaijani aggression against Armenians in Nagorno-Karabakh?

Answer. As a Co-Chair of the OSCE Minsk Group, the United States condemns any action or rhetoric that fuels tensions in the region, as well as steps by any side that serve to diminish trust or threaten to damage the peace process. We consistently have encouraged the sides to refrain from unhelpful or provocative rhetoric, which serves only to harden public opinions against the hard compromises that ultimately will be needed to ensure a lasting and peaceful settlement of the Nagorno-Karabakh conflict. If confirmed as Ambassador, I will support our U.S. Minsk Group Co-Chair, Andrew Schofer, in his efforts to this end. If confirmed, I will urge relevant contacts to take constructive steps to advance a peaceful settlement that respects human dignity.

*Question 19.* The Azerbaijani Government has sought to punish U.S. persons who travel to Nagorno-Karabakh by precluding their entry into Azerbaijan, despite the importance of surveying humanitarian needs and prospects for peace in Nagorno-Karabakh and the due diligence needed to monitor U.S.-supported demining and humanitarian programs. Azerbaijani officials have also reportedly threatened to target civilian aircraft that fly into Nagorno-Karabakh. What has the administration done to raise concerns with the Azerbaijani Government about these retaliatory actions against freedom of movement, and how will you address this issue if confirmed?

Answer. If confirmed, I will do everything in my power to protect the safety and security of U.S. citizens, including by firmly condemning any threats to the safety of U.S. citizen travelers. The State Department advises U.S. citizens that the U.S. Government is unable to provide emergency services to U.S. citizens in Nagorno-

Karabakh and advises citizens not to travel to the region due to armed conflict. If confirmed, I will be prepared to engage with the Azerbaijani Government to ensure the safety and security of U.S. citizens. Violence or the threat of violence aimed at civilians of any nationality is unacceptable. If the need arises, I will deliver this message clearly to our Azerbaijani interlocutors.

*Question 20.* What is your view on the Royce-Engel proposals on non-deployment of snipers, heavy arms, or new weapons along the Nagorno-Karabakh Line of Contact, the deploying of OSCE observers, and the deployment of advanced gunfire locator systems along the line of contact? Do you see these proposals as a viable path to peace, and will you promote their acceptance by the Azerbaijan Government if confirmed?

Answer. As a Co-Chair of the Minsk Group, the United States has played and continues to play an active role in mediating a comprehensive, peaceful settlement of this longstanding conflict, the resolution of which would usher in a new era of peace and prosperity for the people of the South Caucasus.

The United States supports proposals to withdraw snipers, launch an OSCE investigation mechanism, and deploy sensors along the Line of Contact and the Armenia-Azerbaijan international border. The United States has been a strong advocate in the Minsk Group process for these and other confidence-building measures, which we believe would further reduce violence in areas affected by the conflict. Since President Aliyev and Prime Minister Pashinyan met on the margins of the Commonwealth of Independent States summit in Dushanbe, Tajikistan, September 27–28 and reached an understanding about the need to reduce tensions and uphold the ceasefire, the level of violence has fallen significantly. The Co-Chairs welcomed these developments, commended the sides for implementing constructive measures in good faith, and expressed their support for the leaders' continued high-level dialogue.

If confirmed, I will support initiatives by the sides, the Co-Chairs, and others, which have the potential to further strengthen the ceasefire, reduce violence, and sustain a climate of trust for intensive negotiations on a peaceful settlement the conflict.

*Question 21.* Please provide more specific examples of what you will do, if confirmed, to push back against egregious violations of human rights and religious freedom, including against religious minorities, by the Azerbaijani Government. What cases will you raise, and will your engagement include condemnation of the Azerbaijan Government's steps to desecrate or destroy remnants of Armenian and Christian religious heritage in the country?

Answer. If confirmed, I will urge the Azerbaijani authorities, consistent with Azerbaijan's constitution and international obligations and commitments, to ensure human rights and fundamental freedoms, including of peaceful assembly, association, religion or belief, and expression; to foster an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence, fair trial guarantees, and access to justice. I look forward to working with all partners to advance these goals. Azerbaijan's progress in these areas would help to deepen our bilateral relationship and enhance the country's long-term security.

Specifically, if confirmed, I will continue to call for the release of all those incarcerated for exercising their fundamental freedoms. I will sustain efforts to urge the Azerbaijani Government to facilitate registration of all religious groups; permit the importation, distribution, and sale of religious materials; and protect the rights of members of all religious groups. Earlier in November, the Azerbaijani authorities registered the Baku community of Jehovah's Witnesses, which was a positive development. If confirmed, I also would condemn the destruction or desecration of any religious sites regardless of their affiliation.

The United States remains concerned about the shrinking space for civil society and political pluralism in Azerbaijan. If confirmed, I will continue to raise these concerns with the Azerbaijani Government and other partners. Likewise, if confirmed, I will support independent journalism in all media forms and press for equal access for Radio Free Europe/Radio Liberty and other broadcasting organizations to be able to operate their various information platforms consistent with the rule of law and respect for freedom of expression.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
EARLE D. LITZENBERGER BY SENATOR MARCO RUBIO**

*Question 1.* The Azerbaijani Government has scores of political prisoners of conscience behind bars, including journalists, dissidents, and religious activists. Some who have been released in recent years—such as opposition leader Ilgar Mammadov in August 2018 and former RFE/RL contributor Khadija Ismayilova in May 2016—remain subject to travel bans and have not had their records rehabilitated.

- If confirmed, what strategy do you plan to pursue to urge the Government to uphold its international commitments to provide fair and independent judicial procedures and to respect the fundamental rights of all its people?

Answer. If confirmed, I will urge the Azerbaijani authorities, consistent with Azerbaijan's constitution and international obligations and commitments, to ensure fundamental freedoms, including of peaceful assembly, association, religion, and expression; to foster an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence and fair trial guarantees. If confirmed, I will continue to urge the Azerbaijani Government to release all those incarcerated for exercising their human rights and fundamental freedoms.

*Question 2.* Over the past ten years, the Azerbaijani Government has targeted the operations and personnel of U.S.-funded Radio Free Europe/Radio Liberty in Azerbaijan. Since December 2008, the Government has banned RFE/RL's "Radio Azadlıq" from broadcasting on local radio frequencies. In December 2014, the Government raided and sealed RFE/RL's bureau in Baku and arrested RFE/RL contributor and investigative journalist Khadija Ismayilova. In May 2015, authorities permanently closed the bureau and later that year sentenced Ms. Ismayilova to seven and a half years in jail. Since her provisional release in May 2016, Ms. Ismayilova remains subject to a travel ban and her conviction stands. In 2017, the Government blocked RFE/RL's news website along with those of other independent outlets.

- If confirmed, how do you plan to advocate on behalf of this congressionally-funded media outlet and restore its ability to provide independent media coverage to the people of Azerbaijan?

Answer. Independent media are key to Azerbaijan's democratic and economic development, and U.S. officials have been clear with the Azerbaijani Government in pressing for a return of Radio Free Europe/Radio Liberty and other broadcasting organizations to the local FM airwaves. The Azerbaijani people deserve access to independent journalism in all media forms. The Azerbaijani Government should respect the fundamental freedom of expression, including the freedom to seek, receive, and impart information.

The United States also has called publicly and privately on Azerbaijan to reinstate online access to Radio Free Europe/Radio Liberty and other independent broadcasters and media organizations. If confirmed, I will continue to support this objective.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
EARLE D. LITZENBERGER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Earlier this year, Azerbaijan held a presidential election that international observers said "lacked genuine competition" and "took place within a restrictive political environment and under a legal framework that curtails fundamental rights and freedoms." President Ilham Aliyev—who has removed term limits and extended his term length from five to seven years—won with a reported 86 percent of the vote. Neither the U.S. Embassy in Baku nor the State Department released a formal public statement following the worrisome conduct of this election.

- How will you approach public messaging concerning Azerbaijan's weak democratic institutions and respect for human rights?

Answer. Free and fair electoral processes are a key component of democracy, political legitimacy, and long-term stability. As the most recent OSCE Office for Democratic Institutions and Human Rights (ODIHR) election reports on Azerbaijan indicate, much remains to be done for democratic electoral processes to be held in Azerbaijan. Following the April 11 presidential elections in Azerbaijan, the United States concurred publicly in the OSCE Permanent Council with the OSCE election observation mission's assessment, and we urged Azerbaijan to address these concerns expeditiously.

The United States has pushed consistently for full implementation of electoral reforms in Azerbaijan recommended by international partners, such as the OSCE and Council of Europe. The United States has pressed publicly and privately for full respect for political pluralism and a level playing field for democratic competition. If confirmed, I will work with the Azerbaijani Government and people in these and other related areas. If confirmed, I also will support continued public messaging to raise U.S. concerns about democratic electoral processes, as well as on human rights issues.

*Question 2.* In your opinion, what value do you see in public U.S. statements that affirm the importance of democratic values and identify places in which they are violated or inadequately observed?

Answer. Promoting democracy and respect for human rights have long been central components of U.S. foreign policy. Supporting democracy not only promotes such fundamental American values as religious freedom and worker rights, but also helps create a more secure, stable, and prosperous global arena in which the United States can advance its national interests. U.S. public statements play an important role in affirming the importance of democratic values, shedding light on democratic deficiencies, advocating reforms, and supporting local organizations and individuals who promote free and fair democratic electoral processes, human rights and fundamental freedoms, and rule of law in their own countries.

*Question 3.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my career—in Afghanistan, Kazakhstan, Kyrgyzstan, Serbia, at the U.S. Missions to the EU and NATO, and elsewhere—I have worked to promote the core U.S. values of democracy and human rights. As the Political Counselor at the U.S. Embassy in Kazakhstan, I met regularly with civil society and opposition activists to support them at a time when opposition leaders were being physically assaulted for exercising their fundamental freedoms. I worked with my colleagues at the Mission of the European Union in Kazakhstan to develop a joint U.S.-EU Democracy Award to recognize human rights activists in the country.

As the Deputy Chief of Mission in Kyrgyzstan, I met with all elements of civil society and worked to ensure that U.S. assistance programs supported civil society, an independent judiciary, and free and fair elections. On the eve of Kyrgyzstan's presidential elections, when I learned the Government planned to deny domestic and OSCE election observers the opportunity to observe the vote, I immediately called the foreign minister to express deep U.S. concern. The Government ultimately allowed election monitors to observe the elections.

As Deputy Chief of Mission in Serbia, I consistently emphasized respect for human rights, with a particular focus on rule-of-law reforms. I worked directly with the ministry of justice to ensure U.S. assistance programs could continue to operate, and I supported cooperation that resulted in Serbia rendering all remaining Serbian indictees of the International Criminal Tribunal for the former Yugoslavia to The Hague for prosecution.

In Afghanistan, I led a NATO team that participated in the recount of votes in the 2014 presidential election that led to recognition of results that allowed the formation of the current Government of National Unity.

At the U.S. Mission to the European Union, I worked closely with the EU to encourage it to join the United States in imposing sanctions on Belarus for human rights violations and abuses. At NATO, I worked with our Allies to hold Russia accountable for its violations of international law and human rights, and I led the U.S. Mission's engagement with the NATO Parliamentary Assembly to highlight the vital role of legislative oversight in democracies.

In all posts, I have supported vigorous U.S. exchange programs to shape the views and understanding of U.S. democracy for key opinion makers, civil society activists, and independent journalists in the countries in which I have served.

*Question 4.* What are the most pressing human rights issues in Azerbaijan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Azerbaijan? What do you hope to accomplish through these actions?

Answer. If confirmed, I will urge the Azerbaijani authorities, consistent with Azerbaijan's constitution and international obligations and commitments, to ensure human rights and fundamental freedoms, including of assembly, association, religion, and expression; to foster an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence, due process, and access to justice. I look forward to working with all partners to advance these

goals. Azerbaijan's progress in these areas would help to deepen our bilateral relationship and enhance the country's long-term security. As U.S. officials have previously stated, Azerbaijan's release of all those incarcerated in connection with the exercise of their fundamental freedoms would be a good first step.

*Question 5.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Azerbaijan in advancing human rights, civil society and democracy in general?

Answer. There are several potential obstacles to addressing our human rights concerns. These include challenges to pluralism in civil society, the media, political parties, religious groups, and the private sector. If confirmed, I will urge the Azerbaijani Government to create an environment in which civil society, the media, political parties, religious groups, and the private sector can operate freely, and I will work closely with all partners to ensure they can conduct their work as effectively as possible. Rule of law is critical to democratic and economic development, as well as to human and national security. The Department has raised our concerns about respect for human rights, fundamental freedoms, and the rule of law in Azerbaijan publicly and privately with the Azerbaijani Government. If confirmed, I will advocate these core U.S. values and develop a dialogue with Azerbaijan on these important issues.

*Question 6.* Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Azerbaijan? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, and, if confirmed, such meetings will be among my first priorities upon arriving in Azerbaijan. I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with those outside of the Government, such as civil society representatives and independent journalists, to demonstrate our support for pluralism and fundamental freedoms. If confirmed, I will ensure full adherence to all applicable laws, including the Leahy Law, to ensure that U.S. security assistance and security cooperation in Azerbaijan reinforces human rights.

*Question 7.* Will you and your embassy team actively engage with Azerbaijan to address cases of key political prisoners or persons otherwise unjustly targeted by Azerbaijan?

Answer. If confirmed, I will urge the Azerbaijani authorities, consistent with Azerbaijan's constitution and international obligations and commitments, to ensure fundamental freedoms, including of assembly, association, religion, and expression; to foster an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence and due process. If confirmed, I will continue the U.S. Government's efforts to urge the Azerbaijani Government to release all those incarcerated for exercising their human rights and fundamental freedoms.

*Question 8.* Will you engage with Azerbaijan on matters of human rights, civil rights, and governance as part of your bilateral mission?

Answer. Yes, and, if confirmed, it will be among my first priorities upon arriving in Azerbaijan. Promoting respect for human rights and good governance in Azerbaijan remains one of the three equally important and interconnected pillars of our bilateral relationship, along with cooperation on energy and economic issues, and on security.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Azerbaijan?

Answer. Neither I nor any members of my immediate family have any financial interests in Azerbaijan.

*Question 12.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As the face of America overseas, the State Department's workforce should be diverse in every sense of the word and reflect our nation's rich diversity. If confirmed, I will support that aim by recruiting a diverse team at U.S. Embassy Baku, mentoring all employees under my supervision to welcome and appreciate the advantages diversity brings to the workplace, and demanding that every team member be treated equally with dignity and respect.

*Question 13.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will recruit a diverse team at U.S. Embassy Baku, mentor all employees under my supervision, and demand that every team member be treated equally with dignity and respect. I will make clear to all supervisors at U.S. Embassy Baku that I expect them to adhere to these principles. Throughout my career, I have worked to foster inclusive and respectful work environments, and I will not tolerate improper behavior that undermines this aim.

*Question 14.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Azerbaijan specifically?

Answer. Political corruption is a global challenge, and it has a negative and corrosive impact on democratic governance and the rule of law. Increased transparency in governance; support for an independent judiciary, independent media, and vibrant civil society; strengthened separation of powers among branches of government; and whistleblower protections are important to help combat corruption. Corruption in Azerbaijan impedes the Government's stated goal of attracting foreign investment, and it negatively affects adherence to democratic principles, human rights, and the rule of law in the country.

*Question 15.* What is your assessment of corruption trends in Azerbaijan and efforts to address and reduce it by that government?

Answer. Corruption is a problem in Azerbaijan, as it is in many countries of the former Soviet Union and around the world. The United States remains concerned about systemic corruption in government and throughout the economy. We welcome the Azerbaijani Government's decision to create the State Agency for Public Service and Social Innovations, and to establish "ASAN" Service Centers ("easy" in Azerbaijani) to combat petty corruption by improving transparency and efficiency in delivering basic government services. However, the Azerbaijani Government should continue to take steps to reduce corruption at all levels.

*Question 16.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Azerbaijan?

Answer. Corruption is a matter we have raised consistently with the Azerbaijani Government and, if confirmed, I will continue to raise U.S. concerns with the Azerbaijani authorities. If confirmed, in my engagement with the Azerbaijani Government, I will push for progress in all areas crucial for strengthening the rule of law, including judicial independence, access to justice, citizens' awareness of rights, engagement on legal issues, and equal protection under the law; equal status in practice for prosecutors and defense attorneys; and systemic anti-corruption measures. Additionally, the State Department is committed combatting corruption with all of the tools at our disposal, including foreign assistance where possible.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
EARLE D. LITZENBERGER BY SENATOR JEANNE SHAHEEN**

*Question 1.* The Azerbaijani Government has increasingly been cracking down on its political opposition, civil society, and media outlets. Reporters Without Borders ranks Azerbaijan 162 out of 180 countries for press freedom. What can the U.S. do to support political reform in Baku? If confirmed, how will you engage with the Government in Baku to strengthen civil society and help to improve its record on human rights?

**Answer.** If confirmed, consistent with Azerbaijan's constitution and international obligations and commitments, I will urge the Azerbaijani authorities to ensure respect for human rights and fundamental freedoms, including of peaceful assembly, association, religion or belief, and expression; to promote an environment conducive to a vibrant and peaceful civil society; to respect pluralism; and to foster judicial independence, fair trial guarantees, and access to justice. I look forward to working with all partners to advance these goals. Azerbaijan's progress in these areas would help to deepen our bilateral relationship and enhance the country's long-term security. As U.S. officials have previously stated, Azerbaijan's release of all those incarcerated for exercising their fundamental freedoms would be a good first step.

Independent media are key to Azerbaijan's democratic and economic development, as are a vibrant civil society and pluralism. If confirmed, I will make among my first priorities to meet with independent, local media representatives, as well as with civil society representatives and political opposition figures. If confirmed, I will support continued public messaging to raise U.S. concerns in all of these areas.

**Question 2.** How does the recent appointment of younger, more technocratic officials reflect concerns about the economy in Azerbaijan? What can Azerbaijan do to develop its non-gas economy?

**Answer.** Diversification of Azerbaijan's economy away from its dependence on oil and gas exports will create more employment opportunities, provide a platform for greater long-term economic stability, and foster an improved, transparent business climate where U.S. firms have a level playing field. Azerbaijan has recognized the importance of economic diversification and has prioritized policies to this end, but much more hard work remains to effectively implement reforms. U.S. assistance programs in Azerbaijan support economic diversification, including in the agriculture and tourism sectors. For example, USAID's support to farmers and agribusinesses has increased and diversified Azerbaijan's agricultural exports, such that tomatoes and hazelnuts are now Azerbaijan's top exports after oil and gas.

The United States also sponsors exchange programs such as the International Visitor Leadership Program and Special American Business Internship Training program to bring Azerbaijanis to the United States and demonstrate U.S. best practices in targeted areas, including agriculture, energy efficiency, information technology, and economic development. Alumni of these programs, as well as other younger, highly-educated Azerbaijanis, have gone on to occupy senior posts in the private sector and in the Azerbaijani Government, which has recognized the value of such experiences in developing the country's economy.

**Question 3.** How important is Azerbaijan to European energy security? What role can the U.S. play in helping Azerbaijan secure its energy corridor that promotes energy diversity in Europe?

**Answer.** Azerbaijan has long been an important U.S. partner on energy security, an area in which we share a common strategic interest. Azerbaijan clearly recognizes the value of having multiple routes to markets for the Caspian region's oil and gas. The Baku-Tbilisi-Ceyhan oil pipeline, which carries over 650,000 barrels of oil a day to Turkey, was an early success for energy diversity and for U.S.-Azerbaijan cooperation.

The United States strongly supports completion of the Southern Gas Corridor (SGC), which is poised to bring Caspian natural gas to Western Europe for the first time by 2020/21. The SGC will contribute to the diversification of Europe's energy import routes and sources, and Azerbaijan has been a leader in its development. Azerbaijan has to date invested over \$9 billion in the building or expansion of the pipeline networks that comprise the SGC. This past May, President Trump congratulated Azerbaijani President Ilham Aliyev and Azerbaijan on the inauguration of the first gas flowing through the SGC. If confirmed, I will continue to support our close cooperation with Azerbaijan on energy security, including completion of the SGC and consideration of potential pipeline expansions to serve new markets and transport gas from additional sources.

**Question 4.** In your view, is Russia playing a constructive or destructive role in the Nagorno-Karabakh dispute? What can the U.S. do to help bring the conflict finally to a conclusion?

**Answer.** The U.S. Co-Chair of the OSCE Minsk Group cooperates constructively with the Russian and French Co-Chairs to help the sides reach a peaceful and lasting settlement to the Nagorno-Karabakh conflict. Both Russia and France have consistently and publicly urged the parties to the conflict to demonstrate restraint and work toward a peaceful settlement. The United States continues to believe the Minsk Group format provides the best opportunity and the most trusted process for the sides to advance a settlement.

As a Co-Chair of the OSCE Minsk Group, the United States plays an active role in helping the sides find a peaceful and comprehensive settlement of this long-standing conflict, the resolution of which would usher in a new era of peace and prosperity for the people of the South Caucasus. U.S. policy remains clear: the only solution to this conflict is a negotiated settlement based on international law that includes adherence to the Helsinki Final Act principles of the non-use or threat of force, territorial integrity, and equal rights and self-determination of peoples. If confirmed, I will ensure the U.S. Embassy in Azerbaijan continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to this conflict.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
EARLE D. LITZENBERGER BY SENATOR EDWARD J. MARKEY**

*Question 1.* In a September 21, 2018 message to Prime Minister Nikol Pashinyan congratulating Armenia on its Independence Day, President Trump stated that “The coming months bring opportunities to resolve the Nagorno-Karabakh conflict, which would create even more possibilities for U.S.-Armenian cooperation. As a member of the OSCE Minsk Group, the United States looks forward to working with you to find a lasting and peaceful resolution of this conflict.” If confirmed, how would you support efforts to reach a peaceful resolution?

Answer. As a Co-Chair of the OSCE Minsk Group, the United States plays an active role in helping the sides find a peaceful and comprehensive settlement of this longstanding conflict, the resolution of which would usher in a new era of peace and prosperity for the people of the South Caucasus. U.S. policy remains clear: the only solution to this conflict is a negotiated settlement based on international law that includes adherence to the Helsinki Final Act principles of the non-use or threat of force, territorial integrity, and equal rights and self-determination of peoples.

If confirmed, I will ensure the Department of State continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to this conflict, and to ensure the implementation of concrete measures to reduce tensions and increase effective monitoring along the Line of Contact and the Armenia-Azerbaijan international border. The Department has been a strong advocate in the Minsk Group process for such confidence-building measures, which it believes would reduce violence in areas affected by the conflict.

*Question 2.* And if confirmed, how would you support international efforts to persuade Azerbaijan to accept the proposals of the OSCE negotiating team, including the deployment of additional OSCE observers along the line of contact and the placement of OSCE-monitored advanced gunfire-locator systems and sound-ranging equipment to determine the source of the attacks along the line of contact?

Answer. If confirmed, I will ensure the Department of State continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to this conflict, and to ensure the implementation of concrete measures to reduce tensions and increase effective monitoring along the Line of Contact and the Armenia-Azerbaijan international border. The U.S., French, and Russian Co-Chairs of the OSCE Minsk Group work actively to help the sides reduce tension in the region, and over the years they have advanced a number of confidence-building measures that would reduce violence and improve the climate for negotiations. Enhancing the effectiveness of the OSCE’s monitoring efforts, including through an investigatory mechanism, is something the Co-Chairs have long supported and continue to discuss with the sides. If confirmed, I will support our U.S. Co-Chair for the OSCE Minsk Group, Andrew Schofer, in his efforts to develop and implement confidence-building measures to create an atmosphere that is conducive to progress in negotiations on a lasting settlement. The Co-Chairs have emphasized to all sides that real compromises are needed to bring about a lasting, peaceful settlement, and the Co-Chairs’ latest public statement expressed deep regret over the continuing and unnecessary loss of life resulting from this unresolved conflict.

*Question 3.* Azerbaijan has one the worst track records among OSCE countries on treatment of the LGBTI community. If confirmed, how will you advance the cause of LGBTI rights in Azerbaijan? Additionally, given the Department’s recent decision to no longer issue visas to same-sex partners of foreign diplomats and international organization employees working in the U.S., how will you ensure that exemptions for Azeri officials are properly applied?

**Answer.** Governments have a responsibility to respect the human rights and fundamental freedoms of all individuals, including LGBTI persons. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing universal human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same freedoms, protections, and respect as everyone else.

With respect to Azerbaijan, if confirmed, I would consult closely with LGBTI human rights defenders on how best to support them in their advocacy, including through capacity building exchange programs like the International Visitor Leadership Program. I would not shy away from speaking out publicly and privately in support of the rights of all, including LGBTI persons, as the State Department spokesperson and other U.S. Government officials did following reports of the detention of LGBTI persons in Azerbaijan. If confirmed, I will continue to urge the Azerbaijani Government to uphold and respect its international human rights obligations and commitments.

With respect to visas for same-sex domestic partners of diplomatic visa holders, if confirmed, I will work closely with my colleagues in the Office of Foreign Missions and Bureau of Consular Affairs to ensure the appropriate application of all U.S. visa laws and regulations, including with regard to visas for unmarried same-sex domestic partners of diplomatic visa holders. Within this framework, we will be ready to work with the Azerbaijani Government to explore viable options.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIC GEORGE NELSON BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** As Director of the Office of eDiplomacy at the Department of State, I promoted the office's sponsorship of TechCamps which helped citizens, civil society, and governments strengthen democracy and protect human rights. At TechCamps, we brought together technologists with civil society and citizen advocates in various countries and regions to help them identify ways to utilize technology to advance their causes. I convinced the Under Secretary for Public Diplomacy to adopt this pilot program as a permanent part of the State Department's program toolkit. Since that time, U.S. embassies have sponsored an additional 37 tech camps whose aims include advocacy and communication campaigns, elections and civic participation, good governance and transparency, human rights, media freedom, and promotion of peace and tolerance.

As Deputy Chief of Mission of the U.S. Embassy in Costa Rica, I helped lead the embassy's broad engagement in support of human rights and democracy. In our work to improve security in Costa Rica and Central America, we focused on community policing, strengthening the judiciary and improving prison management to help Costa Rica protect the rights of all citizens. We placed a special emphasis on helping civil society and authorities address gender-based violence. I led our team to help Costa Rican youth launch TedXPuraVida Joven, an annual forum that encourages youth to engage as advocates for innovation and development in Central America. We helped the Government of Costa Rica design a project for online public procurement to help counter corruption. We also provided support to San Jose's Pride Parade to promote diversity and respect for the LGBT community.

As Consul General in Munich, I was active in the U.S. Mission's efforts to reach out to Muslim communities, encouraging efforts in Germany for integration and promoting United States' values of religious tolerance. The Munich non-governmental organization IDIZEM recognized our efforts to promote interreligious dialogue with its Dialogue prize.

Over the course of my career, I have been honest about my sexual orientation and an advocate for diversity and inclusion. My visibility alongside my partner provided encouragement to host governments to improve their treatment of sexual minorities. In 1992, I was a founding officer of Gays and Lesbians in Foreign Affairs Agencies, an affinity group that has advocated tirelessly for inclusion and equal employment opportunity.

*Question 2.* What issues are the most pressing challenges you see to democracy or democratic development in Bosnia and Herzegovina? These challenges might include obstacles to participatory and accountable governance and institutions, rule of

law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** Human rights and corruption are among the most pressing challenges facing Bosnia and Herzegovina. The State Department's 2017 Human Rights Report noted that the most significant human rights concerns in Bosnia and Herzegovina include harsh and life-threatening prison conditions; restrictions on expression and the press, including intimidation, and threats against journalists and media outlets; widespread government corruption; and crimes involving violence against minorities and lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. If confirmed, I will work to strengthen adherence to our shared values and do everything in my power to combat intolerance and to promote religious freedom for all people. I also look forward to helping Bosnia and Herzegovina chart a path forward that benefits all citizens and meets democratic and European norms, including by addressing Sejdic-Finci and other rulings of the European Court of Human Rights. I will engage not only government officials and political parties, but also civil society and citizens in Bosnia and Herzegovina, utilizing the full range of our traditional diplomatic, foreign assistance, and public diplomacy tools.

**Question 3.** What specific steps will you take—if confirmed—to support democracy in Bosnia and Herzegovina? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I will continue to support Bosnia and Herzegovina on its Euro-Atlantic path. The path to European Union membership and a deeper relationship with NATO can only come with a strong commitment to democratic principles, including respect for rule of law and human rights, and the reforms that must come with this. Lack of political will is the biggest challenge I will face in Bosnia and Herzegovina. Corrupt politicians benefit from the status quo and have few incentives to make Bosnia and Herzegovina's political system more democratic, free, and fair. I also look forward to helping Bosnia and Herzegovina chart a path forward that benefits all citizens and meets democratic and European norms, including by addressing Sejdic-Finci and other rulings of the European Court of Human Rights.

**Question 4.** How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** If confirmed, I will continue to utilize assistance from the State Department, USAID, and other agencies at post to strengthen the rule of law and democratic institutions, enhance government transparency and accountability, promote interethnic reconciliation, and increase Bosnia and Herzegovina's resilience to foreign malign influence. The Democracy Commission Small Grants program continues to be an important tool in empowering smaller, community-based organizations to advocate for reforms. If resources are available, I intend to use this tool to increase the capacity of civil society to fight against corruption, mobilize citizen participation in democratic processes, and support local initiatives that advance peace and stability. If confirmed, I will use our assistance tools to prioritize projects that best serve U.S. national interests and make Bosnia and Herzegovina a more functional partner.

**Question 5.** If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Bosnia and Herzegovina? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

**Answer.** Civil society is an essential part of a free and democratic society. Therefore, I am firmly committed to further developing working relationships with the numerous non-governmental and community organizations in Bosnia and Herzegovina. With respect to the Leahy Law, I will, if confirmed, ensure the Department continues to thoroughly vet all individuals and units nominated to participate in U.S.-funded security assistance activities. Improving respect for human rights and the rule of law will be an important part of our efforts to build capacity in institutions providing security. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy.

**Question 6.** If confirmed, do you commit to meet with democratically-oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

**Answer.** A strong democracy requires a strong political opposition and diversity of views and backgrounds. Bosnia and Herzegovina's opposition parties have a crucial role to play in realizing Bosnia and Herzegovina's Euro-Atlantic aspirations. If confirmed, I commit to meeting with any opposition figure working to move Bosnia and Herzegovina forward. I will also continue U.S. Embassy Sarajevo's efforts to increase the political participation of women, minorities, and youth.

**Question 7.** Will you and your embassy team actively engage with Bosnia and Herzegovina on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Bosnia and Herzegovina?

**Answer.** The U.S. Embassy in Sarajevo has a strong history of engaging the press and working to preserve freedom of expression and media pluralism. Media freedom continues to face challenges in Bosnia and Herzegovina, where political parties exert undue control on newspapers, television, and other media outlets. If confirmed, I will continue to advocate for freedom of the press, work to strengthen media freedom, to support investigative journalism, and meet regularly with members of the press.

**Question 8.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** I understand that the United States—through our Embassy in Sarajevo—is already actively engaged at many levels, including through assistance programs, to support independent media voices, develop a public more discerning towards its media environment, and encourage a free and active exchange of ideas. If confirmed, I will continue this engagement.

**Question 9.** Will you and your embassy teams actively engage with Bosnia and Herzegovina on the right of labor groups to organize, including for independent trade unions?

**Answer.** Legislation protects the right of labor groups to organize in Bosnia and Herzegovina. If confirmed, I will advocate as necessary for its full implementation.

**Question 10.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Bosnia and Herzegovina, no matter their sexual orientation or gender identity? What challenges do lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Bosnia and Herzegovina? What specifically will you commit to do to help LGBTI people in Bosnia and Herzegovina?

**Answer.** Governments have an obligation to protect, respect, and uphold the dignity and fundamental freedoms of all people—including LGBTI persons. The Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing universal human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same freedoms, protections, and respect as everyone else. Bosnia and Herzegovina's laws protect marginalized communities against hate crimes and bias-motivated violence; however, LGBTI people continue to face violence and discrimination.

If confirmed, my country team and I would consult closely with LGBTI human rights defenders on how best to support them in their work, including through public outreach and digital engagement to promote respect and acceptance. I would not shy away from speaking out publicly and privately in support of human rights for all, or from advocating for enhanced protections for LGBTI persons and other vulnerable populations.

**Question 11.** If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Bosnia and Herzegovina? Will you commit to meet with representatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

**Answer.** If confirmed, I will commit to meet with representatives from the various faith communities in Bosnia and Herzegovina (BiH). I view their leaders as important partners in the fight to counter violent extremism and ethno-nationalism in BiH. Over the last year, the State Department has worked closely with the Inter-religious Council (IRC) to strengthen its capacity to monitor attacks on religious institutions and to promote peace, reconciliation, tolerance, and coexistence among the country's diverse religious and ethnic communities. I hope to build on these efforts to promote religious freedom. Development and drafting of the annual International Religious Freedom report is an excellent opportunity to highlight government and societal challenges faced by members of religious groups and places of worship around the country.

*Question 12.* How will you seek to boost resilience to Russian Government meddling within Bosnian institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address corrupt political and economic influence or other illicit dealings with Bosnian political actors that advance the Kremlin's agenda?

Answer. Strong institutions, a healthy, free society, and a robust rule of law make a country less vulnerable to foreign malign influence. Assistance targeted at combating corruption and supporting media freedom is essential to exposing Russia's influence in Bosnia and Herzegovina. I hope to continue U.S. assistance programs to strengthen the capabilities of justice sector officials to combat corruption, including training on how to more vigorously investigate and prosecute cases. I fully support U.S. programs that counter disinformation by promoting independent, objective news and investigative journalism. It will also be critical to continue U.S. support for peacebuilding initiatives that counter Russia's efforts to exploit tensions between ethno-religious groups. If confirmed, I will continue my predecessor's efforts to publicly condemn corruption and call out Russian malign influence.

*Question 13.* More broadly, Bosnia is increasingly subject to malign influence by other foreign actors, including China, Turkey and the Gulf states, and even its neighbors Serbia and Croatia. What steps do you see as necessary to preserve space for Bosnia to pursue a liberal democratic path toward NATO and the EU, and to foster internal support and consensus for this path?

Answer. The citizens of Bosnia and Herzegovina (BiH) overwhelmingly support the pursuit of EU membership, and deeper relationships with Euro-Atlantic institutions offer the brightest prospects for BiH's future. If confirmed, I will coordinate closely with like-minded international partners and encourage BiH's leaders to pursue the tough reforms needed to progress on that path and fully embrace Western democratic norms.

*Question 14.* The Dayton Accords stopped the bloodshed of the 1990s but have proved insufficient for establishing a durable multi-ethnic, pluralist political system in the country. Meanwhile, leaders have exploited weaknesses in Bosnia's political system to stoke interethnic tensions. How do you think the United States can best help to spur momentum on constitutional and other political and electoral reforms to ensure that governance in Bosnia and Herzegovina is genuinely democratic and accountable?

Answer. The citizens of Bosnia and Herzegovina deserve a well-functioning government that works for them. As Bosnia and Herzegovina moves closer to Euro-Atlantic standards, streamlining decision-making and legislative processes will be necessary. The United States has a long history of encouraging political and constitutional reform, but timing and solid support of reform-minded players are essential for success. Any effort must be led by the citizens of Bosnia and Herzegovina themselves. If confirmed, I will continue the embassy's assistance targeting improvements in accountability, transparency, and respect for the rule of law. I will encourage political momentum for change and will support reform efforts that make the country more functional and bring it closer to democratic norms.

*Question 15.* Bosnian legislators recently voted to reduce their potential vulnerability to be prosecuted for corruption, and the country's specialized state mechanism to deal with organized crime, corruption, and terrorism has declined in credibility and effectiveness since 2009. If confirmed, how would you use various punitive tools, including Bosnia-specific sanctions, the Global Magnitsky Act, and visa restrictions, to impose constraints on, and deter, corrupt actors?

Answer. As I mentioned in my testimony, when local institutions fail to act, or if peace and stability are threatened, targeted sanctions can be an effective response. Over a hundred citizens of Bosnia and Herzegovina are subject to OFAC sanctions under Executive Order 13304, and last month State Department targeted corrupt politician Nikola Spiric for visa restrictions. These actions promote accountability in Bosnia and Herzegovina and remind both citizens and government officials that the international community is still watching, and still engaged. The authorities granted under the Global Magnitsky Act may be one useful tool in tackling the culture of impunity that exists across much of the globe.

*Question 16.* How would you work with EU, the Office of the High Representative, and other international partners to more effectively address official corruption and organized crime and boost the Bosnian judiciary's will and capacity to punish it?

Answer. International institutions have an important role to play in the fight against organized crime and corruption in Bosnia and Herzegovina. Our efforts are best served through close coordination and mutual support. One example is Embassy Sarajevo's support (financial, and through subject matter expertise) of the

OSCE's efforts to monitor and publically document corruption cases. If confirmed, I hope to build on efforts such as these and to strengthen partnerships with the EU, Office of the High Representative, OSCE, and others working to strengthen the rule of law.

*Question 17.* As presently staffed and deployed, EUFOR does not provide a credible deterrent to any potential threats against Bosnia and Herzegovina's peace or territorial integrity, and leaders in Republika Srpska regularly call for separating from the country. With the EUFOR mission up for renewal in the UNSC next month, where it is potentially subject to a Russian veto, how will you work with allies to strengthen EUFOR's deterrence capacity? In this regard, do you think that U.S. and other NATO forces should augment EUFOR?

Answer. The United States firmly believes EUFOR is critical to deterring violence in Bosnia and Herzegovina; its primary mandate is to maintain a safe and secure environment. I will support efforts to maintain and strengthen EUFOR's contributions to stability in BiH. NATO Headquarters Sarajevo—commanded by U.S. Brigadier General Bissell—works in close coordination with EUFOR. Having a U.S. general officer on the ground is a visible demonstration of U.S. commitment to BiH, but serves the additional purpose of ensuring that work by EUFOR and NATO are complementary rather than redundant.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIC GEORGE NELSON BY SENATOR BENJAMIN L. CARDIN

*Question 1.* Outgoing Republika Srpska President Milorad Dodik has led efforts questioning if not denying what the United States and the international community generally have recognized as a genocide at Srebrenica in July 1995. How will you respond to such assertions as the U.S. Ambassador to Bosnia and Herzegovina?

Answer. As the State Department noted in its statement on August 15, the International Criminal Tribunal for the former Yugoslavia and the International Court of Justice concluded that genocide occurred in Srebrenica in 1995. Realizing the scope of the tragedy of the past war and the importance of continuing to build trust and reconciliation, the United States remains fully committed to assisting authorities in Bosnia and Herzegovina, at the state, entity, and cantonal levels, to investigate and prosecute individuals responsible for crimes against all ethnic groups. The denial of established facts of prior wars impedes these objectives and does not assist the country's citizens. The horrific war of the 1990s reminds us that we must strive for a stable and prosperous future for the benefit of all citizens, regardless of ethnicity or religion.

If confirmed, I will strongly oppose efforts to rewrite the facts of the war, to deny history, or to politicize tragedy. It is in the interest of all citizens of Bosnia and Herzegovina to reverse the trend of revering convicted war criminals as heroes, and to ensure their crimes continue to be publicly rejected.

*Question 2.* Some have asserted that there is a new environment for hardline nationalists in Europe, including for example some Bosnian Serb leaders, to advance dangerous programs of ethnic discrimination and division, even border changes and separation. U.S. policy, however, has traditionally been based on the primacy of individual human rights for all, not the collective ethnic privileges of a selected few. Is that still the case, and will you stress in your work as Ambassador the need to protect the rights of the citizens of Bosnia and Herzegovina as individuals?

Answer. Defending individual human rights and freedoms is central to U.S. foreign policy. The Dayton Peace Accords, which serves as the constitution of Bosnia and Herzegovina (BiH), also established a political model of three constituent peoples—Bosniaks, Serbs, and Croats—and two sub-state entities. BiH must find a way to balance the political equality of its three constituent peoples—as called for in a 2000 ruling of the BiH Constitutional Court—with the rights of individuals, including those persons who are not or do not self-identify as members of one of the three constituent peoples. If confirmed, I look forward to helping Bosnia and Herzegovina chart a path forward that benefits all citizens and meets democratic and European norms. I will also do my utmost to defend the human rights of the citizens of Bosnia and Herzegovina.

*Question 3.* While respecting those collective privileges for Bosniaks, Serbs and Croats that are legally recognized, will you actively encourage reforms and other efforts to rid the country of the ethnic divisions which are holding the country back, including in regard to European integration?

Answer. The United States remains committed to a unified, stable, democratic, and prosperous Bosnia and Herzegovina that is firmly anchored in Euro-Atlantic institutions and fully embraces Western, democratic values and norms. If confirmed, I will actively encourage reforms that move the country closer to the European Union and take a strong stand against attempts to divide the country with ethno-nationalism.

*Question 4.* For years now, Bosnia and Herzegovina has been in violation of its Organization for Security and Cooperation in Europe (OSCE) commitments as well as the European Convention for Human Rights by denying a substantial percentage of its citizens of their right to seek certain elected offices due to ethnic criteria. The Sejdic-Finci case, involving prominent citizens who sought to run for President but were denied the ability to do so because they are Romani or Jewish, was the first of several examples of this problem. As Ambassador, what will you do to get Bosnian political leaders to finally address and resolve this issue?

Answer. Bosnia and Herzegovina must comply with the European Court of Human Rights' ruling in the Sejdic-Finci case, which found that provisions of the BiH Constitution that do not permit non-constituent peoples (those who do not identify as Serbs, Croats, or Bosniaks) to run for the presidency or upper house of parliament discriminate against minorities. In fact, there are several other court decisions—both of the ECHR and the Constitutional Court of Bosnia and Herzegovina—that have yet to be implemented, due to lack of political will. These decisions are legally binding upon BiH and must be adopted into law. If confirmed, I will stress the importance of complying with these rulings. I will actively support efforts to help Bosnia and Herzegovina address these rulings through appropriate amendments to the country's constitutional and legislative frameworks.

*Question 5.* For years now, Bosnia and Herzegovina has been in violation of its Organization for Security and Cooperation in Europe (OSCE) commitments as well as the European Convention for Human Rights by denying a substantial percentage of its citizens of their right to seek certain elected offices due to ethnic criteria. The Sejdic-Finci case, involving prominent citizens who sought to run for President but were denied the ability to do so because they are Romani or Jewish, was the first of several examples of this problem. Will you make it a priority in your work?

Answer. If confirmed, I will prioritize efforts to defend human rights and advance political reforms that bring Bosnia and Herzegovina's political and legal framework into conformance with its international obligations, as well as improve the country's stability and functionality.

*Question 6.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As Director of the Office of eDiplomacy at the Department of State, I promoted the office's sponsorship of TechCamps which helped citizens, civil society, and governments strengthen democracy and protect human rights. At TechCamps, we brought together technologists with civil society and citizen advocates in various countries and regions to help them identify ways to utilize technology to advance their causes. I convinced the Under Secretary for Public Diplomacy to adopt this pilot program as a permanent part of the State Department's program toolkit. Since that time, U.S. embassies have sponsored an additional 37 tech camps, whose aims include advocacy and communication campaigns, elections and civic participation, good governance and transparency, human rights, media freedom, and promotion of peace and tolerance.

As Deputy Chief of Mission of the U.S. Embassy in Costa Rica, I helped lead the embassy's broad engagement in support of human rights and democracy. In our work to improve security in Costa Rica and Central America, we focused on community policing, strengthening the judiciary, and improving prison management, to help Costa Rica protect the rights of all citizens. We placed a special emphasis on helping civil society and authorities address gender-based violence.

I led our team to help Costa Rican youth launch TedXPuraVida Joven, an annual forum that encourages youth to engage as advocates for innovation and development in Central America. We helped the Government of Costa Rica design a project for online public procurement to help counter corruption. We also provided support to San Jose's Pride Parade to promote diversity and respect for the LGBT community.

As Consul General in Munich, I was active in the U.S. Mission's efforts to reach out to Muslim communities, encouraging efforts in Germany for integration and promoting United States' values of religious tolerance. The Munich non-governmental organization IDIZEM recognized our efforts to promote interreligious dialogue with its Dialogue prize.

Over the course of my career, I have been honest about my sexual orientation and an advocate for diversity and inclusion. My visibility, alongside with my partner, provided encouragement to host governments to improve their treatment of sexual minorities. In 1992, I was a founding officer of Gays and Lesbians in Foreign Affairs Agencies, an affinity group that has advocated tirelessly for inclusion and equal employment opportunity.

*Question 7.* What are the most pressing human rights issues in Bosnia and Herzegovina? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Bosnia and Herzegovina? What do you hope to accomplish through these actions?

Answer. The State Department's 2017 Human Rights Report noted that the most significant human rights concerns in Bosnia and Herzegovina include harsh and life-threatening prison conditions; restrictions on expression and the press, including intimidation, and threats against journalists and media outlets; widespread government corruption; and crimes involving violence against minorities and lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. If confirmed, I will work to strengthen adherence to our shared values and do everything in my power to combat intolerance and to promote religious freedom for all people. I will engage not only government officials and political parties, but also Bosnian civil society and citizens, utilizing the full range of our traditional diplomatic, assistance, and public diplomacy tools.

*Question 8.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Bosnia and Herzegovina in advancing human rights, civil society and democracy in general?

Answer. Regrettably, divisions between ethnic and religious groups in Bosnia and Herzegovina exist and underpin a tacit segregation—most noticeable in the school systems. These divisions are at odds with the goal of the Dayton Peace Accords of a unified, multiethnic, democratic Bosnia and Herzegovina. Promoting this vision of Bosnia and Herzegovina will likely be my greatest challenge. However, it is one to which I am fully committed and look forward to tackling.

*Question 9.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Bosnia and Herzegovina? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Civil society is an essential part of a free and democratic society. Therefore, I am firmly committed to further developing working relationships with the numerous non-governmental and community organizations in Bosnia and Herzegovina. With respect to the Leahy Law, I will, if confirmed, ensure the Department continues to thoroughly vet all individuals and units nominated to participate in U.S.-funded security assistance activities. Improving respect for human rights and the rule of law will be an important part of our efforts to build capacity in institutions providing security. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy.

*Question 10.* Will you and your embassy team actively engage with Bosnia and Herzegovina to address cases of key political prisoners or persons otherwise unjustly targeted by Bosnia and Herzegovina?

Answer. According to the State Department's 2017 Human Rights Report, there were no reports of political prisoners or detainees and no indications that the Government or its agents committed arbitrary or unlawful killings, or caused 'disappearances.' In the unlikely event that such an incident comes to light, I will, if confirmed, work tirelessly to investigate the situation, engaging government and other officials as necessary.

*Question 11.* Will you engage with Bosnia and Herzegovina on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will sustain the United States' engagement with members of civil society in Bosnia and Herzegovina, including activists, non-governmental organizations, religious groups, and international organizations with representation in

Bosnia that share our vision of a democratic, free, and inclusive society. These include (but are not limited to) organizations such as the Organization for Security Cooperation in Europe (OSCE), the United Nations, the Office of the High Representative for Bosnia and Herzegovina, the Council of Europe, and the European Union, as well as local civil society organizations.

*Question 12.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 13.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 14.* Do you or do any members of your immediate family have any financial interests in Bosnia and Herzegovina?

Answer. Neither I nor any of my immediate family members have any financial interests in Bosnia and Herzegovina.

*Question 15.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I am committed to promoting an Embassy workplace that is tolerant and embraces diversity in all its forms. Diversity results in better, more creative decision-making. If confirmed, one of my priorities will be to build a diverse team. I hope to do this by encouraging Foreign Service officers from varied backgrounds and groups to bid on Embassy Sarajevo and contribute their energies and talents to our efforts. I also look forward to serving with and developing a team of Locally Employed Staff that embraces the ethnic, religious, and geographic diversity that make Bosnia and Herzegovina so unique. I will do my best to mentor all of my staff, both American and Bosnian, to achieve their full professional potential during my tenure.

*Question 16.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I intend to lead by example, and demonstrate my commitment to diversity and inclusion in all of my interactions with members of my team. Early in my tenure, I will establish my clear expectations regarding fairness, tolerance, and respect for all, and I will ensure that any behaviors that fail to meet this standard are quickly corrected. I look forward to the opportunity to provide a vision to my team of what a fair, respectful, and inclusive workplace looks like and how it benefits the work we do on behalf of the American people.

*Question 17.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Bosnia and Herzegovina specifically?

Answer. As I noted in my testimony, corruption has a direct impact on the stability of a country. Corruption undermines public confidence in institutions and makes countries vulnerable to foreign malign influence and organized crime. Strengthening the rule of law in Bosnia and Herzegovina is a top U.S. priority for the country. Progress on other foreign policy goals can only happen if Bosnia and Herzegovina is governed by the rule of law. Bosnia and Herzegovina suffers from endemic corruption, which weakens all levels of government and the judiciary and stifles private enterprise. If confirmed, I intend to make anti-corruption efforts one of my top priorities.

*Question 18.* What is your assessment of corruption trends in Bosnia and Herzegovina and efforts to address and reduce it by that government?

Answer. Corruption pervades all levels of government in Bosnia and Herzegovina, broadly impacting public life—from the healthcare system, to education, employment, and the judiciary. A complex patronage network and weak rule of law allow corrupt politicians to maintain power and foster a culture of impunity. Thus far, the Government of Bosnia and Herzegovina has failed to take the issue of corruption as seriously as the United States would prefer. The number of corruption cases pursued by prosecutors remains woefully low. On the rare occasion that corruption in-

vestigations lead to convictions, lenient penalties, mostly in the form of suspended sentences, are especially problematic. If confirmed, I pledge to continue Embassy Sarajevo's efforts to strengthen the judiciary and improve government accountability and transparency.

*Question 19.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Bosnia and Herzegovina?

Answer. If confirmed, I will continue Embassy Sarajevo's efforts to improve governance and tackle corruption by supporting programming that increases government transparency and accountability. Specifically, I intend to prioritize programs that strengthen the ability of law enforcement and judicial officials to investigate and prosecute corruption, increase civil society's capacity to monitor government performance and advocate for reforms, support cross-party cooperation on anti-corruption initiatives, advance efforts to introduce e-governance solutions, and foster investigative journalism to expose corrupt practices.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ERIC GEORGE NELSON BY SENATOR JEANNE SHAHEEN

*Question 1.* Republika Srpska leader Dodik has openly called for closer ties to Russia and met Russian President Putin last Sunday. How would you ensure that the Bosnian people and its leaders recognize the value of continuing on a Western path toward EU and NATO accession if Dodik becomes a more prominent force in the country?

Answer. Membership in the European Union and in NATO are the best guarantors of Bosnia and Herzegovina's (BiH) future stability, security, and prosperity. One possible result of the general election on October 7 is Milorad Dodik's election as the next Serb member of the state-level tri-presidency. It is important to note that the three-member presidency and other Dayton structures provide built-in checks and balances to prevent any individual or political grouping from unilaterally changing long-established policies of the Government of BiH, including its stated commitment to pursue Euro-Atlantic integration. Continued U.S. engagement and leadership is essential to ensuring BiH continues to advance on that path. If confirmed, I will coordinate closely with like-minded international and local partners to keep BiH on a path that fully embraces Western democratic norms.

*Question 2.* Twenty-three years after the Dayton Peace Accords ended the war in Bosnia and Herzegovina, the country's ethnic groups are living more separately than ever. Has the Dayton structure institutionalized ethnic differences and made long-term resolution more difficult in Bosnia and Herzegovina? In your view, how should that structure be changed or replaced going forward for Bosnia to reach its Western goals?

Answer. The citizens of Bosnia and Herzegovina deserve a well-functioning government that works for them. The Dayton Accords brought peace to Bosnia and Herzegovina, and stability to the region as a whole. This stability provides the foundation for Bosnia and Herzegovina's pursuit of membership in Euro-Atlantic institutions such as NATO and the European Union. As the country moves closer to Euro-Atlantic standards, streamlining decision-making and legislative processes will be necessary. The United States has a long history of encouraging political and constitutional reform, but timing and solid support of reform-minded local actors are essential for success. Any effort must be led by the citizens of Bosnia and Herzegovina themselves. BiH must find a way to balance the political equality of its three constituent peoples—as called for in a 2000 ruling of the state-level Constitutional Court—with the rights of individuals, including those persons who are not or do not self-identify as members of one of the three constituent peoples. If confirmed, I look forward to helping Bosnia and Herzegovina chart a path forward that benefits all citizens.

*Question 3.* Unemployment, especially youth unemployment, remains very high in Bosnia and Herzegovina and corruption is endemic. What can the United States do to break this cycle and help Bosnia provide both a better future for its young people and a better business climate that foreign investors can trust?

Answer. Bosnia and Herzegovina must advance reforms to improve its business climate, attract greater foreign investment, and harness the capabilities of a young workforce that now prefers to head abroad for greater opportunities. To promote these goals, U.S. assistance programs advance trade policies, legislation, and regulatory reforms that align with EU and international standards, increase trans-

parency, and reduce opportunities for corruption. In turn, these changes will establish a level playing field for U.S. investment and businesses. In addition, if confirmed, I will support U.S. programs that promote entrepreneurship by providing targeted assistance to help small businesses access finance, improve productivity, and utilize new technologies.

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## NOMINATIONS

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THURSDAY, OCTOBER 11, 2018

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

The committee met, pursuant to notice, at 10:34 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. James E. Risch, chairman of the committee, presiding.

Present: Senators Risch [presiding], Gardner, Young, and Murphy.

### **OPENING STATEMENT OF HON. JAMES E. RISCH, U.S. SENATOR FROM IDAHO**

Senator RISCH. The committee will come to order, and we are going to start the meeting. Senator Kaine is unavoidably detained at a security briefing, and so I was going to wait for him, but in lieu thereof, we will start. I am sure he will excuse us for that.

So I want to welcome everyone to this hearing today. It is a pleasure to have all of these nominees before us today. And I want to thank each of you for being here today and for your willingness to serve. The countries you have been nominated to serve are tough posts. So I also would like to thank your families or the sacrifices they make in allowing you to pursue your roles as Ambassadors.

Earlier this year, the President released a new National Security Strategy highlighting the reemergence of great power rivalry around the world. Over the next few decades, competition between the United States, China, and Russia will guide many U.S. policy decisions.

As we know, great power competition occurs all across the world, and the posts you each have been nominated to represent some aspect of these challenges.

Mr. Blome, Tunisia has peacefully achieved many political milestones since 2011, prompting observers to portray the country as the lone success of the Arab Spring. Internal political tensions, economic pressures, security threats and greater regional dynamics, nonetheless, pose ongoing challenges. Despite a relative lack of conflict, Tunisia remains a potential source of regional struggles among rival political ideologies and among violent extremist groups vying for prominence and recruits. The survival of the Arab Spring's most successful political transition depends on several factors. The recovery of the economy is by far the most important factor that will determine the survivability of the Tunisian revolution.

Mr. Pommersheim, while Tajikistan has been a strong partner to the United States and international forces in efforts to bring secu-

rity and peace to Afghanistan, the country remains fragile and in a vulnerable state. Tajikistan faces challenges, including border security, widespread corruption, inadequate health and education systems, and food and energy shortages. Of the former Soviet states, it has the lowest per capita gross domestic product and the highest percentage of people living in poverty. Many Tajiks travel to Russia and find work, and remittances account for over 30 percent of the GDP. Regional threats include violent extremism, terrorism, and the trafficking of weapons and narcotics. Given these conditions, Tajikistan must deal with both Russian and Chinese interests and influence.

As these countries attempt to expand their spheres of influence, it is important that the United States remain attentive to developments there. Economic growth in Tajikistan is critical to achieving overall regional stability and to strengthening regional economic integration.

Mr. Moser, Kazakhstan is becoming a central player in geopolitics. The country has always sought a multi-vectored foreign policy to balance competing interests from abroad. With Kazakhstan's involvement in China's Belt and Road Initiative, it has the ability to rebalance its relationship with Russia. The country has much to gain but could face challenges.

As the United States implements the President's Central Asia economic policy, it is important that we not passively watch developments with Beijing and Moscow unfold but that we ensure this process protects Kazakhstan's interests, as well as U.S. interests.

Again, these are all challenging posts, and I look forward to hearing your thoughts on how the United States can move forward with those countries.

So with that, I would like to introduce all three of our nominees here today.

Mr. Blome has been nominated to be Ambassador to Tunisia. Born in Illinois, Mr. Blome is a career member of the senior Foreign Service, having served as a diplomat since 1993. He has extensive experience, having previously served in Tunisia, as well as many of the neighboring countries, including Israel, Egypt, and Iraq.

Mr. Pommersheim has been nominated to be Ambassador to Tajikistan. From Florida, Mr. Pommersheim is a career member of the Senior Foreign Service, class of counselor, having served in the State Department since 1990. He has served in several tough posts, including Kazakhstan, Russia, China, and has extensive foreign language skills.

Ambassador Moser has been nominated to be Ambassador to Kazakhstan. Born in North Carolina, Mr. Moser is a career member of the senior Foreign Service class of minister-counselor and has been with the Department since 1984. He has already served as Ambassador to Moldova, but has spent time in Kazakhstan, Ukraine, and Egypt and held several senior positions at the State Department.

So with that, I would like to open the hearing and give each of you an opportunity. Mr. Blome, we will start with you and hear from our other nominees.

**STATEMENT OF DONALD ARMIN BLOME, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA**

Mr. BLOME. Thank you, Mr. Chairman, members of the committee. Thank you for the opportunity to appear before you today.

I am honored that President Trump has nominated me to be the U.S. Ambassador to Tunisia, and I appreciate the confidence he and Secretary Pompeo have shown in me by making this nomination.

My wife Debbie and my sons, Nicholas and Carl, are here with me today. My daughter Sarah could not be here. Like most Foreign Service families, they have shared in the adventure and the great pride of representing our country overseas, but also the burdens of disrupted schooling and careers, evacuations, and long separations. Few of us could do what we do without the support of our families, and I want to take this opportunity to thank them.

If confirmed, my highest priority as U.S. Ambassador will be ensuring the safety and security of our people and their families and that of Americans living in and visiting Tunisia.

In 2011, the Tunisian people rejected dictatorship and reset their country's path toward democracy. Since that time, U.S.-Tunisia ties have strengthened and expanded. Tunisia has consolidated its democratic changes, partnered with the United States in the fight against terrorism, and taken steps to stabilize and open its economy. Over \$1.3 billion in U.S. investments since the revolution have reinforced this trajectory.

If confirmed, I look forward to building on the strong foundations of the U.S.-Tunisia partnership to advance U.S. security and prosperity. This will require sustaining our security cooperation to counter terrorist threats, secure borders, and respond to instability in neighboring Libya. Additionally, this will require working with our Tunisian partners to press forward economic reforms for sustainable and inclusive growth, thereby increasing trade and investment opportunities for U.S. and Tunisian businesses. It will also require encouraging Tunisia's leaders to follow through on their democratic experiment, building the institutions needed for long-term success and stability.

I will describe the three pillars of the U.S.-Tunisia relationship: security partnership, economic cooperation, and political support.

A major non-NATO ally and a member of the Global Coalition to Defeat ISIS, Tunisia knows the real threat of terrorism. The United States has worked with the Tunisian military and police to empower a security sector capable of securing Tunisia's territory and population while respecting the rule of law and individual rights. Tunisia also faces the challenge of holding accountable its nationals who traveled to Iraq and Syria and Libya to engage in terrorist acts. With U.S. support, the Tunisian Government is enhancing its capabilities to investigate, prosecute, and incarcerate these individuals. If confirmed, I would work to expand this security and counterterrorism relationship, helping our Tunisian partners to stand as a force for stability.

Tunisia's leaders have outlined a vision for inclusive and open economic growth, stronger anti-corruption measures, and a level playing field where U.S. and Tunisian companies can compete on the strength of their products and ideas. Tunisia's economic situation remains fragile as frustration with unemployment, the rising cost of living, and geographic disparities complicate the government's reform efforts. In partnership with the IMF, the Tunisian Government has begun undertaking changes to rationalize government spending, encourage private sector development, and ensure young Tunisians are able to participate in their country's success. If confirmed, I would prioritize advocacy for U.S. companies seeking to export or pursue investment opportunities in an expanding Tunisian economy.

Finally, while Tunisia remains firmly pointed toward democracy, difficult steps remain to consolidate its political transformation. In 2014, Tunisia held its first free and fair presidential and parliamentary elections and finalized a new constitution. And Tunisians recently voted in their first-ever municipal elections. Despite this progress, the hard work continues: finalizing a constitutional court, tackling corruption, and ensuring that steps to improve accountability in the private sector do not impinge on civil society and nongovernmental activities. Elections slated for next year will be watched as a signal of the Tunisian democracy's maturity and robustness.

Thank you, Mr. Chairman and members of the committee, for giving me this opportunity to address you. If confirmed, I would look forward to leading the dynamic and talented team of U.S. professionals at U.S. Embassy Tunis as we work to advance U.S. priorities there.

[Mr. Blome's prepared statement follows:]

PREPARED STATEMENT OF DONALD ARMIN BLOME

Chairman Risch, Ranking Member Kaine, members of the committee, thank you for the opportunity to appear before you today. I am honored that President Trump nominated me to be the U.S. Ambassador to Tunisia, and I appreciate the confidence he and Secretary Pompeo have shown in me by making this nomination.

My wife Debbie, and my sons, Nicholas and Carl, are here with me today. My daughter could not be here. Like most Foreign Service families, they have shared in the adventure and the great pride of representing our country overseas, but also the burdens of disrupted schooling and careers, evacuations, and long family separations. Few of us could do what we do without the support of our families, and I want to use this opportunity to thank them.

If confirmed, my highest priority as U.S. Ambassador will be ensuring the safety and security of our people and their families, and that of Americans living in and visiting Tunisia.

In 2011, the Tunisian people rejected dictatorship and reset their country's path toward democracy. Since that time, U.S.-Tunisia ties have strengthened and expanded. Tunisia has consolidated its democratic changes, partnered with the United States in the fight against terrorism, and taken steps to stabilize and open its economy. Over \$1.3 billion in U.S. investments since its revolution have reinforced this trajectory.

If confirmed, I look forward to building on the strong foundations of the U.S.-Tunisia partnership to advance U.S. security and prosperity. This will require sustaining our security cooperation to counter terrorist threats, secure borders, and respond to instability in neighboring Libya. Additionally, this will require working with our Tunisian partners to press forward economic reforms for sustainable and inclusive growth, thereby increasing trade and investment opportunities for U.S. and Tunisian businesses. It will also require encouraging Tunisia's leaders to follow

through on their democratic experiment, building the institutions needed for long-term success and stability.

Let me describe the three pillars of the U.S.-Tunisia relationship: security partnership, economic cooperation, and political support.

A major non-NATO ally and member of the Global Coalition to Defeat ISIS, Tunisia knows the real threat of terrorism. The United States has worked with the Tunisian military and police to empower a security sector capable of securing Tunisia's territory and population while respecting the rule of law and individual rights. Tunisia also faces the challenge of holding accountable its nationals who traveled to Iraq, Syria, and Libya to engage in terrorist acts. With U.S. support, the Tunisian Government is enhancing its capabilities to investigate, prosecute, and incarcerate these individuals. If confirmed, I would work to expand this security and counterterrorism relationship, helping our Tunisian partners to stand as a force for stability.

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Finally, while Tunisia remains firmly pointed toward democracy, difficult steps remain to consolidate its political transformation. In 2014, Tunisia held its first free and fair presidential and parliamentary elections and finalized a new constitution, and Tunisians recently voted in their first-ever municipal elections. Despite this progress, the hard work continues: finalizing the constitutional court, tackling corruption, and ensuring that steps to improve accountability in the private sector do not impinge on civil society and non-governmental activities. Elections slated for next year will be watched as a signal of the Tunisian democracy's maturity and robustness.

Thank you, Mr. Chairman, Ranking Member Kaine, and members of the committee, for giving me the opportunity to address you. If confirmed, I look forward leading the dynamic and talented team of U.S. professionals at U.S. Embassy Tunis as we work to advance U.S. priorities there.

I would be happy to answer any questions.

Senator RISCH. Thank you very much, Mr. Blome.

Mr. Moser, we would like to hear your thoughts on Kazakhstan, please.

**STATEMENT OF HON. WILLIAM MOSER, OF NORTH CAROLINA,  
A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE,  
CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EX-  
TRAORDINARY AND PLENIPOTENTIARY OF THE UNITED  
STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN**

Ambassador MOSER. Mr. Chairman, members of the committee, it is a honor and a privilege to appear before you today as the President's nominee to be Ambassador to the Republic of Kazakhstan. I am honored by the trust and confidence the President and Secretary Pompeo have placed in me with this nomination. If confirmed, I look forward to working closely with Congress to advance our country's interests in Kazakhstan and to further strengthen the enhanced strategic partnership with Kazakhstan set by President Trump in his meeting with Kazakhstan's President Nazarbayev in January of this year.

I want to introduce my wife Marie and my daughter Rebecca. Unfortunately, my two sons could not be with us today, but we are all very pleased to return to Kazakhstan where I served 20 years ago. Marie and I and our children have fond memories of our time there.

For more than a quarter century, Kazakhstan has been a valued friend and a strategic partner of the United States in Central Asia. We were pleased to be the very first country to recognize Kazakhstan's independence on Christmas Day 1991. Sovereign, independent, and dynamic, Kazakhstan over the past nearly 27 years has worked diligently to strengthen its economy, investing wisely in the future through ambitious education and infrastructure projects. A country the size of Western Europe and the ninth largest country in the world, Kazakhstan is geographically strategic, ethnically diverse, and resource rich. Its population is young, energetic, and increasingly connected with the world around them.

For the United States, our strategic goals in Kazakhstan are to strengthen Kazakhstan's sovereignty, independence, and territorial integrity, and to support Kazakhstan's development as a prosperous, stable, and democratic state that is integrated into the world economy and that cooperates with its neighbors, the United States, and our partners to advance regional and global security. The United States and Kazakhstan have worked closely to pursue these ambitious goals. Following the renewed commitments of our two countries' presidents, if confirmed, I look forward to further enhancing our engagement as strategic partners.

U.S. companies have long recognized Kazakhstan's potential and today have a strong history of cooperation with Kazakhstan to develop its tremendous oil and gas resources. United States' investment in Kazakhstan has grown to nearly \$30 billion, making Kazakhstan an important economic partner in the region. If confirmed, I look forward to strengthening U.S.-Kazakhstan commercial ties and to working with Kazakhstan in sectors like agriculture, manufacturing, and IT services as it diversifies its economic base.

Kazakhstan has been a key supporter of our South Asia strategy, providing crucial support for our forces in Afghanistan and denying safe haven for terrorists. Kazakhstan continues to provide critical logistical support and access for our troops fighting ISIS and the Taliban in Afghanistan. We appreciate Kazakhstan's work to train and educate Afghan civilian specialists and to empower women in Afghanistan's economy. Kazakhstan can be proud of its work to focus global attention on Afghanistan and Central Asia during its rotating membership on the United Nations Security Council, which will successfully conclude this December.

Since Kazakhstan took the courageous step to voluntarily renounce its nuclear weapons after independence, the United States and Kazakhstan have worked in continuous partnership for more than a quarter century to safely and securely manage this part of its Soviet legacy. Kazakhstan has consistently been a leading voice for nonproliferation, working to ensure a safer and healthier future for the children of Kazakhstan and for the world. Kazakhstan today is a valued partner in our efforts to rid the Korean Peninsula of nuclear weapons.

I first served in Kazakhstan in 1996 in our then-embassy in Almaty as a management officer and then as energy attaché. And as you have mentioned, Senator Risch, I have also served as Ambassador to Moldova. If confirmed, I intend to draw on my years of experience in order to further deepen our relationship with

Kazakhstan and also to effectively manage the embassy. I have had years of experience in managing organizations within the Department of State of hundreds of employees, and I will bring that skill to my job in Kazakhstan to make sure that we have an effective diplomatic platform that serves the United States' interests and does the best job we can of strengthening our long-term strategic partnership with the people of Kazakhstan.

Thank you very much.

[Ambassador Moser's prepared statement follows:]

PREPARED STATEMENT OF HON. WILLIAM H. MOSER

Mr. Chairman, Ranking Member Kaine, and members of the committee, it is an honor and a privilege to appear before you today as the President's nominee to be Ambassador to the Republic of Kazakhstan.

I am honored by the trust and confidence the President and Secretary Pompeo have placed in me with this nomination. If confirmed, I look forward to working closely with Congress to advance our country's interests in Kazakhstan and to further strengthen the enhanced strategic partnership with Kazakhstan set by President Trump in his meeting with Kazakhstan's President Nazarbayev in January of this year.

I want to introduce my wife Marie. We are very pleased to return to Kazakhstan, where I served 20 years ago. Marie and I and our children have fond memories of our time there.

For more than a quarter century, Kazakhstan has been a valued friend and a strategic partner of the United States in Central Asia. We were pleased to be the first country to recognize Kazakhstan's independence on Christmas Day 1991.

Sovereign, independent, and dynamic, Kazakhstan over the past nearly 27 years has worked diligently to strengthen its economy, investing wisely in its future through ambitious education and infrastructure projects. A country the size of Western Europe and the ninth largest country in the world, Kazakhstan is geographically strategic, ethnically diverse, and resource rich. Its population is young, energetic, and increasingly connected with the world around them.

For the United States, our strategic goals in Kazakhstan are to strengthen Kazakhstan's sovereignty, independence, and territorial integrity, and to support Kazakhstan's development as a prosperous, stable, and democratic state, that is integrated into the world economy and that cooperates with its neighbors, the United States, and our partners to advance regional and global security. The United States and Kazakhstan have worked closely to pursue these ambitious goals.

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I first served in Kazakhstan in 1996, in our then-Embassy in Almaty as a management officer and then as energy attaché. I have also served in other post-Soviet

states, most recently as Ambassador to Moldova. If confirmed, I intend to draw on my years of experience in the region to work with the Government of Kazakhstan and to reach out to the people of Kazakhstan to ensure that the already strong and dynamic United States-Kazakhstan partnership continues to grow and strengthen. I will work to enhance people-to-people ties between United States and Kazakhstan and to continue our partnership with Kazakhstan on its ambitious education reform program to create a trilingual society, comfortable and linguistically capable in Kazakh, English and Russian.

Mutual interest and mutual respect underlie our relations with Kazakhstan. Kazakhstan is a regional and global leader in its own right; Kazakhstan is in no one's sphere of influence. Historic, cultural and economic ties with Russia are important to Kazakhstan, but Kazakhstan is not defined by any one relationship or neighbor, whether near or far. The United States' example of a prosperous, rule based democracy that has built durable economic growth alongside social and political stability is an attractive model that speaks for itself. Kazakhstan's future is bright, and it is for Kazakhstan to choose its path. The United States will always be a reliable and principled partner for Kazakhstan's efforts to advance market reform and its development into a free, democratic society respectful of the rights and choices of its citizens.

For the last three years, I have been the senior career official within the State Department's Bureau of Overseas Building Operations. From that position, I have worked to ensure that State Department facilities around the world are safe, secure, and operationally effective, so that the U.S. Government can best represent our country, its policies, and people abroad. If confirmed, I pledge that, as Ambassador, the safety and security of our mission in Kazakhstan and of all its personnel will be one of my highest priorities. I will also ensure that the mission is a place where no one should ever suffer from discrimination, harassment or exploitation of any kind. I know from supervising organizations with hundreds of employees, that my personal example is essential to ensure that every employee is treated with respect and that his or her contributions are valued. If confirmed, I would maintain and promote the highest standards of ethical conduct and security.

Mr. Chairman, Ranking Member Kaine, I thank you again for the opportunity to share my thoughts about the relationship with Kazakhstan. If confirmed, I look forward to working closely with you and this committee.

I would be happy to answer any questions you may have.

Senator RISCH. Thank you, Mr. Moser.

Mr. Pommersheim, your thoughts on Tajikistan, please.

**STATEMENT OF JOHN MARK POMMERSHEIM, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN**

Mr. POMMERSHEIM. Mr. Chairman and members of the committee, good morning. It is a true honor and privilege to appear before you today as the nominee to be the United States Ambassador to the Republic of Tajikistan.

I deeply appreciate the opportunity to testify this morning and am humbled by the confidence that President Trump and Secretary Pompeo have placed in me. If confirmed, I look forward to working with this committee and other Members of Congress to advance the interests of the United States in Tajikistan.

With the chairman's indulgence, I want to mention my gratitude for the support and love of my family here today. They enabled me to pursue work for the United States abroad over the last 28 years. My wife Natalia has been a pillar of support and love for over 24 years, raising our three sons in often challenging environments overseas. Our eldest son Arthur is beginning his career as a U.S. naval officer on board a U.S. nuclear-powered submarine. Andrew is finishing his studies in an Air Force ROTC program at the Uni-

versity of Maryland. James just started as a freshman at the College of Charleston.

I have had the honor to serve as a career Foreign Service officer for the last 28 years, and throughout my career, I have had the chance to work with many fine Americans in all branches of government on promoting universal values such as rule of law and the protection of human rights and dignity. The teams I have been privileged to lead and work with have advanced U.S. security and economic goals in countries across Europe and Asia. If confirmed, I would draw on this experience as Ambassador to Tajikistan, taking a whole-of-government approach to solving problems such as strengthening counterterrorism cooperation and advancing good governance.

Having previously served in the neighboring country of Kazakhstan as deputy chief of mission, I have seen firsthand the difficult decisions and incredible effort necessary to build a sovereign nation in the short span of 27 years and the important role that the United States plays as a partner that respects the sovereignty, independence, and territorial integrity of its friends in the region. If confirmed, further strengthening the foundation of partnership and goodwill between the people of the United States and the people of Tajikistan will be my priority.

Mr. Chairman, Tajikistan is a country of extraordinary natural beauty and rich cultural heritage, but as you pointed out in your opening statement, it faces many challenges.

Tajikistan suffered a devastating civil war, which ended just over 20 years ago, with health and human development indices still impacted. Per capita, Tajikistan remains in the poorest quarter of countries in the world and its GDP is the lowest in Central Asia. It imports close to 70 percent of its food. Youth under 24 are 53 percent of Tajikistan's population, a number that is projected to grow. Unable to find work in Tajikistan, close to 1 million migrant laborers leave the country to find work in Russia and other countries where the lack of a support system can leave them vulnerable to terrorist recruiting. And Tajikistan has a porous 800-mile long border with Afghanistan and problems such as the illegal narcotics trade, trafficking in persons, the spread of terrorism, and violent extremism are deeply concerning.

If confirmed, I will work to strengthen our partnership with Tajikistan to address these serious challenges. Tajikistan has come a long way since the dark days of the civil war, and with over 25 years of partnership, Americans and Tajiks can look back on a period of significant progress that helped transform Tajikistan and strengthen its independence and sovereignty. Continued progress in building out that partnership will contribute to stability both in Tajikistan and in the wider Central Asian region.

Tajikistan's long southern border abuts the most restive regions of Afghanistan, provinces that harbor Islamic State and other terrorist groups, as well as Taliban-controlled territory. For years, the United States has been the foremost international supporter of training and infrastructure for Tajikistan's border guard service. In addition, the United States has been a strong supporter of justice and law enforcement reform. As Afghanistan's northern neighbor, Tajikistan is crucial to that country's economic development and its

future as a secure, stable, and prosperous state in a broader Central Asia that is also flourishing.

This is where Tajikistan's future and the future of the region lies, in the connections, sometimes rebuilt, sometimes newly established, of people, of businesses, of infrastructure, of administration, of trade and transit. The United States has been a proactive supporter of connectivity. Under the President's South Asia Strategy and the National Security Strategy, regional connectivity has taken on a new energy as we seek to capitalize on momentum among states and to harness development and economic growth as a bulwark against radicalization.

Hand in hand with intensive cooperation on key economic and security issues, we must as partners have a frank, constructive, and productive dialogue on Tajikistan's international obligations on freedom of religion and other fundamental human freedoms. A nation cannot be truly secure while suppressing independent voices and basic human rights.

Mr. Chairman, if confirmed, my number one concern will always be the safety of our embassy staff at Embassy Dushanbe and all U.S. citizens in Tajikistan. As this committee's members are aware, in July of this year, four tourists, two of them United States citizens, were targeted and killed by attackers in Tajikistan who had pledged their loyalty to the Islamic State. I want to express condolences to the families of those who died and suffered in the attack. We stand with those families, and U.S. agencies are working closely with Tajik authorities in the ongoing investigation. If confirmed, one of my highest priority goals will be, as President Trump has recently asked of President Rahmon, deepening our information sharing and counterterrorism cooperation with Tajikistan.

Mr. Chairman, if confirmed, I will always be available to and welcome the opportunity to work with you, your committee, and other Members of Congress, and professional staff to advance the United States' interests in Tajikistan and throughout the region.

Thank you very much again for the opportunity to appear before you, and I look forward to questions.

[Mr. Pommersheim's prepared statement follows:]

#### PREPARED STATEMENT OF JOHN MARK POMMERSHEIM

Mr. Chairman and Members of the committee, it is a true honor and privilege to appear before you today as the nominee for the United States' Ambassador to the Republic of Tajikistan.

I deeply appreciate the opportunity to testify this morning, and am humbled by the confidence that President Trump and Secretary Pompeo have placed in me. If confirmed, I look forward to working with this committee and other Members of Congress to advance the interests of the United States in Tajikistan.

With the Chairman's indulgence, I want to mention my gratitude for the support and love of my family (here today) that enabled me to pursue work for the United States abroad. My father, James Pommersheim, a professor at Bucknell University for 35 years, helped me understand the importance of family and service to others. My wife Natalya has been a pillar of support and love for over 24 years, raising our three sons in often challenging environments overseas. Our eldest son Arthur will begin his career as an officer on board the U.S. nuclear submarine USS Missouri, homeported in Pearl Harbor, HI. Andrew is finishing his studies and an ROTC program at the University of Maryland. James just started as a freshman at the College of Charleston (and is hopefully not missing too many mid-semester class assignments by flying in yesterday to support his Dad).

I have had the honor to serve as a career Foreign Service Officer for the last 28 years. Throughout my career, I have had the chance to work with many fine Ameri-

cans in all branches of government, on promoting universal values such as rule of law, and the protection of human rights and dignity. The teams I have been privileged to lead and work with have advanced U.S. security and economic goals in countries across Europe and Asia. If confirmed, I would draw on this experience as Ambassador to Tajikistan, taking a whole-of-government approach to working with our partners to solve problems such as strengthening counter terrorism cooperation and advancing good governance.

Having previously served in the neighboring country of Kazakhstan as deputy chief of mission, I have seen firsthand the difficult decisions and incredible effort necessary to build a sovereign nation in the short span of 27 years, and the important role that the United States plays as a partner that respects the sovereignty, independence, and territorial integrity of its friends in the region. If confirmed, further strengthening the foundation of partnership and goodwill between the people of the United States and the people of Tajikistan will be my priority.

Mr. Chairman, Tajikistan is a country of extraordinary natural beauty and rich cultural heritage, but it faces many challenges.

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If confirmed, I will work to strengthen our partnership with Tajikistan to address these serious challenges. Tajikistan has come a long way since the dark days of the civil war. With over 25 years of partnership, Americans and Tajiks can look back on a period of significant progress that helped transform Tajikistan and strengthen its independence and sovereignty. Continued progress in building out that partnership will contribute to stability both in Tajikistan and in the wider Central Asian region.

A Soviet-holdover focus on cash crops and Tajikistan's stark geographic landscape—nearly 93 percent mountainous—constrains the country's ability to feed its citizens. Tajikistan imports 70 percent of its foodstuffs, and U.S. development assistance to Tajikistan includes a strong emphasis on sustainable agriculture and high-nutrient farming. Unable to find work in Tajikistan, close to one million migrant laborers leave the country to find work in Russia and other countries, where the lack of a support system can leave them vulnerable to terrorist recruiting.

Tajikistan's long southern border abuts the most restive regions of Afghanistan, provinces that harbor Islamic State and other terrorist groups as well as Taliban-controlled territory. For years, the United States has been the foremost international supporter of training and infrastructure for Tajikistan's Border Guard service. In addition, the United States has been a strong supporter of justice and law enforcement reform. As Afghanistan's northern neighbor, Tajikistan is crucial to that country's economic development and its future as a secure, stable, and prosperous state in a broader Central Asia that is also flourishing.

This is where Tajikistan's future and the future of the region lies—in the connections, sometimes rebuilt, sometimes newly established, of people, of businesses, of infrastructure and administration, of trade and transit. The United States has been a proactive supporter of connectivity. Under the President's South Asia Strategy and National Security Strategy, regional connectivity has taken on new energy and urgency as we seek to capitalize on momentum among states and to harness development and economic growth as a bulwark against radicalization—and as a path toward a better future for the region's younger generations. The United States actively participates in the "C5+1" regional diplomatic platform that brings together the United States and the five states of Central Asia. This platform catalyzes economic, environmental and security cooperation through assistance and engagement.

Hand-in-hand with intensive cooperation on key economic and security issues, we must as partners have a frank, constructive—and productive—dialogue on Tajikistan's international obligations on freedom of religion and other fundamental human freedoms. A nation cannot be truly secure while suppressing independent voices and basic human rights.

If confirmed, my number one concern will always be the safety of our embassy staff at U.S. Embassy Dushanbe and all U.S. citizens in Tajikistan. As this committee's members are aware, in July of this year four tourists—two of them U.S. citizens—were targeted and killed by attackers in Tajikistan who had pledged their loyalty to the Islamic State. I want to express condolences to the families of those who died and suffered in the attack. We stand with the families of the victims, and U.S. agencies are working closely with Tajik authorities in the ongoing investigation. If

confirmed, one of my highest priority goals will be, as President Trump has recently asked of President Rahmon, deepening our information-sharing and counterterrorism cooperation with Tajikistan.

Mr. Chairman, if confirmed, I will always be available to and welcome the opportunity to work with you, the committee, and other Members of Congress to advance the United States' interests in Tajikistan and throughout the region.

Thank you very much for the opportunity to appear before you today. I look forward to the committee's questions.

Senator RISCH. Thank you very much. Thanks to each of you, and again, especially thanks to your families.

I have got a few questions and we will see if Senator Kaine shows up or others who may have some questions.

Mr. Blome, in Tunisia, the president's secular party has had a fragile government put together with the Islamists Party. And reports are that that has gone asunder. Can you enlighten us on that and tell us how that is going to affect the country in your judgment?

Mr. BLOME. Thanks very much for that question.

I think to put in context what has happened, what is very important to think about in terms of Tunisia is where they have come, which is an extraordinary way since their 2014 elections, including the coalition government that they have been able to hold together for quite some time. What we see now are strains, which are part, I think, of the democratic process. The important thing to see in that is that the parties themselves, the parties that have committed to the coalition, that have committed to working within the government, have adhered to the democratic contract, if you will. They have adhered to constitutional standards. They have played by the rules of the game, and as long as they stay within those bounds, these kinds of things are what we are going to see there.

They have very important elections coming up next year at the end of 2019. Those will be both parliamentary and presidential elections, and that will be a milestone for them. It will be the second major round of elections, and it will be a good indicator of the consolidation of their democratic process there.

So I think it is not surprising that you see strains and shifts at times in the lineups or the coalitions in the way they look, but at the end of the day, the important thing to see will be whether all the players continue to adhere to the rules of the game. I think that is the important context here.

Senator RISCH. Is the upcoming elections causing some of the turbulence that is there today? That is not foreign to a democratic situation as we all know.

Mr. BLOME. Mr. Chairman, I think that is probably an absolutely accurate observation and something almost to be expected as political figures prepare for election and something that is part of the universal democratic experience in a way. But again, I think we will probably continue to see things like that happening, but the important part is the political leadership of Tunisia has remained committed, committed to working through the democratic institutions that they have set up since 2011.

Senator RISCH. Thanks so much.

Mr. Moser, Kazakhstan, because of its size and its natural resources and just its location, is a very natural target for what the Chinese are doing as they reach out around the world. Tell us your

thoughts on what counterweight we can be to that in Kazakhstan. Other countries have had not very good experience with China's efforts in that regard. Although seemingly well intended at the outset, they do not work as well as people thought they would.

What are your thoughts as far as China and Kazakhstan?

Ambassador MOSER. Mr. Chairman, thank you very much for that question.

And in my preparation for the confirmation process, this is a question that I really have focused on because I think this is a challenge for the United States in many places in the world.

Inevitably we want Kazakhstan to have a good partnership with China. It shares a very long border with China, and of course, China is going to be involved. But I think the one thing that we need to keep reminding to our Kazakhstan partners is that free and transparent markets will be their best guarantee of their own security and, of course, the economic relationship with China. In fact, we do not discourage Chinese investment in Kazakhstan. On the other hand, we want to make sure that American companies also have the same access that Chinese companies have, and we want to be able to make sure that it is an economic level playing field where we can compete fairly because we feel that is the best way to guarantee Kazakhstan's future and also to make Kazakhstan closer to international economic norms.

Senator RISCH. I appreciate that.

If you can off the top of your head, can you give us some examples of the Chinese investment in Kazakhstan, some of the larger investments or incursions they are making there?

Ambassador MOSER. Well, one of the most impressive investments is that China is trying to shorten its delivery of goods to Western Europe or to Europe by going through Kazakhstan via a land route. This land route takes about 15 days as opposed to a ship transit of about 50 or 60 days. So this would be tremendously economically beneficial.

But what happens now is that there is a city on the edge, very close to the Chinese border where goods are loaded from one railcar from the Chinese gauge to the Kazakhstani gauge—

Senator RISCH. They have two different gauges.

Ambassador MOSER. Yes, they have different gauges. So then those goods are then transferred on.

Now, that commercial hub is growing in size in terms of the number of containers that it handles, and this is probably what I would consider a very positive initiative because it is beneficial for both sides. But I think that we want to encourage the right kind of relationship between Kazakhstan and China.

Senator RISCH. I appreciate that.

Mr. Pommersheim, in 2016, a number of Tajik officials participated in several Organization for Security and Co-operation in Europe workshops. I do not know if you are familiar with that participation or not. Obviously, the purpose was to develop a national strategy for countering violent extremism strategy. But lately that has been criticized as a front, if you would, for repressing political dissidents. Do you have any thoughts on that?

Mr. POMMERSHEIM. Thank you very much for that question, Senator.

Yes, indeed, there is a national action plan for countering violent extremism in Tajikistan that the government is seeking to implement, and the OSCE and the United States as well is hoping to partner with the government and is partnering on measures that can be taken on CVE to make Tajikistan more secure.

But as you point out in your question, it is very important that fundamental freedoms be observed in Tajikistan. We try to do that, as we have over more than 20 years, in our bilateral dialogues, making the point to our partners in Tajikistan that security issues should not be used as a pretext to put pressure, for example, on the opposition or the independent media or on civil society. Unfortunately, there has been pressure in all of those areas over the last several years.

You mentioned OSCE, Mr. Chairman. Recently there have been a few positive developments as well. Earlier this year, as a matter of fact, just about a month ago, the Tajik Government did have a meeting with members of the opposition in Warsaw at the Human Dimension Conference at the OSCE meeting there. So that was a small positive.

Another small positive was that some family members of the opposition that previously were not being permitted to leave Tajikistan were allowed to leave Tajikistan.

But I fully agree with the premise of your question, and if confirmed, I would take that sentiment with me to Dushanbe and continue to make that point in my discussions with the government there.

Senator RISCH. Thank you very much.

Well, thanks to all three of you and, again, a special thanks to your family knowing the challenges that these posts face. We look forward to moving this along as rapidly as we can.

Senator Kaine is unfortunately still detained in an important matter that he needs to deal with. He is going to have an opening statement and we will include that opening statement in the record.

[Senator Kaine's prepared statement follows:]

PREPARED STATEMENT SUBMITTED BY SENATOR TIM KAINE

Thank all of you for being here to testify and for your career of service at State, and a special thanks to Mr. Blome, who hosted me in Jerusalem in January 2016. Congratulations to you and your families for your nominations.

The countries in which you have been nominated to serve as Ambassadors experienced relatively recent political upheavals—Tajikistan and Kazakhstan with their independence following the collapse of the Soviet Union in 1991, Tunisia almost twenty years later with the Jasmine Revolution beginning in late 2010.

All of you have impressive records of service that make clear you are familiar with the challenges of working in emerging democracies as well as authoritarian states. It is critical that you lead your teams in championing U.S. support to strengthen democratic institutions, including civil society and a free press. I hope you will use the authority you will have as U.S. Ambassadors to diplomatically, but firmly, speak out against authoritarianism and repression and in support of freedom and inclusivity.

I remain concerned about the Trump administration's persistent attempts to cut foreign assistance, including to the countries in which you are nominated to serve, and I will continue to support efforts here in Congress to allocate sufficient funds to encourage democratic trends, bolster civil society, work with partner nations on security and stability, and continue to assist vulnerable populations worldwide. This is particularly important to counter the historic influence of Russia in Central Asia and growing influence of China globally.

Senator RISCH. Also, there may be additional questions. We will keep the record open briefly for questions in that regard.

So, again, thank you to each of you for your participation. Thank you again to your families.

And with that, we will close this hearing.

[Whereupon, at 11:06 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO DONALD ARMIN BLOME BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Over a 25-year career in the Foreign Service I have worked with local civil society, election commissions, governments, and implementing partners, such as the International Republican Institute, the National Democratic Institute, and the International Foundation for Election Systems to promote democratization in countries throughout the Middle East. I have met with political opposition and dissidents and raised their cases with host governments. U.S. engagement in these cases can be vital in protecting and promoting human rights.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Tunisia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. While Tunisia has made important progress since the 2011 revolution, its democratic institutions remain fragile. The Government faces significant economic and security challenges, and there is intense public frustration over unemployment, perceived corruption, and the rising cost of living.

According to polling data, Tunisians report unemployment, perceived mismanagement of the economy, and corruption as the top three challenges facing their country. They hold their democratically elected representatives accountable for improving the economic situation. Many Tunisian citizens expected economic improvements as tangible benefits of the democratic revolution and have yet to see such personal benefits accrue since 2011. Delivering accountable and inclusive governance that benefits and engages all Tunisians remains a critical challenge for the Government.

*Question 3.* What steps will you take—if confirmed—to support democracy in Tunisia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will continue to press the Government of Tunisia on efforts to drive forward its democratic transition, such as the establishment of a Constitutional Court; meet regularly with Tunisian civil society organizations to understand their concerns; and oversee U.S. assistance to strengthen key democratic institutions. Through these actions, we hope to encourage rights-based reforms in the Tunisian Government that respect international human rights norms. The divide between religiously-conservative and secular Tunisians complicates both the Government's and the international community's efforts to promote human rights reforms, but Tunisia's constitution offers a solid basis from which to advance such reforms. Direct diplomatic engagement and U.S. support for civil society and building the capacity of government institutions is paying off.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. The United States remains committed to supporting Tunisia's democratic path. Since Tunisia's 2011 revolution, the United States has provided Tunisia with over \$1.3 billion of U.S. aid to support security, economic, and governance reforms. Of this amount, \$154 million is dedicated to democracy, governance, and human rights programming. The value of our assistance activities, however, is not just the

sheer dollar amount of our programs, but rather their measurable and meaningful results. If confirmed, I would endeavor to ensure that our international partners also share the burden of supporting our Tunisian partners, as we continually evaluate how best to apply scarce resources against U.S. priorities.

Some examples of U.S. support to Tunisian democratic institutions include assistance to the Tunisian parliament and independent constitutional bodies and also to build the capacity of citizens, civil society, and political parties to engage local government institutions and to improve government transparency. USAID is implementing a program that works with newly-elected municipal officials and local governments to develop the democratic mechanisms to engage citizens and improve public services. Additional programs target capacity building in government institutions, like the parliament and independent government bodies, that govern elections, anti-corruption, and efforts to counter trafficking in persons, to name a few. Supporting Tunisia's democratic consolidation is a priority for the State Department, and I would continue to support the Tunisian people to strengthen their democratic institutions if confirmed.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Tunisia? What steps will you take to proactively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Civil society in post-revolutionary Tunisia is active and vibrant, and civil society actors have a critical role to play in contributing to public debate about how the country can best advance its democratic principles. If confirmed, I look forward to meeting with human rights, civil society, and other non-governmental organizations in the United States and in Tunisia. I would encourage the Government of Tunisia to apply fairly and transparently the laws governing NGOs and civil society organizations.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Efforts to include marginalized populations into the political process are vital to Tunisia's democratic transition. The U.S. Embassy in Tunisia regularly meets with multiple parties represented in the Tunisian Government and in the opposition, a practice I would continue if confirmed as U.S. Ambassador. U.S. Government assistance to Tunisian democratic institutions, such as the parliament, the political parties, and the elections commission, helps create an enabling environment for free, fair, and inclusive elections and promotes democratic pluralism. Municipal elections held in May 2018 ushered in record numbers of women and youth leaders.

*Question 7.* Will you and your embassy team actively engage with Tunisia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Tunisia?

Answer. Tunisia enjoys a free, vibrant, active, and independent press landscape, and the U.S. Embassy in Tunisia regularly meets with independent, local press. If confirmed, I would continue this engagement. An active and free press plays a vital role in a democratic society, and, as Ambassador, I would take seriously any government efforts to control or undermine press freedom and would express my concerns to the Government of Tunisia.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Embassy Tunis' public affairs team actively engages with media, civil society, and government counterparts on media literacy and responsible journalism practices through public and private forums and exchange programs. If confirmed, I would continue to support this engagement and to counter disinformation and propaganda.

*Question 9.* Will you and your embassy teams actively engage with Tunisia on the right of labor groups to organize, including for independent trade unions?

Answer. Ensuring respect for internationally recognized worker rights and high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States. Independent trade unions are one of the fundamental building blocks for any democratic society, and Tunisia's strong labor unions play an active role in public discourse. Embassy Tunisia staff meets

regularly with members of independent trade unions, and if confirmed, I would continue this practice.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Tunisia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Tunisia? What specifically will you commit to do to help LGBTI people in Tunisia?

Answer. Governments have an obligation to protect, respect, and uphold the dignity and fundamental freedoms of all people—including LGBTI persons. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing universal human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same freedoms, protections, and respect as everyone else.

There are many challenges facing LGBTI people in Tunisia and the North Africa region, such as discrimination and violence. Consensual same-sex sexual relations are a criminal offense in Tunisia, and isolated incidents of harassment at the hands of police against LGBTI individuals surface every year. Nonetheless, LGBTI advocacy organizations continue to operate and advocate vocally for the rights of LGBTI individuals; Tunisia hosted two LGBTI-themed film festivals over the past year, and a presidential report released this summer on individual rights and liberties recommended the decriminalization of homosexuality, sparking a national debate.

If confirmed, my country team and I would consult closely with LGBTI human rights defenders on how best to support them in their advocacy. I would not shy away from speaking out publicly and privately in support of the rights of all, including LGBTI persons. If confirmed, I would continue to urge the Tunisian Government to uphold and respect its international human rights obligations and commitments.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD ARMIN BLOME BY SENATOR BENJAMIN L. CARDIN

*Question 1.* Tunisia was one of the main members of the Arab Spring revolt, and is the only member of the revolutions to currently have a “free” rating from Freedom House. However, recently we have seen Tunisia start to clumsily slide away from democracy:

- How would you—if confirmed—encourage the Tunisian Government to continue the push towards democracy?

Answer. While Tunisia has made important progress since the 2011 revolution, its democratic institutions remain fragile. The Government faces significant political, economic, and security challenges, and there is intense public frustration over unemployment, perceived corruption, and the rising cost of living. Civil society has a critical role to play in contributing to public debate about how the country can best advance democratic principles. U.S. Embassy Tunis regularly consults with Tunisian civil society and takes its concerns seriously.

U.S. security and non-security assistance plays a critical role in Tunisia’s democratic transition, enabling Tunisia’s security forces to provide the context for democracy to flourish and providing critical skills to government institutions and non-government organizations to advance democratic practices. If confirmed, I would continue to encourage the Tunisian Government and civil society to consolidate and advance the country’s democratic development.

*Question 2.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Over a 25-year career in the Foreign Service I have worked with local civil society, election commissions, governments, and implementing partners, such as the International Republican Institute, the National Democratic Institute, and the International Foundation for Election Systems to promote democratization in countries throughout the Middle East. I have met with political opposition and dissidents and raised their cases with host governments. U.S. engagement in these cases can be vital in protecting and promoting human rights.

*Question 3.* What are the most pressing human rights issues in Tunisia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Tunisia? What do you hope to accomplish through these actions?

**Answer.** There has been modest but steady progress since the Tunisian constitution's 2014 adoption with respect to religious freedom, freedom of expression, women's rights, efforts to counter trafficking in persons, and the criminalization of racism. Additional proposals to improve women's equality in inheritance are being actively debated in Tunisia.

The State Department has continuing concerns, which are documented in our annual Country Reports on Human Rights Practices, about treatment of person who are detained, abuse of antiterrorism and emergency laws, the criminalization of libel, and corruption. The State Department has active and ongoing dialogues with the Government of Tunisia and with members of Tunisian civil society on many human rights issues. We hope to encourage reforms by the Tunisian Government consistent with international human rights obligations and commitments.

*Question 4.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Tunisia in advancing human rights, civil society and democracy in general?

**Answer.** The State Department has continuing concerns, which are documented in our annual Country Reports on Human Rights Practices, about treatment of person who are detained, abuse of antiterrorism and emergency laws, the criminalization of libel, and corruption. The State Department has active and ongoing dialogues with the Government of Tunisia and with members of Tunisian civil society on many human rights issues. We hope to encourage reforms by the Tunisian Government consistent with international human rights obligations and commitments.

*Question 5.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Tunisia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** The Department remains committed to ensuring that perpetrators of gross violations of human rights do not receive U.S. training or assistance. The Embassy coordinates closely with the State Department's Bureau of Democracy, Human Rights, and Labor in the vetting process. I would ensure the Leahy vetting and end use monitoring programs for our security assistance remain comprehensive and thorough.

*Question 6.* Will you and your embassy team actively engage with Tunisia to address cases of key political prisoners or persons otherwise unjustly targeted by Tunisia?

**Answer.** The State Department has an ongoing dialogue with the Government of Tunisia and with members of Tunisian civil society on human rights issues. Human rights and good governance are central to our bilateral engagement with the Government of Tunisia, alongside security and economic cooperation. If confirmed, I would make promoting human rights, including civil rights, and good governance one of my highest priorities and would meet regularly with local human rights NGOs.

*Question 7.* Will you engage with Tunisia on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** If confirmed, I would make promoting human rights, including civil rights, and good governance one of my highest priorities and would meet regularly with local human rights NGOs.

*Question 8.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you or do any members of your immediate family have any financial interests in Tunisia?

**Answer.** My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in Tunisia; however, these funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

**Question 11.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** The Department of State aims to create a culture of leadership; attract new talent; encourage individual growth; value and respect unique perspectives; enhance professional development; and inspire all its employees. If confirmed, I would support the Department's efforts to attract and maintain a diverse and inclusive workforce.

**Question 12.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** As a leader, I have sought to ensure that diverse views are welcomed and engaged, and, if confirmed, I would communicate this expectation clearly.

**Question 13.** How do you believe political corruption impacts democratic governance and the rule of law generally, and in Tunisia specifically?

**Answer.** Corruption remains a huge barrier to economic and democratic progress in Tunisia. Even the perception of corruption in government undermines the public's faith in their democratic institutions and discourages citizen engagement.

**Question 14.** What is your assessment of corruption trends in Tunisia and efforts to address and reduce it by that government?

**Answer.** International Republican Institute polling from 2017 in Tunisia shows that 90 percent of Tunisians believe corruption worsened since the 2011 revolution and that they remain dissatisfied with their government's performance on this important issue.

Prime Minister Chahed launched a popular and aggressive anticorruption campaign that has led to high-profile arrests. The Tunisian public continues to view corruption as an important problem and combatting corruption as a priority, but vested interests have slowed the campaign's progress. Corruption persists, both among political and business elites and among lower-level government clerks and civil servants.

**Question 15.** If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Tunisia?

**Answer.** The State Department has an ongoing dialogue with the Government of Tunisia and with members of Tunisian civil society on good governance issues. If confirmed, I would make promoting human rights, civil rights, and good governance one of my highest priorities and would work closely with Tunisian leaders to encourage progress on these issues.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
DONALD ARMIN BLOME BY SENATOR TIM KAINE**

**Question 1.** The Tunisian Government in July passed Law 30, which replaces the previous Decree 88 governing the regulation of non-governmental organizations. Civil society groups worry that the new law will abridge the freedoms they enjoy under Decree 88, creating excessive government oversight and having a chilling effect on freedoms of association and expression. They also wonder why the Government would impose harsh penalties, including possible jail time, for clerical errors in the registration process for NGOs:

- How do you assess the Tunisian Government efforts to further legislate the NGO sector and how will you address the concerns that such actions raise?

**Answer.** If confirmed, I would ensure that Embassy Tunis would continue to give this issue its close attention, and that we maintain a constant dialogue on the issue with our partners in civil society and government. A vibrant civil society is essential to promote good governance, stability, and prosperity.

Our understanding is that Law 30 does not replace Decree 88, which remains in effect as the law governing the regulation and registration of NGOs. Law 30, or the July 27 business registration legislation, appears consistent with the inter-govern-

mental Financial Action Task Force's recommendations to Tunisia to combat terror finance and money laundering. The Government of Tunisia has a legitimate interest in improving transparency with respect to for-profit and non-profit entities. The additional annual financial reporting requirement this law imposes does not appear to be a threat to NGOs, but the proof will be in its implementation, and we will monitor this closely in consultation with NGO partners.

*Question 2.* Many Tunisians are highly educated, but the economy has generally created low-skilled and low-paid jobs, fueling unemployment, under-employment, and flourishing black market. Efforts since 2011 to promote private sector-led growth and create jobs have faced challenges, including investor perceptions of political risk, terrorist attacks on tourist sites, partisan disputes, and labor unrest. Per capita GDP has fallen every year since 2014 and youth unemployment, estimated at 38 percent in 2012, remains high. Corruption has undermined public faith in state institutions and further entrenched regional divisions:

- What more can Tunisia and its international partners, including the U.S., do to create jobs, address economic grievances, and reduce youth marginalization?

*Answer.* If confirmed, I would continue to focus U.S. Government efforts to spur private sector-led growth and to help the Tunisian Government to create the conditions to achieve it. The United States works closely with the International Monetary Fund, the Millennium Challenge Corporation, and other donors to support Tunisia's economic development. The United States has invested more than \$1.3 billion dollars in Tunisia since 2011 to help Tunisia meet an array of challenges. Of this amount, the U.S. Government has invested \$520 million since 2011 in programs to promote economic growth in Tunisia.

The Embassy has used Economic Support Fund programs to promote business growth and economic prosperity through projects that bolster small and medium enterprises (SMEs), develop workforce skills, and provide technical assistance on key reforms. Specific programs include the Jobs, Opportunities, and Business Success Program, which increases the competitiveness of Tunisia firms and builds upon a previous program, which USAID reports created 25,000 jobs; the \$100 million Tunisian-American Enterprise Fund, which invests in the full range of SMEs, from microbusinesses to high-growth start-ups; entrepreneurial training and mentoring projects focused exclusively on small businesses in the interior of the country; a franchise development project that opened the door to franchising in Tunisia; assistance to chambers of commerce across the country that provide services to SMEs, and critical technical assistance to the Ministry of Finance for tax administration and customs reforms.

To address youth marginalization and in an effort to counter violent extremism, the Department of State is helping to build the capacity and networks of civil society organizations to counter recruitment to violence within their communities and supporting programs focused on countering terrorist ideologies through promotion of dialogue and tolerance. For example, the USAID community resilience program (Ma3an, or "together" in Arabic) helps Tunisian youth and other stakeholders in marginalized communities identify drivers of instability and empowers those same groups to design and implement community level actions to address those problems. The State Department also supports the Tunisian Scouts and Girls Organization, which promotes a culture of tolerance to prevent radicalization to violence, as well as space for dialogue through our "Caf Talks" program, which provide opportunities for young people to make their voices heard through debates and discussions in cafes about violence, radicalism, and terrorism.

*Question 3.* Tunisia remains a transit point for migrants from the Middle East and Africa to Europe, with Tunisians themselves also embarking on the perilous journey across the Mediterranean. The International Organization for Migration as of October 10 recorded 1,793 deaths of migrants at sea departing from North Africa in 2018:

- If confirmed, what ongoing efforts will you support and what new approaches will you champion to address the flow of migrants from and through Tunisia?

*Answer.* Average Tunisians are increasingly frustrated with rising prices, declining purchasing power, and unemployment averaging 15 percent and as high as 30 percent for college degree holders. International Republican Institute polling shows that half of Tunisian youth are interested in emigration to Europe, legal or otherwise.

In FY 2018, the State Department's Bureau of Population, Refugee, and Migration Affairs (PRM) contributed a total of \$4.8 million to the U.N. High Commissioner for Refugees for the North Africa region and \$57.6 million to the International committee of the Red Cross for Africa-wide operations, providing them with the flexi-

bility to use the funds where they are needed most in the region. PRM also provided nearly \$6.5 million to the International Organization for Migration to address irregular migration flows through Africa, including across North Africa. Our border security project, to which Germany has also contributed significantly, will lead to a more secure Tunisian land border with Libya, further reducing Tunisia's attractiveness as a departure point or transit country for illegal migration.

To address the root causes of migration, the U.S. Government has worked with the Tunisian Government and civil society to improve economic conditions and employment opportunities. I would continue to support such assistance programming for an open and inclusive Tunisian economy that can provide jobs for its citizens.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. WILLIAM H. MOSER BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Human rights depend on an independent, effective judicial system, free from corruption. As Ambassador to Moldova, I was a leading advocate for judicial system reform, both through persistent public advocacy and private engagement with the host government. I supported U.S. judicial sector reform programs such as public internet access to judicial proceedings and human rights training for police. Even though there is much still to be achieved, our Embassy efforts facilitated Moldova's accession to a European Union Association Agreement in 2014.

*Question 2.* What issues are the most pressing challenges to human rights in Kazakhstan? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in Kazakhstan and, working in partnership with Kazakhstan, to promote human rights around the globe? What do you hope to accomplish through these actions?

Answer. If confirmed, I pledge to engage in an open and frank dialogue with the Government of Kazakhstan on our values and concerns about human rights and fundamental freedoms, including freedom of religion or belief, and the rule of law. At present we are particularly concerned about pressures on religious freedom, media, and civil society in Kazakhstan. Suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability and violent extremism. If confirmed as Ambassador, I would continue to engage the Government of Kazakhstan on its creation of new laws or implementation of current laws that restrict freedoms in the country, and seek out every opportunity to engage with the Government of Kazakhstan on human rights and fundamental freedoms, including civil rights and governance, in order to strengthen civil society and solidify Kazakhstan's democratic institutions.

If confirmed, I commit to developing and maintaining regular contact with human rights activists, civil society leaders, and other representatives of non-governmental organizations in Kazakhstan, as well as with U.S.-based NGOs, with the goal to strengthen Kazakhstan's democratic development, stability, and prosperity.

*Question 3.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations, and other members of civil society in Kazakhstan?

Answer. If confirmed, I commit to developing and maintaining regular contact with human rights activists, civil society leaders, and other representatives of non-governmental organizations in Kazakhstan, as well as with U.S.-based NGOs, with the goal to strengthen Kazakhstan's democratic development, stability, and prosperity.

*Question 4.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meeting with democratically oriented political opposition figures and parties and advocating for access and inclusivity for women, members of minority groups, and youth within political parties. I further commit to highlighting the importance of inclusivity, diversity, and political competition in my discussions with the Government of Kazakhstan and in public appearances.

*Question 5.* Will you and your embassy team actively engage with Kazakhstan on freedom of the press and any undermining of freedom of expression in the country? Will you commit to meeting regularly with independent, local press in Kazakhstan?

**Answer.** If confirmed, I pledge to engage actively with the Government and people of Kazakhstan on press freedom and to advocate strongly against any efforts designed to control or undermine press freedoms. I further commit to meet regularly with members of the independent, local press in Kazakhstan and to support ongoing efforts to increase media outlets' capacity to access new information sources and to strengthen professionalism in the sector.

**Question 6.** Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** If confirmed, I will actively engage with civil society and my government counterparts to counter disinformation and propaganda disseminated by foreign states or non-state actors in Kazakhstan. I further commit to coordinating assistance programming in Kazakhstan to strengthen independent media and to increase access to accurate information about the United States, countering the impact of foreign state-sponsored disinformation.

**Question 7.** Will you and your embassy teams actively engage with Kazakhstan on the right of labor groups to organize, including for independent trade unions?

**Answer.** If confirmed, my Embassy team and I will continue to engage actively with Kazakhstan on the rights of labor groups, including independent trade unions, to organize. Ensuring respect for internationally recognized workers' rights and high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States. Independent trade unions are one of the fundamental building blocks for any democratic society and are important partners for the State Department in many countries. If confirmed, I will continue to support workers' ability to form and join independent trade unions of their choice.

**Question 8.** Will you commit to using your position, if confirmed, to support the human rights and dignity of all people in Kazakhstan, no matter their sexual orientation or gender identity?

**Answer.** I pledge to defend the human rights and dignity of all people in Kazakhstan, no matter their sexual orientation or gender identity. If confirmed, I commit to working with civil society and NGOs that address LGBTI issues and to have a frank dialogue with the Government of Kazakhstan on the obligation of governments to respect the human rights of everyone in their countries.

**Question 9.** If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Kazakhstan?

**Answer.** If confirmed, I pledge to support an open and frank dialogue with the Government of Kazakhstan on our values and concerns about human rights and fundamental freedoms, including freedoms of religion or belief and expression. In particular, I would continue to engage the Government of Kazakhstan on its creation of new laws or implementation of current laws that restrict the space for the exercise of religious freedom in Kazakhstan. In addition, I would urge Kazakhstan to uphold its international obligations and commitments on freedom of religion or belief.

**Question 10.** The State Department's Kazakhstan 2017 Human Rights Report also that while the Kazakh Government has selectively prosecuted officials who committed abuses, "corruption remained widespread, and impunity existed for those in positions of authority as well as those connected to government or law enforcement officials." What will you do to ensure that the United States is working to address corruption in Kazakhstan, both in terms the sanctity of contracts and respecting the decisions of courts and the rule of law?

**Answer.** Corruption and the arbitrary application of law are problems in Kazakhstan and hindrances to economic growth. The Department of State's Investment Climate Statement clearly outlines these obstacles. If confirmed, I would continue our work with the Government of Kazakhstan to address these challenges. Importantly, the Government of Kazakhstan has asked for our support to do so. As Ambassador, I would work to ensure assistance programming continues to be used prudently to improve Kazakhstan's investment climate and expand opportunities for U.S. business. Current assistance programs, for example, are strengthening the analytical capacity of Kazakhstan's Anti-Corruption Bureau to combat financial and corruption crimes; enabling Kazakhstan's National Bank and private banks to better counter money laundering; strengthening citizen initiative groups to fight corruption from the grassroots level; and working with Kazakhstan's Supreme Court to help foster an independent judiciary.

**Question 11.** If confirmed, how will you support an honest accounting of corruption and human rights abuses by Kazakh Government officials and incorporate this

information into policy decisions regarding security assistance and other engagement with Kazakhstan?

*Answer.* If confirmed, I will support the Embassy's Leahy vetting program for security force unit and individual recipients of U.S. foreign assistance, and I will ensure that all security and law enforcement cooperation activities continue to reinforce the importance of human rights and good governance in Kazakhstan. In this regard, I further understand the importance of and plan to adhere to all legislation and congressional reporting requirements.

*Question 12.* How will you work with Kazakh counterparts to boost resilience to Russian Government meddling within its democratic institutions and civil society, and to counter Kremlin threats in the Central Asian region?

*Answer.* If confirmed, I will work to advance our strategic interests in Kazakhstan, recognizing that Kazakhstan has longstanding ties to Russia. I would encourage Kazakhstan to have healthy and mutually beneficial relations with its neighbors and with countries around the world that strengthen Kazakhstan's sovereignty, independence, and territorial integrity. If confirmed, I would work with Kazakhstan on its goal to diversify its economy by making its investment climate and economy more open to U.S. goods and services; strengthen its media through programs designed to increase access to alternate sources of information and bolster professionalism in the sector; and facilitate greater regional cooperation and consultation in Central Asia through platforms like C5+1. I will also ensure that our public diplomacy cooperation supports independent media to increase access to accurate information about the United States and to counter the impact of foreign state-sponsored disinformation.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. WILLIAM H. MOSER BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Lately, President Nursultan Nazarbayev has increased economic ties with China, looked beyond Russia for economic and military partners and called for more inclusive governance. This is quite a shift as Nazarbayev has been president since 1990 and usually had very close ties to Russia:

- In your opinion, does Russia or China pose a bigger threat to U.S. interests in Kazakhstan? Why?

*Answer.* If confirmed, I will work to advance our strategic interests in Kazakhstan, recognizing that Kazakhstan has longstanding ties to Russia and burgeoning relations with China. I would encourage Kazakhstan to have healthy and mutually beneficial relations with its neighbors and with countries around the world that strengthen Kazakhstan's sovereignty, independence, and territorial integrity. The United States does not view its bilateral relationships with Kazakhstan in zero-sum terms, whether vis-à-vis Russia, China, or any other third country.

*Question 2.* What is the biggest obstacle to the further development of Kazakhstan's democracy?

*Answer.* Suppressing political, religious, or civil society voices stymies the growth of democratic society and prevents inclusive governance. If confirmed, I would regularly raise our human rights concerns as a part of our bilateral engagement, in particular our concerns about pressures on religious freedom, media, and civil society. I would continue to urge Kazakhstan to uphold its international obligations and commitments on human rights and fundamental freedoms.

*Question 3.* What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

*Answer.* The protection of human rights depends on an independent, effective judicial system, free from corruption. As Ambassador to Moldova, I was a leading advocate for judicial system reform, both through persistent public advocacy and private engagement with the host government. I supported U.S. judicial sector reform programs such as public internet access to judicial proceedings and human rights training for police. Even though further progress is needed, our Embassy efforts facilitated Moldova's accession to a European Union Association Agreement in 2014.

*Question 4.* What are the most pressing human rights issues in Kazakhstan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Kazakhstan? What do you hope to accomplish through these actions?

*Answer.* If confirmed, I pledge to engage in an open and frank dialogue with the Government of Kazakhstan on our values and concerns about human rights and

fundamental freedoms, including freedom of religion or belief, and the rule of law. At present we are particularly concerned about restrictions on religious freedom, media, and civil society in Kazakhstan. Suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability and violent extremism. If confirmed, I would continue to engage the Government of Kazakhstan on its creation of new laws or implementation of current laws that restrict freedoms in the country, and seek out every opportunity to engage with the Government of Kazakhstan on fundamental freedoms and good governance in order to strengthen civil society, encourage the Government's protection of these freedoms, and urge more democratic institution building.

*Question 5.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Kazakhstan in advancing human rights, civil society and democracy in general?

Answer. At present we are particularly concerned about restrictions on religious freedom, media, and civil society in Kazakhstan. Suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability and violent extremism. If confirmed, I would continue to engage the Government of Kazakhstan on its creation of new laws or implementation of current laws that restrict freedoms in the country, and seek out every opportunity to engage with the Government of Kazakhstan on fundamental freedoms and good governance in order to strengthen civil society, encourage the Government's protection of these freedoms, and urge more democratic institution building.

Corruption and the arbitrary application of law are problems in Kazakhstan and hindrances to governance and economic growth. The Department of State's Investment Climate Statement clearly outlines these obstacles. If confirmed, I would work with the Government of Kazakhstan to address these challenges. Importantly, the Government of Kazakhstan has asked for our support to do so. As Ambassador, I would work to ensure assistance programming continues to be used prudently to improve Kazakhstan's investment climate and expand opportunities for U.S. business. Current assistance programs, for example, are strengthening the analytical capacity of Kazakhstan's Anti-Corruption Bureau to combat financial and corruption crimes; enabling Kazakhstan's National Bank and private banks to better counter money laundering; strengthening citizen initiative groups to fight corruption from the grassroots level; and working with Kazakhstan's Supreme Court to help foster an independent judiciary.

*Question 6.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Kazakhstan? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I commit to developing and maintaining regular contact with human rights activists, civil society leaders, and other representatives of non-governmental organizations in Kazakhstan, as well as with U.S.-based NGOs. If confirmed, I will support the Embassy's Leahy program for security force unit and individual recipients of U.S. foreign assistance. I will further ensure that all U.S. security and law enforcement assistance activities will continue to reinforce the importance of human rights.

*Question 7.* Will you and your embassy team actively engage with Kazakhstan to address cases of key political prisoners or persons otherwise unjustly targeted by Kazakhstan?

Answer. If confirmed, I pledge to continue to raise key individual cases with the Government of Kazakhstan and urge the protection of human rights and fundamental freedoms, including fair trial guarantees and the rule of law.

*Question 8.* Will you engage with Kazakhstan on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I pledge to engage in an open and frank dialogue with the Government of Kazakhstan on our values and concerns about human rights and fundamental freedoms, including freedom of religion or belief, and the rule of law. At present we are particularly concerned about restrictions on religious freedom, media, and civil society in Kazakhstan. Suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability and violent extremism. If confirmed, I would continue to engage the Government of Kazakhstan on its creation of new laws or implementation of current laws that restrict freedoms in the country, and seek out every opportunity to engage with the Government of Kazakhstan on fundamental freedoms and good governance in order

to strengthen civil society, encourage the Government's protection of these freedoms, and urge more democratic institution building.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Kazakhstan?

Answer. Neither I nor any members of my family have any financial interests in Kazakhstan. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and I will remain vigilant with regard to my ethics obligations.

*Question 12.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will make a priority of encouraging the recruitment and professional development of a diverse staff that represents the United States. Working with my staff, I will encourage the recruitment of a diverse, qualified group of applicants for each job opening, and I will work to expand our mentoring program for junior officers to include entry-level specialists and eligible family member employees.

*Question 13.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will communicate to Embassy senior staff that I will have zero tolerance for discrimination and sexual harassment. In addition, ahead of our annual personnel selection season, I will communicate my expectation that we invite applications from the broadest possible slate of qualified candidates to ensure that we foster a diverse and inclusive community. I will ask our supervisors to reinforce these principles with their American and Kazakhstani staff to ensure we set appropriate expectations.

*Question 14.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Kazakhstan specifically?

Answer. Corruption and the arbitrary application of law are problems in Kazakhstan and hindrances to governance and economic growth. The Department of State's Investment Climate Statement clearly outlines these obstacles. If confirmed, I would work with the Government of Kazakhstan to address these challenges. Importantly, the Government of Kazakhstan has asked for our support to do so.

*Question 15.* What is your assessment of corruption trends in Kazakhstan and efforts to address and reduce it by that government?

Answer. Corruption and the arbitrary application of law are problems in Kazakhstan and hindrances to governance and economic growth. The Department of State's Investment Climate Statement clearly outlines these obstacles. If confirmed, I would work with the Government of Kazakhstan to address these challenges. Importantly, the Government of Kazakhstan has asked for our support to do so. As Ambassador, I would work to ensure assistance programming continues to be used prudently to improve Kazakhstan's investment climate and expand opportunities for U.S. business.

*Question 16.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Kazakhstan?

Answer. If confirmed, I would work to ensure assistance programming continues to be used prudently to improve Kazakhstan's investment climate and expand opportunities for U.S. business. Current assistance programs, for example, are strengthening the analytical capacity of Kazakhstan's Anti-Corruption Bureau to

combat financial and corruption crimes; enabling Kazakhstan's National Bank and private banks to better counter money laundering; strengthening citizen initiative groups to fight corruption from the grassroots level; and working with Kazakhstan's Supreme Court to help foster an independent judiciary.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. WILLIAM H. MOSER BY SENATOR TIM KAINE**

*Question 1.* I am concerned about reports from the State Department, United Nations, and credible human rights groups about the lack of independence of the judiciary, widespread use of torture, and serious violations of the rights of freedom of expression, association, and peaceful assembly in Kazakhstan. There are reportedly more than 20 political prisoners in the country. Human Rights Watch, the Coalition of NGOs of Kazakhstan Against Torture, and Parliamentary Assembly of the Council of Europe have all spoken out about the case of Iskander Yerimbetov, a Kazakhstan businessman who has been detained, tortured, and put on trial, all to force his sister to return to the country to give false testimony against an opposition politician:

- What do you think the most effective way is for us to make clear to President Nazarbayev that U.S. interests include human rights and that we expect to see these kinds of serious human rights abuses addressed?

Answer. If confirmed, I pledge to maintain an open and frank dialogue with the Government of Kazakhstan on our values and concerns about human rights and fundamental freedoms, and this includes raising individual cases. Working with my Embassy staff, I would continue to urge Kazakhstan to uphold its international obligations and commitments on fundamental freedoms, including freedom of expression and freedom of religion or belief. I would also ensure we continue to work closely with NGOs and diplomatic partners to further our engagement on human rights with Kazakhstan.

*Question 2.* Kazakhstan has shown interest in opening its economy to attract foreign investors including through reforms to state-owned companies and diversifying away from resource dependency. Despite the promise of this progress, corruption and arbitrary enforcement of laws and contracts inhibit foreign investors, including those from the U.S., from more robust investment. In acceding to the World Trade Organization (WTO) in 2015, Kazakhstan pledged to abide by the values of openness, transparency, good governance and respect for the rule of law:

- What is your assessment of the investment climate and what measures is Kazakhstan taking or should it take to meet its WTO obligations, including honoring the sanctity of contracts, respecting the decisions of courts and the rule of law?

Answer. Corruption and the arbitrary application of law are problems in Kazakhstan and hindrances to economic growth. The Department of State's Investment Climate Statement clearly outlines these obstacles. If confirmed, I would continue our work with the Government of Kazakhstan to address these challenges. Importantly, the Government of Kazakhstan has asked for our support to do so. As Ambassador, I would work to ensure assistance programming continues to be used prudently to improve Kazakhstan's investment climate and expand opportunities for U.S. business. Current assistance programs, for example, are strengthening the analytical capacity of Kazakhstan's Anti-Corruption Bureau to combat financial and corruption crimes; enabling Kazakhstan's National Bank and private banks to better counter money laundering; strengthening citizen initiative groups to fight corruption from the grassroots level; and working with Kazakhstan's Supreme Court to help foster an independent judiciary.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN MARK POMMERSHEIM BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. My experience working on human rights and democracy began in 1992 at the U.S. Embassy in Minsk, Belarus, where I served as the Embassy's first political and human rights officer. In that capacity, I drafted the first human rights re-

port for that country and maintained a dialogue with civil society and government officials. While serving as Director for the South Caucasus, I helped orchestrate active U.S. Government dialogues on human rights and democracy with the countries of Armenia, Azerbaijan, and Georgia that involved successful advocacy in individual cases and on discrete issues. In China and Russia, I worked on issues involving refugees from North Korea and achieved successful outcomes. As Deputy Chief of Mission in Kazakhstan, I worked with the Government and civil society on issues related to press freedom and freedom of religion.

*Question 2.* What issues are the most pressing challenges to human rights in Tajikistan? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in Tajikistan and, working in partnership with Tajikistan, to promote human rights around the globe? What do you hope to accomplish through these actions?

Answer. In Tajikistan, we are particularly concerned about pressures on media, civil society, and political opposition groups. We believe that suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability. We encourage Tajikistan to protect the religious freedom of all in Tajikistan. Our experience tells us that respecting peaceful religious beliefs and practices, including the right of all to participate in religious communities, is the best way to promote a peaceful and open society. If confirmed, I will continue our efforts with Tajikistan's Government, armed forces, media, and non-governmental organizations to improve respect for human rights and strengthen civil society and democratic engagement.

*Question 3.* What will you and your embassy team do to address the reported instances of torture or ill-treatment in detention carried out at the hands of the Tajik Government?

Answer. If confirmed, I pledge to maintain an open and frank dialogue with the Government of Tajikistan on our values and concerns about human rights and fundamental freedoms, and this includes raising individual cases. Working with embassy staff, I would continue to urge Tajikistan to uphold its international obligations and commitments on human rights and fundamental freedoms, including its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

*Question 4.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations, and other members of civil society in Tajikistan?

Answer. Yes. If confirmed, I wholeheartedly commit to ongoing dialogue with and support for Tajikistan's civil society organizations and human rights defenders. Our consistent message to Tajikistan has been that long-term stability and security cannot be achieved without democratic and accountable governance, including respect for all individuals' human rights and fundamental freedoms, and this is a message I would continue to promote in dialogue with the Government of Tajikistan.

*Question 5.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes. The United States has full and robust dialogues with Tajikistan on human rights, including a significant focus on protecting the activities of human rights defenders and journalists. We consistently raise specific human rights concerns with the Government of Tajikistan, and underscore those concerns through official statements at the U.N., the OSCE, and other bodies, as well as in our annual Human Rights, Religious Freedom, and Trafficking in Persons reports. If confirmed, I will continue to use our dialogues, reports, and other tools to help Tajikistan make progress in areas of concern.

*Question 6.* Will you and your embassy team actively engage with Tajikistan on freedom of the press and any undermining of freedom of expression in the country? Will you commit to meeting regularly with independent, local press in Tajikistan?

Answer. Yes. The United States supports freedom of expression, including for the media, and the ability of journalists to work without fear of censorship or reprisal. We have regularly raised our concerns regarding the treatment of journalists in Tajikistan, as well as our concern with restrictions of internet freedom, in private discussions with the Government of Tajikistan and publicly. We are particularly concerned that news sites and social media websites are periodically blocked during periods deemed to be politically sensitive in nature. If confirmed, I look forward to expanding our support for Tajikistan's independent press through our Embassy's ex-

changes, trainings, technical assistance programs, equipment transfers, and small grants.

*Question 7.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I will actively engage with civil society and my government counterparts to counter disinformation and malign propaganda disseminated by foreign states or non-state actors in Tajikistan. I further commit to coordinating assistance programming in Tajikistan to strengthen independent media and to increase access to accurate information about the United States, countering the impact of foreign state sponsored disinformation.

*Question 8.* Will you and your embassy teams actively engage with Tajikistan on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, my embassy team and I will actively engage with Tajikistan on the right of labor groups, including independent trade unions, to organize. Ensuring respect for internationally recognized workers' rights and high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States. Independent trade unions are one of the fundamental building blocks for any democratic society and are important partners for the State Department in many countries. If confirmed, I will continue to support workers' ability to form and join independent trade unions of their choice.

*Question 9.* Will you commit to using your position, if confirmed, to support the human rights and dignity of all people in Tajikistan, no matter their sexual orientation or gender identity?

Answer. If confirmed, I pledge to defend the human rights and dignity of all people in Tajikistan, no matter their sexual orientation or gender identity. I commit to working with civil society and NGO's that address LGBTI issues and to have a frank dialogue with the Government of Tajikistan on the obligation of governments to respect the human rights of all.

*Question 10.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression in Tajikistan?

Answer. Undue restrictions on religious activities run the risk of fueling radicalization to violence. When the Government limits the participation of women and children in religious services (or, dictates who may participate in religious services), bans the wearing of religious garb, and prevents members of minority religions from practicing their faiths, it is counterproductive. We have expressed this concern to the Government of Tajikistan on numerous occasions, and the Secretary of State has twice (2016 and 2017) designated Tajikistan as a Country of Particular Concern in our annual Religious Freedom Report. My objective, if confirmed, will be to work with the Government of Tajikistan to prevent the recruitment of its citizens and effectively address legitimate concerns of terrorism while protecting the human rights and fundamental freedoms of individuals.

*Question 11.* In 2016, Tajik President Emomali Rahmon further solidified his rule by having himself designated "Leader of the Nation," removing term limits and allowing for lifelong immunity through constitutional amendments ratified in a referendum. The referendum also lowered the minimum age required to run for president, which would make Rahmon's son Rustam Emomali eligible to run for president in 2020. If confirmed, what will you do to encourage pluralistic, transparent, and responsive governance from the Tajik Government?

Answer. Tajikistan has much to gain from providing its citizens with genuinely free and fair elections. We emphasize the importance of providing space for voices of political opposition in discussions with Tajik leaders. If confirmed, I will work to urge the Government to move forward with the democratic reforms necessary to ensure political pluralism and a vibrant civil society.

*Question 12.* If confirmed, how will you support an honest accounting of corruption and human rights abuses by Tajik Government officials and incorporate this information into policy decisions regarding security assistance and other engagement with Tajikistan?

Answer. The United States has been very frank with the Tajik Government that counterterrorism efforts must not involve crackdowns on the exercise of human rights and fundamental freedoms, including religious freedom. We believe undue constraints on religious expression risk fueling radicalization to violence and terrorist recruitment, rather than mitigating it.

Any counterterrorism training that we conduct with Tajikistan's security forces includes instruction on the law of armed conflict to ensure that the leadership un-

derstands the need to respect international law. If confirmed, I will support the Embassy's Leahy program for security force unit and individual recipients of U.S. foreign assistance. I will further ensure that all U.S. security and law enforcement assistance activities will continue to reinforce the importance of human rights.

If confirmed, it will be one of my highest priorities to continue this dialogue and reinforce these messages with the Tajik Government. We also hold the view that corruption is a serious impediment to economic development and, if confirmed, I would continue efforts to improve the rule of law in the interests of establishing and maintaining a fair playing field for all economic actors, including for small and medium-sized enterprises and for U.S. investors.

*Question 13.* How will you work with Tajik counterparts to boost resilience to Russian Government meddling within its institutions and civil society, and to counter Kremlin threats in the Central Asian region? What types of U.S. assistance do you see as most critical in this regard?

Answer. If confirmed, I will work to advance our strategic interests in Tajikistan, recognizing that Tajikistan has longstanding economic and security ties to Russia. I would encourage Tajikistan to have healthy and mutually beneficial relations with its neighbors and with countries around the world that respect Tajikistan's sovereignty, independence, and territorial integrity. If confirmed, I would work with Tajikistan on its goal to diversify its economy by making its investment climate and economy more open to U.S. goods and companies; strengthening and bolstering professionalism in its border guard and other security forces to increase its ability to partner with the United States in counterterrorism and counternarcotics operations; and facilitating greater regional cooperation and consultation in Central Asia through platforms such as the C5+1.

*Question 14.* What will you do to address concerns that Russia's recent military aid to the Tajik army (including Russia's possible involvement in an August 2018 airstrike along the Tajikistan-Afghanistan border) is an attempt to influence the region and return Russian soldiers to the Tajik-Afghan border?

Answer. We have been clear with the Governments of all neighboring countries that peace in Afghanistan will only come from an Afghan-led, Afghan-owned process and that unilateral action only runs the risk of prolonging the conflict between the Afghan Government and Taliban insurgents. If confirmed, one of my top priorities will be securing Tajikistan's continued support for the National Unity Government in Kabul and Tajikistan's cooperation in convincing the Russian Government to do the same.

*Question 15.* Given the disputed area claimed by both Afghanistan and Tajikistan, and Tajikistan's possible growing involvement with Russia's military activities in Afghanistan, how does Tajikistan fit in to the administration's broader South Asia Strategy, particularly with respect to Afghanistan?

Answer. The United States continues to value Tajikistan's partnership in implementing the President's South Asia and National Security Strategies. We value Tajikistan's contributions to increased stability in Afghanistan, especially the role Tajikistan plays in securing its shared border against foreign terrorist fighter flows and combatting narcotics trafficking. As Afghanistan's northern neighbor and regional energy partner, Tajikistan is a crucial contributor to that country's economic development and its future as a secure, stable, and prosperous state.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN MARK POMMERSHEIM BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. My experience working on human rights and democracy began in 1992 at the U.S. Embassy in Minsk, Belarus, where I served as the Embassy's first political and human rights officer. In that capacity, I drafted the first human rights report for that country and maintained a dialogue with civil society and government officials. While serving as Director for the South Caucasus, I helped orchestrate active U.S. Government dialogues on human rights and democracy with the countries of Armenia, Azerbaijan, and Georgia that involved successful advocacy in individual cases and on discrete issues. In China and Russia, I worked on issues involving refugees from North Korea and achieved successful outcomes. As Deputy Chief of Mis-

sion in Kazakhstan, I worked with the Government and civil society on issues related to freedom of expression, including for the press, and freedom of religion.

*Question 2.* What are the most pressing human rights issues in Tajikistan? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Tajikistan? What do you hope to accomplish through these actions?

Answer. In Tajikistan, we are particularly concerned about the ever-shrinking space afforded to the media, civil society, and political opposition groups. We believe that suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability. We also encourage Tajikistan to protect the religious freedom of all in Tajikistan. Our experience tells us that respecting the free exercise of religious beliefs and practices, including the right of all to practice in community with others, is the best way to promote a peaceful and open society. If confirmed, I will continue our efforts with Tajikistan's Government, armed forces, media, and non-governmental organizations to improve respect for human rights, including religious freedom, and strengthen civil society and democratic engagement. Embassy Dushanbe has also worked diligently with the Government of Tajikistan to engage on issues of domestic violence. If confirmed, I will continue to advocate on these issues as well.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Tajikistan in advancing human rights, civil society and democracy in general?

Answer. Tajikistan faces significant security concerns that its government uses as justification for repression of freedoms of association, religion, peaceful, assembly, and other human rights and fundamental freedoms. If confirmed, I will continue to engage the Government of Tajikistan on new or current laws that restrict human rights and fundamental freedoms in the country, including religious freedom, and seek out every opportunity to engage with the Government on fundamental freedoms and good governance to strengthen civil society, encourage the Government's protection of these freedoms, and urge more democratic institution building.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Tajikistan? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes. If confirmed, I wholeheartedly commit to ongoing dialogue with and support for Tajikistan's civil society organizations and human rights defenders. Our consistent message to Tajikistan has been that long-term stability and security cannot be achieved without democratic and accountable governance, including respect for all individuals' human rights and fundamental freedoms, and this is a message I would continue to promote in dialogue with the Government of Tajikistan. The Department of State continues to closely monitor reports of human rights violations and abuses and reports those concerns, including allegations of security force abuses, in the annual Human Rights Report. If confirmed, I would continue to use this annual report and other engagements to press for improvements in human rights in Tajikistan.

We take allegations of gross violations of human rights very seriously, and we do not provide assistance to any security force unit when we have credible information that the unit has committed a gross violation of human rights until and unless the Secretary of State determines and reports to Congress that the Government is taking effective steps to bring those responsible to justice.

*Question 5.* Will you and your embassy team actively engage with Tajikistan to address cases of key political prisoners or persons otherwise unjustly targeted by Tajikistan?

Answer. U.S. Embassy Dushanbe has consistently urged the Tajik Government in public and in private to treat cases of political prisoners in a fair and transparent manner that allows for all necessary procedural protections and guarantees, including on the case of Mr. Burzurgmehr Yorov. The Embassy has also established the Law Reform Working Group to bring key stakeholders together with Parliament to revise laws, combat corruption, and promote reform in the judicial system and criminal procedure code.

If confirmed, I pledge to continue to raise key individual cases with the Government of Tajikistan and urge the protection of human rights and fundamental freedoms and adherence to the rule of law. If confirmed, I also look forward to expanding on this and other judicial reform opportunities with the Tajik Government.

*Question 6.* Will you engage with Tajikistan on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. The United States has full and robust dialogues with Tajikistan on human rights and good governance. We consistently raise specific human rights concerns with the Government of Tajikistan and underscore those concerns through official statements at the U.N., the OSCE, and other bodies, as well as in our annual reports on Human Rights, International Religious Freedom, and Trafficking in Persons. If confirmed, I will continue to use these reports and other tools to document human rights problems and encourage Tajikistan to make progress in areas of concern.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Tajikistan?

Answer. I can confirm that neither my immediate family nor I have any financial interests in Tajikistan.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. If confirmed, I will make a priority of encouraging the recruitment and professional development of a diverse staff that represents the United States. Working with my staff, I will encourage the recruitment of a diverse, qualified group of applicants for each job opening, and I will work to expand our mentoring program for junior officers to include entry-level specialists and eligible family member employees.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will communicate to Embassy senior staff that I will have zero tolerance for discrimination and sexual harassment. In addition, ahead of our annual personnel selection season, I will communicate my expectation that we invite applications from the broadest possible slate of qualified candidates to ensure that we foster a diverse and inclusive community. I will ask our supervisors to reinforce these principles with their American and Tajik staff to ensure we set appropriate expectations.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Tajikistan specifically?

Answer. Corruption in government is a serious issue that affects many countries worldwide, including Tajikistan. Its impact on the rule of law and democratic governance is deleterious to the development of Tajikistan as a democracy and also to the economic growth that the country seeks.

*Question 13.* What is your assessment of corruption trends in Tajikistan and efforts to address and reduce it by that government?

Answer. The Department of State's Investment Climate Statement clearly outlines the obstacles still facing Tajikistan in combatting corruption. If confirmed, this is an area where I will continue to push the Government of Tajikistan to pursue needed reforms and build respect for the rule of law.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Tajikistan?

Answer. Tajikistan has much to gain from providing its citizens with genuinely free and fair elections and removing the barriers to a truly democratic process presented by endemic corruption. We believe that corruption is a serious impediment to development and, if confirmed, I would continue programming and high-level engagement efforts to improve rule of law in the interests of establishing and maintaining a fair playing field for all actors, as well as to urge the Government to move forward with the democratic reforms necessary to ensure political pluralism and a vibrant civil society.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN MARK POMMERSHEIM BY SENATOR TIM KAINE

*Question 1.* Since 2014, the Government of Tajikistan has conducted a campaign to discredit and dismantle all viable political opposition to President Rahmon and his son. It has banned several legitimate opposition parties, such as Group 24, Youth for the Revival of Tajikistan, and the Islamic Renaissance Party of Tajikistan. The Supreme Court has declared all of these parties to be extremist organizations and has outlawed the distribution of newspapers, videos, audio recordings, literature, and leaflets connected to any of them. Moreover, the Government has arrested and imprisoned hundreds of political opposition leaders, sentencing some to life in prison:

- How concerned should we be that Tajikistan is closing off space for legitimate civil society and political expression? And what can the U.S. Government do to help ensure that Tajikistan respects its citizens' freedom of expression and political participation?

Answer. Tajikistan has much to gain from providing its citizens with genuinely free and fair elections. Through our dialogue on these issues with the Tajik Government, we emphasize the importance of allowing space for voices of political opposition as a way to promote the stability and resilience of societies that would otherwise be left vulnerable to violent extremist messaging. If confirmed, I pledge to continue coordinating with other international organizations and missions in holding the Tajik Government accountable through public statements and private messaging to emphasize the importance of political plurality and a free and open political system.

*Question 2.* Since 2014, Tajik authorities have arrested and detained at least six human rights lawyers for defending government critics. Furthermore, the Government has taken steps to curtail the independence of the bar by granting the Justice Ministry the exclusive power to authorize law licenses. In the wake of these developments, the number of licensed lawyers in the country has fallen by half in the space of three years to just 600 in 2017.

- What steps will you take if confirmed to ensure that Tajikistan respects the rule of law and the independence of lawyers in the country?

Answer. The protection of human rights defenders from charges brought because of the exercise of their human rights advocacy in Tajikistan is an issue that is deeply concerning, and one that if confirmed I intend to raise with officials at the highest levels of the Tajik Government. U.S. Embassy Dushanbe has consistently urged the Tajik Government in public and in private to treat these cases in a fair and transparent manner that provides all required procedural protections and guarantees, especially in the case of Mr. Burzurgmehr Yorov. The Embassy has also established the Law Reform Working Group to bring key stakeholders together with Parliament to revise laws, combat corruption, and promote reform in the judicial system, including the criminal procedure code. If confirmed, I look forward to expanding on this and other judicial reform opportunities with the Tajik Government.

*Question 3.* The majority of the heroin smuggled through Central Asia to Russia, China, and Europe passes through Tajikistan. As illegal substance trafficking and human trafficking are often correlated, it is not surprising Tajikistan is rated as Tier Two Watchlist in State's annual Trafficking in Persons report, flagged for sex trafficking and forced labor of adults and children:

- How will you lead the interagency team at Embassy Dushanbe to address trafficking issues?

Answer. U.S. Embassy Dushanbe works closely with the Government of Tajikistan on trafficking in persons issues. It also partners with likeminded countries and international organizations, such as the International Labor Organization and the U.N. Office of Drugs and Crime (UNODC) to identify opportunities for Tajikistan to improve its record in this area and thus remove itself from the Watchlist. For example, Embassy Dushanbe has just signed a \$350,000 two-year project with UNODC to address the legislative and law enforcement-related concerns enumerated in the 2018 Trafficking in Persons report. If confirmed, I will seek to support and expand these partnerships and this work with the Government of Tajikistan.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN MARK POMMERSHEIM BY SENATOR EDWARD J. MARKEY**

*Question 1.* Since 2014, Tajik authorities have arrested and detained at least six human rights lawyers for defending government critics. Furthermore, the Government has taken steps to curtail the independence of the bar by granting the Justice Ministry the exclusive power to authorize law licenses. In the wake of these developments, the number of licensed lawyers in the country has fallen from more than 1,200 in 2015 to just 600 in 2017:

- If confirmed, what steps will you take to ensure that Tajikistan respects the rule of law and the independence of lawyers in the country?

Answer. The protection of human rights defenders from charges brought because of the exercise of their human rights advocacy in Tajikistan is an issue that is deeply concerning, and one that if confirmed I intend to raise with officials at the highest levels of the Tajik Government. U.S. Embassy Dushanbe has consistently urged the Tajik Government in public and in private to treat these cases in a fair and transparent manner to allow for all required procedural protections and guarantees, especially in the case of Mr. Burzurgmehr Yorov. The Embassy has also established the Law Reform Working Group to bring key stakeholders together with Parliament to revise laws, combat corruption, and promote reform in the judicial system including in criminal procedure. If confirmed, I look forward to expanding on this and other judicial reform opportunities with the Tajik Government.

*Question 2.* In May 2015, Tajikistan's U.S.-trained Special Forces chief, Gulmurod Khalimov, defected from his position and joined ISIS. In a YouTube video announcing his defection, Khalimov cited Tajikistan's crackdown on Muslims as justification for abandoning his post. Such a statement suggests that restrictive religious freedom laws are contributing to religious extremism, rather than curbing it:

- If confirmed, how will you ensure that Tajikistan respects freedom of religion while addressing legitimate security concerns?

Answer. We have been very frank with the Tajik Government that counterterrorism efforts must not involve crackdowns on the exercise of human rights and fundamental freedoms, including religious freedom. We believe undue constraints on religious expression risk fueling radicalization to violence and terrorist recruitment rather than mitigating it.

Any counterterrorism training that we conduct with Tajikistan's security forces includes instruction on the law of armed conflict to ensure that the leadership understands the need to respect international law. If confirmed, I will support the Embassy's Leahy program for security force unit and individual recipients of U.S. foreign assistance. I will further ensure that all U.S. security and law enforcement assistance activities will continue to reinforce the importance of human rights. If confirmed, it will be one of my highest priorities to continue this dialogue and reinforce these messages with the Tajik Government.

*Question 3.* Since 2014, the Government of Tajikistan has conducted a campaign to discredit and dismantle all viable political opposition. It has banned several legitimate opposition parties, such as Group 24, Youth for the Revival of Tajikistan, and the Islamic Renaissance Party of Tajikistan. The Supreme Court has declared all of these parties to be extremist organizations and has outlawed the distribution of newspapers, videos, audio recordings, literature, and leaflets connected to any of these parties. Moreover, the Government has arrested and imprisoned hundreds of political opposition leaders, sentencing some to life in prison:

- If confirmed, how will you help ensure that Tajikistan respects freedom of expression and political participation?

Answer. In Tajikistan, we continue to relay to the Tajik Government that we are highly concerned about increasing pressures on media, civil society, and political opposition groups. We believe and have messaged to President Rahmon and his ministries that suppressing political, religious, or civil society voices leads to the kind of repressive environment that generates instability. If confirmed, I will continue our efforts with Tajikistan's Government, armed forces, media, and non-governmental organizations to improve respect for human rights and strengthen civil society and democratic engagement.

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## NOMINATIONS

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WEDNESDAY, NOVEMBER 14, 2018

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

The committee met, pursuant to notice, at 3:02 p.m. in Room SD-419, Dirksen Senate office Building, Hon. Jeff Flake, presiding.

Present: Senators Flake [presiding], Gardner, Young, Booker, and Kaine.

### OPENING STATEMENT OF HON. JEFF FLAKE, U.S. SENATOR FROM ARIZONA

Senator FLAKE. This hearing of the Senate Foreign Relations committee will come to order.

Today the committee will consider the nominations of three Career Foreign Service officers to serve as Ambassadors to Benin, Gambia, and Equatorial Guinea. Having presided over the confirmation hearings for the predecessors of each of these—of today's nominees, I have enjoyed watching the progress made in these countries over the course of the past several years, and look forward to see how today's nominees will build on that progress.

Benin underwent a peaceful transition to presidential power in 2016. And when the former president stepped down after his two terms of office were completed, implementation of the second Millennium Challenge Corporation Compact centered on the strengthening of electric power. The Electric power sector began in June of last year, and the International Monetary Fund projects that Benin's GDP will grow to reach 6 percent in 2018 up from 5.6 percent in 2017. That is something we can all envy, is not it?

The Gambia has made considerable—or let me just say also Benin continues to face challenges, however, given the low levels of development and high rates of poverty reflecting Benin's undiversified economy and the fact that it relies on regional exports.

The Gambia has made considerable progress since we last sent an ambassador there with the long-serving president ultimately stepping down after losing the election in 2016. Since then, governance and human rights have improved inside The Gambia, and relations between the countries and the international community have improved significantly. These actions paved the way for previously-suspended MCC threshold programs to be finalized in December of last year and for the reinstatement of AGOA benefits for The Gambia, both of which will help elevate poverty there.

(1343)

Equatorial Guinea is ruled by the longest-serving leader in Africa. His administration is charged with long—large-scale corruption and nepotism, and the country's economy relies heavily on oil and gas exports and has been negatively impacted by global oil prices. Oil reserves there are likely to be exhausted by 2030, and Equatorial Guinea's economy will be—need to be diversified, obviously, before then.

I had a chance to meet with each of today's nominees before this hearing, and I look forward to hearing from them today about how they will approach the challenges that are before them. With that, I would like to recognize the distinguished ranking member, Senator Booker, for opening comments.

**STATEMENT OF HON. CORY BOOKER,  
U.S. SENATOR FROM NEW JERSEY**

Senator BOOKER. Thank you. And if the witnesses would indulge me for a moment. This may be my last hearing with Senator Flake where I get to be the ranking to his chairmanship of this really important subcommittee. I have been very blessed, and I would like to say this for the record, not just by my friendship with Senator Flake, but, on issues of Africa, to be able to witness him, to learn from him, to travel with him. He is an extraordinary leader when it comes to a continent that America has so much interest in, not just our resources or our security, but also our eyes towards the beauty and the wonder of humanity.

There is a saying I say all the time, "Before you tell me about your religion, first show it to me in how you treat other people." Jeff Flake is one of those people who lives his values. You know, he is one of those folks that policy-wise we may not agree with all the time, but the values that he exhibits are not just things I agree with him on, they are actually things I look up to.

And so, I want to thank the chairman for being such a great partner in this Congress. You have really enriched my life and made me a better senator. And I hope that I can help carry on the mantle of keeping the Senate focused on this critically-important continent.

Senator FLAKE. Thank you. You are very kind.

Senator BOOKER. Yes. Yes. [Applause.]

Senator FLAKE. I would normally say your time is up, but go on. [Laughter.]

Senator BOOKER. Well, the applause from the witnesses do not count because they are just trying to get confirmed. But everybody else who applauded, thank you very much. No, joking.

To the witnesses there, career Foreign Service officers do not get thanked enough. In my short time as a Senator, I have been blown away by the people I have met out there doing such righteous work and representing our country, our interests, and again, I think Senator Flake would agree, the interests of humanity, in such a brilliant way. And the witnesses we have before us are Foreign Service officers who have served in every imaginable corner of the world. I mean, just looking at some of the nations you all have served, from China, Iraq, Nepal, Uganda, to many, many other places, I think that all of us in the United States Senate owe you a debt of gratitude and a thank you for what you have done.

You have developed specialties as well that are critically important to America's agenda. You are expert managers and negotiators. And the fact that you are sitting here again putting yourselves forward for very difficult posts is yet another tribute to the kind of character that you represent. And truly you are patriots that represent the best of who we are as a nation, and I am grateful for that.

You are all going, as you all know, and much better than I do, to countries that are real priorities for us in Africa. They represent a variety of challenges. Equatorial Guinea, for example, exhibits characteristics of—the resource curse that all of us know about or have studied. And your work here to deal with how the proceeds from these extractive industries fail to reach citizens and often perpetuate corruption and unaccountable governance is critical. Identifying ways to speak out forcefully on issues of human rights, on democracy, development, along with supporting American commercial interests, will absolutely critical.

The Gambia has recently undergone a dramatic transformation, one that has given me a lot of hope. In early 2017, we saw a powerful response from the region to promote and restore democracy in Gambia after the country's long-term authoritarian leader refused to vacate his seat after losing elections.

President Barrow has overseen significant improvements in his country's record on governance and human rights, and has drawn praise, as I am giving him here, for his efforts to undercover abuses committed under the Jammeh regime. The transition, however, is still nascent, and we have often seen how these things can go south. And so, we have to figure out ways to support and keep the changes and reforms on track.

Benin's government has a record that is generally positive. It is a bright spot in this triumvirate that is before us right now. Democratic institutions and public policy performance remain in need of our support, and, again, we could be critical in helping to support local leaders there.

Corruption is still a key challenge, as we know. While President Talon's government has made reforms a key policy plank, the government has drawn criticism for what critics view as efforts to curtail freedom of expression and centralize power. So, there are real challenges in these countries, and these nominees, before us today, can help us to seize huge opportunities. Your expertise can make a difference for generations to come.

In my travels in the region, I have been struck by the resilience, the generosity, the courage, and frankly the beauty of the people that I have met in that region. It will be up to you to help us to make sure that we capitalize on the promise and the hope that is there, and also serve the glorious humanity in each of those nations.

If confirmed, I hope that you will lend the hand of the United States to encourage our counterparts in those countries to overcome their divisions, build accountable institutions, harness economic opportunities, and protect and provide for the most vulnerable. I ask this often, but if—please, if you are confirmed, to stay in communications with us, with our staffs who actually do the hard work in the Senate, and let us know the challenges you face,

as well as how we might best help you in your critical missions. So, I look forward to hearing your testimonies today, but it is not going to be a rough hearing for any of you, and I am truly grateful for your lifetimes of service.

Senator FLAKE. Thank you, Senator Booker, and thanks for the kind words. And it has been a pure pleasure to work with you over the past 2 years. And, you know, I have been in Congress, the House, and the Senate for 18 years, all 18 of those years serving on the Africa Subcommittee in the House and now in the Senate. And being able to chair the committee and to be able to meet so many wonderful Foreign Service officers, who have provided such generous service their entire lives, for—in many cases and dedicated their lives to this work, and it has been so wonderful. With, you know, 54 countries in Africa, we have a lot of opportunities to see so many go and serve and almost exclusively career Foreign Service officers.

So, I so much appreciate your willingness to serve and your families as well, the sacrifices that they make. Often these are difficult posts, sometimes dangerous posts, and it is appreciated. So, thank you all.

Patricia Mahoney has been nominated to serve as Ambassador to the Republic of Benin. Previous experience includes several years at the U.S. Embassy in Uganda as well as postings at Foggy Bottom and the National Security Council. Carl Paschall has been nominated to serve as Ambassador to The Gambia. His Africa-related experience includes serving as Director for the Office of Central African Affairs at Foggy Bottom and advising the commander of Special Operations Command, Africa on foreign policy matters. Susan Stevenson has been nominated to serve as Ambassador to Equatorial Guinea, currently the State Department's principal deputy secretary for public affairs.

All three of the nominees today, as I mentioned, are career public service officers, and I want to extend the thanks of the committee for your work and your willingness to make sacrifices. Please introduce any family members that you have, and we will go to Ms. Mahoney. Thank you.

**STATEMENT OF PATRICIA MAHONEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BENIN**

Ms. MAHONEY. Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next ambassador to the Republic of Benin. I am grateful for the confidence the President and Secretary of State Pompeo have shown me, and I wish to thank the members of the committee for the opportunity to testify today.

I would also like to thank my children: Brian, who is a submariner serving with the U.S. Navy; Kevin, a U.S. Army veteran now at George Mason University; and Honora, who is in Indonesia right now training to be a Peace Corps Volunteer. Their patience, support, and good humor have sustained me throughout my career.

Benin stands out as one of our most steadfast partners in a region increasingly important to our strategic and economic interests, but it is also one of the poorest. Improving the prospects and well-being of its people is vital to ensuring that Benin continues on a democratic, tolerant, and stable path, and the United States has proven a reliable partner in helping Benin to do so. If confirmed, I look forward to working with you and other members of Congress and staff to advance U.S. policy interests, including democracy and human rights, economic prosperity, and regional peace and security.

A multiparty democracy since 1991, Benin has built a tradition of peaceful transition of power across six presidential elections and is proud of its long tradition of religious tolerance. If confirmed, I will work with the government of Benin in its efforts to increase the transparency and effectiveness of government systems, including a well-functioning, independent, and fair judicial system.

I will also work with the government of Benin, which was upgraded to Tier 2 in the 2018 Trafficking in Persons Report, to confront all forms of human trafficking. The United States has a modest, but positive, trade balance with Benin. If confirmed, I will work to strengthen mutually-beneficial trade and investment ties between our two countries.

Improving the well-being of a growing population is crucial in a country in which nearly 40 percent of the population lives below the poverty line. If confirmed, I will do my upmost, working with our Embassy, Congress, and U.S. agencies, to continue to support Benin in creating the conditions necessary to move beyond aid and to achieve self-sustaining economic growth.

With respect to regional security, our shared values are reflected in Benin's commitment to stand with its neighbors, to confront the horrors of Boko Haram and ISIS West Africa, and in its contribution of troops and police to United Nations peacekeeping efforts. Benin is also making strides in preventing the spread of—excuse me—the spread of violent extremism by building community resilience along vulnerable border regions.

Our military and law-enforcement cooperation advance Benin's ability to counter the spread of terrorism and transnational crime across the Gulf of Guinea and the borders of West Africa. Through continued cooperation, we can help the nation and the people of Benin reach their full potential and advance our partnership on peace and security goals.

Mr. Chairman, if confirmed, I will work to deepen our bilateral ties, advance U.S. interests, and ensure the safety of American citizens in Benin. Thank you for the opportunity, Mr. Chairman, to appear today. I would be pleased to take any questions.

[Ms. Mahoney's prepared statement follows:]

#### PREPARED STATEMENT OF PATRICIA MAHONEY

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am deeply honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of Benin. I am grateful for the confidence the President and Secretary of State Pompeo have shown in me, and I wish to thank the members of the committee for the opportunity to testify before you. I would also like to thank my children: Brian, who is a submariner serving with the U.S. Navy; Kevin, a U.S. Army veteran now at George Mason University; and Honora, who is

in Indonesia training for service as a Peace Corps Volunteer. Their patience, support, and good humor have sustained me throughout my career.

It has been my great privilege to serve our country as a Foreign Service Officer for the past 28 years. If confirmed, I look forward to continuing that service by working with you and other Members of Congress and staff to advance U.S. policy and to strengthen our bilateral relationship with Benin across a range of shared interests, including democracy and human rights; economic prosperity; and security. Benin stands out as one of our most steadfast partners in a region increasingly important to our strategic and economic interests, but it is also one of the poorest. Improving the prospects and well-being of its people is vital to ensuring that Benin continues on a democratic, tolerant, and stable path, and the United States has proven a reliable partner in helping Benin do so. If confirmed, I will work with the team at Embassy Cotonou to promote a vibrant civil society and effective, transparent governance; support a prosperous, open and healthy society with closer, mutually beneficial trade linkages with the United States; and work in partnership with Benin to strengthen regional peace and security. I would like to highlight briefly a few priorities in each of these realms.

#### *I. Promoting Democracy and Governance*

A multiparty democracy since 1991, Benin has built a tradition of peaceful transition of power across six presidential elections, and it is proud of its long tradition of religious tolerance. Benin's President, Patrice Talon, recognizes corruption and ineffective public administration as among the country's biggest problems. If confirmed, I expect to witness Benin's seventh consecutive peaceful, democratic presidential election in 2021, in addition to legislative elections to be held next spring. I will work with the Government of Benin to advance its efforts to increase the transparency and effectiveness of government institutions, including a well-functioning, independent, and fair judicial system.

Benin has advanced its efforts to counter human trafficking, resulting in an upgrade to Tier 2 in the 2018 Trafficking in Persons report. If confirmed, I will work with the Government of Benin to build on this progress to confront all forms of human trafficking, in particular increasing its efforts to investigate, prosecute, convict, adequately sentence traffickers of adults and children, and develop effective systems to identify trafficking victims and provide them with care.

#### *II. Improving the Well-Being and Economic Prospects of Benin's Growing Population*

Nearly 40 percent of Benin's people live below the poverty line. Two-thirds of Benin's population lacks access to electricity. The birth rate is the 13th highest in the world; malaria is the leading killer of children under five.

Democracies thrive best when their people thrive. If confirmed, I will do my utmost, working with our Embassy, Congress, and U.S. agencies to continue to support Benin in creating the conditions necessary to move beyond aid and to achieve self-sustaining economic growth, allowing the Beninese people to achieve a healthier and more prosperous future for themselves and their families.

This work is already underway. The United States is strengthening Benin's electricity sector through a five-year \$375 million Millennium Challenge Corporation compact. We expect nearly 10 million Beninese to benefit from this program.

The U.S. Agency for International Development is reducing the number of Beninese lives lost to malaria and improving the health of mothers and children; building the foundations of a healthy, productive workforce; and contributing to a 17 percent reduction in mortality of children under five since 2014.

Food security initiatives supported by the U.S. Department of Agriculture are feeding schoolchildren and helping to strengthen Benin's agriculture industry.

More than 2,150 Peace Corps Volunteers have served in Benin over the past 50 years. While American private investment and bilateral trade in Benin are limited, many of the most notable success stories—a cashew processing company, a palm liquor producer, and a baobab-based export company—have links to former Peace Corps projects.

The United States has a modest but positive trade balance with Benin.

If confirmed, I will work to strengthen mutually beneficial trade and investment ties between our two countries.

#### *III. Strengthening Regional Security*

Benin is a strong partner to the United States for peace and security in West Africa and the Sahel. Our shared values are reflected in Benin's commitment to stand with its neighbors to confront the horrors of Boko Haram and ISIS West Africa, and in its contribution of troops and police to United Nations peacekeeping efforts in Mali and the Democratic Republic of the Congo. Benin is also making strides in preventing the spread of violent extremism by building community resilience along vul-

nerable border regions. Our military and law-enforcement cooperation advance Benin's ability to counter the spread of terrorism and transnational organized crime across the Gulf of Guinea and the porous borders of West Africa that threaten American as well as Beninese interests.

Through continued cooperation with Benin, we can help the nation and people of Benin reach their full potential and advance our partnership on peace and security goals. Mr. Chairman, if confirmed, I will continue to work to reinforce our bilateral relationship with Benin, advance U.S. interests in Benin, and ensure the safety of American citizens.

Thank you for the opportunity, Mr. Chairman, to appear before you today. I would be pleased to take any questions.

Senator FLAKE. Thank you. Mr. Paschall?

**STATEMENT OF RICHARD CARLTON PASCHALL, III, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA**

Mr. PASCHALL. Mr. Chairman, Ranking Member, other distinguished members of the committee, I am honored to appear before you today, and I am deeply grateful for the trust and confidence that President Trump and Secretary of State Pompeo have placed in me as the President's nominee to be the next ambassador to the Republic of The Gambia. If confirmed, I look forward to working with you, other members of Congress, and your staffs to advance our Nation's national security and foreign policy interests.

I have had the privilege to serve our Nation for over 27 years as a career Foreign Service officer around the world and here in our Nation's capital. Such a career in service, constantly on the move, furthering our Nation's national security objectives would have been much, much more difficult without the love and support of my family. My wife and best friend, Jane Ellen, is a Foreign Service officer with USAID and a retired U.S. Army colonel with more than 24 years of service in uniform, including multiple combat zone deployments. I am the proud father of two outstanding young men. I cannot overstate the enormity of their sacrifices over the course of my career, far too many months, years, birthdays, and holidays spent apart. C.J. and William, thank you. My sister, Cathy McCluskey, and brother, Stephan Paschall, and his son, Walker, made the trip from North Carolina with my parents, Richard Paschall, Jr. and Patricia Norris Paschall.

Senator BOOKER. Could all your family members identify themselves?

Mr. PASCHALL. Sure, absolutely.

Senator BOOKER. The two guys behind you barely even smiled for crying out loud. [Laughter.]

Senator BOOKER. I mean, the dude was just complimenting you on the Senate record. [Laughter.]

Senator FLAKE. There you go.

Senator BOOKER. Can't even smile for us.

Mr. PASCHALL. Senator, I am sure they are going to point out that transcript with great pride. [Laughter.]

Mr. PASCHALL. It makes it all worth it. They are right there.

Senator BOOKER. And there were other family members you mentioned? Are they—

Senator FLAKE. They are there.

Mr. PASCHALL. Sister, nephew, Walker, mother, Patricia Paschall, father, Richard Paschall, and my younger brother, Stephen. I have not gotten to him yet.

Senator FLAKE. The young one did smile, for the record. He did smile, but anyway.

Mr. PASCHALL. Mom and Dad, thank you for teaching me about unconditional love, the need for compassion and compromise, the importance of education and service, and the value of hard work.

This is a particularly momentous time in The Gambia's history, one that presents an opportunity to expand further and strengthen the growing community of African democracies. The Gambian people voted out the autocratic former president, though the results were only ensured by the willingness of the democracies and the economic community of West African states to intervene when the defeated President rejected the electoral results. Today, The Gambia, with the support of the international community, is working to create a truly democratic state operating under the rule of law with respect for human rights and investing in its greatest resource, its people.

President Adama Barrow has ushered in a new era of openness and transparency and demonstrated dedication to the democratization of his country. In one of his early acts, President Barrow released all political prisoners. The Gambia has begun a process to account for the abuses of the past, launching a Truth, Reconciliation and Reparations Commission. A commission of inquiry is exploring the financial crimes committed under the previous president's rule. The National Assembly passed legislation to create a new National Human Rights Commission. The judiciary now operates largely independently, and arbitrary arrests and detentions have been, for the most part, though not completely, eliminated.

Efforts are under way to reform the framework that underpins the business environment to improve the business climate. These steps are reflections of the will of the people of The Gambia, and they underscore an important point. The Gambian people admire America and American values, such as freedom, democracy, rule of law, respect for human rights, promotion of education, and entrepreneurialism.

While the trajectory of these objectives is a significant, positive departure from previous troubling trends, The Gambia is really just at the beginning of what will be a long road to improve conditions in the country. The government faces significant challenges in developing and implementing reforms. And the citizenry, enthusiastic for change after 2 decades of declining governance and economic performance, are desperate for results.

In this environment, the United States must speak forcefully and consistently in support of positive changes, provide targeted expertise and assistance to develop capacity in a range of areas, and work closely with like-minded countries interested in helping The Gambia to fulfill its promise. International donors must share this burden, be nimble to respond to emerging needs, flexible given the significant capacity limitations in the country, and well coordinated to ensure no duplication of or gaps in our collective efforts.

If confirmed, I pledge to persistently pursue the safety and security of our embassy team and of private American citizens, and to work with the government and entrepreneurs of The Gambia to expand opportunities for U.S. businesses and for Gambian businesses to take advantage of their reinstated eligibility under the African Growth and Opportunity Act.

Among the great Americans making a difference every day to the people of The Gambia are Peace Corps volunteers, who touch lives in ways that most of us can only dream of at the individual level. If confirmed, I will seek every opportunity to support the work of our Peace Corps volunteers.

It is important the United States and other partners work to support the professionalization of The Gambian security services to help better ensure that respect for fundamental human rights is the norm. Security service members who honorably wear the uniform and serve the people will bolster democracy and rule of law, be a force for stability in the region and beyond, and help ensure that the country never again descends to a state of oppression. If confirmed, it would a privilege to lead U.S. efforts to help the government and people of The Gambia fulfill their ambitious agenda for peace and prosperity.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I would be honored to respond to your questions.

[Mr. Paschall's prepared statement follows:]

#### PREPARED STATEMENT OF RICHARD CARLTON PASCHALL, III

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next Ambassador to the Republic of The Gambia. I am deeply grateful for the trust and confidence that the President and Secretary of State Pompeo have placed in me as their nominee to lead our nation's mission in The Gambia. If confirmed, I look forward to working with you and other members of Congress and staff to advance our Nation's national security and foreign policy interests.

Mr. Chairman, I have had the privilege to represent and serve our nation in the Middle East, South Asia, Africa, the Caribbean, and Europe in addition to several assignments here in our Nation's capital. Without the love and support of my family, such a career in service constantly on the move furthering our nation's national security and foreign policy objectives would have been much, much more difficult. I am the proud husband of a veteran, and she is with me today. My wife and best friend, Jane Ellen, is now a Foreign Service Officer with the United States Agency for International Development having retired from the U.S. Army as a Colonel. I'm also the proud father of two outstanding young men who are here today. CJ is an internet entrepreneur, and William is a Computer Science major in college. I owe a debt that can never be repaid to my parents who I am happy to have with me here today, Richard Paschall Jr. and Patricia Norris Paschall. They taught me about unconditional love, compassion, the importance of education, the value of hard work, and the importance of service. And I am so very grateful to my sister Cathy McCluskey and brother Stephen Paschall, and his son Walker, who made the trip from North Carolina with my parents.

This is a particularly momentous time in the Gambia's history—one that presents an opportunity to expand further and strengthen the growing community of African democracies. Free and fair elections in December 2016—the results of which were ensured by the will of the democracies in the Economic Community of West African States to intervene when the defeated president rejected the electoral results—ended 22 years of authoritarian rule. The former president raided the treasury after pursuing policies for years that bankrupted the country and put it heavily in debt, and made it an international pariah due to his disdain and disrespect for the rights and the will of the Gambian people. Today, The Gambia, with the support of the international community including the United States, is working to create a truly democratic state operating under the rule of law, with respect for human rights, and investing in its greatest resource—its people.

President Adama Barrow has ushered in a new era of openness and transparency, and expressed dedication to the democratization of his country. His administration has begun a process to account for the abuses of the past by establishing a Truth, Reconciliation, and Reparations Commission which was launched just last month. A Commission of Inquiry has held hearings for just over a year to explore the financial crimes committed under the previous president's rule. The National Assembly passed legislation to create a new National Human Rights Commission. The judiciary now operates largely independently, and arbitrary arrests and detentions have been for the most part, though not completely, eliminated. Efforts are underway to reform the framework that underpins the business environment and improve the business climate. In one of his early acts, President Barrow released all political prisoners soon after taking office. This move underscores an important point—that the Gambian people admire America and American values such as freedom, democracy, rule of law, respect for human rights, and promotion of education.

While the trajectory of these objectives is a remarkable, significant positive departure from previous troubling trends, The Gambia is really just at the beginning of what will be a long road to broad improvement of conditions in the country. The Government faces significant challenges in terms of capacity to develop and implement reform initiatives that go well above and beyond the fiscal resources to do so. And the citizenry are enthusiastic for change after two decades of declining governance and economic performance, and desperate to see results. In this environment, it is critical that the United States speak forcefully and consistently in support of the positive changes, provide targeted expertise and assistance to the Government and civil society to develop capacity in a wide range of areas, and work closely with like-minded countries interested in helping The Gambia to fulfill its promise. It will be important that international donors share this burden appropriately, be nimble to respond to emerging needs, flexible given the significant capacity limitations extant in the country, and well-coordinated to ensure no duplication of effort, or gaps through which the potential for success might fall. If confirmed, it will be a privilege to lead U.S. efforts, with our partners, to continue to build on the positive trajectory since The Gambia's return to democratic rule in 2017.

I look forward to working hard, if confirmed, to do what we can to help the Government and people of The Gambia fulfill their ambitious agenda for peace and prosperity, and I pledge to persistently pursue the safety and security of our Embassy team and of private American citizens, and to advance U.S. interests in The Gambia. Among the great Americans making a difference every day in the lives of the people of The Gambia are Peace Corps Volunteers. In my experience, one of the most effective programs of the U.S. Government is the Peace Corps, whose volunteers touch lives in ways most of us can only dream of, at the individual level. I will look for ways to underscore the difference our nation's Peace Corps Volunteers make each and every day in The Gambia. Working with the Government and entrepreneurs of The Gambia, I will seek to expand opportunities for U.S. business to become active in The Gambia, and for Gambian businesses to take advantage of the reinstated eligibility under the African Growth and Opportunity Act. And I will work to support the professionalization of the Gambian security services to help better ensure that respect for fundamental human rights is the norm and not the exception. This is particularly important in The Gambia, where positive reform of the security services will further bolster democracy and rule of law, serve as a force for stability in the region and beyond, and help to ensure that the country never again descends to a state of repression.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I would be honored to respond to any questions.

Senator FLAKE. Thank you. Ms. Stevenson?

**STATEMENT OF SUSAN N. STEVENSON, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EQUATORIAL GUINEA**

Ms. STEVENSON. Thank you very much, Senator Flake, Senator Booker, and Senator Kaine.

It is a great honor to be before you as the nominee to be the next U.S. Ambassador to the Republic of Equatorial Guinea. I am grateful for the confidence that the President and the Secretary of State

have placed in me with this nomination. And if confirmed, I will do my best to uphold this trust and promote U.S. national interests.

I am very pleased that my son, Hugo, could be with me today. His sisters, Hadley and Willa, are not in the State and could not join us. But like his two sisters, Hugo was born overseas and spent over half his life in Asia. This a career that involves and impacts the entire family.

Over the past 26 years, I have been privileged to represent the United States in Thailand, in Mexico, and in China, as well as through short-term stints in the Middle East and in Africa. I have seen firsthand the impact the United States can have on people around the world. I have seen the importance of the rule of law, good governance, and transparency.

While serving as consul general in Northern Thailand, I am proud to have led U.S. efforts to promote the creative economy to strengthen local industry and to expand the market for U.S. products. And while assisting the sizable refugee communities in Northern Thailand, I saw firsthand how U.S. leadership shifted the government of Myanmar to open to the world. In China, I was part of the interagency dialogue between our two countries to tackle challenges and emphasize areas of common interest. The experience showed me that despite disagreements, diplomacy can further our national interests without sacrificing our values.

Senators, if confirmed, I look forward to working with you—unfortunately, not with you Senator Flake, but we are honored to be here during what might be your last hearing—and the honorable members of the committee to advance U.S. interests in Equatorial Guinea. Our policy priorities there are to strengthen our commercial ties, promote democracy, improve respect for human rights and civil liberties, and increase the economic health and educational opportunities for all of its citizens. As I have seen through my work in China, and on Myanmar, and North Korea, countries are more stable and prosperous when they enfranchise their people.

Equatorial Guinea, with a population of about 1 million, is ostensibly a multiparty, constitutional republic, but as you have said, there has been only one president since 1979. The ruling party controls all but one seat of the Chamber of Deputies and all but one seat in the Senate. Opposition political parties face—face legal restrictions, and opposition leaders have faced torture, harassment, arrest, and worse.

Equatorial Guinea has been the third largest producer of oil in Sub-Saharan Africa and enjoys one of the highest per capita income rates in the continent. But despite this, much of the population lives below poverty level, and official corruption remains rampant. If confirmed, I will encourage the country's leadership to respect human rights and the rule of law, as has my predecessor. I will urge government leaders to enable multiparty democracy and a strong civil society. And I will stress that promoting transparency and ending corruption are key to Equatorial Guinea's long-term growth and stability and critical to our commercial ties.

The United States is the largest trading partner of the country. American oil and gas companies have invested more than \$14 billion since the 1990s. The United States embassy has played a crit-

ical role in facilitating trade and promoting U.S. investors in the country. American oil companies are Equatorial Guinea's largest investors, and they have lead hydrocarbon exploration and extraction.

Equatorial Guinea imported nearly \$112 million worth of U.S. goods in 2017. And if confirmed, I will continue to work to protect the commercial interests of U.S. companies invested in Equatorial Guinea and improve the investment climate for other U.S. businesses as will be more important with the decline of hydrocarbon reserves.

Senator Flake, Senator Booker, and Senator Kaine, while our bilateral dialogue and engagement respects Equatorial Guinea's sovereignty and culture, we must be frank with our concerns. If confirmed, I will promote the political, economic, and social development of the country beyond its first 50 years of independence, which was celebrated just last month. And if confirmed, no goal will be more important to me than protecting the lives, interest, and welfare of American citizens living in the country and traveling to Equatorial Guinea. I promise to work closely with you and the members of the committee in this endeavor.

I thank you for opportunity to testify today, and we look forward to taking your questions.

[Ms. Stevenson's prepared statement follows:]

#### PREPARED STATEMENT OF SUSAN N. STEVENSON

Thank you very much Chairman Flake, Ranking Member Booker, and members of the committee for the opportunity to testify before you today. It is a great honor to appear before you as the nominee to be the next United States Ambassador to the Republic of Equatorial Guinea, a country that celebrated 50 years of independence from Spain last month. I am grateful for the confidence that President Trump and Secretary of State Pompeo have placed in me with this nomination. If confirmed by the Senate, I will do my best to uphold this trust and advance U.S. national interests.

Over the past 26 years, I have been privileged to represent the United States in Thailand, China, and Mexico, as well as short-term stints in the Middle East and Africa. I have seen first-hand the impact the United States can have on people worldwide. There have been common challenges in the rule of law, good governance, and transparency, as well as opportunities through entrepreneurship and public policy. While serving as Consul General in Chiang Mai, Thailand, I am proud to have led the U.S. effort to promote the creative economy, to strengthen local industry and to expand the market for U.S. products. While assisting the sizeable refugee communities in northern Thailand, I saw first-hand how U.S. leadership shifted the Government of Myanmar to open to the world. In China, I was part of the interagency dialogue between our two governments to tackle challenges and emphasize areas of common interest. The experience showed me that, despite disagreements with certain nations, diplomacy can further our national interests without sacrificing our values.

Mr. Chairman, Ranking Member Booker, if confirmed, I look forward to working with you and the honorable members of this committee to advance U.S. interests in Equatorial Guinea. U.S. policy priorities in Equatorial Guinea are to strengthen our commercial ties, promote democracy, improve respect for human rights and civil liberties, and to increase economic, health, and educational opportunities for all citizens. As I have seen through my work in China and on Myanmar and North Korea, countries are more stable and prosperous when they enfranchise their people.

Equatorial Guinea, with a population of about one million people, is strategically located on the Gulf of Guinea. Although the country is a de jure multiparty, constitutional republic, there has been only one president since 1979. The ruling party controls all but one seat in the Chamber of Deputies and one seat in the Senate. Opposition political parties face legal restrictions, and opposition leaders have faced torture, harassment, intimidation, arrest, and even murder.

Equatorial Guinea is the fourth largest producer of oil in sub-Saharan Africa, and has one of the highest per-capita income rates in Africa. Despite this, much of its population lives below the poverty level; and official corruption remains rampant. If confirmed, I will encourage the country's leadership to respect human rights and the rule of law. I will urge government leaders to enable true multi-party democracy and facilitate the growth of a strong civil society. I will stress that promoting transparency and ending corrupt practices are key to Equatorial Guinea's long-term growth and stability and critical to strengthen our commercial ties.

The United States has a robust economic relationship with Equatorial Guinea and remains its largest trading partner. U.S. oil and gas companies have invested more than \$14 billion in Equatorial Guinea since the 1990s. Senators, this amount represents a substantial investment. The U.S. Embassy plays a critical trade facilitation and promotion role for U.S. investors in Equatorial Guinea. U.S. oil companies are Equatorial Guinea's largest investors, and they have the lead role in oil and gas exploration and extraction. Equatorial Guinea imported nearly \$112 million worth of U.S. goods in 2017. If confirmed, I will continue to work to protect the commercial interests of U.S. oil companies invested in Equatorial Guinea and improve the investment climate for other U.S. businesses.

Mr. Chairman, Ranking Member Booker, while our bilateral dialogue and engagement respects Equatorial Guinea's sovereignty and culture, we also must be frank in discussing our concerns. If confirmed, I will promote the political, economic, and social development of Equatorial Guinea as the country looks beyond its first 50 years of independence.

And, if confirmed, no goal will be more important to me than protecting the lives, interests, and welfare of American citizens living and traveling in Equatorial Guinea. I promise to work closely with you and the members of this committee in this endeavor.

I thank you for the opportunity to appear before you today. I would be pleased to answer any questions you may have.

**Senator FLAKE.** Thank you. Thank you all. Ms. Mahoney, Benin is obviously, buffeted by anything that happens in Nigeria next door, heavily reliant on cross-border trade. The political situation in Nigeria often affects Benin. With elections coming up in Nigeria soon, what do we need to be concerned about in the neighborhood?

**Ms. MAHONEY.** Thank you for the question, Senator. As you said, Benin is highly dependent upon regional trade, especially from its larger neighbor, Nigeria. That is perhaps a—not necessarily a problem. It also presents an opportunity because it offers a very, very large market for some of the products that Benin does develop, especially if they are able to provide some value added to those products. So, I think that as the elections approach in Nigeria, it is something that we will be watching very, very closely because any kinds of—any kinds of elements of trouble that may pass through Nigeria will also definitely affect Benin. And we want to be sure that they are in a position to respond to that—to that possibility.

**Senator FLAKE.** What, if anything, can we do here to push Benin to take better advantage of AGOA, the opportunities that exist there? What will you be pushing for there as Ambassador if you are confirmed?

**Ms. MAHONEY.** So, right now, there—companies in Benin have taken very limited advantage of the AGOA benefits. And if confirmed, I would like to encourage companies in Benin to take greater advantage of the benefits that AGOA can provide. We have some technical assistance that is available to interested companies that would sharpen their ability and improve their ability to compete in those markets and to take advantage of those benefits. We also have assistance available to help the government prepare a strategy to take advantage of AGOA benefits as well.

And so, if confirmed, I would build on the efforts that our embassy has already undertaken to improve the ability of the government of Benin to take advantage of these AGOA benefits and to really kind of benefit from the increased prosperity that that can bring.

Senator FLAKE. Well, thank you. And, Mr. Paschall, you said in my office that decades of mismanagement in The Gambia cannot be turned around on a dime. What has President Barrow done right, and what has he done wrong, and where does he need to move to make sure that there is improvement and not sliding the other way?

Mr. PASCHALL. Senator, thanks. That is a great opportunity to underscore the importance of the Truth and Reconciliation Reparations Commission. Accounting for the—for the abuses of the past will be important to shine a bright light in some dark corners. It will be very important for the people of The Gambia to be able to come back together and to walk down that long road together from a wide range of issues, including the creation of the National Human Rights Commission, the Commission that created the financial crimes. All of those efforts are positive.

There are—I am not sure that I would say that there are things that have been done wrong, per se, at this point in time. I think a lot of the—the challenge that I have heard briefed to me over the past few months is one of limited capacity. There seems to have been a fairly dramatic underinvestment in the capacity of government ministries and agencies to provide services, deliver services to the people, and that is going to be a long road for the country.

They are saddled with tremendous debt that they inherited from the previous administration, and that has made it very, very difficult and constrained some of their freedom of movement on the economic front. The right words are being said. The right plans are being made. The right strategies are being offered. And now the real challenge, quite frankly, Senator, is implementing those plans and strategies to make forward progress.

Senator FLAKE. Thank you. Ms. Stevenson, we talked about it in my office and you mentioned here again that their hydrocarbon reserves are going to be run out—run out in about 2030. What are they doing? Is there public discussion in the briefings you have received so far about how to bridge that gap? Once they come to it, are they making the efforts they need to to prepare for that eventuality? At what—and what percentage is that of their overall revenue?

Ms. STEVENSON. Hydrocarbon industry dominates the economy of Equatorial Guinea. They present a very schizophrenic profile. Without the hydrocarbon industry, the GDP would be dramatically lower. I would say, and obviously if confirmed I will know more, but what I have seen and heard in the briefings I have received is that the government has not taken adequate attention to the fact that these reserves are finite and that they do not have a diversified economy.

The GDP has been shrinking for the past 3 years, which certainly has got their attention. The bureaucratic red tape to establish businesses and to do business in Equatorial Guinea has caused multinationals to leave starting in December of 2015, which cer-

tainly should also catch the attention of the Equatoguinean government.

You know, I certainly do not have a panacea, but we would be very willing to work with the government on public policy management and on diversification ideas to develop, for example, tourism. They have got lush resources on the mainland. Their timber industry could be managed more successfully, and to really cramp down on corruption, which is affecting every level of the government and every aspect of society. So, if confirmed, I would like to take advantage of what really is a window now to catch the seriousness of the economic challenge that faces the country.

Senator FLAKE. Speaking of that, you mentioned logging and forestry there. What is going on now in terms of our efforts to help them prevent illegal logging and the depletion of that resource?

Ms. STEVENSON. We are certainly working with them on capacity building, but there is corruption in that area and abuse in that area as well. We are somewhat limited. We cannot provide foreign assistance to the government of Equatorial Guinea. They are both too rich a country in terms of GDP per capita, but also we are constrained—so foreign assistance is limited. But we are also constrained by their Trafficking in Persons ranking, which is Tier 3.

Senator FLAKE. Thank you.

Senator Booker.

Senator BOOKER. I am going to defer to Senator Kaine.

Senator KAINES. Thank you to the Chairman and Senator Booker for letting me go first, and congratulations to each of you. I want to echo the comments that Senator Booker made about our chairman. Jeff Flake is a really good friend. We are really going to miss him.

I have people who ask me what I like about this guy, and I say, well, he is a decent, valuesfocused person. But in terms of as a legislator, even though we are in different parties and do not always see eye to eye on policy, I say about this guy that if you can—if you convince him on the merits, he will stick with you regardless of what any poll or leader says. And what more can you ask of a colleague is the opportunity to convince him on the merits and have him stick with you. So, I know we will have more opportunities to talk, but, Senator Flake, we will really miss you.

Let me just put a concern on the record. Sometimes we have these hearings, and something has happened at the State Department that is not really related to you all, but this is our opportunity just to express our concerns. So, I will do that, and I have questions for each of you.

There was a recent decision to remove the subsection on reproductive rights from the Human Rights Report's section on women, and also a reduction in reporting on issues affecting women and LGBTI individuals, including gender-based violence. This report should be a gold standard, a gold standard human rights report, and it is used, not just by the United States, but by others. Having vigorous reporting upon reproductive rights and fair treatment of women is really important.

Oxfam issued a report noting a reduction in 31 percent on reporting in—on women's issues in the 2017 report as compared to 2016, and it looks like that is going to be a continued trend. Many do-

mestic agencies use the information in the Human Rights Report to make determinations on immigration and asylum cases. And many international organizations look to us as the authority on human rights reporting, including the reproductive rights. And then they use their resources—or they use our report to determine how to allocate their resources.

Thirty-one of us sent a letter recently to Secretary Pompeo asking that the reproductive rights section be restored. I am heartened to see that the laws in the countries that you have been nominated to represent have a good track record on reproductive rights issues. There is nobody that cannot improve, including us, but generally, the track records are positive. But there are issues, such as early marriage and access to neonatal and maternal healthcare, that remain in each of your nations. And I hope, even if we are not reporting as vigorously as we have in the past, I just will hope that you will take seriously the importance of advocating for reproductive and all equality rights for women in the societies should you be confirmed.

I would like to ask questions to each of you. So, Ms. Mahoney, loved hearing about your public service children, including a George Mason student. My wife teaches at George Mason. The election—the recent election of the independent candidate, Patrice Talon, in 2016 was determined to be free and fair by international election observers. But he has soon, after taking control or taking power, taken an aim at democratic institutions to some degree. In addition to banning public sector strikes, he has taken steps to curtail freedom of expression, including shutting down media outlets that are critical of him and imposing a tax on internet and social media use. As a U.S. Ambassador, how will you try to promote freedom of expression in Benin?

Ms. STEVENSON. Thank you for the opportunity to address this very important question, Senator. As it stands right now, I believe that there is one publication which has been suspended, *La Nouvelle Tribune*. Right now, its operations have been suspended, and this is a newspaper that I think was characterized by sometimes unfavorable coverage of the administration.

Benin in general has a very vibrant and open press and a very vibrant and open civil society as well. And if confirmed, I will build on what the embassy in Cotonou is already doing to underscore and to stress at—in every engagement and at every opportunity the importance of freedom of expression, and to continue our programs which are most vigorously used through the International Visitors Leadership Program to train and professionalize journalists, especially in the field of investigative journalism. Thank you.

Senator KAINA. Thank you for that. Mr. Paschal, let me ask you this question. Troops from ECOWAS were put into Gambia as a military intervention to counter the previous leader's effort to hold onto power in 2017. That mission—I think it is now called ECOMIG—remains in The Gambia. What are the pros and cons of the continued presence of these ECOWAS troops in The Gambia, and should we be advocating that they stay for their withdrawal, or is this a situation that you think is in a—is in a good position on its own right now?

Mr. PASCHALL. Yeah, thank you, Senator. ECOWAS was instrumental, as you know, in the transition and ensuring that the votes of the people were honored and respected by former President Jammeh. The introduction of ECOWAS forces was crucial to provide reassurance to the population. There are remaining questions in many Gambians' minds about the—about the security services based on—based on history. I would be remiss if I did not point out that The Gambia has long contributed troops to the U.N. peace-keeping mission in Darfur. And they have, as far as I have been able to learn, have always performed honorably and admirably in the field. So, there is a core of professionalism there, and as I noted in my opening remarks, those who wear the uniform and serve honorably and serve the people can be a force for good.

The continuance of ECOMIG obviously is a decision that fundamentality rests with the government of The Gambia and the—and the ECOWAS heads of state. I believe, at least insofar as I have read and understand, they provide some stability during the continued transition period. We are just—we are still under 2 years since President Barrow took office, and they generally are viewed as a stabilizing force. They are also taking part in the international efforts to provide some security sector reform support to The Gambia. So, at present, I think, on that theory, they continue to be a positive—a positive presence.

Senator KAINÉ. Thank you. Thank you, Mr. Paschall. And finally to Ms. Stevenson, you dealt with this a little bit in your prepared testimony, your opening comments. But obviously, there are significant issues of democracy and institutions and respect for those institutions. In Equatorial Guinea, the government has shown a real interest in engaging in dialogue with political opposition, significant human rights abuses, security forces using excessive violence, deadly force and imposition of external exile on political opposition members, fairly brutal prison conditions, harsh restrictions on civil society and civil liberties, widespread corruption, violence against women with impunity, restrictions on freedom of expression and freedom of the press, and a litany of other concerns. Should you be confirmed, how will you try to use the power of the position to engage with civil society elements in Equatorial Guinea to strengthen them?

Ms. STEVENSON. Thank you, Senator. As you point out, it is going to be a challenging environment. I know that my predecessor is working very vigorously in engaging with civil society, and if confirmed, I would want to continue this. I would also want to show the government of Equatorial Guinea that it is in their own interest to have more representation to cultivate civil society because the lack of enfranchisement actually affects their stability.

They have been worried about the threat of coups. They have been—as recently as December 2017, arrested over 40 people for plotting a coup, and that shows that although the tenure of President Obiang has been quite long, it has not been smooth. And hopefully with this window of opportunity as the hydrocarbon industry is no longer the gravy train for the country, they will be able to reassess and choose what is right for their people. And if confirmed, I will work very dedicatedly on helping the government

of Equatorial Guinea see that there are other choices and that opening up will actually help them, not harm them.

Senator Kaine. Thank you. Thanks, Mr. Chair. Thanks to Senator Booker.

Senator FLAKE. Thank you. Senator Booker.

Senator BOOKER. Ms. Stevenson, your son's name is Hugo?

Ms. STEVENSON. Hugo.

Senator BOOKER. Hugo. It is a little unorthodox, Hugo, but would you stand up for a second? Oh my God, sit down. [Laughter.]

Senator BOOKER. I had some—

Ms. STEVENSON. You have made his day.

Senator BOOKER. I had some really, really tough questions for you. But now that I see you have Hugo, who has a very intimidating stature and size, I am going to hold back a little bit. It is good that you brought him, sat him in the front row. I am a big guy, but I would have a tough time. But what you said is really right. This is a post that often affects families very deeply. And Hugo obviously has had a privilege of being overseas, but it is also a sacrifice as well. And for all of you, I am grateful for that. Senator Kaine, who just left, you know, e has to travel all the way from Virginia to get to D.C. It is real tough on him. But your family really does show that, and I just want to say thank you again.

And so, Ms. Stevenson, it is a tough balance. Literally, we were having a conversation, some of my colleagues today, about Bahrain, about this balance between human rights issues and strategic interests or economic interests. And finding that right balance for a country leading with our values is very difficult.

And so, I was wondering, in Equatorial Guinea you mentioned that—and rightfully so—the United States has an interest in supporting American firms involved in the oil and gas sector. At the same time, the Obiang administration has an abysmal human rights record. It has been accused of large-scale corruption, nepotism, and since the oil wealth of the 1990s, you have seen a lot of that bad behavior grow far more egregious. So, can you just give me some philosophical understanding and help really inform me about how you balance those interests that are in conflict? We have to admit that there is a conflict between those interests, and maybe you can give me an example of how we navigate that.

Ms. STEVENSON. I appreciate the question because obviously this is a big priority for the United States, but it is an environment that will be very difficult. As you have seen this year, Equatorial Guinea is a non-permanent member of the U.N. Security Council. They are on the world stage. The president had interventions during the U.N. General Assembly in September. This is important them, the international status. Being able to attract international investment is important to them. They had just announced pledges by U.S. companies to look at investing a further \$2.4 billion in hydrocarbon industry.

The fact that doing business in Equatorial Guinea is so difficult the fact that there are human rights abuses that my predecessor, who is still in place, has spoken out very vigorously against, these are stains on the record of the government. As long as the oil is flowing, there is perhaps a perceived less urgency to address these issues. I am hoping, if confirmed, that I will be able to use what

is clearly a desire for international recognition to—as a lever to push the government to have—actually enforce some of the laws that they have on the books and to be able to have real elections, which their new constitution in 2011 does call for.

Now, according to that constitution, the president could actually, theoretically, stand again, but, he has said that he does not want to stand again, so, there could be a window of opportunity. On a bright spot, we talked earlier about the importance of reproductive health and LGBT issues. The government of Equatorial Guinea has been—has had a fairly good record on LGBT issues, or at least has it on the books, issue same sex visas, has been—we have, as the U.S. Embassy, been able to program on those issues, and so we are—and we are—continue to be able to engage with civil society.

It is not all terrible, but I am going to continue pushing this rock uphill as my predecessors have done for a long time before me. But I am hoping that this window of the need, the urgency to reform the business community, diversify the economy, and attract more investment and engagement in the other areas will give us that window to push forward. It has happened before in other countries, and hopefully we will be able to make progress here.

Senator BOOKER. Well, that is very helpful. Mr. Paschall, The Gambia has recently launched the Truth, Reconciliation and Reparations Commission, which I find very interesting. They are going to examine a lot of the disappearances that have happened, killings, and other very troubling human rights issues. And I wonder what are your ideas, because, the commission also faces a lot of challenges, and I am just not sure how successful they will be, as we have seen in other models in the continent. And how will it balance the need for justice for victims with a lot of the resentment you find from Jammeh supporters? And so, what, in your opinion, are the realistic outcomes that we should expect from the commission?

Mr. PASCHALL. Thank you, Senator Booker. The TRC, they just swore in the commissioners last month. I think what is impressive, at least people who are expert in the field of transitional justice have told me, that the law that The Gambian legislature passed is a really good, strong law. It is well founded. Unfortunately, as you know, we have a lot of precedence for these types of efforts, and so, there are a lot of lessons learned.

But it appears that, frankly, they have incorporated a lot of those lessons learned, at least in legislature framework, that is going to guide their efforts. They did—they have been working very hard to ensure that there is a lot of awareness. The commissioners have hit the ground running. They were sworn in, I believe, it was the 15th of October. They have already made a number of requests of the government, in particular, to provide assistance to the victims who suffered physical harm and some of those abuses.

What can we expect at the end? That is a great question, and I think what is most important for us right now is to ensure that we are providing the support that we can provide to the operation of TRC and the active participation of The Gambian people themselves, the civil society in particular, to ensure that that process remains transparent, that it remains consistent with the very high goals that have been set, and that what comes out of it is meaning-

ful and does help move the country forward while accounting for the many allegations and very well-documented cases of abuse that occurred previously.

Senator BOOKER. Thank you very much. And very quickly with the indulgence of the chairman, this is interesting. In Benin almost 65 percent of the population is under the age of 25. The youth bulge is just something we have seen throughout Africa as well as the Middle East. And Benin's total fertility has been falling over time, but still remains high. And declining from almost seven children per woman in the 90s to now, I guess, it is 4.8. And so, Benin's low contraceptive use and high unmet need for contraception contribute to what is still considered a very high fertility rate.

And just really quickly, what steps can the U.S. take or what foreign assistance programming could really target this large population in general, and how would you engage with the country's authorities to encourage policy changes to address the challenges and opportunities associated with the youth bulge?

Ms. STEVENSON. Thank you for the question, Senator. As you point out, economic development in Benin has not kept pace with the growth of the population. And there is this demographic bulge of very young people who will be in need of jobs and are in need of jobs right now. And I believe that President Talon is very acutely aware of the need to diversify the economy and to attract and unlock private investment as an engine to drive the economy so that it will be able to create jobs for this youth bulge and for these—this member—members of the demographic bulge.

So, if confirmed, I would work to support the government's efforts to attract private investment and to diversify the economy, which is largely based on subsistence agriculture right now. And one of the programs that is under way aimed at doing that is our Millennium Challenge Corporation Compact, which is designed to remove one of the main constraints to more rapid economic growth, and to improve the reliability and the capacity of the power sector, and also to provide a regulatory framework to attract private investment, independent private power operators. So, that is one example of an area where we as the U.S. Government are working to support the government and the people of Benin to promote economic development and to help the government and the people in their efforts to diversify the economy.

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

Senator FLAKE. Thank you all. Thank you all for your preparation for this hearing, and thank the families as well for the sacrifice that you have made and will continue to make for this service. And I thank—the hearing record will remain open until the close of business tomorrow, including for members to submit questions for the record, and we would ask the witnesses to respond as promptly as possible. Your responses will be made as part of the record.

But before I close, I will take the personal privilege to recognize my staffer here. Colleen Donnelly has been with me for over 10 years in the House and the Senate. This is likely the last hearing that she has prepared me for, and I just want to—her to know how much I appreciate her fine service to me, and to the committee, and

to the Senate. And she will be missed around here. I have a feeling that she will be doing more of this for other members that are probably easier to work for, but I appreciate that. And thank you, all of you, for being here.

Senator BOOKER. Mr. Chairman, can I take a moment of personal privilege? The hearing is officially almost over, and I just think I would like to memorialize your last hearing with a selfie with them in the background. [Laughter.]

Senator BOOKER. I want to get the Ambassador nominees in there. [Photo.]

Senator FLAKE. All right. Nothing is finished. I know there is a Booker selfie. [Laughter.]

Senator FLAKE. That is wonderful. Thank you. Thanks to the committee. The hearing stands adjourned.

[Whereupon, at 3:52 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO PATRICIA MAHONEY BY SENATOR ROBERT MENENDEZ

*Question 1.* In your view, is Talon's appointment of Djogbenou a signal of a broader strategy to centralize power by putting allies in key judicial posts? What specific steps will you take if confirmed to monitor undue consolidation of power in the executive and prevent democratic backsliding?

Answer. I take seriously concerns expressed by Benin's National Union of Magistrates (UNAMAB), among others, regarding the degradation of the independence of the judiciary as a result of recent changes in the judicial sector. I recognize the importance of ensuring that our partnership continues to thrive on shared democratic values to prevent backsliding. If confirmed, I will deploy available resources to engage the Government of Benin on the importance of maintaining Benin's commitment to the key principles of democracy and the rule of law, including the maintenance of a well-functioning, independent, and fair judiciary.

*Question 2.* Talon's Government has also drawn criticism for what critics view as efforts to curtail free expression. The High Authority for Broadcasting and Communication has shut down several media outlets during his tenure, including a television station owned by his leading rival and an opposition newspaper. The state broadcaster has reportedly ceased its coverage of the opposition:

- In August 2018, Talon imposed via executive decree a tax on internet and social media use, an action criticized by domestic civil society. Do these actions in your view represent closing media space? What will you do if confirmed to ensure that the Government respects media freedoms?

Answer. If confirmed, I will work with Embassy Cotonou to engage with the Beninese on press freedom and support for a more open media space. While Benin has a long-held tradition of upholding freedom of expression, last year the Government temporarily suspended several opposition media outlets. Most have since reopened but at least one opposition media outlet remains suspended indefinitely. Several journalists have reported government pressure for positive coverage, while others admit to self-censorship.

The Government of Benin increased taxes on certain types of internet usage in 2018, but these taxes were quickly annulled in response to significant public opposition. Embassy Cotonou, at all levels, continually engages our Beninese partners on the importance of press freedom for maintaining a healthy democracy, and I pledge to continue to address this issue if confirmed. In addition, we will continue to use all the tools available to us to work with Beninese media on programs addressing media literacy, investigative journalism, and professionalism.

*Question 3.* Benin was upgraded to Tier 2 in the 2018 Trafficking in Persons Report. What assistance are we providing to the Government of Benin to enact legislation to criminalize all forms of trafficking consistent with the 2000 U.N. TIP Pro-

tocol? Are we engaged in programs or activities to help law enforcement increase efforts to investigate, prosecute, convict, and adequately sentence trafficking offenders, or train law enforcement officials on identification and referral procedures?

- Does the Government have the resources to increase funding to the Central Office for the Protection of Minors (OCPM) to provide adequate support to victims? What actions will you take if confirmed to help the Government of Benin improve its efforts to combat trafficking?

**Answer.** Embassy Cotonou assists the Government of Benin in its anti-trafficking efforts by engaging with all levels to increase awareness and to spur action to counter trafficking. One example of United States' Government assistance was our support for Benin's organization of a national anti-Trafficking in Persons (TIP) workshop in 2017. Benin has demonstrated significant efforts to combat TIP and was upgraded from Tier 2 Watch List to Tier 2 in the 2018 TIP Report. Successful efforts by the Government include increased prosecutions and convictions of child traffickers; more child trafficking victims identified; establishment of formal procedures for identification and referral of children vulnerable to abuse, including trafficking; introduction of screening procedures at airports to identify adult victims traveling abroad; and increased collaboration with neighboring countries to prevent transnational trafficking of adults resulting in the identification of 16 potential trafficking victims. Benin also established an inter-ministerial committee to coordinate national anti-trafficking efforts, which developed a national action plan to address all types of trafficking in persons, including adults, in collaboration with non-governmental organizations (NGOs) and international organizations.

Benin must enact legislation to criminalize all forms of trafficking, including trafficking of adults, consistent with the Palermo Protocol, and implement the 2018–2021 national action plan. The Government of Benin should increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children and train law enforcement officials on identification and referral procedures. If confirmed, I will work with the Government of Benin to increase its success in countering all forms of human trafficking.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** Throughout my Foreign Service career I have worked to advance United States policy to support and promote democracy and human rights. I regard that work as not only essential to my mission as a diplomat representing values of the United States but also among the most personally rewarding aspects of my career. With the exception of some successes in the cases of specific dissidents, human rights activists, and refugees, the impact of my individual efforts is difficult to identify immediately or as exclusively the result of my intervention. Instead, I believe that the impact of my efforts has generally been incremental (as in a counterpart government's long-term efforts to institutionalize accountability mechanisms for its military) or part of a broader team effort (as when our Embassy, the Department of State, other U.S. agencies, members of Congress, and civil society advocated against the Anti-Homosexuality Act in Uganda). If confirmed, I commit to continue promoting and supporting democracy and human rights in the Republic of Benin.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in Benin? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** One of the most pressing challenges facing Benin's democratic development is the need to increase transparency in governance and develop more accountable and responsive institutions. Helping Benin accomplish this is one of Embassy Cotonou's top mission goals. Major obstacles to this goal include: unemployment and poverty; a population dissatisfied with the provision of public services; corruption among the ranks of government officials; limited issues-focused debate in the political arena; and undue limitations to freedom of expression.

*Question 6.* What steps will you take—if confirmed—to support democracy in Benin? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I will collaborate with the Government of Benin, political parties, civil society, other diplomatic missions, and other stakeholders to promote political reforms, enhance democratic institutions and broaden political space, and strengthen electoral institutions. I will utilize all diplomatic tools available to advance our policy goals of promoting democracy and governance, improving well-

being and economic prospects of Benin's growing population; and strengthening regional security.

I will, if confirmed, continue our diplomatic engagement to impress upon the Government of Benin that improving governance will increase the confidence Beninese citizens have in their leaders and institutions. We will demonstrate our strong support for good governance and strong democratic institutions through our public diplomacy and International Narcotics and Law Enforcement programming, as well as our flagship health and energy development programs, through USAID and MCC, respectively.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Embassy Cotonou deploys multiple assistance programs to help support democracy and governance in Benin. I will work, if confirmed, with the Government to strengthen Benin's democracy with these programs, which include public diplomacy activities that support Beninese civil society organizations and media and promote a free and independent media. We also support programming on police accountability and law enforcement coordination following the integration of the gendarmerie into the national police to help reinforce civilian policing in the domestic security domain as well as training and equipment for police in rural border areas help officers better serve citizens by responding to needs and maintaining security. USG health programs strengthen citizen engagement with government in identifying priority services and ensuring accountability of the public sector. In addition, we work with civil society and the Government to advance the country's potential membership to the Open Government Partnership, which reinforces good governance by establishing standards for transparency and accountability. If confirmed, I will work closely with our various Embassy sections and agencies to explore ways that my position can help advance the objectives of our programs in Benin, and ways to target our assistance to encourage important reforms that will lead to a more transparent and accountable government.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Benin? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I commit to meet with civil society members, human rights and other non-governmental organizations (NGOs) in the United States and with local human rights NGOs in Benin. While Benin's record on human rights is generally positive, I will be ready to use the diplomatic tools at my disposal to encourage further improvements and address issues that arise during my tenure.

*Question 9.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I will meet with democratically oriented political opposition figures and parties. A democratically oriented political opposition is a healthy part of any democracy, and it is important that the embassy hear from many sides of the political spectrum. I will continue Embassy Cotonou's efforts to advocate for access and inclusivity for women, members of minority groups, and youth within Benin's political parties.

*Question 10.* Will you and your embassy team actively engage with Benin on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Benin?

Answer. If confirmed, I will work with Embassy Cotonou to engage actively with Benin on press freedom, and address government efforts to control or undermine the press. I will commit to meet regularly with the independent local press in Benin, if confirmed.

*Question 11.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes, if confirmed, Embassy Cotonou and I will continue our engagement with civil society and government to counter disinformation and malign propaganda disseminated by foreign state or non-state actors in Benin.

*Question 12.* Will you and your embassy teams actively engage with Benin on the right of labor groups to organize, including for independent trade unions?

Answer. If I am confirmed, my leadership team and I will actively engage with Beninese interlocutors on labor rights, including with respect to freedom of association and the strengthening of independent trade unions. I will work with the Government of Benin, worker organizations, unions and other members of civil society to promote the protection of internationally recognized labor rights by the Government. In light of recent strikes among the public sector workers and efforts to enact legislation limiting the right to strike, it is more important now than ever that we engage the Government of Benin on these rights.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Benin, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Benin? What specifically will you commit to do to help LGBTI people in Benin?

Answer. I commit, if confirmed, to defending the human rights of all individuals in Benin, regardless of their sexual orientation or gender identity. There are no laws explicitly criminalizing same-sex activity in Benin, and no reports of criminal or civil cases involving consensual same sex sexual conduct but there is a negative stigma against the LGBTI community, and LGBTI community members report discrimination and social stigma based on sexual orientation.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
PATRICIA MAHONEY BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my Foreign Service career, I have worked to advance United States policy to support and promote democracy and human rights. I regard that work as not only essential to my mission as a diplomat representing the values of the United States but also among the most personally rewarding aspects of my career. With the exception of some key successes in the cases of specific dissidents, human rights activists, and refugees, the impact of my individual efforts is difficult to identify immediately or as exclusively the result of my intervention. Instead, I believe that the impact of my efforts has generally been incremental (as in a counterpart government's long-term efforts to institutionalize accountability mechanisms for its military) or part of a broader team effort (as when our Embassy, the Department of State, other U.S. agencies, Members of Congress, and civil society advocated against the Anti-Homosexuality Act in Uganda). If confirmed, I commit to continue promoting and supporting democracy and human rights in the Republic of Benin.

*Question 2.* What are the most pressing human rights issues in Benin? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Benin? What do you hope to accomplish through these actions?

Answer. The Government of Benin generally respects human rights. There are some significant human rights issues such as reported incidents of torture, which were punished by the authorities; arbitrary arrest and detention; harsh and life threatening prison conditions; and violations of freedom of expression against members of the press. There are also pressing concerns in Benin that need to be addressed, including trafficking in persons; abuse and discrimination against women and children; vigilante violence; lack of accountability in cases involving rape and violence against women due to inadequate enforcement and police training; female genital mutilation; and child labor.

Benin has a long-held tradition of upholding freedom of expression; however, last year the Government temporarily suspended several opposition media outlets. While most have since re-opened, at least one opposition media outlet remains suspended indefinitely. Some journalists report pressure by the Government for positive coverage, while others admit to self-censorship. If confirmed, I will deploy all of our resources to work with the Government of Benin to promote human rights and democracy in Benin. Benin is a strong example of peace, stability and tolerance in the region. I will do my best to make sure our partnership continues to thrive on shared democratic values.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Benin in advancing human rights, civil society and democracy in general?

Answer. Helping Benin address these human rights issues is one of Embassy Cotonou's top mission goals. Obstacles to achieving this include unemployment and poverty, an inefficient public sector, rising cross-border crime, endemic corruption among the ranks of government officials, and possible challenges to freedom of expression. If confirmed, I will focus my efforts on helping Benin overcome these obstacles and serve as a positive influence in West Africa for democratic governance, respect for human rights, and an active and engaged civil society.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Benin? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I will work with Embassy Cotonou to engage actively with human rights, civil society, and other non-governmental organizations (NGOs) in the United States and with local human rights NGOs in Benin.

The United States has a solid security sector partnership with Benin based on shared goals of regional peace and security, and we maintain a good relationship with the Beninese military and police. We have worked together in critical areas such as maritime security and peacekeeping. Our security assistance to the Beninese is designed to develop the professionalism of its ranks. Consistent with U.S. law and Department policy, all military or security force participants in U.S. Government-funded training programs undergo a Leahy vetting process to ensure there is no credible information implicating the participants or their units in the commission of gross violations of human rights (GVHRs). Security force units or members that are credibly implicated in GVHRs are not eligible to receive U.S. training or assistance. This process also reinforces our message that human rights violations by security forces will not be tolerated. If confirmed, I will actively support our Embassy in gathering information to contribute to important reports such as the Human Rights Report and Trafficking in Persons Report to highlight areas of weakness and opportunities for further cooperation between the United States and Benin, and will encourage Benin to move forward with the creation of an independent national human rights commission.

*Question 5.* Will you and your embassy team actively engage with Benin to address cases of key political prisoners or persons otherwise unjustly targeted by Benin?

Answer. If confirmed, I will continue the work Embassy Cotonou already engages in on this issue. I will call on the Government of Benin to uphold human rights, including freedoms of expression and peaceful assembly, as well as internet freedom. We will work to ensure that individuals arrested on criminal charges are afforded fair trial guarantees.

*Question 6.* Will you engage with Benin on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. I will engage with the Government of Benin, local civil society, and other stakeholders on matters of human rights, including civil rights and governance, if confirmed. Working with the Embassy and our counterparts in the Government of Benin, we will continue to work to promote political reforms, enhance democratic institutions, broaden political space, and strengthen electoral institutions.

I will engage with the Government of Benin on improving governance, and emphasize that improved governance will increase the confidence of Beninese citizens in their leaders and institutions. We will demonstrate our strong support for good governance and strong democratic institutions through our public diplomacy and programming from the Bureau of International Narcotics and Law Enforcement (INL), as well as through our flagship health (United States Agency for International Development) and energy (Millennium Challenge Corporation) development programs.

*Question 7.* Benin is ranked Tier 2 in the State Department's 2018 Trafficking in Persons (TIP) report. Where has Benin been most successful in countering TIP, and why hasn't it fully implemented State Department TIP recommendations?

Answer. The U.S. Government and Embassy Cotonou assist the Government of Benin in its anti-trafficking efforts by engaging at all levels with Benin's Government to increase awareness of trafficking and to spur action to counter trafficking. One example of United States' Government assistance was our support for Benin's

organization of a national anti-TIP workshop in 2017. We are exploring other ways to support Benin's anti-trafficking efforts.

The Government of Benin has demonstrated significant efforts to combat Trafficking in Persons (TIP) and as a result was upgraded from Tier 2 Watch List to Tier 2 in the 2018 Trafficking in Persons Report. Successful efforts by the Government include increased prosecutions and convictions of child traffickers during the reporting period for the 2018 TIP report; the identification of more child trafficking victims; establishment of formal procedures for identification and referral of children vulnerable to abuse, including trafficking; introduction of screening procedures at airports to identify adult victims traveling abroad; and increased collaboration with neighboring countries to prevent transnational trafficking of adults, resulting in the identification of 16 potential trafficking victims. The Government of Benin also established an inter-ministerial committee to coordinate national anti-trafficking efforts, which developed a national action plan to address all types of trafficking in persons, including adults, in collaboration with NGOs and international organization. Benin must enact legislation to criminalize all forms of trafficking, including trafficking of adults, consistent with the Palermo Protocol and implement the 2018–2021 national action plan. The Government of Benin should increase efforts to investigate, prosecute, convict, and adequately sentence offenders of sex and labor trafficking of adults and children and train law enforcement officials on identification and referral procedures.

*Question 8.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you or do any members of your immediate family have any financial interests in Benin?

Answer. My investment portfolio includes funds that may have investments in companies in Benin; however, these funds are exempt from the conflicts of interest rules and have been reviewed by the State Department Ethics Office. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in any investments the State Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 11.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Throughout my career I have benefited from the mentorship of my supervisors and have regarded mentoring employees to be among the most important and gratifying responsibilities of leadership. I have also experienced firsthand the benefits of collaborating in a diverse and inclusive workplace. If confirmed, I will continue to mentor staff from all backgrounds, establish open lines of communication, and do my utmost to ensure that each receives the training, acquires the expertise, and is afforded the opportunity needed to advance in the Foreign Service.

*Question 12.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Building upon the existing Equal Employment Opportunity program at the Embassy, I will, if confirmed, ensure regular training, engagement, and interaction on this topic. I will make clear at the outset that I expect supervisors to foster an environment that is diverse and inclusive, and I will model that behavior myself.

*Question 13.* How do you believe political corruption impacts democratic governance and the rule of law, and in Benin specifically?

Answer. Corruption among the ranks of government officials is an obstacle to democratic governance and the rule of law in Benin. President Patrice Talon has

described endemic corruption as one of the country's biggest problems, and has made it a key part of his administration's development agenda. If confirmed, I will work together with our team at Embassy Cotonou to continue ongoing efforts to impress upon the Beninese Government that anti-corruption measures must demonstrate that no person or group of people is above the law.

*Question 14.* What is your assessment of corruption trends in Benin and efforts to address and reduce them by the Government of Benin?

Answer. President Talon developed an agenda that includes reforms to the political system and a strategy to fight corruption. The Government of Benin has made some progress, but more work remains. The Government recently pursued several high profile cases of public sector corruption and imposed administrative punishment or dismissals on civil servants found to have engaged in corruption. Other measures to uproot corruption include the modification of rules regarding the procurement and use of official vehicles; the consolidation of government travel arrangements under a single provider; professionalization reforms and training to improve the conduct of police officers, such as the cessation of a previous practice of roadblocks along major thoroughfares to stop and "inspect" vehicles for bribes; and the trial and sentencing of five major pharmaceutical wholesalers for participating in the proliferation of counterfeit medications. Some of these anti-corruption efforts have been recently implemented, so in due time it will become evident the degree to which these efforts are reinforcing norms of fairness across the political spectrum.

*Question 15.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Benin?

Answer. If confirmed, I will work with Embassy Cotonou and the Government of Benin in support of their anticorruption efforts. For example, we are working with civil society and the Government to advance the country's potential membership to the Open Government Partnership, which reinforces good governance by establishing standards for transparency and accountability. I will actively engage local civil society partners and explore ways to help advance important reforms at both the national and local levels that will lead to a more transparent and accountable government.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
PATRICIA MAHONEY BY SENATOR CORY A. BOOKER**

*Constitutional Reform*

*Question 1.* President Talon recently decided to put his constitutional reform project on hold, arguing that the organization of a vote would cost too much and was not a priority. The reforms included the improvement of women's representation in parliament, the abolition of the death penalty, the establishment of a court of auditors and, most importantly and controversially, the consolidation of all elections:

- What is your evaluation of this decision to not move forward with these constitutional reforms and to what degree should the U.S. engage on these issues?

Answer. President Talon campaigned on a reformist platform prior to taking office in 2016. While some Beninese may have found his constitutional reform project a fulfillment of a campaign promise, others have indicated they believe his reforms are moving too quickly. Other criticisms of the Talon administration's constitutional amendment proposals are based upon reforms being achieved through changes to legislation instead, where there is no need to make so many changes to the constitution. Following the failure of the amendment proposals, the Talon administration has moved forward with some of the proposed reforms through legislation.

If confirmed, I will address the need for reform in those areas that affect good governance. I will also engage the Government of Benin and its people in areas like increasing women's participation in politics.

*Renewable Energy*

*Question 2.* In 2017 the Millennium Challenge Corporation signed a \$375 million compact with Benin that aims to develop Benin's power sector through investments in energy generation and distribution and off-grid electrification, including renewable energy projects:

- Could you describe the degree to which renewable projects are prioritized over those that rely on fossil fuels as part of the compact?

**Answer.** The \$375 million Benin MCC Power Compact prioritizes renewable sources of power generation over fossil fuels. The compact will support the construction of 45 Mega Watts (MW) of solar photovoltaic generation through a bankable independent power project (IPP) transaction, as well as off-grid electrification projects (mainly solar) through the Off-Grid Clean Energy Facility ([www.cef.bj](http://www.cef.bj))—the largest of its kind supported by the United States Government in a single country.

The compact is also making major investments in Benin's electricity distribution system that will reduce technical losses, and include support for energy efficiency measures. Both of these activities will assist in lowering costs while reducing the consumption of fossil fuel sources of electricity, which currently account for most of the power consumed in Benin.

*Candidate Fees*

**Question 3.** The Benin parliament recently passed legislation that would increase the fee for registering a Presidential candidate or for submitting a party list for parliamentary elections to over \$400,000. The law has been overwhelmingly condemned by political parties, civil society groups and the public, who accuse the president of formulating laws to favor the rich and privileged:

- What is your opinion of this move and should the U.S. engage on this issue?

**Answer.** Of the various amendments to the Electoral Code passed by Benin's parliament on September 3, the most controversial was the amendment increasing several fees: the fee for presidential candidates increased from \$27,000 to \$447,000; and the fee for parliamentary elections increased from \$175 per candidate to \$429,000 for a party list of 83 names. Benin has long been a model of multi-party democracy in West Africa, with six consecutive free and fair presidential elections, and peaceful transfers of power, since 1991. If confirmed, I will work to engage with the Government of Benin on any challenges to that democracy, using all the tools in our diplomacy toolkit.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RICHARD CARLTON PASCHALL III BY SENATOR ROBERT MENENDEZ

**Question 1.** Gambia was selected for an MCC Threshold Program in 2017, which is now under development with implementation slated to begin in mid-2019. What other assistance has the U.S. provided since President Adama Barrow? How much of that assistance has been specifically aimed at democracy and governance? Has any of the assistance been aimed at helping build democratic institutions and improve governance in Gambia? What will you do, if confirmed, to help the Barrow administration build democratic institutions and foster political participation in Gambia?

**Answer.** With The Gambia's change to democracy, the United States has embarked on a number of programs, through the State Department and other U.S. Government agencies, to bolster capacity in financial management and financial crimes investigations, strengthen civil society, advance security sector reform, and improve health care. The Millennium Challenge Corporation is working with the Government of The Gambia to identify projects in a Threshold Program to remove constraints to economic growth and better integration into regional infrastructure and market activities. In addition, we have programs in the pipeline to improve agricultural productivity, bolster fiscal transparency, and support electoral and legislative reforms.

**Question 2.** In late 2017, Gambia regained eligibility under the Africa Growth and Opportunity Act (AGOA). How has the country taken advantage of AGOA? What steps will you take as Ambassador to help, if confirmed?

**Answer.** In January 2018, the United States restored AGOA trade benefits to The Gambia due to progress in strengthening the rule of law, improving respect for human rights, and supporting political pluralism. If confirmed, I will encourage the Gambian Government to continue demonstrating progress on the full range of AGOA eligibility criteria, and as noted in my statement, I will work to help Gambian businesses take advantage of AGOA.

**Question 3.** The 2018 Trafficking in Person's Report lists Gambia as Tier 2 Watch List. What programs and activities are we undertaking to help Gambia improve its ranking? What steps will you take to advocate for an improved approach to trafficking by the Barrow administration.

**Answer.** The Department of State's 2018 Trafficking in Persons report placed The Gambia on the Tier 2 Watch List for the second consecutive year. The Government demonstrated significant efforts during the reporting period for the 2018 TIP Report by identifying and providing services to an increased number of potential trafficking victims, assisting with repatriation of Gambian child trafficking victims exploited abroad, and continuing efforts to prevent forced child begging in Quranic schools. However, the Government did not initiate any trafficking investigations, complete any trafficking prosecutions, or adequately fund The Gambia's National Agency Against Trafficking in Persons, which severely impeded the Government's ability to investigate reports of human trafficking. If confirmed, I will partner closely with The Gambia's National Agency Against Trafficking in Persons and engage with stakeholders throughout the country to highlight the problem. I also commit to working closely with colleagues at State and in other U.S. Government agencies to work with The Gambia to increase its capacity to prevent trafficking crimes, protect victims, investigate and prosecute trafficking offenses and convict and hold trafficking offenders accountable.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** Fundamental American values that I have sought to project and promote abroad include respect for human rights and the dignity of individuals, and the importance of democratic principles and accountability of a government to those it governs. I have sought to engage with people in every position I have held to advance these concepts—whether democracy and human rights promotion was formally included in my job duties or not—from my earliest tour in Saudi Arabia through my most recent in the Bureau of Counterterrorism and Countering Violent Extremism. Fundamentally, it starts with how you interact with your colleagues. Treating co-workers—whether American or Foreign National—with dignity and respect is the first foundational aspect of how we promote such treatment among other people, between nations, or between a foreign government and those it governs.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in the Gambia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** Under the current Barrow administration, some concerns remain with undue intermittent restrictions on press freedom, freedom of association, and the right of peaceful assembly. The Department of State 2017 Human Rights Report indicates harsh and potentially life-threatening prison conditions, arbitrary arrests, lack of accountability in cases involving violence against women, including rape and female genital mutilation/cutting; trafficking in persons; and child labor as the most significant human rights problems in The Gambia. The Gambia recognizes these challenges but struggles with deeply rooted cultural norms and lack of resources to adequately address the problems. If confirmed, my priorities will include continuing to work with the Government of The Gambia and civil society organizations to develop strong government institutions, and promote inclusive, effective, and participatory governance.

*Question 6.* What steps will you take—if confirmed—to support democracy in the Gambia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** The Gambia's democratic development continues to have numerous challenges as it remains in the early stages of a transition from decades of authoritarian rule. The challenges include, but are not limited to, promoting greater adherence to the constitution and democratic values including strengthened rule of law and sound policy making, countering deeply entrenched mismanagement and corruption at all levels of government, and advancing security sector reform.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

**Answer.** If confirmed, I will work to ensure our assistance programs prioritize those efforts that will prove the most beneficial in the long term to strengthening democracy, justice, and good governance, while seeking to maximize cost efficiencies and avoid duplication with other U.S. Government or international donor efforts.

If confirmed, our assistance will prioritize those efforts that will prove the most beneficial in the long term to strengthening democracy, justice, and governance pro-

grams, while seeking to maximize cost efficiencies and avoid duplication with other U.S. Government or international donor efforts.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the Gambia? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will engage with members of civil society, human rights and other NGOs, whether in The Gambia or in the United States. I will also pro-actively engage the Government of The Gambia to address any situation in which NGOs or other civil society organizations are unduly restricted or penalized by the authorities. If confirmed, I will continue to prioritize the protection and defense of civil society, including all human rights defenders.

*Question 9.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, my priorities will include regular meetings with all democratically oriented political actors. I will use all tools at my disposal to encourage the creation and maintenance of an inclusive and transparent political system, dedicated to democracy, and accessible to women and members of minority groups. If confirmed, I will ensure that the U.S. Mission to The Gambia continues to make efforts to include women, girls, individuals from ethnic and religious minority groups, young people, and other underrepresented groups in our programming efforts. I will also prioritize women's and girls' access to and participation in the education, justice, health care, and economic sectors.

*Question 10.* Will you and your embassy team actively engage with the Gambia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the Gambia?

Answer. If confirmed, I will continue to support all efforts to advance press freedom. I will meet with independent media and local press as part of our Embassy's efforts to reinforce a free and open media environment in The Gambia.

*Question 11.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, I commit to ensuring the embassy remains actively engaged with government counterparts and members of civil society to counter any disinformation or malign propaganda disseminated by any foreign or non-state actors. Given how damaging disinformation campaigns can be, we will remain vigilant should any such methods of propaganda emerge in The Gambia.

*Question 12.* Will you and your embassy teams actively engage with the Gambia on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, I will continue engagement with the Gambian labor movement, independent trade unions, and other non-governmental organizations dedicated to defending labor rights under the law.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the Gambia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in the Gambia? What specifically will you commit to do to help LGBTI people in the Gambia?

Answer. The Gambia is a tolerant, multi-ethnic, multi-religious society. If confirmed, I will use my office to highlight the strengths of diversity and acceptance of all individuals for who they are. The United States is rightfully proud of the strides we have made, and continue to make, in living up to our founding principle that everyone is equal under the eyes of the law. I believe that if confirmed, I can use the persuasive power of the Embassy to help Gambians begin to address this important issue.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RICHARD CARLTON PASCHALL III BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* How can we support these new institutions in the Gambia such as the Commission as it pursues this work?

Answer. The leaders and employees at government ministries in The Gambia have my utmost respect as they have shown the will to move their country forward on a clear democratic path. The United States is working hand-in-hand with our Gambian partners to improve capacity by supporting the work of the Truth, Reconciliation, and Reparations Commission (TRRC) to ensure civilian and NGO engagement with the Commission is bolstered. Likewise, we support capacity training in numerous ministries and provide advisers on security sector reform and government financial planning. Additionally, U.S. Government exchange programs broaden Gambian leaders' exposure to our democratic institutions which will help inform their work when they assume leadership roles within government. If confirmed, I will work to ensure capacity building programs for government and civil society continue.

*Question 2.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Fundamental American values that I have sought to project and promote abroad include respect for human rights and the dignity of individuals, and the importance of democratic principles and accountability of a government to those it governs. I have sought to engage with people in every position I have held to advance these concepts—whether democracy and human rights promotion was formally included in my job duties or not—from my earliest tour in Saudi Arabia through my most recent in the Bureau of Counterterrorism and Countering Violent Extremism. Fundamentally, it starts with how you interact with your colleagues. Treating co-workers—whether U.S. or Foreign National—with dignity and respect is the first foundational aspect of how we promote such treatment among other people, between nations, or between a foreign government and those it governs.

*Question 3.* What are the most pressing human rights issues in the Gambia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in the Gambia? What do you hope to accomplish through these actions?

Answer. Under the current Barrow Government, some concerns remain with intermittent undue restrictions on press freedom, freedom of association, and the right of peaceful assembly. The Department of State 2017 Human Rights Report indicates harsh and potentially life-threatening prison conditions, arbitrary arrests, lack of accountability in cases involving violence against women, including rape and female genital mutilation/cutting; trafficking in persons and child labor as the most significant human rights problems in The Gambia. The Gambia recognizes these challenges but struggles with deeply rooted cultural norms and lack of resources to address the problems adequately. If confirmed, my priorities will include continuing to work with the Government of The Gambia and civil society organizations to develop strong government institutions, and promote inclusive, effective, and participatory governance.

*Question 4.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in the Gambia in advancing human rights, civil society and democracy in general?

Answer. The Gambia's democratic development continues to have numerous challenges as it remains in the early stages of a transition from decades of authoritarian rule. The challenges include, but are not limited to, promoting greater adherence to its constitution and democratic values including strengthening the rule of law and sound policy making, countering deeply entrenched mismanagement and corruption at all levels of government, and advancing security sector reform.

*Question 5.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in the Gambia? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I will engage with members of civil society, human rights and other NGOs, whether in The Gambia or in the United States. A core component of any nation's security services is to protect and serve the people—the individuals—in any country. This is no different in The Gambia, where recent memory of abuses

by security services remain fresh and raw. It is imperative that we engage, in partnership with others, to ensure that compliance with international humanitarian law and international human rights law are foundational aspects of the training and performance expectations of Gambian security forces.

*Question 6.* Will you and your embassy team actively engage with the Gambia to address cases of key political prisoners or persons otherwise unjustly targeted by the Gambia?

Answer. One of the first actions undertaken by President Barrow following his assumption of office was to free prisoners of conscience detained under his predecessor's administration. If confirmed, my country team and I will continue to engage with the Government of The Gambia to ensure that such violations do not happen again and that ensure that accountability for past acts is achieved through The Gambia's Truth, Reconciliation, and Reparations Commission.

*Question 7.* Will you engage with the Gambia on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes, reinforcing the fundamental concepts of respect for human rights, dignity of the individual, and good governance are core U.S. Government objectives in The Gambia and will remain so in the foreseeable future. If confirmed, I will continue this longstanding U.S. Government policy approach.

*Question 8.* Where has the Gambia been most successful in countering TIP, and why hasn't it fully implemented State Department TIP recommendations?

Answer. The Department of State's 2018 Trafficking in Persons report placed The Gambia on the Tier 2 Watch List for the second consecutive year. The Government demonstrated significant efforts during the reporting period for the 2018 TIP Report by identifying and providing services to an increased number of potential trafficking victims, assisting with repatriation of Gambian child trafficking victims exploited abroad, and continuing efforts to prevent forced child begging in Quranic schools. However, the Government did not initiate any trafficking investigations, complete any trafficking prosecutions, or adequately fund The Gambia's National Agency Against Trafficking in Persons, which severely impeded the Government's ability to investigate reports of human trafficking. If confirmed, I will partner closely with The Gambia's National Agency Against Trafficking in Persons and engage with stakeholders throughout the country to highlight the problem. I also commit to working closely with colleagues at the State Department and in other U.S. Government agencies to work with The Gambia to increase its capacity to prevent trafficking crimes, protect victims, investigate and prosecute trafficking offenses and convict and hold trafficking offenders accountable.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in the Gambia?

Answer. My investment portfolio includes funds that may have investments in companies in The Gambia; however, these funds are exempt from the conflict of interest rules. I also have financial interests in several large companies with a global business, but those holdings are either below the \$15,000 de minimis threshold in the conflict of interest laws or were not identified as posing a conflict of interest. All of my financial interests were reviewed by the State Department Ethics Office. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in any investments the State Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 12.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms

of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** One of our country's greatest strengths, especially when we are representing our nation overseas and advancing our national security interests, is our diversity—ethnic, religious, racial, gender, sexual orientation and identity, background and upbringing. I have strived throughout my career to be a colleague, leader, mentor and friend in fierce support of our nation's promise of equality to all, embracing our differences and distinctions because that diversity is a fundamental reflection of what makes the United States of America so uniquely great. I will continue to advocate for and personally work towards a work force that represents the diversity of the America we represent abroad.

*Question 13.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** There is simply no room for a failure to foster a diverse and inclusive environment. I will foster a work environment in which personnel are treated with respect and dignity. It's far from simply a policy or legal question—it's a need to get the very best America has to offer, the very best our foreign national employees have to offer, and to leverage our diversity to find more creative and innovative solutions to the foreign and national security challenges our nation faces. Secretary Pompeo has pledged to foster a more diverse and inclusive Department of State, and demanded that every member of our agency treat their colleagues with dignity and respect. I share his commitment, and if confirmed, I will ensure that there is no lack of clarity on my expectation that each member of my Embassy team will work every day to advance these principles.

*Question 14.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in the Gambia specifically?

**Answer.** Poverty in The Gambia is rooted in the deeply entrenched mismanagement and corruption of the state. Specifically, official corruption opens the door to human rights abuses and overall negatively affects good governance and the rule of law. The Gambia recognizes that eliminating corruption is essential to gaining the trust of its citizens and creating an environment conducive to investment. To that end, The Gambia is increasing government transparency and working to eliminate corruption.

*Question 15.* What is your assessment of corruption trends in the Gambia and efforts to address and reduce it by that government?

**Answer.** The Barrow administration has made significant strides to reduce the deeply entrenched corruption that exists at every level of government. The U.S. Government is assisting The Gambia through multiple anti-corruption courses and public corruption investigation trainings through the International Law Enforcement Academy in Gaborone, and the West Africa Regional Training Center (RTC) in Accra, Ghana. In addition, a joint program between the Departments of Justice, Homeland Security, and State is providing targeted training and advice to support Gambian efforts to investigate financial crimes.

*Question 16.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in the Gambia?

**Answer.** If confirmed, I will support The Gambia's continued efforts to combat corruption. I will also seek to advance human rights in The Gambia by working with the Government to address the culture of impunity and official corruption that has opened the door to human rights violations and abuses in the past. I will also support U.S. efforts that focus on developing stronger Gambian institutions that can effectively combat corruption, narcotics trafficking, and transnational crime.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
RICHARD CARLTON PASCHALL III BY SENATOR CORY A. BOOKER**

*Question 1.* What specific metrics should the international community be closely monitoring to ensure that this critical transition does not go off track?

**Answer.** The international donor community meets monthly to discuss metrics and programming regarding the transition. Monitoring the following metrics helps to assess this period of transition in The Gambia: GDP; level of debt; unemployment rate; percentage of students who pass college entrance exams; level of irregular mi-

gration out of the country; number of laws debated in parliament; and, international rankings—to include ease of doing business indexes and press freedom rankings.

*Question 2.* As the Gambia strives to further develop its economy and resolve foreign debt issues, how will you engage with the Government to ensure it also protects its natural resources and does not enter into exploitative agreements with foreign companies or governments that will harm its long-term economic potential?

Answer. It has become clear to many Africans that development and business deals with global partners require strict attention to ensure the needs of their own country's government, businesses, and people are the foremost beneficiaries. We encourage the international community to abide by internationally accepted environmental, labor, social, investment, and governance standards to ensure protection of natural resources and minimize exploitation. If confirmed, I will consider cooperation where our interests intersect and work to mitigate potential negative agreements that could harm The Gambia's long-term economic potential.

*Question 3.* What foreign assistance or U.S. technical assistance regarding the protection of marine fisheries and ending illegal, unreported and unregulated fishing are needed in the Gambia?

Answer. I understand the Embassy in Banjul is in close touch with the Fisheries Minister regarding the challenges to fisheries and illegal, unreported, and unregulated (IUU) fishing. Expanding regional programs offered via the defense attaché, Drug Enforcement Administration and other law enforcement agencies would provide training opportunities to key agencies to help them hone the tools and skills necessary to intercept illegal activities at ports and at sea.

*Question 4.* What should be the priorities in this security sector reform and are there ways that we can help that we are not already doing?

Answer. President Barrow has announced on numerous occasions his support for security sector reform. The State Department, through the Peacekeeping Operations account on a Bureau of African Affairs managed contract, funds a security sector advisor who has worked in close cooperation with The Gambia's National Security Advisor for the past year, and provides technical subject matter expertise and coordinates U.S. activities with security sector reform efforts of other international partners. It is important to acknowledge that The Gambia has for many years been a contributor to the U.N. peacekeeping Mission in Darfur—there is a solid foundation of professionalism in much of the Gambian security sector, even if there are challenges in institutional capacity and accountability for wrongdoing. There are a number of international partners working in this area, and if confirmed I commit to ensuring that the burden of this work is shared appropriately and that U.S. efforts will be synchronized and coordinated with those of others to better ensure a positive outcome.

*Question 5.* With these limited resources, how can we best target our assistance and creatively use other existing mechanisms to help encourage the reform process that President Barrow has initiated?

Answer. If confirmed, I will ensure that U.S. assistance will target good governance, the reinforcement of democratic processes, and improved access to justice. By assisting Gambian institutions that fight against inequity and the lack of public accountability and transparency, and counter the drivers of violence and instability, we will be strengthening citizen-responsive governance, democracy, and respect for human rights.

If confirmed, our assistance programs will prioritize efforts most beneficial in the long term to strengthening democracy, justice, and good governance, while seeking to maximize cost efficiencies and avoid duplication with other U.S. Government or international donor efforts.

*Question 6.* And given France's recent announcement of a 50 million euros aid package that includes budgetary support, drinking water and agriculture projects, how do you think we can collaborate with France and other donors to maximize such assistance?

Answer. The international donor community meets monthly to discuss how international aid can work together to best support The Gambia at this critical time. Our Embassy, together with the French and other donors, works beyond this formal meeting to share best practices and planning to ensure that U.S. assistance is strategically implemented and promotes democratic values.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN STEVENSON BY SENATOR ROBERT MENENDEZ**

*Question 1.* In January, opposition political party Citizens for Innovation reported that one of its members Santiago Ebee Ela, died in January as a result of torture. Are their claims credible? Has Mr. Ela's death been credibly investigated? If confirmed, what concrete actions will you engage in to ensure that allegations of torture by government security services are thoroughly investigated and perpetrators held accountable?

Answer. U.S. Embassy Malabo has serious concerns regarding the reports of the death of opposition member Santiago Ebee Ela while in the custody of Equatoguinean security forces. Spain and the European Union also stated similar concerns. President Obiang said in an interview with French television shortly after Mr. Ebee's death that President Obiang believed Mr. Ebee was ill when he was arrested and that this was the cause of his death. President Obiang promised an investigation into Mr. Ebee's death; however, the Equatoguinean Government has not conducted one to date as far as Embassy Malabo is aware. If confirmed, I will make sure that Embassy Malabo continues to investigate the reports and press the Equatoguinean Government to hold accountable those responsible for torture.

*Question 2.* According to the Trafficking in Person's Report for 2018, "The Government of Equatorial Guinea does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Equatorial Guinea remained on Tier 3." What steps will you take, if confirmed, to ensure that the Government takes actions to prosecute suspects and identify and/or refer victims to care?

Answer. If confirmed, I will work with like-minded Embassies and international organizations such as the United Nations Development Program (UNDP) to implement programs that the U.S. Embassy is supporting to train law enforcement and judicial authorities on trafficking in persons. The support also includes sensitization and public awareness campaigns. I will impress upon the Equatoguinean Government that the Tier 3 ranking is a serious impediment in the bilateral relationship. I will remind the Equatoguinean Government that the importance of combatting trafficking in persons is not a matter of simply meeting the U.S. reporting requirements. It is a matter of concern for the citizens of Equatorial Guinea. I would encourage relevant authorities to implement the recommendations for Equatorial Guinea outlined in the 2018 Trafficking in Persons Report which include developing and implementing an Action Plan, investigating potential trafficking cases, using the 2004 anti-trafficking law to prosecute and convict traffickers, and other methods to combat trafficking.

*Question 3.* Equatorial Guinea ranks 171 out of 180 on Transparency International's 2017 Corruptions Perceptions Index. What are the major barriers to transparency in Equatorial Guinea? What could the U.S. do to support improvement in this area? What specifically will you do to help foster improved transparency in Equatorial Guinea, if confirmed?

Answer. Public sector corruption in Equatorial Guinea is a serious problem. If confirmed, I will remind the Equatoguinean Government that U.S. companies remain the gold standard. By complying with the Foreign Corrupt Practices Act, U.S. companies demonstrate through their actions that public sector corruption is not permissible and serves as an impediment to attracting foreign investment. The Government's interest in rejoining the Extractive Industries Transparency Initiative is a positive step in this direction. Certain U.S. foreign assistance to the Government of Equatorial Guinea is restricted based on the country's middle-income status and its Tier 3 Trafficking in Persons ranking, and concerns about human rights abuses also hinders cooperation. However, if confirmed, I will continue to leverage grant programs, U.S. exchange opportunities, higher education in the United States, public events, and other outreach activities as appropriate to influence and encourage young leaders to demand greater accountability from their Government. I will emphasize and underscore the importance of eliminating corruption at all levels and reinforce the important role of civil society in pushing for greater transparency and accountability in my messaging and cooperation with civil society, the international community, and others.

*Question 4.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. While serving as press attaché at the U.S. Embassy in Beijing, I had an international platform through which I could shine the light on China's troubling

human rights abuses, including reports of arbitrary detentions of Chinese dissidents. When we knew of a troubling case, we made sure to coordinate with Washington so that the individual could be mentioned from the podium at the State Department as well as by my office in Beijing. In addition, U.S. legal permanent residents often told us that they were treated better in prison because the Chinese authorities knew that the Americans were watching.

Also in China, we organized the embassy's presidential election watch party in 2008. The event was significant for three reasons: we provided actual ballots from the state of California that had been translated into Chinese, showing attention to the diversity of American voters; we prepared a mock ballot for our Chinese guests, allowing them to experience voting not only for the president but for local initiatives; and we witnessed the election of someone from a minority group, a result that was unimaginable in China. I made sure to highlight the concession and acceptance speeches to the Chinese press, demonstrating the peaceful transition of power in a democracy. The event had a significant impact for many of the guests, given the contrast with their own one-party dictatorship.

One of the guests was a journalist who traveled to the United States on a Foreign Press Center program to witness the 2004 election first hand. He was able to witness campaign rallies and voting in local precincts. When he returned to China, he wrote a book on his experiences to explain the American system, and we featured him in interviews by other Chinese journalists in 2008. This made the story acceptable to Chinese censors, since it was told by a Chinese national rather than an American, allowing for the story's publication to reach a potential audience of hundreds of thousands.

*Question 5.* What issues are the most pressing challenges to democracy or democratic development in Equatorial Guinea? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. U.S. policy priorities in Equatorial Guinea are to encourage the Government there to expand its democratic space, including increasing respect for human rights and fundamental freedoms, diversify its economy and strengthen our commercial ties, and ensure our engagement benefits the economic, health, and educational opportunities for all its citizens. Achieving these goals while faced with a very restricted media environment and two generations of citizens who have lived under one president are challenges. At the same time, Equatorial Guinea has been the third largest producer of oil in Sub-Saharan Africa and is a middle-income country. This economy and the youth bulge in country are forces that will need to be addressed to ensure a peaceful and prosperous future. Should I be confirmed, I will stress that promoting transparency and ending corrupt practices are key to Equatorial Guinea's long-term growth and stability.

*Question 6.* What steps will you take—if confirmed—to support democracy in Equatorial Guinea? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Good governance and democratization in Equatorial Guinean requires the Government to allow space for civil society leaders and political opposition parties to participate in the national debate on how to address some of the country's societal issues. If confirmed, I will encourage the Equatoguinean Government to build upon its July 2018 political dialogue in order to build genuine political dialogue and the exchange of ideas. If confirmed, I will meet with a wide cross sector of Equatoguinean society. I will continue to leverage grant programs, U.S. exchange opportunities, higher education in the United States, public events, and other outreach activities to influence and encourage future and present leaders to demand greater accountability and push for greater space for dialogue from their Government. The largest potential impediment to increasing democracy in Equatorial Guinea is the ability of citizens to understand their laws and responsibilities as citizens and to express themselves freely, without fear of reprisal or undue restrictions.

*Question 7.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Certain U.S. foreign assistance to the Government of Equatorial Guinea is restricted based on the country's Tier 3 ranking in the 2018 annual Trafficking in Persons report. However, if confirmed, I will continue to provide assistance consistent with applicable legal limitations, such as through the Ambassador's Special

Self-Help Fund and Democracy Funds, to ensure that our engagement benefits the economic, health, and educational opportunities for all its citizens by supporting the development of civil society, transparency, and good governance. For example, this year the Embassy is working with the United Nations Development Program and the Government of the Republic of Equatorial Guinea to increase public awareness and provide training for government officials to prevent trafficking in persons. I would also prioritize programs that support the development of Equatorial Guinea's people, such as entrepreneurship and education programs, which increase people-to-people interactions between our nations and provide opportunities for economic growth and increased trade.

*Question 8.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Equatorial Guinea? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I am committed to meeting with organizations and individuals that are concerned with human rights and civil society issues in Equatorial Guinea. I would make sure that the Department of State documents in the annual Human Rights Report efforts by the Government of the Republic of Equatorial Guinea to restrict unduly or penalize the lawful activities of NGOs and other civil society organizations and raise the issue at the highest levels of government.

*Question 9.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with all democratically oriented political figures and parties. I would encourage the government to create a truly independent Ombudsman, as well as an Electoral Commission that will allow the citizens of the country to raise concerns with the appropriate authorities and vote freely. If confirmed, I would encourage the Government to open more space for people, political parties, and organizations, to express their opinions freely without fear of reprisals.

*Question 10.* Will you and your embassy team actively engage with Equatorial Guinea on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Equatorial Guinea?

Answer. Yes. If confirmed, I commit to engage with Equatorial Guinea on press freedom and address any government efforts designed to control or undermine press freedom. I also commit to meeting regularly with independent, local press in Equatorial Guinea should I be confirmed.

*Question 11.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. If confirmed, my team and I will actively counter disinformation and malign propaganda disseminated by foreign state or non-state actors in Equatorial Guinea.

*Question 12.* Will you and your embassy teams actively engage with Equatorial Guinea on the right of labor groups to organize, including for independent trade unions?

Answer. Although labor law prohibits antiuion discrimination, the State Department's 2017 Human Rights Report states that the Equatoguinean Government placed practical obstacles before groups seeking to organize, such as not allowing groups to register legally. If confirmed, I will actively engage the Government on the right of labor groups, including independent trade unions, to organize.

*Question 13.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Equatorial Guinea, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Equatorial Guinea? What specifically will you commit to do to help LGBTI people in Equatorial Guinea?

Answer. If confirmed, I commit to using my position to defend the human rights and dignity of LGBTI people living in Equatorial Guinea. According to the 2017 State Department Human Rights Report, there are no laws criminalizing same-sex relations, but the Government took few steps to combat societal stigmatization of, and discrimination against LGBTI people. If confirmed, I will build upon my predecessors' engagement with the LGBTI community in Equatorial Guinea by opening

our embassy as a space for the exchange of ideas and identifying exchange programs for LGBTI leaders so that they can learn best practices from the United States and elsewhere as they pursue their rights.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN STEVENSON BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. While serving as press attaché at the U.S. Embassy in Beijing, I had an international platform through which I could illuminate China's troubling human rights violations and abuses, including reports of arbitrary detentions of Chinese dissidents. We worked to ensure our efforts were closely coordinated with Washington. In addition, U.S. legal permanent residents often told us that they were treated better in prison because the Chinese authorities knew that the Americans were watching.

Also in China, we organized the embassy's presidential election watch party in 2008. The event was significant for three reasons: We provided actual ballots from the state of California that had been translated into Chinese, showing attention to the diversity of American voters; we prepared a mock ballot for our Chinese guests, allowing them to experience voting not only for the president but for local initiatives; and we witnessed the election of someone from a minority group, a result that was unimaginable in China. I made sure to highlight the concession and acceptance speeches to the Chinese press, demonstrating the peaceful transition of power in a democracy. The event had a significant impact for many of the guests, given the contrast with their own one-party dictatorship.

One of the guests was a journalist who traveled to the United States on a Foreign Press Center program to witness the 2004 election first hand. He was able to witness campaign rallies and voting in local precincts. When he returned to China, he wrote a book on his experiences to explain the American system, and we featured him in interviews by other Chinese journalists in 2008. This made the story acceptable to Chinese censors, since it was told by a Chinese national rather than an American, allowing for the story's publication to reach a potential audience of hundreds of thousands.

*Question 2.* What are the most pressing human rights issues in Equatorial Guinea? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Equatorial Guinea? What do you hope to accomplish through these actions?

Answer. The most important human rights problems for Equatorial Guinea, as noted in the State Department's 2017 Human Rights Report, include excessive use of force and torture by security forces; severe conditions in detention facilities, arbitrary arrest and incommunicado detention, the use of internal exile against political opponents, restrictions on privacy rights and freedom of movement, denial of freedoms of expression, peaceful assembly, and association, including for members of the press; the inability of citizens to choose their Government in free and fair elections; widespread official corruption; and violence against women. If confirmed, I will pursue opportunities to continue to engage leaders from the Government, opposition parties, and civil society to increase respect for human rights and protection for fundamental freedoms, and to press Equatorial Guinea to abide more fully by democratic principles.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Equatorial Guinea in advancing human rights, civil society and democracy in general?

Answer. President Obiang has governed Equatorial Guinea since 1979. Decision making power is highly concentrated which can lead to delays in the implementation of certain reforms. The rights of members of civil society, media, and political parties that are not supportive of the ruling Democratic Party of Equatorial Guinea (PDGE) are severely restricted. Many individuals choose not to criticize the Government and security forces due to fear of reprisal.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Equatorial Guinea? If confirmed, what steps will you take to pro-actively

support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

*Answer.* If confirmed, I am committed to meeting with organizations and individuals that are concerned with human rights and civil society issues in Equatorial Guinea. Ensuring that the United States does not provide assistance to foreign security force units that violate human rights is crucially important. If confirmed, I will ensure that Embassy Malabo personnel responsible for Leahy vetting are familiar with that process and can implement vetting fully and effectively. I will engage host government interlocutors to remind them of the importance the United States places on respect for human rights.

*Question 5.* Will you and your embassy team actively engage with Equatorial Guinea to address cases of key political prisoners or persons otherwise unjustly targeted by Equatorial Guinea?

*Answer.* Yes, if confirmed, I will engage with the Equatoguinean Government on prisoners of conscience and persons otherwise unjustly targeted by the Government.

*Question 6.* Will you engage with Equatorial Guinea on matters of human rights, civil rights and governance as part of your bilateral mission?

*Answer.* If confirmed, I will engage regularly on human rights, including civil rights, and governance with the Government of Equatorial Guinea, opposition parties, NGOs, and civil society.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Equatorial Guinea?

*Answer.* My investment portfolio includes funds that may have investments in companies that operate in Equatorial Guinea; however, these funds are exempt from the conflicts of interest rules and have been reviewed by the State Department Ethics Office. I also have financial interests in several large companies with a global business, but none were identified as posing a conflict of interest. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in any investments the State Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Answer.* If confirmed, I hope to continue the initiatives that I have undertaken as the Principal Deputy Assistant Secretary the Bureau of Public Affairs and as the president of an employee affinity group, which include unconscious bias training, organizing professional development sessions focused on diversity and inclusion, and seeking to remove barriers to advancement for all employees. Not only does the Bureau of Public Affairs have an active diversity initiative, but we have placed people with disabilities into prominent positions based on their skills. American legal protections from discrimination and to promote accessibility are hallmarks of our society and values that I will promote, if confirmed, among both my American and locally-engaged staffs.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

*Answer.* If confirmed, I will ensure that each of the supervisors at Embassy Malabo—many of whom will be in supervisory positions for the very first time—have access to training on unconscious bias and harassment. I will set out my expectations from the start and model the behavior I would like to see in them. If given

this opportunity, I will ensure that diversity and inclusion are part of every officer's work commitments.

*Question 12.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Equatorial Guinea specifically?

Answer. Political corruption weakens democratic governance and the rule of law by eroding citizens' faith in those systems. Political corruption can lead to widespread apathy. At its worse, political corruption can lead to instability. Corruption remains a major concern in Equatorial Guinea. The State Department's 2017 Human Rights Report notes that while Equatoguinean law provides severe criminal penalties for official corruption, the Government did not implement the law, allowing officials to engage in corrupt practices with impunity at all levels.

*Question 13.* In your testimony, you highlighted the importance of strengthening commercial ties between Equatorial Guinea and the United States. How do you intend to promote this without furthering the already rampant corruption and further entrenching President Obiang's dictatorship?

Answer. Encouraging greater U.S. business engagement and investment that is fully compliant with the Foreign Corrupt Practices Act can help promote international best practices in Equatorial Guinea. If confirmed, I will emphasize to government, private sector, and civil society representatives that stable and open political space, corruption free institutions and processes, and fair and equal treatment of investors are essential to improving the investment climate—and the key to economic diversification. I will also work closely with like-minded governments and international partners already working in Equatorial Guinea to improve the business climate, governance, accountability, and transparency.

*Question 14.* What is your assessment of corruption trends in Equatorial Guinea and efforts to address and reduce it by that government? If confirmed, how would you engage the Government of Equatorial Guinea regarding its reported lack of transparency and high levels of corruption? What steps would you take to strengthen good governance and anticorruption programming in Equatorial Guinea?

Answer. Public sector corruption in Equatorial Guinea is a serious problem. If confirmed, I will leverage the Government's interest in diversifying its economy to press for greater anti-corruption measures along with more stringent transparency and accountability mechanisms as a means of attracting foreign investment. Although U.S. engagement may be constrained by both the country's Tier 3 ranking on the annual Trafficking in Persons report and from concerns about human rights abuses, I will continue to leverage grant programs, U.S. exchange opportunities, higher education in the United States, public events, and other outreach activities to influence and encourage young leaders to demand greater accountability from their Government. I will emphasize and underscore the importance of eliminating corruption at all levels and reinforce the important role of civil society in pushing for greater transparency and accountability in my messaging and cooperation with civil society, the international community, and others.

*Question 15.* What impact has corruption had on development and the provision of social services in Equatorial Guinea? To what extent has the Government of Equatorial Guinea used its oil wealth to fund social services, public infrastructure, or efforts to improve the state's capacity to implement development programs?

Answer. Corruption has hindered the full and effective delivery of social services in Equatorial Guinea. Despite its high GDP, the Government distributes social services poorly and unevenly. However, capacity constraints and technical expertise gaps have also impeded better implementation. In response, the Government has partnered with U.S. oil and gas companies' corporate social responsibility arms to develop and run targeted programs. Equatorial Guinea graduated from the U.N.'s list of least developed countries (LDC) in 2017, even though its Human Assets and Economic Vulnerability indices remain low. The Government also self-funds the majority of the United Nations' development programs in Equatorial Guinea. Through its development program called Horizon 2020, the Government spent significant resources on large public infrastructure projects, such as modern highways, public buildings, recreational spaces, and a new airport terminal that is expected to open in early 2019. The Government has prioritized the delivery of electricity to most citizens as well. The next phases of the development program were stalled by the economic downturn of the last few years. The Government is readdressing the Horizon 2020 program in March 2019 to address the human capacity and industrialization goals.

*Question 16.* If confirmed, how will you engage with the Equatoguinean Government to take the charity selection process seriously and push Nguema to fully relinquish his assets?

**Answer.** If confirmed, I will coordinate with the Department of Justice regarding the Government of the Republic of Equatorial Guinea's compliance with the agreement. I would also engage with the appropriate Equatoguinean interlocutors and the United Nations implementers as needed to help ensure that the agreement is implemented to the full benefit of the Equatoguinean people.

**Question 17.** Do you believe investigations by the United States and other foreign governments (e.g. France's 2017 conviction of Nguema for embezzlement) are an effective way to hold corrupt Equatoguinean actors accountable?

**Answer.** Investigations by the United States and other foreign governments are one tool that can be effective in ascertaining the extent of ill-gotten gains and other benefits of corruption outside of Equatorial Guinea.

**Question 18.** Do you believe economic sanctions would incentivize a reduction in corruption among Obiang and his cronies?

**Answer.** Economic sanctions are a powerful tool the U.S. Government possesses. If confirmed, I will consult frequently with my colleagues at Embassy Malabo and in Washington to identify the best ways to support good governance and the fight against corruption in Equatorial Guinea.

**Question 19.** How will you work with colleagues at the State Department and the Department of the Treasury to track the Obiang administration's illicit financial activity?

**Answer.** If confirmed, I and my subject matter experts at Embassy Malabo will communicate regularly with relevant offices in the State Department and the Treasury to track illicit financial activity.

**Question 20.** If confirmed, how will you engage with the Equatoguinean Government for the extradition of Jammeh to Gambia so that he may be held accountable for the crimes committed under his regime?

**Answer.** If confirmed, I will seek to monitor any formal requests by the Gambian Government for Mr. Jammeh's extradition or return. I would encourage the Equatoguinean Government to comply with all of their international obligations concerning the extradition or return of Jammeh to the Gambia.

**Question 21.** How credible were the 2016 presidential and 2017 legislative elections? How have election processes evolved over time? What is your assessment of the recent national dialogue?

**Answer.** The State Department's 2017 Human Rights Report notes "irregularities and nontransparency" in the 2017 legislative and municipal elections and the 2016 presidential election. Unfortunately, elections and political participation remain areas of concern for the country. The July 2018 national dialogue had mixed outcomes. On a positive note, Equatoguinean television carried the event live and the Government did not censor it. Opposition parties like the Convergence for Social Democracy openly called for a peaceful and democratic discussion about a transition to a future government. This opposition party has not suffered any repercussions to date for this dissent.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SUSAN STEVENSON BY SENATOR CORY A. BOOKER**

**Question 1.** Do you agree that political leaders of Equatorial Guinea, including the Vice President, meet the statutory requirements to be sanctioned under the Global Magnitsky Act as implemented under Executive Order 13818?

**Answer.** Global Magnitsky is a powerful sanctions program and you have my commitment, if confirmed, to support its use as appropriate. No region is immune from human rights abuse or corruption. If confirmed, I will use all available resources to work with the Treasury Department to determine if any Equatoguinean citizens should be sanctioned under the Global Magnitsky Act as implemented under Executive Order 13818.

**Question 2.** Has the State Department made a policy determination not to sanction political leaders of Equatorial Guinea in spite of evidence of actions that would make them eligible for asset blocking and visa denials under the Global Magnitsky Act?

**Answer.** Global Magnitsky is a powerful sanctions program and you have my commitment, if confirmed, to support its use as appropriate. No region is immune from human rights abuse or corruption. If confirmed, I will use all available resources

to work with the Treasury Department to determine if any Equatoguinean citizens should be sanctioned under the Global Magnitsky Act as implemented under Executive Order 13818. Embassy Malabo has consistently reviewed each application from political leaders on a case-by-case basis, in line with our responsibilities under the Vienna Convention while applying all applicable laws. Visa eligibility is governed by U.S. immigration law, including the Global Magnitsky Act. If I am confirmed, I will continue to insist on appropriate review of all visa applications, including those received from Equatoguinean leaders.

*Question 3.* What is the status of the joint selection of a charity or other organization by Nguema and the U.S. Government to receive the settlement assets, as stipulated in the settlement, which was supposed to occur within 180 days of the sale of Nguema's property?

Answer. In March 2018, the U.S. Government notified the Government of the Republic of Equatorial Guinea that the settlement agreement moved forward to the distribution of the settlement funds. At that time, the representative of then-Second Vice President Teodoro Nguema Obiang Mangue and the Department of Justice agreed to program the funds through the United Nations Joint Fund for Agenda 2030 as the U.S. Government had been unable to find a charity or other organization that could effectively disburse the amount of money committed that met the criteria of the full agreement. Since March 2018, the parties have been developing the program to be implemented in Malabo. The Department of Justice is planning to program the funds this calendar year.

*Question 4.* As a result of this settlement and his involvement in significant acts of corruption, has Nguema been banned from travel to the United States, except as part of official travel to the United Nations? If not, why not?

Answer. I have not participated in any policy discussions to date regarding a travel ban on any Equatoguinean nationals.

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## NOMINATIONS

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TUESDAY, DECEMBER 4, 2018 (A.M.)

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

The committee met, pursuant to notice, at 9:34 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Cory Gardner, presiding.

Present: Senators Gardner [presiding], Rubio, and Markey.

**OPENING STATEMENT OF HON. CORY GARDNER,  
U.S. SENATOR FROM COLORADO**

Senator GARDNER. This committee will come to order.

Let me thank all of you for your time today, your willingness to serve. Welcome to this full committee hearing of the Senate Foreign Relations Committee on nominations. Today, we will examine the Ambassadorial nominations to the nations of Mongolia, Cambodia, and Brunei Darussalam.

I would like to warmly welcome the nominees and their families who are here today. Thank you for your service. This is not just an individual post. This is a family post, and we are grateful to all of you for your willingness to allow spouses and family members to serve in this capacity. We are grateful for it. So, welcome.

Senator Markey, I will turn it over to you for your opening statement.

**STATEMENT OF HON. EDWARD J. MARKEY,  
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you, Mr. Chairman. And thank you for your partnership and your leadership on the subcommittee in this past year.

Beyond the importance of these three countries themselves, this hearing also is critical because of a number of key issues—China's growing regional influence, North Korea's illicit trade relations and human rights—are all relevant to the countries for which these witnesses have been nominated to be Ambassador. And I am particularly interested in hearing how our nominees plan to address the challenges of promoting U.S. values and strategic interests in countries where there is still progress to be made.

In the interest of time, I will conclude my opening remarks, and I look forward to hearing from the witnesses.

Thank you, Mr. Chairman.

Senator GARDNER. Thank you. And we have a hearing after this on China as well. I was going to say nice things about Senator Markey there, but I am going to say them here.

Senator Markey, thank you for your great partnership this past Congress on issues related to Asia. I think we have done some great things in committee. I just appreciate all the work that you have been helping us accomplish this year. So, thank you.

Our first nominee is Mr. Michael Klecheski. He is a career member of the Senior Foreign Service, Class of Minister-Counselor, who is currently Deputy Chief of Mission at the United States Embassy in Manila, Philippines, a position he has held since 2015.

Welcome, Mr. Klecheski, and thank you very much for your service.

We are also joined by our second nominee, Mr. Matthew Matthews. He is a career member of the Senior Foreign Service, Class of Minister-Counselor, who has served as an American diplomat since 1986. He is currently Ambassador for Asia-Pacific Economic Cooperation and Deputy Assistant Secretary for Australia, New Zealand, and the Pacific Islands in the Bureau of East Asian and Pacific Affairs.

Mr. Matthews, thank you, welcome. Thank you for your service.

Our final nominee is Mr. Patrick Murphy, career member of the Senior Foreign Service, Class of Minister-Counselor, who is currently Acting Principal Deputy Assistant Secretary in the Bureau of East Asian and Pacific Affairs. Mr. Murphy has served for over 25 years in the Senior Foreign Service in numerous senior positions.

Welcome, Mr. Murphy. Thank you for our service as well.

Thank you all. I will turn to you for your 5 minutes of opening statements.

Mr. Klecheski, please begin.

**STATEMENT OF MICHAEL S. KLECHESKI, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MONGOLIA**

Mr. KLECHESKI. Thank you, Mr. Chairman, Ranking Member Markey.

It is really an honor to appear before you as President Trump's nominee to be Ambassador to Mongolia. I am grateful for the support and confidence of the President and Secretary Pompeo. Working these many years in the Foreign Service has been a privilege, most importantly because it has allowed me to serve my country, and I would be honored to do so again in this important capacity.

I have been blessed by a supportive, loving family. My wife, Eloisa, who I feel fortunate to have with me here today, and our three children—Stefan, Kara, and Adam—have been with me throughout. We have traveled throughout the world, and I really could not have done it without them.

Last year marked 30 years of our diplomatic relations and 27 years since Mongolia's peaceful transition from communism to democracy. Looking back, the United States takes pride in having assisted Mongolia's market-oriented reforms and expanded political,

cultural, education, and defense cooperation. These have clearly served both our interests. Today, as an open free-market society, Mongolia is a model for others who wish to join the community of free, democratic countries.

We have built a close relationship with Mongolia on a foundation of shared values and common interests. Mongolia takes active part in the Community of Democracies and recently participated enthusiastically and constructively in the Secretary of State's first-ever Ministerial to Advance Religious Freedom. It has also announced the designation of its own first-ever Ambassador at Large for Religious Freedom.

It has been with us in forging a safer, more just world. Its soldiers have stood alongside our own in Iraq and Afghanistan, all while sustaining one of the world's largest per capita U.N. peacekeeping contributions.

President Trump has set forth a vision of an Indo-Pacific in which all nations are sovereign, strong, and prosperous. And in this vein, Mongolia's continued independence is clearly in the U.S. national interest. So let me here just lay out a few key themes of effort that, were I to be confirmed, I would pursue to this end.

So, first, Mongolia's sovereignty stems, to a significant extent, from its free-market economy and notable economic growth. It presents many opportunities for U.S. firms and investors, and if I were confirmed, I would focus heavily on economic and commercial issues. That would include alerting the U.S. private sector to those opportunities and advocating for American business. It also would involve supporting good governance, which is key to Mongolia's economic future and has really been a hallmark of U.S. programming.

In these realms, there is much to build on. We already have engaged across a broad front to assist Mongolia in improving its business climate and protecting its economic autonomy. We are seeking full implementation of the U.S.-Mongolia Transparency Agreement, pushing for further improvements through the USTR-led Trade and Investment Framework Agreement, helping Mongolia develop robust anti-money laundering capabilities in partnership with the U.S. Treasury Department, and boosting U.S. exports and commercial opportunities through Commerce Department-led trade missions. And of course, the Millennium Corporation Challenge second compact also is pivotal in this regard.

So it has really been a whole-of-government effort. And as an Ambassador, were I confirmed, I would, of course, make coordinating that effort in order to maximize the effectiveness of U.S. taxpayers' dollars of prime importance.

As noted previously, Mongolia has been our steadfast partner in some of the world's most troubled regions. Mongolian troops serve in concert with the NATO coalition in Afghanistan. Many thousands of Mongolian soldiers have served in this role. Some thousand are currently active in U.N. peacekeeping missions in South Sudan and elsewhere.

Indeed, on peacekeeping is another area Mongolia has proven a willing and able security partner. This is something I would obviously focus on as well.

Then there is the question of shared values. From the outset of our bilateral relationship, the ties between our countries and our

peoples have been a force for Mongolia's democratic development and the foundation of our friendship. Over 1,300 Peace Corps volunteers have served in Mongolia since 1991, and they play a role in many areas, including English language education. USAID has played a significant role in terms of democratization and development. And I would, of course, continue our work in those areas and many others.

Mr. Chairman, members of the committee, the U.S.-Mongolia relationship has been strong and highly constructive, and there is every reason to be optimistic that we can build on what has been achieved. So it would be my great honor, were the Senate to confirm my nomination, to pursue that effort.

Thank you very much. And I would, of course, welcome your questions. Thank you.

[Mr. Klecheski's prepared statement follows:]

#### PREPARED STATEMENT OF MICHAEL S. KLECHESKI

Mr. Chairman, Ranking Member Markey, members of the committee, it is my honor to appear before you as President Trump's nominee to be U.S. Ambassador to Mongolia. I am grateful for the support and confidence of the President and of Secretary Pompeo. Working these many years in the Foreign Service has been a privilege, most importantly because it has allowed me to serve my country, and I would be honored to do so again in this most important capacity.

I have been blessed by a supportive, loving family. My wife Eloisa, who I feel fortunate to have here with me today, and our three children, Stefan, Kara and Adam, have traveled the globe with me. I could not have done it all without them.

Last year we celebrated thirty years of diplomatic relations with Mongolia; it also marked the twenty-seventh year since Mongolia's peaceful transition from communism to democracy. Looking back, the United States takes pride in having assisted Mongolia's market-oriented reforms and expanded political, cultural, educational, and defense cooperation that has served both our countries' interests. Today, as an open, free-market society, Mongolia stands as a model for others in the region and around the world who wish to join the community of free, democratic countries.

We have built a close relationship with Mongolia on a foundation of shared values and common interests. Mongolia is an active member of the Community of Democracies, and recently participated, enthusiastically and constructively, in the Secretary of State's first-ever Ministerial to Advance Religious Freedom. It has also announced the designation of its first-ever Ambassador at Large for Religious Freedom Issues for that purpose. Mongolia has also been with us in forging a safer, more just world: their soldiers have stood admirably alongside our own in Iraq and Afghanistan since 2003, all while sustaining one of the largest per capita U.N. Peacekeeping contributions.

President Trump has set forth a vision of an Indo-Pacific in which all nations are sovereign, strong, and prosperous; in this vein, Mongolia's continued independence and autonomy are clearly in the U.S. national interest. I would like to lay out the key lines of effort that, were I to be confirmed as Ambassador, I would seek to pursue to this end.

#### *Trade, Business, and Economics*

Mongolia's sovereignty stems, to a significant extent, from its free-market economy, and its notable economic growth and large reserves of coal, copper, gold, uranium, and other minerals present many opportunities for U.S. firms and investors. If confirmed as Ambassador, I would continue to focus heavily on economic and commercial issues, including alerting the U.S. private sector of the vast opportunities Mongolia offers and advocating for American business, as well as supporting good governance that is so vitally important to Mongolia's economic future and that has been one of the hallmarks of U.S. programming in this area.

In these realms, there is much to build on. We already are engaged across a broad front to assist Mongolia in improving its business climate and protecting its economic autonomy, including by seeking full implementation of the U.S.-Mongolia Transparency Agreement; pushing for further improvements through the USTR-led Trade and Investment Framework Agreement discussions; helping Mongolia develop

robust anti-money laundering capabilities in partnership with the U.S. Department of the Treasury; and boosting U.S. exports and commercial opportunities through Department of Commerce-led trade missions.

Mongolia's growth has reaped many rewards, but also placed significant strain on its infrastructure and environment. The challenge of ensuring the sustainable supply of water to the capital, Ulaanbaatar, is a striking example. Recognizing this hurdle to growth and challenge to the Mongolian capital's population, our Millennium Challenge Corporation has concluded an agreement to invest \$350 million in a new water supply system for the city. Not only will this support much-needed infrastructure, but it also will foster the development of new regulatory and institutional reforms to set Ulaanbaatar—and Mongolia—on a path to more sustainable development. The success of this project is a top priority, and if confirmed, I would work closely with my MCC colleagues to ensure it accomplishes its goals.

#### *Security*

As I noted previously, Mongolia has been a steadfast partner of the United States in some of the world's most troubled regions. Mongolian troops serve in concert with the NATO coalition in Afghanistan, and we were pleased that Mongolia's Prime Minister announced at his October 18 White House meeting that his country would extend its NATO commitment beyond 2018. Nearly 1,000 Mongolian soldiers are also currently active in the U.N.'s peacekeeping missions in Sudan and South Sudan, where they have developed a reputation as an honorable and reliable force.

Mongolia reinforces its peacekeeping capabilities each year in its Khaan Quest Exercise, which the United States co-hosts. That exercise takes place at the Five Hills Training Facility, the construction and maintenance of which the United States proudly supports. The U.S. Indo-Pacific Command is a major actor in this, but it also is worth noting how tremendously constructive Mongolia's partnership with the Alaska National Guard has been, as part of one of the most successful partnerships of a state national guard abroad. Indeed, on peacekeeping as in other areas, Mongolia has shown itself a willing and able security partner, and it is clearly a worthy investment to continue our efforts to improve its armed forces' capability and interoperability.

#### *Shared Values*

From the outset of our bilateral relationship, the ties between the people of the United States and Mongolia have served as a force for Mongolia's democratic development and the foundation of our friendship based on shared values. Deepening its ties not only to U.S. civil society, but also to international groups focused on democratic values and human rights, is essential to preserving Mongolia's political space, sovereignty, and independence.

Over 1,300 Peace Corps volunteers have served in Mongolia since 1991, including 97 at present; they play a vital role in many areas, including English-language education, thus helping address the hunger in Mongolia for knowledge of English. Support for English language education will strengthen our trade and investment opportunities and deepen people-to-people ties. If confirmed, I will also support continuing USAID's vital efforts in democratization and development as key foundations for Mongolia's sustained growth, orientation towards the West, and continued political and economic sovereignty. The USAID Leaders Advancing Democracy Project, or LEAD, connects young democratic leaders in Mongolia not only with their counterparts in the United States, but also in the region, building networks that improve their resilience and resourcefulness. We are already working with Mongolia to enhance border security and rule of law, and have launched an outreach campaign to promote responsible travel to the United States.

Mr. Chairman, members of the committee, the relationship between the United States and Mongolia has been strong and highly constructive, and there is every reason to be optimistic that we can build on what already has been achieved. It would be my great honor, were the Senate to confirm my nomination, to pursue that effort. Thus, I thank you for considering my nomination, and welcome your questions.

Senator GARDNER. Thank you, Mr. Klecheski.  
Mr. Matthews?

**STATEMENT OF HON. MATTHEW JOHN MATTHEWS, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BRUNEI DARUSSALAM**

Ambassador MATTHEWS. Thank you, Mr. Chairman and Ranking Member Markey.

I am honored to appear before you today as the President's nominee to serve as the U.S. Ambassador to Brunei. I appreciate the confidence the President and Secretary Pompeo have shown to me, and if confirmed, I look forward to working with you to advance U.S. interests in Brunei, as we work to foster the international rules-based system that supports the sovereignty of all nations, large and small, and a commitment to partnership to all nations seeking to do the same.

I am both happy and thankful to be here with my wife, Rachel. We have served together through more than 12 postings in our 32 years in the Foreign Service. And without her support and encouragement, I would not be here today. While my son could not make it today, I am grateful that our daughter, Kristen, could join us as well.

Mr. Chairman, the United States and Brunei have enjoyed strong and prosperous relations for 150 years—actually, 170 years, since 1850 when our two countries first signed the Peace Treaty of Peace, Friendship, Commerce, and Navigation. Still in effect today, the treaty has underpinned our close cooperation. More recently, the United States was one of the first countries to recognize Brunei's independence from the United Kingdom in 1984. In the time since, the United States and Brunei have worked together to promote, peace, stability, and development in the region. And if confirmed, I hope to continue that tradition by further strengthening our bilateral relationship.

In recent years, the United States and Brunei have cooperated to address a host of matters important to Southeast Asia. Brunei's position as a South China Sea claimant state with good relations throughout ASEAN and with others across the broader Indo-Pacific region allows Brunei to play a significant role in defusing tensions and advancing our interests within ASEAN.

The United States and Brunei have an active and growing defense relationship highlighted by regular bilateral and multilateral exercises both in Brunei and the wider Indo-Pacific region. We have three fundamental defense agreements, a Defense Memorandum of Understanding, an Access and Cross Servicing Agreement to facilitate logistics cooperation, and a long-awaited General Security of Military Information Agreement signed in July of 2018. This last agreement will help facilitate information exchange between our two militaries and significantly strengthens our bilateral security relationship.

Our economic relationship is also on a positive trend. One, the United States enjoys a modest annual goods and services trade surplus. Brunei generally has very low tariffs, and U.S. companies seeking to export to Brunei usually do so freely. If confirmed, I would work to expand our bilateral trade relationship and would

seek to employ the BUILD Act to encourage the participation of U.S. firms in Brunei in infrastructure projects.

Our cultural, educational, and people-to-people ties continue to grow and define our bilateral relations in new and positive ways. Together, these programs highlight a multifaceted relationship that is deep and broad, and one that is central to both promoting U.S. interests in the region and fostering peace and stability that bring economic growth. I believe we can and should work hard to expand all these exchanges.

Certainly, there are challenges in the relationship. Freedom of expression and freedom of religion and belief, which includes the right to change one's religious beliefs, are enshrined in the Universal Declaration of Human Rights. We regularly communicate with the government of Brunei regarding human rights, including religious freedom, and encourage Brunei to uphold its international commitments on human rights, including for minorities.

In this context, the United States has serious reservations regarding certain provisions of Brunei's Sharia Penal Code. We are concerned that it potentially criminalizes aspects of freedom of religion and belief.

I am also concerned about the corporal punishments described in the code. While we understand that none of these punishments have been carried out, as a signatory to the U.N. Convention against Torture, Brunei must ensure that its laws prohibit torture or other cruel, inhumane, or degrading treatment or punishment. And we must continue to urge Brunei to ratify and implement this important international convention as soon as possible.

Despite some challenges, the long-term prognosis for strengthening our bilateral relationship with Brunei is excellent. Hence, we consider our engagement with the next generation of Bruneian youth to be critical, including through promoting their participation in the Young Southeast Asian Leaders Initiative, or YSEALI. Brunei was instrumental in developing the focus of YSEALI, which has now grown to nearly 130,000 members across Southeast Asia. Through the Fulbright U.S.-ASEAN initiative, we are also supporting Bruneian scholars and professionals to conduct research at U.S. universities on topics of importance to ASEAN and the U.S.

Mr. Chairman, Ranking Member Markey, thank you for inviting me to testify before you today and for giving my nomination your serious consideration. I am happy to answer any questions you may have.

[Ambassador Matthews's prepared statement follows:]

**PREPARED STATEMENT OF HON. MATTHEW JOHN MATTHEWS**

Mr. Chairman, and members of the committee; I am honored to appear before you today as the President's nominee to serve as the U.S. Ambassador to Brunei. I appreciate the confidence the President and Secretary Pompeo have shown in me and, if confirmed, I look forward to working with you to advance U.S. interests in Brunei as we work to foster the international rules based system that supports the sovereignty of all nations, large and small, and a commitment of partnership to all nations seeking to do the same. I am both happy and thankful to be here with my wife Rachel. We have served together through more than 12 postings in our 32 years in the Foreign Service. Without her support and encouragement, I wouldn't be here today. While my son Daniel could not break away from his commitments at his clinic in Bethlehem Pennsylvania, I am greatful that our daughter Kristen could join us today along with friends and colleagues from the Department of State.

The United States and Brunei have enjoyed strong and prosperous relations since 1850, when our two countries signed the Treaty of Peace, Friendship, Commerce, and Navigation. Still in effect today, the treaty has underpinned our close cooperation for nearly 170 years. More recently, the United States was one of the first countries to recognize Brunei's independence from the United Kingdom in 1984. In the time since, the United States and Brunei have worked together to promote peace, stability, and development in the region, and if confirmed, I hope to continue that tradition by further strengthening our bilateral relationship.

Our partnership with Brunei is an integral part of our free and open Indo-Pacific Strategy, in which independent nations with diverse cultures and different aspirations can prosper side-by-side in freedom and in peace. Support for ASEAN centrality, including with Brunei as a member of ASEAN, a valued partner, and 2021 ASEAN Chair, remains a cornerstone of our Indo-Pacific Strategy.

Brunei has long been an active and positively engaged participant in the region. In recent years, the United States and Brunei have cooperated to address a host of matters important to Southeast Asia. Brunei's position as a South China Sea claimant state, with good relations throughout ASEAN and with others across the broader Indo-Pacific region, allows Brunei to play a significant role in defusing regional tensions and advancing our interests within ASEAN.

The United States and Brunei have an active and growing defense relationship, highlighted by regular Bruneian participation in bilateral and multilateral exercises, both in Brunei and the wider Indo-Pacific region. We have three fundamental defense agreements: a Defense Memorandum of Understanding, an Access and Cross Servicing Agreement to facilitate logistics cooperation, and a long-awaited General Security of Military Information Agreement signed in July 2018. This last agreement will help facilitate information exchange between our two militaries and significantly strengthens our bilateral security relationship.

Our economic relationship is also a positive one, and the United States enjoys a modest annual goods and services trade surplus with Brunei. Brunei generally has very low tariffs, and U.S. companies seeking to export to Brunei can usually do so freely. Our positive collaboration with our Bruneian colleagues in APEC allows us to promote free trade in the region. If confirmed, I would seek to expand our bilateral trade relationship and employ the BUILD act to encourage the participation of U.S. Firms in Bruneian infrastructure projects.

Our cultural, educational, and people-to-people ties continue to grow and define our bilateral relations in new and positive ways. Together, these programs highlight a multifaceted relationship that is deep and broad, and one that is central to both promoting U.S. interests in the region and fostering the peace and stability that bring economic growth. With this in mind, I believe we can and should work hard to expand these exchanges.

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Mr. Chairman, Ranking Member Markey, 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 happy to answer any questions you may have.

**Senator MARKEY.** Thank you, sir, for your testimony.  
Mr. Murphy, please proceed.

**STATEMENT OF W. PATRICK MURPHY, OF VERMONT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DEPUTY AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF CAMBODIA**

Mr. MURPHY. Thank you, Chairman Gardner, Ranking Member Markey, and members of the committee for considering my nomination to be the next United States Ambassador to the Kingdom of Cambodia.

I am grateful to our President and our Secretary of State for their confidence.

I have deep appreciation for the support of my family, part and parcel of my entire career, including my wife, Kathleen, and daughter Gillian with me here today; my son, Seamus, in Richmond, Virginia; and my daughter Meghan, watching from Morocco. My mother-in-law, Barbara, is also here today, and my folks are supporting from Florida.

I am thankful to colleagues in the Foreign and Civil Services, local employees overseas, and counterparts across our interagency and armed services for their collegiality over my three decades of public service. If confirmed, I will work very closely with Congress to advance U.S. interests in Cambodia, promoting democracy, rights, and freedoms, building on the strong support the United States enjoys among the Cambodian public and strengthening co-operation on our vision for the Indo-Pacific.

Representing my country as a Peace Corps volunteer in West Africa and for 26 years as a diplomat has been an honor. I have benefited from my upbringing in Vermont, where I was exposed early to the value of public service. I have spent much of my career in Southeast Asia and, if confirmed, look forward to further contributions to this critical part of the world.

Cambodia is the product of an impressive ancient civilization. The tumultuous 20th century, however, proved challenging. I started my diplomatic career in 1992, a point of inflection for Cambodia, when the U.N. Transitional Authority arrived to administer elections made possible by the Paris Peace Accords through which Cambodians, the United States, and many others negotiated the end to a long and devastating conflict.

I am proud of our work in Cambodia, including partnerships with civil society. Today, over 85 percent of Cambodia's people are above the poverty line and enjoy a growing economy. With help through USAID and other U.S. programs, Cambodia has achieved nearly universal primary education, decreased maternal mortality, and served as a model for tackling HIV-AIDS.

The United States has been a leading donor in helping Cambodians address painful legacies via efforts aimed at demining and achieving justice and accountability. If confirmed, I will continue these efforts and strengthen our work with partners to end trafficking in persons.

In recent years, regrettably, there has been backsliding in governance, rule of law, and corruption. This administration has been clear in our concern that recent national elections fell short, in part because of the dissolution of the main opposition party, jailing of its leader, Kem Sokha, and banning of others. If confirmed, I will

advocate strongly for reconciliation, adherence to the principles enshrined in Cambodia's constitution, and efforts to protect the country's sovereignty.

Our Cambodian-American community has contributed to the home States of the distinguished Senators, as well as to the bilateral relationship. I would like to grow connections between Pueblo and Phnom Penh, Boston and Battambang by increasing International Visitor Leadership Program and other exchanges, and sustaining a Peace Corps program through which hundreds of Americans have contributed to Cambodia's development and mutual understanding.

If confirmed, I would seek to balance and increase our \$3.5 billion in annual two-way trade by promoting U.S. business interests, Cambodian adherence to international labor standards, and a leveling of the field for U.S. investors and workers.

I also commit to working steadfastly for the fullest possible accounting of U.S. personnel missing from the Indochina conflict period. This is our solemn obligation, a foundational area of cooperation, and an issue close to my heart.

My family, like many, lost a loved one in service during the Vietnam War, and I understand the profound need to account for our personnel. If confirmed, I will work closely with our Defense POW/MIA Accounting Agency and American families to keep this humanitarian issue at the forefront of our Cambodia policy.

Our U.S. agencies and staff in Phnom Penh are world-class. And if confirmed, I will count myself truly fortunate to lead them. I will make their security and that of their families and all Americans in Cambodia a top priority and dedicate myself to facilitate our collective efforts to advance U.S. interests.

Thank you, members of the committee, for your consideration of my nomination. I look forward to your questions.

[Mr. Murphy's prepared statement follows:]

#### PREPARED STATEMENT OF W. PATRICK MURPHY

Thank you Mr. Chairman, Ranking Member, and members of the committee for considering my nomination to be the next United States Ambassador to the Kingdom of Cambodia. I am grateful to our President and Secretary of State for their confidence. I have deep appreciation for the support of my family, part and parcel of my career, including my wife Kathleen and daughter Gillian with me here today; my son Seamus in Richmond, Virginia; and my daughter Meghan watching from Morocco. I am thankful to colleagues in the Foreign and Civil Services; local employees overseas; and counterparts across our interagency and armed services for their collegiality over my three decades of public service.

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Thank you, members of the committee, for your consideration of my nomination. I look forward to your questions.

Senator GARDNER. Thank you, Secretary Murphy, and who is watching from Morocco?

Mr. MURPHY. My daughter Meghan is there studying, taking a gap year, Senator, studying Arabic for the year before she starts university.

Senator GARDNER. Well, it is a little bit of a different time zone. So thank you very much. She is doing a great job. So you are going a great job. Thank you.

Mr. MURPHY. Much appreciated. We appreciate her support, too.

Senator GARDNER. Thank you very much.

Mr. Klecheski, actually, Ambassador Matthews, Secretary Murphy, I am going to start with just a question for all three of you. Senator Markey and I have worked on a bill called the Asia Reassurance Initiative Act, ARIA. ARIA is built around three sort of pillars—economic pillar, security pillar, rule of law.

Provides funding for an Asia-Pacific Security Initiative, \$1.5 billion authorization for 5 years every year to help counterterrorism training, military capacity-building, those kinds of things. Economy, talks about the promotion of bilateral, multilateral trade engagement opportunities. Again, capacity-building for additional trade in the countries that you will be serving and the countries you are serving with today. And then, of course, rule of law and democracy, provides additional funding to help address issues like human rights, civil society, and what we can do to engage that voice of America with and throughout the region.

So I will just start with you, Mr. Klecheski. A bill that is built upon the premise of reestablishing—not reestablishing, excuse me, but bolstering U.S. presence in the region, what does it mean to you, and how could you use the tools of a bill like ARIA?

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

Indeed, there has been a lot of programming with regard to Mongolia to support its independence, strengthen its human rights, improve its governance, but there is a lot more to be done, and that is particularly true at a time when China and Russia, the two large neighbors of Mongolia, are seeking to increase their influence in a country where they already have significant influence.

So having more resources across a wide range of areas, and I mentioned some of those in my statement, would be extremely useful in terms of reasserting the commitment of the United States. A commitment that I think is well understood, but nonetheless is worthy of reassertion and reinforcement, shall we say, in a country like Mongolia at this very critical moment.

So we would certainly welcome those kinds of resources. And that kind of statement of support, I think, is equally important across the wide range of issues that you raised and some of which I mentioned in my own comments.

Thank you, Senator.

Senator GARDNER. Ambassador Matthews?

Ambassador MATTHEWS. Mr. Chairman—excuse me, Mr. Chairman, as I mentioned earlier, there is—we have very substantial military-to-military ties with Brunei. But I think since the recent incidents in Marawi, there has been a significant uptick in interest on the part of Brunei, particularly in counterterrorism training, and we hope to be able to continue to expand working with Brunei on that.

When it comes to rule of law, again, the interests that we have in the South China Sea, I think, are consonant with those of Brunei. We respect their sovereignty. We respect the rights of all claimants to be able to resolve their issues and their overlapping claims in a peaceful way, consistent with international law, and I think ARIA can be helpful in supporting programs that help emphasize how to go about doing that.

Senator GARDNER. Thank you.

Secretary Murphy?

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

And I want say at the outset how much we appreciate the acts of Congress on the Indo-Pacific, not just on the Asia initiative that you cite, but the BUILD Act, doubling the financing available from \$30 billion to \$60 billion, increasing flexibility with political risk insurance and equity lending. This will make a big difference in the region, but your messaging, in particular on the rule of law and governance, has been heard resoundingly.

Cambodia is a country that has made a lot of progress in recent decades, remarkable, recovering from a period of utter devastation. And they have a lot to show for it in terms of their economic growth, the space for civil society, and indeed, a constitution that provides a multiparty democracy. The elections that they held in 2017 were quite remarkable.

That all, however, has deteriorated with elections this year at the national level. And hearing the strong voice from Congress helps us considerably, and if confirmed, it is a message I bring. The United States is quite unified. We would like to see a reversal in Cambodia of this deterioration for Cambodia to resume its place of political growth and expansion, and the merits that have been benefitted to the public of Cambodia.

Senator GARDNER. Thank you.

And Mr. Klecheski, to all of you again, whether it is Mongolia, Brunei, or Cambodia, what more can we be doing to assure our allies throughout the region that they no longer simply have to turn to China for economic or security opportunities? You mentioned the BUILD Act, we mentioned ARIA, but how else can we develop stronger opportunities to work with them economically as well?

Mr. KLECHESKI. Thank you, Senator.

Indeed, reinforcing that message is very important. And some of the issues we have already mentioned are important. I would say in the case of Mongolia, the MCC is a very important symbol. It is important economically for a country that—whose capital is really struggling with a fundamental issue, which is the availability and quality of water.

But it is much more than that. MCC, as you well know, sir, also involves a great deal of governance training, and that is important in terms of economic influence as well because strong governance plays very much into the hands of the U.S. rather than some other countries. So, in that regard, that is one area where we will be doing more.

But rule of law, I would say, and governance are very important issues with regard to the economy. There is much more that can be done.

Senator GARDNER. Thank you, Mr. Klecheski.

And I am out of time, but I would just say this, we talked about it in the office. If you buy a Caterpillar tractor in Mongolia, you do not necessarily refer to it as a Caterpillar, you call it a Wagner. They call it a Wagner because the of Wagner company headquartered out of Denver, Colorado, that has a lot of employees there. So we are excited about the relationship, economic relationship that Colorado has with Mongolia.

Senator Markey?

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

Mr. Murphy, I am particularly concerned with the attacks on all independent voices, but especially the free press, since most Cambodia media is under the control of Hun Sen, his family, and the ruling party. How would you use your role as Ambassador to reiterate America's strong interest in maintaining a free press amid a crackdown that has included the shuttering of the Cambodia Daily, Radio Free Asia's Phnom Penh Bureau, the band of FM radio stations carrying Radio Free Asia and Voice of America, and the jailing of independent journalists, including two former RFA reporters?

Mr. MURPHY. Senator, first, I want to share the concerns that you express. I have the same concerns, as does the administration, and we have made that clear.

I think we have reason to be encouraged because Cambodia in the past has demonstrated there is room for a free press and a vibrant civil society. The backsliding that has occurred over the last year and a half is incredibly disappointing and unnecessary. Cambodia can be, and it has demonstrated it can be, a multiparty democracy. If I am confirmed, I will bring the strong message of Congress and the administration, work with all stakeholders, including civil society, other partners, international organizations, to strongly urge the authorities to resume and expand the space for media.

You are absolutely correct in citing the closing down of the Cambodia Daily, the restrictions on Voice of America, and Radio Free Asia broadcast, but also let me add that the Cambodian government invited out of the country the National Democratic Institute. NDI had worked successfully for over 20 years in the country. That was an unnecessary step. We would like to see those steps reversed.

Senator MARKEY. Now, let me ask you about the sanctions on Hun Sen and his regime. Have we exhausted targeted sanctions? Should we examine further steps such as reevaluating the U.S. provision of Generalized System of Preferences benefits to Cambodia?

Mr. MURPHY. Thank you, Senator.

Citing the backsliding, again, the administration responded to the concerns about the diminished space for democracy and civil society by imposing visa restrictions. Those apply to individuals who have contributed to backsliding and the closing of space and on one occasion have been expanded. That is an authority the Secretary of State has. We continue to watch that and would consider expanding that tool further.

You cite GSP trade benefits. Cambodia is a big beneficiary. That has provided employment for many Cambodians, particularly women, I would note, and helped the economy. We think, in fact, that trade and expanding that \$3.5 billion in two-way trade can help create more opportunities, including for civil society. But we are not alone on this. We are working with—for example, our European friends are closely scrutinizing what they call Everything But Arms, the equivalent of their trade benefits, and that is under review now. We will continue to look at all tools available to us, sir.

Senator MARKEY. I would urge you to closely examine that as an additional tool, which you can use in order to put pressure on this government.

In your current role as a senior official at the East Asia Bureau at the State Department, you helped oversee the U.S. policy response to the humanitarian crisis in Burma and the Burmese military assault against the Rohingya. I am deeply concerned by the fact that the crisis continues one year after the attacks with nearly 1 million Rohingya in refugee camps in Bangladesh, and there appears to be no solution to allow for the safe and voluntary return of the Rohingya back to Rakhine State.

Yesterday, the legal firm that the State Department worked with to investigate the 2017 attacks produced its full report. In it, the investigator said that based on the evidence, there are reasonable grounds to believe that crimes against humanity, genocide, and war crimes have been committed against the Rohingya. The State

Department had access to this data in the production of its own report on the atrocities committed in Rakhine State, yet we are still waiting for a final determination from the Secretary of State on how to categorize these attacks.

Do you have any idea why Secretary Pompeo has not made a determination of the violence committed against the Rohingya? Based on the evidence we now have, do you believe the violence committed against the Rohingya was ethnic cleansing, crimes against humanity, or genocide?

Mr. MURPHY. Senator, we share the profound concerns of you and many of your colleagues here in the U.S. Senate and in Congress about the humanitarian disaster in Rakhine State. The treatment of the Rohingya has been appalling and it has been the case for many decades. I was with Vice President Pence just a few weeks ago in Singapore when he met with state counselor Aung San Suu Kyi and made it clear that the abuses inflicted on the Rohingya people are unacceptable and without excuse.

Our Secretary of State has made a determination that ethnic cleansing took place. We continue to review all information available, and the finding of ethnic cleansing does not preclude further determinations. However, the body of information available does keep us squarely in pursuit of accountability for those abuses.

Also, efforts to meet the humanitarian needs of the Rohingya people. Close to 1 million have sought refuge in Bangladesh, neighboring Bangladesh, and have many needs. We are proud to be the leading donor.

But on the accountability, we have taken many actions. We have, using the tools provided to us by Congress—specifically, the Global Magnitsky Act—we have sanctioned seven individuals and entities. We have supported the U.N. Fact-Finding Mission. We have supported the U.N. Special Rapporteur for Human Rights in Myanmar, and we are continuing to support the U.N. Secretary General's special envoy on improving relations between Burma and the United Nations organizations. We are in full pursuit, sir, of accountability for egregious human rights abuses. That is clear.

Senator MARKEY. Well, in my opinion, you cannot be too tough on Burma. You cannot hit them hard enough. You cannot call them out enough. So that is my view. It is just an absolute atrocity. It must end.

Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Markey.

Senator Rubio?

Senator RUBIO. Thank you.

Mr. Murphy, you were—in your role at the time in the State Department—your role on October of 2016, you were in the bureau that oversaw East Asia. This was part—Myanmar, Burma was part of your portfolio. Is that an accurate assessment?

Mr. MURPHY. Senator, I was in a different capacity than I am in now, but Burma was among the countries.

Senator RUBIO. Were you at that time the Principal Deputy Assistant Secretary for EAP?

Mr. MURPHY. I was not. I was the Deputy Assistant Secretary.

Senator RUBIO. Okay. Right. Principal Deputy Assistant or just—irrespective, you were in that bureau. Let me ask you, what was

your position at that time regarding imposing targeted sanctions on Burma and Burmese officials in the wake of the violence that took place in 2016?

Mr. MURPHY. In 2016, sir, I was the Deputy Assistant Secretary of State for Southeast Asia. And I had an opportunity, in fact, to travel to Burma at that time and have made subsequent visits as well. The attacks that you are talking about and the violence did occur in 2016, again at much greater scale in 2017. This is not new. The Rohingya population has been, in my view, one of the most repressed, discriminated against populations anywhere in the world. And we have worked for decades on trying to protect their rights, help them achieve fundamental rights denied them, including the ability to—

Senator RUBIO. Mr. Murphy, I do not mean to be rude because I will run out of time. I just wanted to know what was your position? There was an internal debate within the administration, it has been documented, between those in the human rights department and those overseeing our diplomatic efforts. Can you tell us what your position was with regards to recommendations on whether or not to impose targeted sanctions on senior military leaders responsible for the abuses in 2016?

Mr. MURPHY. Senator, I think, you might be referring to 2017 when the attacks took place in August committed by a so-called entity called ARSA against security forces, and the disproportionate response began the series of abuses that led to exodus. I have been a very firm supporter, sir—

Senator RUBIO. I am referring to the October 2016 violence, which was the first initial wave—in October of 2016. You are familiar with that wave of violence?

Mr. MURPHY. Yes, Senator, I am.

Senator RUBIO. And at that time, were you engaged or not in the internal debate about whether or not to impose sanctions on Burmese military leaders?

Mr. MURPHY. I have been part of our internal deliberations in response to these attacks for the past few years.

Senator RUBIO. Yes. So is it possible for you to tell us on which side of that debate were you on? We all are aware, and it has been documented extensively by former officials of the previous administration, there was an internal conversation about whether or not to sanction senior Burmese officials or not, given sort of the progress that was allegedly being made on democracy. Can you share with us your position was at the time or your view of it was at the time regarding sanctions on senior Burmese military officials?

Mr. MURPHY. Senator, if I could, I think the deliberations are a constant theme of the shaping of foreign policy, and I am not really in a position to reveal individual positions. But the results are incredibly important. We have sanctioned, under the Global Magnitsky Act, seven individuals and entities. I am fully supportive of those results, and I am fully supportive of ongoing efforts to achieve accountability for the egregious abuses that have been inflicted on the Rohingya people.

Senator RUBIO. So, just so I can be clear, you do not feel you can tell us what you were arguing for at the time because those were internal deliberations?

Mr. MURPHY. Well, Senator, I am incredibly supportive of our ability to use the tools provided to us by Congress, including identifying individuals responsible for abuses and atrocities.

Senator RUBIO. I know. But I want to go back to—I do not want to belabor the point, but I just want to know if I can get an answer or not on this particular point? In the aftermath of the violence in October of 2016, there was, we know, an internal debate within State Department among different factions or groups about whether or not there should be sanctions against military officials in Burma responsible for this. And there was one camp that was saying, no, because we were making progress on democratization, we do not want to slow that down, and another group that was arguing human rights need to take precedence.

And my question is, were you involved in that debate? I think you told us you were involved in all the deliberations regarding Burma. And what at that time was your position, not hindsight, but at that time? And I understand if you feel like you cannot tell us what your position was because it was an internal deliberation. That is fine. I just need—I just want that question answered one way or the other.

Mr. MURPHY. Sir, at no time have I been opposed to the use of any of the tools available to us—

Senator RUBIO. Okay.

Mr. MURPHY [continuing]. Sanctions or restrictions.

Senator RUBIO. So, at no time did you oppose recommendations from within State and from outside human rights organizations to impose targeted sanctions on senior Burmese military officials? That is accurate?

Mr. MURPHY. That is correct.

Senator RUBIO. Okay. That was the question I wanted to get an answer for. Thank you.

Senator GARDNER. Thank you, Senator Rubio.

And I think part of our—the trouble we have had, of course, over Burma in the past couple of years is the responses during the previous administration where sanctions were lifted, I think mistakenly so. And there are a few that remain in place, but despite evidence that there were conflicts, continuing violence being committed within the country, there were efforts taken and sanctions relief given prematurely, in my opinion. And I think is it safe to say that you supported the toughest sanctions possible at the direction of the Secretary at the time?

Mr. MURPHY. Senator Gardner, I think it is important to call it like it is. It is not business as usual with Burma. We still enact the JADE Act that Congress provided us the tools, restrictions on assistance, and engagement with the military, the Tatmadaw, the armed forces of Burma. The sanctions relief that you refer to—

Senator GARDNER. I will remind you, too, though, in the Defense Authorization Act we actually reversed some language that was written in the Defense Authorization Act that would have allowed further military engagement. That language came from somewhere. So I think that is concern we have.

Mr. MURPHY. Yes, sir. Referring to the sanctions relief of several years ago, it was the request of the civilian-elected government in Burma, the first elected government in nearly 50 years and the opinion of that government that sanctions had run their course. That does not dictate our policy, but that was an important contribution to our deliberations on how to help—how to help this country transition from authoritarian rule to civilian elected government. It is an ongoing transition, predictably an incredibly bumpy one, but it is one that we need to see succeed for our national interest and for the interest of all 60 million Burmese people.

Senator GARDNER. There is no doubt we need it to succeed. That is absolutely right. But I think we also have to make sure that U.S. values are represented, that we do not prematurely end sanctions when the objectives of our country have clearly not been achieved. And I think that was the case that we were worried about several years ago when these sanctions were lifted.

Mr. Klecheski, quick question. Mongolia and North Korea, what more should we be doing to make sure Mongolia is engaging North Korea in a productive matter toward denuclearization?

Mr. KLECHESKI. This is, indeed, an important question, Mr. Senator. So, Mongolia has made a clear commitment to the U.N. Security Council resolutions. To the best of our knowledge, they have been implementing those. At the same time, Mongolia does have a relationship with North Korea, partly because of its communist past and because of a desire to continue that. So we should continue, as we have been doing, maintaining the pressure and highlighting to DPRK the long-term commitment that all, the entire community has for denuclearization.

In other words, it is a goal that we all share. And in his recent visit here, the Prime Minister of Mongolia, again, reiterated that commitment and highlight regularly in diplomatic discussions the importance of the kind of maximum pressure campaign that we have been pursuing.

Thank you, sir.

Senator GARDNER. Thank you.

Senator Markey?

Senator MARKEY. Quickly, Mr. Murphy, on the demining efforts in Cambodia, there is a goal of meeting it by 2025. It looks dubious that this goal can be met. What else can we do to make sure that that legacy—the United States' relationship with Cambodia—is dealt with to telescope the timeframe it is going to take to remove those mines?

Mr. MURPHY. I appreciate the question, Senator. The country was incredibly heavily mined over many years of conflict, conflict internally to Cambodia, conflict with neighbors. And indeed, Cambodia was caught up in the Indochina, the broader Indochina conflict. We have been a proud donor working with civil society and other partners inside the country and international partners to help that country address its serious mining issue.

Senator MARKEY. Do you have specific steps that you would recommend to us right now?

Mr. MURPHY. I would, sir. I think it merits continued U.S. support. We are not the only donor. We want to leverage that to en-

courage other donors to contribute and, indeed, entities with inside Cambodia. But I think congressional support for demining is in the interest of the United States.

Senator MARKEY. So, would you support increasing the funding in order to give the U.S. more leverage to get other countries to increase their support?

Mr. MURPHY. Well, I am very cautious when it comes to asking Congress for funding. I think we have broader administration policy to approach you with priorities squarely lined up. But I can say this, U.S. funding has been instrumental in that country and puts us in a position as a leading donor. And it has saved countless lives, including among vulnerable populations like women and children.

Senator MARKEY. And one final question for you, Mr. Matthews. In Brunei, the government has a dismal record regarding the treatment of the LGBT community. What would you recommend that we do to encourage them to be fairer in their treatment of that population?

Ambassador MATTHEWS. Thank you, Senator, for that question.

We, of course, consistently support fair and equal treatment for all citizens of all countries, and we will continue to ensure that that is a position that we clearly—

Senator MARKEY. Yes. So homosexuality is illegal in Brunei—

Ambassador MATTHEWS. It is.

Senator MARKEY [continuing]. And punishable by death. What would you recommend that we do in Brunei specifically?

Ambassador MATTHEWS. So, in Brunei in particular, we need to ensure that Brunei is—we are encouraging Brunei to ensure that it meets all the requirements of the U.N. Declaration of Human Rights. We need to ensure that they follow up and follow through on the initial steps that they took when they signed.

Senator MARKEY. And that would mean not making homosexuality illegal? Is that the position you would take?

Ambassador MATTHEWS. That is correct.

Senator MARKEY. And that it should not be punishable by death? Would that be the position you would bring?

Ambassador MATTHEWS. Absolutely. That is absolutely the case.

Senator MARKEY. I think that is very important. I think it is a very important human rights message and should be encouraged using whatever means possible.

Thank you, Mr. Chairman.

Senator GARDNER. Senator Rubio?

Senator RUBIO. Thank you, and I will be brief.

Back to Mr. Murphy, I just want you to explain kind of my line of questioning. We see it now even with the Saudi Arabia situation, there is always a tension between respect and defense of human rights and geopolitical reality. It is a constant balancing act.

In the case of Myanmar, Burma the previous administration made a decision that engagement would lead to democratic opening, and there were steps in that direction. And there was an argument that anything that disrupted that would be problematic because, in the end, finding a more open space for the vast majority of the population was better than nothing at all.

Embedded in it, of course, this is a country that already has very significant ethnic divisions to begin with. And in the case of the Rohingya, frankly, they are hated by every sector of power there and sort of in a way that makes no sense in my mind and is certainly evil. But nonetheless, it manifested itself in this horrifying atrocity. From my perspective, when someone, Ambassadors—particularly in countries such as these—have a very important role to play, and what they speak out in and what they say, it sets the tone and, in many ways, sets policy by their willingness to step forward.

And we have seen in the past how courageous Ambassadors have been able to set the tone at key moments within a country, which is why I ask this. It is important for me to know about nominees, how they balance these two realities. We do have to have realism in foreign policy, but we also have to infuse it with human rights, which I believe, frankly, is in our pragmatic interest, not to mention our moral interest, which is why to me it is so important.

I recognize what the previous administration's decision was. I hope that in hindsight some would reconsider whether there were some strategic mistakes made. And I do not hold the current administration blameless in that front. There is yet to be a determination made.

Yesterday, and I think Senator Markey alluded to this already, the Public International Law and Policy Group, they said with regard to the crime of genocide, this report concludes that there are reasonable grounds to believe that genocide was committed against the Rohingya. The U.S. Holocaust Memorial Museum published a statement yesterday that they believe there is compelling evidence that the Burmese military committed ethnic cleansing, crimes against humanity, and genocide against the Rohingya.

So, increasing number of groups have looked at the fact patterns that the State Department has available to them as well and concluded that genocide has been committed. And I understand that that term, that terminology triggers all sorts of legal requirements and the like on international forums. But nonetheless, there has to be a decision made.

So my question—I am not even asking you what the recommendation is. I just want to know has EAP made a recommendation to the Secretary on a determination with regards to genocide or the crimes committed? I am not asking you to tell me what the recommendation is. I just—because I understand that is an internal deliberation. Could you tell us if a recommendation has been made, or do you know if a recommendation has been made?

Mr. MURPHY. Senator, first, I appreciate the attention you give to human rights and, I think more broadly, democracy. I share that need to prioritize these issues. It has defined my entire career. I lived in Burma a decade and a half ago under that country's military rule. And the Burmese people and the United States does not want to see a return to that kind of authoritarian governance situation.

With regards to what we call the atrocities that have taken place inside Rakhine State, I noted the determination that ethnic cleansing occurred. And we are in hot pursuit of full accountability for those abuses and atrocities. That does not preclude other deter-

minations that are available for a Secretary of State, for example, crimes against humanity or genocide.

We continue to gather all the information. The report that you cite feeds into that body of information about what transpired, and where and when, inside Rakhine State. We will continue to avail ourselves of those tools and those possibilities going forward.

Senator RUBIO. But the specific question about whether a recommendation has been made, is that something you cannot answer, if a recommendation has been made to the Secretary on a determination yet? Again, I am not asking for what the recommendation is, just whether one has been made or not?

Mr. MURPHY. Sir, I think I am in a best position to tell you that there are robust deliberations and discussions inside the State Department with other agencies to help shape and inform our policies, make these determinations. Nothing has been ruled out about future determinations. We are solid in the fact that ethnic cleansing took place, which is no small matter. And it allows us to remain very, very firm in pursuit of full accountability, working with our partners, U.N. agencies, stakeholders inside the country.

Senator MARKEY. If I may just follow up, Mr. Chairman? I just want to follow up on Senator Rubio because I do agree with him very strongly that it is important to know whether this administration thinks it is ethnic cleansing, is it a crime against humanity, or is it genocide? And what is the plan this administration has to release that determination? A lot of the policy that we have in our country—and the way the rest of the world is going to view this government in Burma is going to depend upon the judgment that is made.

So, it has not been made, and I agree with Senator Rubio very strongly that this is very important determination. I feel strongly that it is genocide, but to the extent to which this administration must speak, Secretary Pompeo is repeating what Secretary Tillerson said about ethnic cleansing. But I think the plan is actually something that goes beyond that, and I just would like to echo the thought of Senator Rubio.

Senator GARDNER. Yes, I am going to go out on a limb here and suggest that the question Senator Rubio asked was not answered, and I would just encourage you in the coming days to answer the question. It is a pretty clear question. The question is, if you were in a capacity in your previous role to make a recommendation to the Secretary about violence and actions, activities against the Rohingya in Burma, whether that is ethnic cleansing, whether that is genocide, and what recommendations you have made to the Secretary in how to respond to that. Is that correct?

Senator RUBIO. It is. And look, I, on the one hand, appreciate the idea that if you work someplace and you have made recommendations, but there has not been a final decision made, to announce that publicly at a forum ties the hands of the Secretary. So I respect that part. That is why I did not ask what the recommendation was.

On the other hand, when a decision is made, assuming, for example, that they decide not to determine it is genocide, they are going to say it was based on the advice of professional staff who looked at it.

So, I just want to know whether or not a recommendation has been made. And perhaps you are in a position to need to go back and get clearance to tell us the answer to that, since you are currently employed there now and have been involved in that and have not been authorized to potentially say that.

The bottom line is this—part of our role is oversight over the State Department. And I understand that realism has an important role to play in our politics. It is just—you know, the world is a dangerous place with a lot of bad actors in it. But I do believe so does human rights. And in many cases, we are just playing games with names here and words and titles for what we want to call it. Ethnic cleansing is genocide. It is just the legal terminology that triggers actions that perhaps some do not want to take in the broader geopolitical perspective.

I would like to just know whether a recommendation has been made or not, not what the recommendation is. We will find out soon enough.

Senator MARKEY. And again, if I may, Cambodia suffered a genocide, and that is what this hearing is really about. It is about the history, but also the future, how you deal with the consequences of that. And I think the more quickly we come to grips with it and name it for what it is, the more quickly we put in place policies that we can look back on and be proud that we took the strongest possible steps.

Senator GARDNER. Secretary Murphy?

Mr. MURPHY. Thank you very much, Senators.

First, I just want to share the concerns about the atrocities and human rights abuses committed in Rakhine State. We fully concur with those concerns and pursue accountability.

Distinguished Senators, a year ago or so, I had the opportunity to testify at a hearing before this full committee on the situation in Rakhine State. There were many members pressing for a determination on ethnic cleansing. At that time, I was in a similar position. I was not able to reveal deliberations and the path to a determination because of the process involved.

That determination was subsequently made—ethnic cleansing. I am now in a position to say we fully supported that across our building, including within the East Asian and Pacific Bureau.

I hope you will be fair to me now with regards to any subsequent determinations. Those are not ruled out. Inside our department, we have many experts. Many more, far more versed on the legal aspects with regards to a determination of crimes against humanity or genocide.

Those deliberations continue. And I think, Senator Rubio, you are correct. We do not want to tie the hands of our Secretary of State. He needs the ability to hear all information, explore all information. We will continue to gather facts as they become available.

Remember, Rakhine State is a part of that country largely off limits to humanitarian assistance and international media. We are pressing for that kind of access. We take onboard all the reports available, and we will pursue regardless of where determinations go. The fact that ethnic cleansing has taken place, we have made that determination, that is incredibly serious. We know abuses took

place and atrocities, and we will not stop until we achieve accountability. We will pursue all efforts.

Senator GARDNER. Secretary Murphy, I just want to encourage you to continue your conversations with Senator Rubio until he gets an answer that he can work with.

Senator RUBIO. If I may, Mr. Chairman, just to point out the idea that that part of the country is off limits to humanitarian assistance, aid, and human rights observers is pretty clear evidence that there is something going on there. It reminds me of why Saudis did not want to give the Turks access to their consulate for a number of days until the cleaning crew got there. It is—that alone is pretty indicative of—

Senator GARDNER. And Secretary Murphy, remind me, you, yourself, were denied access to Rakhine when you visited several years back. Is that correct?

Mr. MURPHY. No, sir. I did have access.

Senator GARDNER. Where were you denied?

Mr. MURPHY. I went to Sittwe, the capital of Rakhine State and the environs. In past decades, I have been able to visit Northern Rakhine State, where I could see firsthand almost 20 years ago—

Senator GARDNER. You were denied access in certain areas, though, correct, your visit several years ago?

Mr. MURPHY. No, sir, not me personally.

Senator GARDNER. Okay.

Mr. MURPHY. I did access refugee camps in the vicinity of Sittwe in Rakhine State. At that time, those were our requests.

Senator GARDNER. Yes.

Senator RUBIO. Was that after 2016?

Mr. MURPHY. Yes, sir.

Senator RUBIO. When was the last time you had access to the area?

Mr. MURPHY. In 2017, roughly October 2017.

Senator GARDNER. And you were not denied? For whatever reason, I apologize if I had that wrong. I was under-thinking that you were denied access. I am sorry if that is incorrect.

Mr. MURPHY. No, sir. That is not correct. There may have been some media reports that speculated that at the time, but we were not denied where we made the request to go.

Now I want to clarify, Senator, there has been humanitarian access, some media access. We find it inadequate. We would like to see more. Our Ambassador to Burma, Scott Marciel, has been able to go to Rakhine State, including Northern Rakhine State and, for that matter, other parts of the country that are experiencing conflict as well. Just this week, he was in Northeast Burma, where Kachin State and Shan State continue to suffer from internal conflict.

Senator GARDNER. Thank you.

Thanks again to everyone for attending today's hearing, and thanks for your willingness to serve and your public service over the past many years. The witnesses, grateful for your appearance today.

For the information of members, the record will remain open until the close of business on Thursday, including members—for members to submit questions for the record. And I would ask kind-

ly that you return your homework as quickly as possible, and the responses will be made a part of the record.

Senator GARDNER. Thanks to this committee.

The hearing is now adjourned.

[Whereupon, at 10:28 a.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO MICHAEL S. KLECHESKI BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career, promoting democracy and human rights have been key foci of my work. That began early in my career, when as a political officer in Embassy Moscow in what was then the USSR, human rights was the core of my portfolio, and included regularly meeting with and reporting on the circumstances of human rights activists and “refuseniks” (Soviet citizens of Jewish faith whom the authorities had precluded from receiving exit visas to emigrate). As many of those people subsequently commented to me, my efforts and those of our team demonstrated the commitment of the U.S. to human rights, as well as lending those people much-needed encouragement in their often difficult circumstances. I continued that effort in my subsequent assignments in Russia, finding creative ways, in that country’s changing political context, to make clear the U.S. commitment to human rights and contributing to the formation of U.S. policy on that set of issues. As Political Counselor at the U.S. Mission in Geneva, I led a team that worked predominantly in the U.N. Human Rights Council, often serving as the USG’s senior representative in that body’s proceedings. In that capacity, I articulated the U.S. position on human rights and democracy concerns, engaged informally with other delegations and with non-governmental organizations to promote our positions, and highlighted our concerns with the Council and its workings. Those efforts contributed to passage of numerous resolutions condemning the human rights behavior of various countries and proposing measures to monitor and improve their behavior. As a Team Leader of a Provincial Reconstruction Team in Iraq, I led the effort to foster key elements of democracy, such as a free press and independent judiciary, in the province in which I worked. The effort was challenging, but we succeeded in strengthening the media environment, boosting the work of NGOs involved in women’s and other issues, and much else. These are among the highlights of a career in which human rights and democracy issues have enjoyed pride of place, and I am proud that it has had an impact in furthering these key American values.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Mongolia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Mongolia has held multiple free and fair elections since its transition to democracy in 1990, including several peaceful transitions of power between competing political parties. Some voters, dissatisfied with the choice of candidates for the most recent presidential elections in 2017, cast blank ballots to demonstrate their commitment to democracy, the first time this was seen in Mongolia. The country is host to a lively free press and growing civil society. Mongolia’s judicial sector needs to increase its capacity to strengthen the rule of law and enhance transparency. Public corruption and institutional weakness stand as the most serious threats to Mongolia’s democracy. These interrelated challenges can erode public trust in Mongolia’s democratic governing institutions, now barely a generation old.

*Question 3.* What steps will you take—if confirmed—to support democracy in Mongolia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Our shared democratic values are the cornerstone of the U.S.-Mongolia relationship, and Mongolia’s democracy is its best defense in support of its continued sovereignty and independence. The U.S. Government has long worked to pro-

mote transparency and good governance in Mongolia through support to civil society, exchange programs for leaders and public officials to share good governance practices, and training for law enforcement, and if confirmed, I look forward to continuing these efforts. Combined, these serve to address public corruption by promoting a more open and just society. Any effort to combat corruption will encounter resistance from those who benefit from it, in particular in a country only recently removed from its communist past, but Mongolia has overcome great challenges before; I am confident a brighter future awaits if we keep up the fight.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. One of the best ongoing U.S. investments in support of Mongolian democracy and governance is the Leaders Advancing Democracy (LEAD) Project, funded through USAID. LEAD connects young democratic leaders in Mongolia not only with their counterparts in the United States, but also in the region, building networks that improve their resilience and resourcefulness. The State Department's International Visitor Leadership Program, or IVLP, is also a highly effective and targeted tool that allows us to provide timely and relevant capacity building to leaders across civil society, government, academia, and elsewhere. The Department of State also funds Export Control and Related Border Security (EXBS) and International Narcotics and Law Enforcement (INL) programs, which are helping to improve Mongolia's border security and sovereignty. Similarly, Open World Leadership Center exchange programs for judges and members of parliament have greatly contributed to Mongolia's democratic development. If confirmed, I would continue to support these lines of effort.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Mongolia? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Our engagement with Mongolian civil society is as old as the bilateral relationship itself. U.S. civil society organizations were a motive force in Mongolia's transition to a democratic, free-market society. We continue our close cooperation with the Mongolian NGOs that have followed in their footsteps. I view continuing our engagement as an invaluable force-multiplier for our efforts to strengthen and reinforce U.S.-Mongolian shared values.

Mongolia currently places few restrictions on the activities of NGOs and civil society, but is now considering revisions to the statutes governing their registration and operations. If confirmed, I would closely monitor related developments.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Engaging with all parties in the political process is essential to promoting U.S. interests—including our interest in underscoring the legitimacy of Mongolia's existing multiparty democracy. The Mongolian people have demonstrated repeatedly that they will hold their elected officials accountable, leading to several peaceful democratic transitions of power since Mongolia's first free elections in 1990. Today's opposition could very well be tomorrow's government; it is in our interest to maintain constructive relationships with groups across the political spectrum. Mongolia's youth will be its next generation of political leaders and decision makers. If confirmed, I would consistently advocate for broader inclusion of women, minorities, and youth in the political process.

*Question 7.* Will you and your embassy team actively engage with Mongolia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Mongolia?

Answer. Mongolia is fortunate to possess an active press that represents a wide range of perspectives largely without restriction. Mongolia's press does need to develop a stronger capacity and will to verify information before disseminating it. However, Mongolia's free press is an essential asset in protecting the country's democracy and independence and a key player in fighting corruption by holding political and business leaders accountable. As such, if confirmed, I would place importance on its institutionalization and development.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Mongolia?

Answer. As a vibrant democracy, Mongolia's media and information environment is varied and accessible to a range of actors. This is fundamentally a strength of Mongolian society, and reflects our shared values of openness and inclusiveness. As elsewhere, the price of this openness is vulnerability to those who seek to leverage it to advance other agendas. If confirmed, I would work with the embassy team to continue U.S. efforts to strengthen media and civil society—including through programs such as LEAD and training for journalists—providing a toolkit to increase resilience in the face of disinformation and propaganda. Regular information sharing about foreign influence efforts with our partners in the Mongolian government would also remain an important element of our effort to support Mongolia's preservation of its sovereignty.

*Question 9.* Will you and your embassy teams actively engage with Mongolia on the right of labor groups to organize, including for independent trade unions?

Answer. Mongolian law protects the rights of workers to join independent unions and professional organizations, along with the right to conduct strikes and engage in collective bargaining in most circumstances. If confirmed, I will actively engage with both the Mongolian government and labor groups to ensure these laws are enforced fairly and effectively.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Mongolia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Mongolia? What specifically will you commit to do to help LGBTI people in Mongolia?

Answer. Defending the basic dignity and human rights of all people is a core tenet of our foreign policy and an essential element of a healthy democratic society. Mongolia's new criminal code, effective last year, prohibits discrimination based on sexual orientation or gender identity, advancing legal protections for the LGBTI community. However, enforcement of these provisions has been sparse, and discrimination and violence against LGBTI individuals remains prevalent, especially in Mongolia's rural areas. If confirmed, I would use our strong and growing relationship within Mongolian law enforcement, prosecutors, and judges to enhance Mongolia's enforcement of these provisions and to raise the profile of offenses against LGBTI individuals within the criminal justice community.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL S. KLECHESKI BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my career, promoting democracy and human rights have been key foci of my work. That began early in my career, when as a political officer in Embassy Moscow in what was then the USSR, human rights was the core of my portfolio, and included regularly meeting with and reporting on the circumstances of human rights activists and "refuseniks" (Soviet citizens of Jewish faith whom the authorities had precluded from receiving exit visas to emigrate). As many of those people subsequently commented to me, my efforts and those of our team demonstrated the commitment of the U.S. to human rights, as well as lending those people much-needed encouragement in their often difficult circumstances. I continued that effort in my subsequent assignments in Russia, finding creative ways, in that country's changing political context, to make clear the U.S. commitment to human rights and contributing to the formation of U.S. policy on that set of issues. As Political Counselor at the U.S. Mission in Geneva, I led a team that worked predominantly in the U.N. Human Rights Council, often serving as the USG's senior representative in that body's proceedings. In that capacity, I articulated the U.S. position on human rights and democracy concerns, engaged informally with other delegations and with non-governmental organizations to promote our positions, and highlighted our concerns with the Council and its workings. Those efforts contributed to passage of numerous resolutions condemning the human rights behavior of various countries and proposing measures to monitor and improve their behavior. As a Team Leader of a Provincial Reconstruction Team in Iraq, I led the effort to

foster key elements of democracy, such as a free press and independent judiciary, in the province in which I worked. The effort was challenging, but we succeeded in strengthening the media environment, boosting the work of NGOs involved in women's and other issues, and much else. These are among the highlights of a career in which human rights and democracy issues have enjoyed pride of place, and I am proud that it has had an impact in furthering these key American values.

*Question 2.* What are the most pressing human rights issues in Mongolia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Mongolia? What do you hope to accomplish through these actions?

Answer. Corruption, abuse of prisoners and detainees by law enforcement, and discrimination and violence against LGBTI individuals stand as the most pressing human rights issues in Mongolia today. All of these actions are prohibited by Mongolian law, but a lack of institutional capacity to support enforcement, along with weak norms in support of their criminalization, inhibit progress on addressing these issues. If confirmed, to make progress I would continue our efforts to build the capacity of Mongolian government and legal institutions, along with encouraging broader transparency and engagement with civil society through initiatives such as the Transparency Agreement signed in 2017. Mongolia is already a vibrant democracy—by providing more avenues through which the Mongolian people may improve their own government, we can assist them in pushing for the responsive government they want.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Mongolia in advancing human rights, civil society and democracy in general?

Answer. Corruption is the greatest challenge to Mongolia's young democracy, as it undermines not only the country's institutions themselves, but the public's faith in those institutions. Mongolia's people are calling for more effective and transparent governance that better addresses and responds to society's needs. Mongolia's principal agency for investigating corruption, the Independent Authority Against Corruption, last year increased its workload four times over the previous year. Capacity and financial challenges are real. However, Mongolia has proven over the last 30 years just how much it can change and I am confident the future will bring more positive developments in line with our ideals. Continued U.S. investment in increasing the capacity of Mongolia's free press, active political participation, and law enforcement and judicial actors will pay dividends as Mongolia continues to look westward in its future.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Mongolia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Our relationships with Mongolian civil society are longstanding and help strengthen our partnership built on shared values. If confirmed, I would continue our robust engagement with NGOs promoting human rights, among other worthy causes. Ensuring that our security assistance and cooperation reinforce human rights is of vital importance. I would work to ensure that our efforts in this arena continue to fully comply with the Leahy Law and support its aims so that vital training and exchanges, such as those at the International Law Enforcement Academy (ILEA) in Bangkok, continue and grow in the future. Of particular note, the Mongolian soldiers who serve in concert with the NATO coalition in Afghanistan and in active roles in U.N. peacekeeping missions enjoy a well-deserved reputation as honorable and reliable.

*Question 5.* Will you and your embassy team actively engage with Mongolia to address cases of key political prisoners or persons otherwise unjustly targeted by Mongolia?

Answer. Mongolia's democratic institutions have largely replaced the repressive practices of its communist past. While political prisoners are not currently an outstanding issue with the Mongolian government, the criminal code continues to allow the imposition of exit bans restricting travel outside the country. If confirmed I would steadfastly work to help Mongolia improve the transparency, neutrality, and impartiality of the criminal justice system in order to ensure that the accused are afforded due process and, if prosecuted, a fair trial.

*Question 6.* Will you engage with Mongolia on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Our relationship with Mongolia is built on shared interests and shared values. We maintain robust engagement with the Mongolian government and civil society on human rights, civil rights, and governance. Through grants, exchanges, and training programs, we develop civil society leaders, increase the capacity of government officials, and enhance Mongolia's governance. For example, judicial exchange participants impressed with the transparency and openness of U.S. courts have assisted in the movement to ensure court decisions in Mongolia are accessible to the public. Similarly, our funding has helped to train law enforcement personnel on effective implementation of hate crimes legislation to better protect the LGBTI community. If confirmed, I would continue such efforts.

**Question 7.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 8.** Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

**Answer.** I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

**Question 9.** Do you or do any members of your immediate family have any financial interests in the Mongolia?

**Answer.** No.

**Question 10.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** I firmly believe in the importance of diversity, both because it represents American values and because it fosters greater productivity and creativity. Throughout my career, and notably in two assignments as Deputy Chief of Mission (DCM), I have fostered diversity. I have been an active mentor of First- and Second-Tour Officers, and in both DCM positions extended our embassies' career development programs to include mid-level officers. I have made it a point to ensure diversity in assignments, with a focus on underrepresented groups in the Foreign Service. As DCM in Embassy Manila, I proudly worked with a group of activist colleagues to spearhead an innovative program to promote gender diversity, the Regional Gender Network. Having proven its strong impact in Manila, the program was subsequently extended to many other posts in the East Asia and Pacific Bureau. Diversity is an asset to the Foreign Service, and I would continue my career-long efforts to promote it if confirmed.

**Question 11.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** If confirmed, I would make the importance of diversity and inclusivity key points in the workings of Embassy Ulaanbaatar. I would do so by highlighting the importance that the State Department and I attach to it. More significantly, I would model my commitment to diversity and inclusivity, drawing on my experience in previous posts, to stress that our post's commitment would be regular and sustained.

**Question 12.** How does political corruption impact democratic governance and the rule of law?

**Answer.** Political corruption clearly harms democracy and the rule of law throughout the world, which is why I have been proud, in my prior Foreign Service assignments, to work on U.S. Government programs to counter corruption. In Mongolia, political corruption is a serious challenge to democratic governance and the rule of law. A public weary of political corruption has less confidence in its government's actions and less faith in its decisions. Conflicts of interest impede the government's ability to enact difficult regulatory and economic reforms. An opaque bureaucracy and weak civil service system leads to questionable decision making and capricious tender selections. Poor enforcement of campaign finance laws undermines the public's trust in the political system and breed further corruption throughout the government and political class. Mongolia's continued progress in addressing corruption remains slow. The government in 2016 adopted a National Program Combat-

ting Corruption, and recently introduced more severe punishments for corruption-related offenses for public servants and officials. For example, the criminal code now bans those sentenced for corruption from public service. It also offers immunity from punishment to any person reporting their own bribery of an official at the official's request. The Independent Authority Against Corruption (IAAC), which the public views as effective, faces an increasing workload without commensurate resources. It is clear that corruption is on the mind of the Mongolian public and some government officials, and we support and encourage these actions. We must also recognize, however, that high-profile corruption scandals continue to emerge regularly and businesses report little reduction in working-level corruption. Mongolia should redouble its efforts.

*Question 13.* What is your assessment of corruption trends in Mongolia and efforts to address and reduce them by the government of Mongolia?

Answer. Mongolia's continued progress in addressing corruption remains slow. The government in 2016 adopted a National Program Combatting Corruption, and recently introduced more severe punishments for corruption-related offenses for public servants and officials. For example, the criminal code now bans those sentenced for corruption from public service. It also offers immunity from punishment to any person reporting their own bribery of an official at the official's request. The Independent Authority Against Corruption (IAAC), which the public views as effective, faces an increasing workload without commensurate resources. It is clear that corruption is on the mind of the Mongolian public and some government officials, and we support and encourage these actions. We must also recognize, however, that high-profile corruption scandals continue to emerge regularly and businesses report little reduction in working-level corruption. Mongolia should redouble its efforts.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Mongolia?

Answer. If confirmed, I would prioritize engagement on multiple fronts. Throughout the Indo-Pacific region, of which Mongolia is a part, we are committed to working with Indo-Pacific nations to create the conditions needed to unlock greater private investment, combat corruption, and secure nations' autonomy from foreign coercion. I would continue to pursue full implementation of the U.S.-Mongolia Transparency agreement, which would improve Mongolia's provision of fair and predictable regulation. I would also continue to support efforts by my interagency colleagues to build the capacity of Mongolian law enforcement to combat money laundering, which aids and abets public corruption. Continued investment in Mongolia's young emerging leaders through exchange programs will promote better future governance practices.

*Question 15.* If confirmed, will you support efforts to establish a trade preference program focused on cashmere imports from Mongolia?

Answer. By 2020, mining is expected to account for thirty percent of Mongolia's GDP. Alongside supporting the sustainable utilization of the country's resource wealth, the United States agrees with Mongolia that economic diversification is an important component of the country's long-term prosperity and independence. If confirmed, I will work with you and other stakeholders, including my colleagues at USTR, to help Mongolia diversify its exports and markets.

*Question 16.* How will you work to ensure that Mongolia meets and maintains GSP eligibility requirements (e.g., protection of intellectual property rights, worker protections, level of economic development in country) in order to qualify for trade preferences?

Answer. In September 2018, the United States and Mongolia released a Roadmap for Expanded Economic Partnership that charts a course towards progress on a wide range of issues considered in GSP eligibility. Both sides, for example, expressed a shared interest in improving transparency and protection for intellectual property rights in Mongolia's economy as part of the Roadmap. We also expressed a desire to continue engagement through the USTR-led Trade and Investment Framework Agreement consultations and to ensure that U.S. economic priorities are advanced through our U.S.-Mongolia Annual Bilateral Consultations. If confirmed, I would continue to press forward along the broad front of our economic engagement with Mongolia.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
MICHAEL S. KLECHESKI BY SENATOR EDWARD J. MARKEY**

*Question 1.* If confirmed, how will you seek to enhance the bilateral relationship with Mongolia, in light of increased Chinese investments and the long-standing relationship with Russia? Are you concerned that our policies will raise geo-political concerns of putting Mongolia in the middle of a broader rivalry for strategic influence?

Answer. The United States has made clear that our approach to a free and open Indo-Pacific excludes no nation. We conduct our relations with Mongolia, an Indo-Pacific partner, in that spirit. Our collaboration with Mongolia focuses on improving transparency, strengthening the rule of law, fighting corruption, and promoting economic sustainability. This engagement with Mongolia is part of the Indo-Pacific Transparency Initiative announced by the Vice President on November 17. If confirmed, I would continue these efforts.

We anticipate that Mongolia will continue to seek outside partners for investment to further its economic development, as it has done since its independence. We want American investment to be an important part of that development. By strengthening Mongolia's capacity to manage investment transparently and sustainably, we enhance its ability to ensure these investments serve the interests of Mongolia and the Mongolian people, to include the nation's sovereignty and independence. Our partnership with Mongolia fosters the conditions needed to attract greater private investment and improve the ease of doing business there, benefiting all who conduct commerce there.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MATTHEW JOHN MATTHEWS BY SENATOR ROBERT MENENDEZ**

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. In my role as Ambassador for APEC, I have had the opportunity to work along with my team to promote and support Women's Economic Empowerment throughout all 21 APEC Economies. Since 2011, we have led efforts in APEC to break down barriers that inhibit women entering and remaining in the workforce. For as we all know, as the participation rate of women in our economies rises, the social benefits are clear: better distribution of income across our societies and better economic, health and education outcomes for all families. By working to ensure that all barriers to women in the workforce are eliminated, we not only strengthen the ability of women to speak out and act in accordance with their interests, we create an environment where their contribution will generate better economic outcomes for everyone. Such outcomes not only support women's ability to engage successfully in the economic sphere, but in the sphere of social and political rights as well.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Brunei? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Bruneian citizens do not have the ability to choose their government. The sultan rules through hereditary birthright. While the country is a constitutional sultanate, in 1962 the ruler at the time invoked an article of the constitution that allowed him to assume emergency powers. The present sultan continued this practice, which places few limits on his power.

Other challenges include limitations on freedoms of expression, press, assembly, and association. The law gives the Government of Brunei the right to ban distribution of foreign publications and requires distributors of foreign publications to obtain a government permit. The law also allows the Government to close a newspaper without giving prior notice or showing cause. The law provides for prosecution of newspaper publishers, proprietors, or editors who publish anything with an alleged seditious intent.

The Government's proclamation of emergency powers restricts the right to assemble. Public gatherings of 10 or more persons require a government permit, and police may disband an unofficial assembly of five or more persons deemed likely to cause a disturbance of the peace. The law does not provide for freedom of association. It requires formal groups, including religious, social, business, labor, and cul-

tural organizations, to register with the Registrar of Societies and provide regular reports on membership and finances.

*Question 3.* What steps will you take—if confirmed—to support democracy in Brunei? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The United States is working to promote civil society, the rule of law, and transparent and accountable governance across the region, including in Brunei, as part of the governance pillar of the Indo-Pacific strategy. The new Indo-Pacific Transparency Initiative under this pillar encompasses efforts to empower the region's citizens, help combat corruption, and strengthen nations' autonomy. If confirmed, I hope to promote good governance in Brunei that is responsive to the needs of the public and respectful of human rights and fundamental freedoms.

Although there are few limits on the sultan's power, the Government of Brunei has an avowed interest in the economic development of the country. I hope to highlight that weak institutions, corruption, and poor human rights conditions drive away smart private sector investment, and American businesses are motivated to invest in countries that operate transparently, uphold the rule of law, and protect intellectual property.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. In general, the United States does not provide U.S. Government assistance to high-income countries such as Brunei. As part of the new regional Indo-Pacific Transparency Initiative, the United States has continuous and ongoing programs supporting good governance, rule of law, civil society, independent media, elections and political processes, and human rights. The Transparency Initiative provides a framework to prioritize those programs and expand work with partners in support of a free and open Indo-Pacific. Although the United States does not generally provide foreign assistance to Brunei, if confirmed I will continue to work with all countries in the region to make them aware of our programs and encourage their support for these initiatives.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Brunei? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I commit to meet with civil society members, human rights and other non-governmental organizations in the United States and with local human rights NGOs and other members of civil society in Brunei. The United States is committed to protecting and promoting human rights and combatting corruption, advancing a world order that reflects U.S. values and increasing the security of the United States, our allies, and our partners. The strength and vibrancy of all nations depend on an active civil society and robust engagement between government and civil society. I will ensure that this message remains constant in our engagement with the Government of Brunei, including at the highest levels.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Political authority and control rests entirely with the sultan, and there are no political opposition figures and parties in Brunei. The National Development Party is the only registered political party, and it pledged to support the sultan and the Government. If confirmed, I will actively promote good governance, rule of law, civil society, and an independent media. I will also advocate for access and inclusivity for women, minorities and youth in all government and civil society institutions, as the United States is a strong proponent of the inclusion of diverse and minority voices in political processes around the world.

*Question 7.* Will you and your embassy team actively engage with Brunei on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Brunei?

Answer. Yes, my embassy team and I will actively engage with Brunei on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures. We encourage the Gov-

ernment of Brunei, as we do all countries, to respect freedom of expression, including for members of the press. My team and I will continue to support the development of a more active press, including new on-line publications, through professional training opportunities. I commit to meeting regularly with independent, local press in Brunei.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes, my embassy team and I will actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Brunei.

*Question 9.* Will you and your embassy team actively engage with Brunei on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, if confirmed, my embassy team and I will actively engage with Brunei on labor rights, including the right to form and join independent trade unions. I will continue the United States' ongoing efforts to support and promote the rights of workers to freedom of association and fair wages, contracts, and working conditions in all countries, including in Brunei.

*Question 10.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Brunei, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Brunei? What specifically will you commit to do to help LGBTQ people in Brunei?

Answer. Yes, I commit to using my position, if confirmed, to defend the human rights and dignity of all people in Brunei, no matter their sexual orientation or gender identity. Brunei is a deeply traditional, conservative society. Some reports indicate that LGBTI individuals in Brunei avoid disclosing their sexual orientations due to fear of social or legal retribution. Brunei's laws criminalize sodomy and "carnal intercourse against the order of nature," which in the past has been interpreted to include sexual relations between men. Brunei's strict Sharia Penal Code, if fully implemented, would prescribe harsh punishments such as stoning to death for sodomy.

Promoting, protecting, and advancing human rights, including of LGBTI persons, has long been and remains the policy of the United States. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. The Department of State's LGBTI-related efforts focus on deterring violence, advocating against laws that criminalize LGBTI status or conduct, and working to prevent serious levels of discrimination in areas such as employment and occupation, housing, and access to government services. The Bureau of Democracy, Human Rights and Labor (DRL) also administers an approximately \$10 million per year Global Equality Fund, a multi-donor fund that provides financial support to LGBTI civil society organizations and human rights defenders. If confirmed, advancing dignity and human rights for all will be a top priority for my engagement with the Government of Brunei.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MATTHEW JOHN MATTHEWS BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. In my role as Ambassador for APEC, I have had the opportunity to work along with my team to promote and support Women's Economic Empowerment throughout all 21 APEC Economies. Since 2011, we have led efforts in APEC to break down barriers that inhibit women entering and remaining in the workforce. For as we all know, as the participation rate of women in our economies rises, the social benefits are clear: better distribution of income across our societies and better economic, health and education outcomes for all families. By working to ensure that all barriers to women in the workforce are eliminated, we not only strengthen the ability of women to speak out and act in accordance with their interests, we create an environment where their contribution will generate better economic outcomes for everyone. Such outcomes not only support women's ability to engage successfully in the economic sphere, but in the sphere of social and political rights as well.

*Question 2.* What are the most pressing human rights issues in Brunei? What are the most important steps you expect to take—if confirmed—to promote human

rights and democracy in Brunei? What do you hope to accomplish through these actions?

**Answer.** I am concerned about further implementation of Brunei's Sharia Penal Code, especially Phases 2 and 3, which include corporal punishments such as amputation for theft and stoning for apostasy, adultery, and sodomy. Other challenges include limitations on freedoms of expression, press, peaceful assembly, and association. Bruneian citizens also do not have the ability to choose their government, since the sultan rules through hereditary birthright.

If confirmed, I will regularly communicate with Brunei regarding human rights and encourage the Government of Brunei to uphold its international commitments on human rights. I will encourage Brunei to ratify and implement the United Nations Convention Against Torture, which it signed in 2015, and to sign, ratify and implement the International Covenant on Civil and Political Rights. We encourage the Government of Brunei, as we do all countries, to respect freedom of expression, including for members of the press. I will continue to support the development of a more active press, including new on-line publications, through professional training opportunities.

The United States is working to promote civil society, the rule of law, and transparent and accountable governance across the region, including in Brunei, as part of the governance pillar of the Indo-Pacific strategy. The new Indo-Pacific Transparency Initiative under this pillar encompasses efforts to empower the region's citizens, help combat corruption, and strengthen nations' sovereignty through transparency and accountability. I hope to promote good governance in Brunei that is responsive to the needs of the public and respectful of fundamental human rights.

**Question 3.** If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Brunei in advancing human rights, civil society and democracy in general?

**Answer.** Brunei is a majority-Muslim country, and Islam has long played a role in its laws and government. Since political authority and control rests entirely with the sultan, he could decide to further implement the Sharia Penal Code at any time. Brunei is a deeply traditional, conservative society, and some changes will take more time to bring about. Civil society in Brunei is still nascent, the media is accustomed to self-censorship, and there are no political opposition figures and parties in Brunei.

**Question 4.** Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Brunei? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

**Answer.** Yes, if confirmed, I commit to meet with human rights, civil society and other non-governmental organizations in the United States and with local human rights NGOs in Brunei. The United States is committed to protecting and promoting human rights and combatting corruption, advancing a world order that reflects U.S. values and increasing the security of the United States, our allies, and our partners. The strength and vibrancy of all nations depend on an active civil society and robust engagement between government and civil society. I will ensure that this message remains constant in our engagement with the Government of Brunei, including at the highest levels. Consistent with U.S. law and Department policy, I will also ensure that we fully vet all Bruneian security force recipients of USG-funded assistance, and that provisions of U.S. security assistance and cooperation activities reinforce human rights.

**Question 5.** Will you and your embassy team actively engage with Brunei to address cases of key political prisoners or persons otherwise unjustly targeted by Brunei?

**Answer.** We are not aware of cases of political prisoners or persons otherwise unjustly targeted by Brunei. If confirmed, my embassy team and I will actively engage with Brunei should we learn of such cases.

**Question 6.** Will you engage with Brunei on matters of human rights, civil rights and governance as part of your bilateral mission?

**Answer.** Yes, if confirmed, I will engage with Brunei on matters of human rights, including civil rights, and governance as part of the bilateral mission.

**Question 7.** Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you sus-

pect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

*Answer.* I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Brunei?

*Answer.* My investment portfolio includes funds that may have investments in companies in Brunei; however, these funds are exempt from the conflicts of interest rules and have been reviewed by the State Department Ethics Office. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in any investments the State Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

*Answer.* As I have taken on increasingly broad managerial responsibilities in the Foreign Service, I have mentored entry level and mid-level officers from diverse backgrounds to ensure they develop the skills and enjoy the kind of opportunities that will enable them to rise successfully to higher levels in the Foreign Service. I have also worked assiduously to ensure they have properly prepared for competitive promotions within our internal competitive job bidding process, both in our missions abroad and in the Department of State in Washington, D.C.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

*Answer.* As the Ambassador, the first step is to send a clear message to every person in the mission, supervisors as well as other employees, that fostering an environment supportive of diversity and inclusiveness is key to obtaining and maintaining optimal performance. The second step is to make it clear that this is the standard to which we will operate. The third step is to set an example by modeling leadership and management approaches that help to achieve those outcomes, and making it clear that I will evaluate supervisors on their ability to deliver on creating and maintaining an environment where diversity and inclusiveness is strongly supported.

*Question 12.* How does political corruption impact democratic governance and the rule of law?

*Answer.* Democratic governance and the rule of law cannot flourish when political corruption runs rampant. Corruption, weak institutions, and poor human rights conditions also drive away smart private sector investment, which further entrenches political corruption and robs a country of needed capital to meet its development goals. The United States is working to promote civil society, the rule of law, and transparent and accountable governments across the region, including in Brunei, as part of the governance pillar of the Indo-Pacific strategy. The new Indo-Pacific Transparency Initiative under this pillar encompasses efforts to empower the region's citizens, help combat corruption, and strengthen nations' autonomy.

We assess that corruption is not pervasive in Brunei, although isolated incidents of low-ranking officials accepting bribes reportedly occur. In September 2016, Brunei's Anticorruption Bureau reported seven government officials were summoned to court for corruption, and two officials were charged. The law provides criminal penalties for corruption by officials, and the Government generally implements these laws effectively. If confirmed, I will work to promote good governance in Brunei that is responsive to the needs of the public and respectful of human rights and fundamental freedoms.

*Question 13.* What is your assessment of corruption trends in Brunei and efforts to address and reduce them by the Government of Brunei?

*Answer.* We assess that corruption is not pervasive in Brunei, although isolated incidents of low-ranking officials accepting bribes reportedly occur. As of September

2016, Brunei's Anticorruption Bureau reported seven government officials were summoned to court for corruption, and two officials were charged. The law provides criminal penalties for corruption by officials, and the Government generally implements these laws effectively.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Brunei?

Answer. If confirmed, I will work to further strengthen good governance and anticorruption programming in Brunei. The United States is working to promote civil society, the rule of law, and transparent and accountable governments across the region, including in Brunei, as part of the governance pillar of the Indo-Pacific strategy. The new Indo-Pacific Transparency Initiative under this pillar encompasses efforts to empower the region's citizens, help combat corruption, and strengthen nations' autonomy. I hope to promote good governance in Brunei that is responsive to the needs of the public and respectful of human rights and fundamental freedoms.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MATTHEW JOHN MATTHEWS BY SENATOR JEANNE SHAHEEN**

*Question 1.* In your view, in countries that do not share U.S. views on LGBT rights, how should a U.S. chief of mission advocate for full privileges, immunities and other rights for same-sex spouses?

Answer. Promoting, protecting, and advancing human rights, including of LGBTI persons, has long been and remains the policy of the United States. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. The Department of State's LGBTI-related efforts focus on deterring violence, advocating against laws that criminalize LGBTI status or conduct, and working to prevent serious levels of discrimination in areas such as employment and occupation, housing, and access to government services. The Bureau of Democracy, Human Rights and Labor (DRL) also administers an approximately \$10 million per year Global Equality Fund, a multi-donor fund that provides financial support to LGBTI civil society organizations and human rights defenders.

If confirmed, advancing dignity and human rights for all will be a top priority for my engagement with the Government of Brunei. I will continue the mission's ongoing and constructive engagement with the Government of Brunei, including through our regular bilateral Senior Officials Dialogue, to ensure that Brunei grants full privileges, immunities, and other rights for same-sex spouses.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
HON. MATTHEW JOHN MATTHEWS BY SENATOR EDWARD J. MARKEY**

*Question 1.* The Government of Brunei has publicly expressed interest in diversifying its economy, reducing its dependency on fossil fuels, and potentially investing in renewable energy. If confirmed, will you encourage these efforts? If so, how?

Answer. Yes, if confirmed, I will encourage the Government of Brunei to diversify its economy, reduce its dependency on fossil fuels, and invest in renewable energy and the services sector. In recent years, Brunei's economy has been in recession. In 2017, Brunei saw its first positive economic growth in five years, but only at 0.5 percent. The economy is expected to grow by a mere 1 percent in 2018, but increase to nearly 8 percent in 2019 based on forecasted oil prices, potentially making it one of the fastest-growing economies in the region. Economic growth in Brunei is closely tied to the price of oil, and the country remains one of the most hydrocarbon-dependent economies in the world.

Brunei is continuing efforts to diversify its economy away from its enduring reliance on oil and gas exports. Investment opportunities in Brunei are driven both by government planning and consumer demand. If confirmed, I look forward to deepening the economic ties between Brunei and the United States, including areas of U.S. competitive advantage that match Brunei's economic priorities, and promoting U.S. and U.S.-linked companies trading with and operating in Brunei. I will also continue to support high U.S. standards for trade and economic development in the region.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
W. PATRICK MURPHY BY SENATOR ROBERT MENENDEZ**

*Question 1.* As you know, many human rights groups, members of Congress, and even parts of the State Department, including the Bureau of Democracy, Rights, and Labor, opposed the administration's October 2016 decision to revoke a state of emergency and lift the bulk of the last main set of sanctions about the Burmese Government. They argued that lifting the sanctions would remove one of the U.S. Government's last remaining strong pieces of leverage over the Burmese Government and the military in particular. Tragically, within days of that decision being made, a small group of Rohingya militants attacked police personnel in Rakhine State, and Burmese security personnel launched a massive and disproportionate attack on dozens of Rohingya villages, resulting in over 87,000 displaced into Bangladesh. Subsequent violence in 2017 led to the displacement of almost ten times more people, meaning that almost a million Rohingya are now displaced.

Given the violence that has occurred since then, and the Burmese Government's ongoing denialism and recalcitrance in the face of international criticism, what is your perspective, today, on the administration's October 2016 decision? Do you think there are lessons to be learned—for Burma, for Cambodia, and elsewhere—given how the situation played-out in Burma following the removal of sanctions that suggests that a calibrated approach in which some sanctions are removed and others kept might be more effective to advance U.S. interests and values?

Answer. The horrific atrocities that have occurred in Rakhine State, the ongoing violence in Kachin and Shan States, and the continuing human rights concerns across Burma are reprehensible, regardless of Burma's leadership. These issues, however, are rooted in decades-old conflicts that festered under successive repressive and isolationist military dictatorships. While there is no easy or quick solution, I believe that strengthening Burma's democracy, improving Burma's civilian governance, along with fostering greater respect for freedom of religion and other human rights and the rule of law, offer the best hope for the people of Burma.

While we continue to assist Burma in this transition to a more open and democratic system of governance with civilian control of the military, we recognize the continuing risk the Burmese military poses to Burma's current civilian administration and populations across Burma. As such, in accordance with the Tom Lantos Block Burmese JADE Act of 2008, we have kept in place strict limitations on the issuance of visas for entry to the United States by senior Burmese military officials and their families, as well as restrictions on U.S. assistance to Burma, particularly to its military, and an embargo on arms sales to Burma.

In response to recent violence, the United States has supported new accountability measures including the U.N. Fact-Finding Mission, the establishment of an evidence gathering mechanism, the U.N. Special Rapporteur on Human Rights, and the U.N. Special Envoy to Burma. Additionally the United States has implemented financial sanctions on five individuals and two entities since August 2017 for atrocities committed in Rakhine, Kachin, and Shan States.

*Question 2.* Congress has also received reports that in late 2016 and early 2017 you and other State Department officials opposed EU proposals at the U.N. Human Rights Council to create an independent fact-finding mission (FFM). Is that true? If so, what was the basis for the opposition?

Answer. The State Department has consistently supported the mandate and work of the U.N. Fact-Finding Mission (FFM). Further, we have ensured that the FFM was able to brief publicly the U.N. Security Council, despite opposition from some member states. This U.N. Security Council briefing was open and live streamed for those interested in the report's findings and ensuing discussion.

*Question 3.* Can you provide the committee with a complete chronology of the discussions between the U.S. and the GoB regarding sanctions relaxation in 2015 and 2016, including the principal proposals advocated by each government at each step in the process?

Answer. The United States has supported and continues to support Burma's transition to democracy, along with associated political and economic reforms; promote national reconciliation; encourage government transparency, accountability, and strengthened institutions; empower local communities and civil society; press for responsible international engagement; and build respect for and protection of human rights, including freedom of religion or belief.

I cannot comment specifically on internal Department deliberations, though the Congressional Research Service's comprehensive February 2017 report provides a detailed chronology of the U.S. easing of sanctions, which was undertaken in consultation with Congress through the end of 2016, after Burma elected its first civil-

ian-led government in more than 50 years in November 2015. Significant restrictions remain in place, as we recognize the continuing threat the Burmese military poses to Burma's current civilian administration and to Burma's long-term prospects to transition toward a more open, inclusive, and democratic society. We have maintained strict limitations on issuing visas to enter the United States to senior Burmese military officials and their families; restrictions on U.S. assistance, particularly to its armed forces; and an embargo on arms sales.

*Question 4.* What have you learned given the real world tests in Southeast Asia over the past several years while you have served as a senior official in the Department about the relative benefits and costs of sanctions relaxation and re-imposition?

Answer. Sanctions, whether broad-based or targeted, are most effective when coupled with incentives, linked to specific actions or milestones, calibrated to the associated costs and benefits, and implemented in concert with other members of the international community. In the case of Burma, the decision to gradually relax sanctions began in 2012—in close consultation with Congress—in response to specific reform steps undertaken by the then-military government. We kept, and still maintain, restrictions aimed at the military—including our arms embargo and visa restrictions for military commanders—while reducing the restrictions for U.S. business and assistance to enter Burma and assist the country and its economy in transitioning out from under the military's grip.

While sanctions can limit the influence of human rights abusers, other programs can go a long way to support democratic reform. Since 2012, U.S. development assistance has been carefully integrated with our diplomatic efforts, focusing on deepening and sustaining key political and economic reforms, ensuring that the democratic transition benefits the diverse Burmese population, and mitigating social divisions along intercommunal, ethnic, and religious lines. Since 2012, the United States has provided over \$500 million to support Burma's transition, advance the peace process, and improve the lives of millions, including by assisting communities affected by violence and combatting hate speech and communal violence.

The United States also has a powerful tool in Executive Order 13818, which builds upon the Global Magnitsky Human Rights Accountability Act. We have employed this tool with effect in Burma against five Burmese commanders and two military units. These calibrated sanctions enable the United States to target bad actors while avoiding collateral damage to Burma's continued political and economic reforms.

*Question 5.* With the benefit of hindsight, do you agree or disagree with the argument that many outside observers, human rights groups, and some members of Congress made when they argued that the U.S. should have maintained some of its previous sanctions on Burma, and encouraged other countries to do so, and that if the U.S. had in fact done so, at least some of the terrible atrocities that have occurred since 2006 might have been avoided? Would such an approach have given the U.S. and democratic leaders in Burma more or less leverage to press on human rights, democratic transition, ethnic and religious reconciliation and the peace process?

Answer. The U.S. Government, with the support of Congress, has employed an engagement strategy that has recognized the positive steps undertaken by the Burmese Government in recent years, and sought to incentivize further changes. The guiding principles of this approach have been to support Burma's political and economic reforms; promote national reconciliation; encourage government transparency; urge accountability and strengthened institutions; empower local communities and civil society; promote responsible international engagement; and strengthen respect for and protection of human rights, including freedom of religion or belief. The United States was among the last countries to lift economic sanctions on Burma, which had been implemented to support the pro-democracy movement and improve respect for human rights, in response to a series of important democratic reforms that started in 2011. The European Union lifted its economic sanctions in April 2013, and the United States followed suit on October 7, 2016.

Ultimately, we assess that improving the current conditions and future prospects of people across Burma, and precluding further abuses by the Burmese military, depend on Burma evolving to a more open and democratic system of governance, civilian control of the military, strong institutions, and a government that upholds human rights and fundamental freedoms. Accordingly, we continue to seek a successful transition to full democracy in Burma so that its government will deliver good governance, end impunity, and improve human rights practices.

Further, significant restrictions remain in place, as we recognized the continuing threat the Burmese armed forces pose to Burma's current civilian administration and populations across Burma. We have kept in place limitations on issuing visas to enter the United States to senior military officials and their families; restrictions

limiting the types of U.S. assistance to Burma, particularly to its military; and an embargo on arms sales to Burma.

In response to increasing levels of violence, the United States has supported new accountability measures including the U.N. Fact-Finding Mission, the establishment of an evidence gathering mechanism, and the U.N. Special Rapporteur on Human Rights. Additionally the United States has implemented financial sanctions on five individuals and two entities since August 2017 for atrocities committed in Rakhine, Kachin, and Shan States.

*Question 6. Anti-Americanism in Cambodia:* Despite considerable U.S. and international aid to help rebuild Cambodia since the early 1990s, strongman Prime Minister Hun Sen's evolution into dictatorship has had a strong anti-American dimension. Last year, opposition leader Kem Sokha was imprisoned on false charges of colluding with the United States; U.S.-backed newspapers and radio programs have been closed and taken off the air; the National Democratic Institute was expelled from the country; the Peace Corps was sent home; and the Government has made a number of statements attacking the United States, including calling American democracy "bloody and brutal." Other autocrats around the world seem to think the United States will turn a blind eye to such backsliding. How do you plan to push back against this trend in Cambodia and vigorously defend America's values and interests?

Answer. If confirmed, I will continue to urge the Cambodian Government publicly and privately? to restore its democratic institutions, realize civil and political rights for all, and ensure freedom of the press, all based on principles enshrined in its Constitution. We will also engage human rights advocates, independent journalists, civil society organizations, private sector associations, and trade unions to ensure their views are visible in Cambodian society. We will strengthen people-to-people ties and demonstrate that only a democratic Cambodia is best equipped to continue to lift Cambodians out of poverty, empower its citizens to tackle the challenges Cambodia faces?, and meet the aspirations of Cambodia's booming youth population. We will also emphasize that only a democratic Cambodia can maintain an independent foreign policy and resist influences that seek to erode the country's sovereignty.

I note that the Peace Corps remains active in Cambodia and was not forced to cease operations. The organization remains an important component of U.S. engagement in Cambodia, especially in the field of education, and if confirmed I will support fully the Peace Corps presence as a successful means to help meet the country's development goals and to foster mutual understanding.

*Question 7. Not surprisingly, Cambodia's pivot away from the United States has seen Hun Sen increase his country's political alignment with China. Given the Cambodia economy's reliance on Western markets, why do you think the United States has been so reluctant to use economic leverage to moderate Hun Sen's behavior?*

Answer. Targeted sanctions are an effective tool that can influence the behavior of those individuals directly involved in perpetrating human rights abuses and/or undermining Cambodia's democracy without inadvertently penalizing the broader Cambodian population. The U.S. Government continually aims to shape policies that use the full range of tools available to the United States to promote a more democratic Cambodia.

*Question 8. What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?*

Answer. Tackling human rights and democracy challenges has defined my career. I have served in, and guided relations with, numerous countries struggling under authoritarian rule, conflict, or fragile transitions—circumstances that eroded civil liberties and democratization. I have therefore prioritized unambiguous messaging on core principles; consulted civil society, likeminded countries, and relevant international organizations; and, in collaboration with Congress, contributed to developing sanctions and restrictions on travel and assistance. Results are not always readily apparent, but I am proud of my contributions to shelter nearly one million refugees in Guinea, negotiate peace in conflict-torn Sierra Leone, defend the rights of HIV-afflicted women in Lesotho, assist vulnerable minorities in war-torn northern Iraq, protect Chinese and North Korean dissidents, and help to restore the freedoms of citizens under non-democratic rulers across Southeast Asia. I was recognized as the Department of State's runner-up for the 2005 Democracy and Human Rights Award for efforts to support Burmese suffering under decades of military rule and to protect the country's highly repressed ethnic Rohingya, efforts that I continue to this day.

*Question 9.* What issues are the most pressing challenges to democracy or democratic development in Cambodia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The United States is very concerned by the democratic setbacks in Cambodia over the past couple of years. After Cambodia's free and fair local elections in 2017—in which the opposition Cambodia National Rescue Party (CNRP) won nearly 44 percent of local council seats—the ruling Cambodian People's Party Government took steps to marginalize the opposition, including by dissolving the CNRP, usurping local council seats won by the CNRP in 2017, imprisoning the party's leader on spurious treason charges, and banning 118 CNRP officials from engaging in political activity for five years. The Government also imposed new restrictions on civil society organizations and forced the closure or sale of more than 30 independent media outlets.

As a result of these measures, the national elections held in July 2018 were neither free nor fair and failed to represent the will of the Cambodian people, as noted in the White House statement released July 29. The flawed elections and the anti-democratic steps that preceded them represent the most significant setback yet to the democratic system enshrined in Cambodia's constitution, and substantially erode Cambodia's achievements in promoting political reconciliation and economic growth since the 1991 Paris Peace Accords.

*Question 10.* What steps will you take—if confirmed—to support democracy in Cambodia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The United States has repeatedly called for the Cambodian Government to release immediately and unconditionally CNRP opposition leader Kem Sokha; remove undue restrictions on the political opposition, including the ban on 118 opposition leaders from engaging in political activity, and initiate a meaningful process aimed at building genuine national reconciliation. We have also urged the Government to remove restrictions on civil society and independent media, which are critical in any democracy. If confirmed, I will urge the Cambodian Government to take these steps and will work with like-minded partners to encourage Cambodia's leaders to fulfill their commitments under the country's constitution and the Paris Peace Accords.

*Question 11.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. The State Department and USAID support a number of successful programs that work with civil society, independent media, youth, and other groups to support democracy and governance. If confirmed, I will seek to expand programs that empower Cambodia's young people—who account for 70 percent of the population and represent the country's future—to engage in the political process. I will further seek to develop programs that empower and train independent media in Cambodia.

*Question 12.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Cambodia? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, absolutely. The State Department regularly engages human rights, civil society, and other non-governmental organizations in the United States and in Cambodia, as I have done in previous capacities as a senior diplomat. I am committed to continuing that engagement. If confirmed, I will continue to press the Cambodian Government to protect the freedoms of expression, association, and religion enshrined in Cambodia's constitution, and to remove undue restrictions on NGOs and civil society organizations. I will regularly and actively seek out civil society organizations' views and advice to inform our policies and programs in support of democratic institutions and human rights in Cambodia.

*Question 13.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, absolutely. The State Department regularly engages democratically-oriented political opposition figures and parties in the United States and in Cam-

bodia, as I have done in previous capacities as a senior diplomat. I am committed to continuing that engagement. If confirmed, I will meet with a wide variety of political groups to understand their concerns and determine how the United States can assist them in supporting a more democratic Cambodia. Our Embassy is actively engaged in work that encourages women, minorities, and youth to engage in the political process. I plan to continue that work, if confirmed.

*Question 14.* Will you and your embassy team actively engage with Cambodia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory, or other measures? Will you commit to meeting regularly with independent, local press in Cambodia?

Answer. We are very concerned about the restrictions imposed on independent media in Cambodia and have called on the Cambodian Government to allow the independent media to carry out its constitutionally protected work. If confirmed, I will strongly advocate for greater press freedoms, including the lifting of the ban on Voice of America (VOA) and Radio Free Asia (RFA) from broadcasting on FM radio. I am committed to meeting often with independent journalists and editors.

*Question 15.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in Cambodia?

Answer. If confirmed, my Embassy team and I will work with the Department of State's Global Engagement Center, civil society, and independent media outlets to counter disinformation and propaganda disseminated by foreign state or non-state actors in Cambodia. The Embassy has already hosted trainings, exchanges, and workshops on countering disinformation in Cambodia, and we will continue this work.

*Question 16.* Will you and your embassy teams actively engage with Cambodia on the right of labor groups to organize, including for independent trade unions?

Answer. If confirmed, my Embassy team and I will work closely with a range of partners, including unions, international brands, and government ministries, to promote respect for internationally-recognized worker rights in Cambodia.

Several U.S. trade associations have raised with us their concerns about the continued restrictions on workers' rights, including limitations on independent trade unions and labor leaders. These associations and the U.S. companies they represent have also engaged the Cambodian Government to promote fair labor practices. We will continue to work with these groups to address their concerns.

*Question 17.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Cambodia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Cambodia? What specifically will you commit to do to help LGBTI people in Cambodia?

Answer. If confirmed, I will defend the human rights and dignity of all people, regardless of their sexual orientation or gender. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people in Cambodia experience discrimination, but have also enjoyed some official support from the King and the Cambodian Government. For example, the Ministry of Information issued a letter calling for artists and presenters in the media to stop mocking the LGBT community as it "degrades the honor and rights of LGBT people who are also protected by the state's law as well as other citizens." As we have done in the past, I am committed to working with NGOs focused on LGBTI rights to improve awareness and build understanding to decrease discrimination in Cambodia.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO W. PATRICK MURPHY BY SENATOR MARCO RUBIO

*Question 1.* Did you participate in the Executive Branch's decision-making process that led to President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma)?

Answer. In my role as Deputy Assistant Secretary for Southeast Asia in the Department of State's Bureau of East Asian and Pacific Affairs—a role I began in April 2016 and held in October 2016—I was part of the team that assisted the Bureau's Assistant Secretary of State regarding Burma policy.

*Question 2.* Did you, in any way, advocate for lifting sanctions against the Burmese Government prior to President Obama's October 7, 2016, Executive Order

(Termination of Emergency with Respect to the Actions and Policies of the Government of Burma)?

Answer. I cannot comment specifically on internal Department deliberations, but in my role as Deputy Assistant Secretary for Southeast Asia, which I began in April 2016, I was part of the Department and interagency's Burma policy discussions. Department colleagues and I have continually aimed to shape policies that use the full range of tools available to the United States to support Burma's political and economic reforms; promote national reconciliation; encourage government transparency, accountability, and strengthened institutions; empower local communities and civil society; achieve responsible international engagement; and improve respect for and protection of human rights, including freedom of religion or belief. During this pivotal time in Burma's history, which included the seating of Burma's first elected civilian government in over 50 years, the Department coordinated and communicated regularly with Congress on the administration's policies that had commenced with a Burma policy review in 2010.

*Question 3.* Prior to President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma), did Burmese State Counsellor Aung San Suu Kyi express any concerns with State Department officials or other officials in the administration about lifting sanctions against the Burmese Government?

Answer. The Obama administration consulted closely with Burma's first democratically-elected government in more than 50 years on lifting sanctions. During her visit to Washington in 2012 to receive the Congressional Gold Medal, Aung San Suu Kyi, in her capacity as an elected legislator, discussed initial easing of some sanctions and restrictions on Burma with administration and Congressional leaders. She held similar discussions during her 2016 visit as State Counsellor. Following that visit, the administration lifted sanctions, but retained restrictions on the Burmese military and certain forms of assistance. The administration assessed that overcoming 50 years of repressive military rule would be neither quick nor without significant challenges.

*Question 4.* Prior to President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma), were you aware of a policy option in which the United States could have terminated the national emergency declared in Executive Order 13047 while, at the same time, retaining some sanctions against the Burmese military and military entities under Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110-286) (the "JADE Act") or other existing authorities?

Answer. I cannot comment specifically on internal Department deliberations, although as part of the standard interagency process the then-administration considered many options to further U.S. interests in assisting Burma's transition toward a more open, inclusive, and democratic society. Although Congress took steps to ease sanctions in 2012 and the then-administration terminated the national emergency in 2016, significant restrictions remained and continue today in light of threats posed by the Burmese military to the country's civilian administration and to long-term prospects for a complete transition toward a more open, inclusive, and democratic society. We have generally kept in place strict limitations on issuing visas to enter the United States to senior military officials; restrictions on U.S. assistance to Burma, particularly to its military; and an embargo on arms sales to Burma.

*Question 5.* Prior to President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma), did you ever inform, or recommend that the administration inform, Burmese State Counsellor Aung San Suu Kyi about the existence of an alternative policy option in which the United States could terminate the national emergency declared in Executive Order 13047 while, at the same time, retaining some sanctions against the Burmese military and military entities under Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110-286) (the "JADE Act") or other existing authorities?

Answer. The Obama administration consulted closely with Burma's first democratically-elected government in more than 50 years. Significant restrictions remain in place, including portions of the JADE Act, in light of continuing threats the Burmese military poses to the country's current civilian administration and long-term prospects to complete a transition toward a more open, inclusive, and democratic society. The administration has consistently kept in place strict limitations on issuing visas to enter the United States to senior military officials and their families; restrictions on U.S. assistance to Burma, particularly to its military; and an embargo on arms sales to Burma.

*Question 6.* Prior to President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma), did you or anyone in the State Department's Bureau of East Asian and Pacific Affairs (EAP) ever oppose policy options in which the United States could terminate the national emergency declared in Executive Order 13047 while, at the same time, retaining some sanctions against the Burmese military and military entities under Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) (the "JADE Act") or other existing authorities?

Answer. I cannot comment specifically on internal Department deliberations, though as part of the interagency process the then-administration, in consultation with Congress, evaluated a range of options to further U.S. interests in assisting Burma's transition toward a more open, inclusive, and democratic society. Significant restrictions remain in light of the continuing threat the Burmese military poses to Burma's current civilian administration and to the country's long-term prospects to complete a transition. The administration generally kept in place strict limitations on issuing visas to enter the United States to senior military officials and their families; restrictions on of U.S. assistance to Burma, particularly to its military; and an embargo on arms sales to Burma.

*Question 7.* Given the Burmese military's subsequent October 2016 campaign of murder and violence against the Rohingya and the Burmese military and security forces' August 2017 mass atrocities against the Rohingya, do you today, with the benefit and clarity of hindsight, believe it was premature to lift sanctions against the Burmese Government, including the Burmese military and Burmese military entities and owned enterprises, in October 2016?

Answer. In October 2016, in response to the country's election of its first civilian government in over 50 years and initial steps that government took with regard to human rights, President Obama, in consultation with Congress, terminated the national emergency with respect to Burma and took other measures related to financial sanctions on Burma.

Improving the conditions and future prospects of people across Burma, and efforts to prevent continued abuses by the Burmese military, depend on Burma evolving to a more open and democratic system of governance with civilian control of the military and strong institutions to enforce the rule of law. Accordingly, the administration continues to focus on helping the elected government of Burma successfully transition to full democracy, deliver good governance, end impunity, and improve human rights practices.

Significant restrictions remain in place in light of the continuing threats the Burmese military poses to Burma's current civilian administration and populations across Burma, including Rohingya. The administration has generally kept in place strict limitations on issuing visas to enter the United States to senior military officials; restrictions limiting the types of U.S. assistance to Burma, particularly to its military; and an embargo on arms sales to Burma. The administration has also sanctioned military personnel and entities for their role in abuses committed against Rohingya and other ethnic minorities.

*Question 8.* When, after President Obama's October 7, 2016, Executive Order (Termination of Emergency with Respect to the Actions and Policies of the Government of Burma), the Burmese military engaged in a campaign of violence against the Rohingya—which ultimately led to the displacement of over 87,000 refugees into Bangladesh—did any Bureau or official in the State Department recommend or otherwise suggest that the United States should consider reimposing some targeted sanctions against the Burmese military or its military leaders?

Answer. Yes.

*Question 9.* After the Burmese military's October 2016 campaign of violence against the Rohingya, were you involved in any discussions or decisions about whether or not to reimpose targeted sanctions against the Burmese military or its military leaders? If so, what policy options did you personally advocate?

Answer. I cannot comment specifically on internal Department deliberations, but in my role as Deputy Assistant Secretary for Southeast Asia, which I began in April 2016, I worked with Department and interagency colleagues to shape policies that use the full range of tools available to advance U.S. national interests in Burma. To date, results have included the use of targeted sanctions on military personnel and entities.

*Question 10.* Did the State Department's Bureau of East Asian and Pacific Affairs ("EAP") recommend to the Secretary of State any specific options in response to the Burmese military's October 2016 campaign of violence against the Rohingya?

Answer. I cannot comment specifically on internal Department deliberations, but the Bureau has worked with other Department entities and the interagency to shape policies that use the full range of tools available to the United States to support Burma's political and economic reforms; contribute to national reconciliation; encourage government transparency, and promote accountability and institutions; empower local communities and civil society; urge responsible international engagement; and strengthen respect for and protection of human rights, including freedom of religion or belief.

*Question 11.* Did EAP advocate against the re-impose targeted sanctions against the Burmese military or its military leaders in response to the Burmese military's October 2016 campaign of violence against the Rohingya?

Answer. I cannot comment specifically on internal Department deliberations, but the Bureau has consistently worked with other Department entities and the interagency to shape policies that use the full range of tools available to the United States to support Burma's political and economic reforms; contribute to national reconciliation; encourage government transparency, and promote accountability and institutions; empower local communities and civil society; urge responsible international engagement; and strengthen respect for and protection of human rights, including freedom of religion or belief.

*Question 12.* Do you, with the clarity of hindsight, today believe that if the United States would have re-imposed targeted sanctions against the Burmese military and its military leaders in response to the Burmese military's October 2016 campaign of violence against the Rohingya, this course of action could have contributed to deterring or preventing the Burmese military's subsequent escalation in violence, including the Burmese military and security forces' August 2017 mass atrocities against the Rohingya?

Answer. Atrocities committed in Rakhine State, ongoing violence in Kachin and Shan States, and continuing human rights concerns across Burma are reprehensible, regardless of who is in leadership in Burma. These issues are rooted in decades-old conflicts that festered under successive repressive and isolationist military dictatorships, even during periods of broad U.S. and international sanctions. Burma's continued transition to democracy offers an important path toward a better future for all of the country's diverse peoples. In consultation with Congress, we will continue to seek a successful and complete transition to democracy in Burma, using the full range of tools available to us, so that its government will deliver good governance, end impunity, and improve human rights practices.

*Question 13.* Were you, in your capacity as Deputy Assistant Secretary of State for Southeast Asia, aware of any strategic, tactical, and operational warning signals of an imminent threat to the Rohingya prior to the Burmese military and security forces' August 2017 mass atrocities against the Rohingya? If so, what were they?

Answer. Successive administrations have raised concerns about and taken actions with regard to the despicable treatment of ethnic Rohingya. Although Rohingya have been vulnerable to, and victims of, violence for decades, the scale of abuses and degree of insecurity that arose in late 2017 were without precedent. Attacks on August 25, 2017 by the Arakan Rohingya Salvation Army (ARSA) on Burmese security forces also contributed to further insecurity in Rakhine State.

*Question 14.* What course of action, if any, did you advocate for in the State Department to prevent the escalation of violence by Burmese military and security forces against Rohingya in August 2017?

Answer. On the day of Arakan Rohingya Salvation Army (ARSA) attacks in Rakhine State on Burmese security forces, the Department issued a statement that condemned the deadly violence, and called upon the Government and security forces to prevent further violence in a way consistent with the rule of law while protecting human rights and avoiding inflaming the situation. Our Embassy in Rangoon, our Mission to the United Nations, and senior U.S. officials immediately and have continuously called upon the Government and the security forces to end violence, respect human rights, and hold those responsible for atrocities to account. I worked in the Department with colleagues to utilize all options available to stem further violence and ease sufferings of victims. My own specific actions following the August violence included meeting the Ambassador of Burma at the Department and visiting Naypyitaw and Rakhine State to communicate our messages on violence directly to authorities and other stakeholders. I have also continuously supported efforts to encourage likeminded countries and Burma's neighbors to engage with the Government to end violence, grant humanitarian and media access, and investigate and hold accountable those responsible for atrocities.

*Question 15.* At what point did you become aware of the full scope and scale of the Burmese forces' attacks against the Rohingya starting in August 2017?

Answer. Following Arakan Rohingya Salvation Army (ARSA) attacks on Burmese security forces, and subsequent Burmese military operations, large waves of Rohingya refugees crossing the border into Bangladesh were one of the first true measures of the scope and scale of the atrocities. I visited Naypyitaw and Rakhine State in September 2017 to communicate directly to senior authorities and other stakeholders our concerns and to urge immediate actions to end the violence and to protect vulnerable populations.

Without unhindered access to northern Rakhine State and a full, impartial international investigation into the atrocities that began in August 2017, the United States will not have a fully complete understanding of the full scope and scale of the violence that occurred in Rakhine State.

Nonetheless, the Department used available information to conclude that ethnic cleansing had occurred in Rakhine State. In an effort to understand better the dimensions of the crisis, the Department initiated the Rakhine State Documentation Project to compile further information about the abuses and inform U.S. policy-makers.

*Question 16.* What is your assessment of the nature and scale of the attacks against the Rohingya population? How many people were killed? How were they killed?

Answer. Without unhindered access to northern Rakhine State and a full, impartial international investigation into the atrocities that began in August 2017, the United States will not have a fully complete understanding of how many were killed during the violence that occurred in Rakhine State. Nonetheless, ?the exodus of over 700,000 Rohingya to Bangladesh, and others displaced internally, clearly indicates a high degree of violence and insecurity as result of Burmese military operations as well as attacks by the Arakan Rohingya Salvation Army (ARSA).

Due to ongoing access restrictions in northern Rakhine State, information is difficult to obtain. One of the best sources of information are Rohingya refugees now in Bangladesh. In recognition of this, the Department initiated the Rakhine State Documentation Project to compile information about abuses and inform U.S. policy-makers. The documentation project found that a substantial majority of refugees interviewed had witnessed killings and sexual violence.

*Question 17.* Do you assess that the Burmese military and security forces, in their campaign of violence against the Rohingya that began in August 2017, committed ethnic cleansing?

Answer. The U.S. Government has characterized the atrocities that took place in northern Rakhine State since August 2017 as "ethnic cleansing." This conclusion of ethnic cleansing in no way prejudices any potential further determination on whether other mass atrocities have taken place, including genocide or crimes against humanity. We continue to review and analyze new evidence and information as it comes to light.

*Question 18.* Do you assess that the Burmese military and security forces, in their campaign of violence against the Rohingya that began in August 2017, committed crimes against humanity?

Answer. The U.S. Government has characterized the atrocities that took place in northern Rakhine State since August 2017 as "ethnic cleansing" and continues to review and analyze new evidence and information as it comes to light. This conclusion of ethnic cleansing in no way prejudices any potential further determination on whether other mass atrocities have taken place, including genocide or crimes against humanity.

*Question 19.* Do you assess that the Burmese military and security forces, in their campaign of violence against the Rohingya that began in August 2017, committed genocide?

Answer. The U.S. Government has characterized the atrocities that took place in northern Rakhine State since August 2017 as "ethnic cleansing" and continues to review and analyze new evidence and information as it comes to light. This conclusion of ethnic cleansing in no way prejudices any potential further analysis on whether other mass atrocities have taken place, including genocide or crimes against humanity.

*Question 20.* Has the State Department's Bureau of East Asian and Pacific Affairs ("EAP") made any recommendation to the Secretary of State on whether or not the Burmese military and security forces' crimes, violence and mass atrocities against

the Rohingya that began in August 2017 amount to genocide? If not, why have you and EAP not made any recommendation to the Secretary of State on this matter?

**Answer.** I cannot comment specifically on internal and ongoing Department deliberations, but Department colleagues, interagency officials, and I have continually aimed to shape policies that use the full range of tools available to the United States to ease suffering, address root causes of violence, and attain justice for victims using the best evidence and analysis available to us. Last year, with EAP support, the Department concluded that the situation in Burma's northern Rakhine State constituted ethnic cleansing against Rohingya. This conclusion of ethnic cleansing in no way prejudices any potential further analysis on whether other mass atrocities have taken place, including genocide or crimes against humanity. EAP has consistently advocated and ensured that human rights remain a top priority in the formulation of policies to protect and advance our national interests with regard to Burma, including determinations on what abuses transpired in Rakhine State and targeted sanctions to bring about accountability for them.

**Question 21.** What is your current assessment of the impact of Chinese influence on the Cambodian Government and the Cambodian people?

**Answer.** We have noted the increasing influence of China in Cambodia, and are very concerned about reports of the possible establishment of a Chinese military base in Cambodia, which would be prohibited by the Cambodian constitution. Such an action would undermine regional stability, Cambodia's democratic development, and raise concerns rule of law and national sovereignty. If confirmed, I will consistently underscore to the Cambodian Government and Cambodian people the importance of a free and open Indo-Pacific in which, as Vice President Pence said, "nations large and small can prosper and thrive" and where each nation "chooses to respect its neighbors' sovereignty; embrace free, fair, and reciprocal trade; uphold human rights and freedom."

**Question 22.** If confirmed, under your leadership what would the U.S. Embassy in Phnom Penh do differently to address Cambodia's pivot to China?

**Answer.** If confirmed, I will continue the Embassy's work to focus on how the United States and Cambodia can work together to advance shared goals, such as democracy, freedom, economic prosperity, and regional stability. I will engage like-minded partners, civil society, the private sector, and multilateral institutions to promote the principles of a free and open Indo-Pacific that benefit Cambodia and the United States.

**Question 23.** Do you believe that the atmosphere for free speech in Cambodia is under threat?

**Answer.** In recent years, the Cambodian Government imposed severe restrictions on civil society organizations and forced the closure or sale of more than 30 independent media outlets. Many of our civil society partners have said they do not feel free to express themselves freely. The Cambodian Government has also prohibited Radio Free Asia and Voice of Americas from broadcasting on FM radio in Cambodia. If confirmed, I will advocate for the freedom of expression, including for the press, which is protected by Cambodia's constitution.

**Question 24.** Do you believe that Cambodia is no longer has a pluralistic, free, independent, and vibrant media landscape?

**Answer.** In recent years, the Cambodian Government imposed severe restrictions on civil society organizations and forced the closure or sale of more than 30 independent media outlets. Many of our civil society partners have said they do not feel free to express themselves freely. The Cambodian Government has also prohibited Radio Free Asia and Voice of America from broadcasting on FM radio in Cambodia. In previous years, Cambodia enjoyed a more vibrant free press and broader space for civil society. If confirmed, I will advocate for the freedom of expression, including for the press, which is protected by Cambodia's constitution.

**Question 25.** If confirmed, will you use your position to advocate for the protection of freedom of speech and expression in Cambodia?

**Answer.** Yes, if confirmed, I will continue to advocate for the freedom of expression, including for the press, which is protected by Cambodia's constitution.

**Question 26.** Do you believe that persons in the Cambodian Government who are credibly shown to be complicit in gross human rights abuses or corruption should be prohibited from obtaining visas to travel to the United States under the Global Magnitsky Act?

**Answer.** In June, the United States designated a senior security official under E.O. 13818, which implements the Global Magnitsky Human Rights Accountability Act. If confirmed, I will consider all options that could incentivize better behavior

from Cambodian Government authorities. I am grateful for the many tools that Congress has provided us, including the Global Magnitsky Human Rights and Accountability Act.

*Question 27.* If confirmed as Ambassador, what efforts will you undertake to press the Cambodian Government to release opposition leader Kem Sokha?

Answer. The United States has repeatedly called for the Cambodian Government to release immediately and unconditionally CNRP opposition leader Kem Sokha; remove undue restrictions on the political opposition, including a ban on 118 opposition leaders from engaging in political activity; and initiate a meaningful process aimed at building genuine national reconciliation. If confirmed, I will continue to engage the Cambodian Government to urge that charges against Kem Sokha be dropped unconditionally and I will work with like-minded partners to reinforce that message.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
W. PATRICK MURPHY BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. Tackling human rights and democracy challenges has defined my career. I have served in, and guided relations with, numerous countries struggling under authoritarian rule, conflict, or fragile transitions—circumstances that eroded civil liberties and democratization. I have therefore prioritized unambiguous messaging on core principles; consulted civil society, likeminded countries, and relevant international organizations; and, in collaboration with Congress, contributed to developing sanctions and restrictions on travel and assistance. Results are not always readily apparent, but I am proud of my contributions to shelter nearly one million refugees in Guinea, negotiate peace in conflict-torn Sierra Leone, defend the rights of HIV-afflicted women in Lesotho, assist vulnerable minorities in war-torn northern Iraq, protect Chinese and North Korean dissidents, and help to restore the freedoms of citizens under non-democratic rulers across Southeast Asia. I was recognized as the Department of State's runner-up for the 2005 Democracy and Human Rights Award for efforts to support Burmese suffering under decades of military rule and to protect the country's highly repressed ethnic Rohingya, efforts that I continue to this day.

*Question 2.* What are the most pressing human rights issues in Cambodia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Cambodia? What do you hope to accomplish through these actions?

Answer. The United States is very concerned by the setbacks to democracy and human rights in Cambodia over the past couple of years. In advance of 2018 elections, the ruling Cambodian People's Party (CPP) took a number of steps to marginalize the political opposition, including by dissolving the Cambodia National Rescue Party (CNRP), imprisoning its leader Kem Sokha on spurious treason charges, and banning 118 CNRP officials from engaging in politics for five years. The Government also imposed restrictions on civil society organizations and forced the closure or sale of more than 30 independent media outlets.

The United States has repeatedly called for the Cambodian Government to immediately and unconditionally release Kem Sokha; remove restrictions on the political opposition, including the ban on 118 opposition leaders from engaging in political activity; and initiate a meaningful process aimed at building genuine national reconciliation. We have also urged the Government to remove restrictions on civil society and independent media, which are critical in any democracy. If confirmed, I will continue to urge the Cambodian Government to take these steps and will work with like-minded partners to encourage Cambodia's leaders to fulfill their commitments under the Cambodian constitution and the Paris Peace Accords.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Cambodia in advancing human rights, civil society, and democracy in general?

Answer. New government-imposed restrictions as well as the ruling party's near-absolute control over government institutions, the judiciary, and the security services have unduly limited the space for civil society and free expression. This creates

challenges for civil society and independent media to carry out their mission and to express views critical of the Government, ruling party, or leadership.

If confirmed, I am committed to finding ways to continue actively supporting democracy, good governance, and human rights in Cambodia, including through State Department and USAID programs and by working with like-minded partners to ensure the Cambodian leadership respects the freedoms enshrined in the Cambodian constitution and the commitments made in the Paris Peace Accords.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Cambodia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. The State Department regularly engages human rights, civil society, and other non-governmental organizations both in the United States and in Cambodia. I am fully committed to continuing that engagement, if confirmed.

Embassy Phnom Penh has a robust Leahy vetting program. If confirmed, I will ensure our Leahy team continues to thoroughly vet all Cambodian security and law enforcement officials that could benefit from U.S. security assistance to make sure they have not engaged in any form of human rights abuse.

*Question 5.* Will you and your embassy team actively engage with Cambodia to address cases of key political prisoners or persons otherwise unjustly targeted by Cambodia?

Answer. The United States has and will continue to engage Cambodia on cases of political prisoners, like Kem Sokha. If confirmed, I will continue to urge the Cambodian Government to drop all charges against Kem Sokha, release him and other political prisoners, and remove undue restrictions on his and others' human rights.

*Question 6.* Will you engage with Cambodia on matters of human rights, civil rights, and governance as part of your bilateral mission?

Answer. The United States has repeatedly called the Cambodian Government to respect human rights, including civil rights, and ensure good governance by restoring democratic institutions. If confirmed, I will continue to actively engage this issue.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I am committed to complying with all relevant federal ethics laws, regulations, and rules, and to raising any concerns through the appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I am committed to complying with all relevant federal ethics laws, regulations, and rules, and to raising any concerns through the appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Cambodia?

Answer. My investment portfolio includes diversified mutual funds that may hold interests in companies with a presence in Cambodia; however, these funds are exempt from the conflict of interest laws. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I firmly agree that diversity improves creativity and productivity and, for the Foreign Service, improves America's diplomatic strength. If confirmed, I will ensure that Embassy supervisors consider our diversity goals in the recruitment and hiring of new employees. I will work closely with relevant Embassy officers and staff—including the Deputy Chief of Mission, the Management Officer, the Community Liaison Office Coordinator, Equal Employment Opportunity counselors, and others—to ensure not only full compliance with U.S. laws and regulations, but also to implement any and all efforts to mentor American and local staff and to foster

a workplace and mission community that is fully inclusive of all groups and individuals.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. Recently, Secretary Pompeo made it clear that discriminatory harassment and/or toxic behavior has no place in the work place, both domestically and in our diplomatic missions abroad. I commit fully to actively facilitating a work culture of civility and respect, using all appropriate guidance and tools available to hold supervisors accountable for upholding these principles. I also find strength in the diversity and inclusivity of our workspace and will ensure, if confirmed, that Embassy supervisors foster a work environment that embraces diversity of thought, background, and experience.

*Question 12.* How does political corruption impact democratic governance and the rule of law?

Answer. Corruption remains a serious challenge, and hinders economic and political development in Cambodia. Some companies have engaged in opaque, non-competitive land and investment deals, a particular problem that fuels political corruption in Cambodia. If confirmed, I will actively urge the Cambodian Government to ensure transparency and accountability in all investment deals and transactions, and to ensure that U.S. companies are not unfairly disadvantaged in any tender or contract process.

*Question 13.* What is your assessment of corruption trends in Cambodia and efforts to address and reduce them by the Government of Cambodia?

Answer. Systemic corruption is a major obstacle to Cambodia's political and economic development. The Government has taken some steps to address this issue, including by establishing an Anti-Corruption Unit, but these efforts to date have not been effective in stamping out rampant corruption. If confirmed, I will urge the Cambodian Government to increase transparency and accountability.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Cambodia?

Answer. If confirmed, I would leverage U.S. Government resources, including State Department and USAID programs, to support civil society organizations and NGOs in addressing corruption issues and increasing government transparency. I would also make these issues a priority in engaging government authorities.

*Question 15.* Over Hun Sen's past 34 years in power, Hun Sen has consolidated power through the CPP through undemocratic processes, including restrictions on opposition parties. If confirmed, will you commit to positioning the United States as a productive force in the fight for political pluralism, anti-corruption, and democratic elections in Cambodia?

Answer. If confirmed, I am committed fully to fighting for a more pluralistic, transparent, and democratic Cambodia in accordance with the country's own constitution and as part of a free and open Indo-Pacific. The United States has repeatedly called for the Cambodian Government to release immediately and unconditionally CNRP opposition leader Kem Sokha, remove burdensome restrictions on the political opposition, including a ban on 118 opposition leaders from engaging in political activity, and initiate a meaningful process aimed at building genuine national reconciliation. We have also urged the Government to remove restrictions on civil society and independent media, which are critical in any democracy. If confirmed, I will urge the Cambodian Government to take these steps and will work with like-minded partners to encourage Cambodia's leaders to fulfill their commitments under the country's constitution and the Paris Peace Accords.

*Question 16.* Under Hun Sen's regime, and particularly ahead of elections in 2017 and 2018, grassroots human rights organizations have documented a continued and concerted attack on human rights, including freedom of expression, association, and assembly. Amid this crackdown, human rights defenders have experienced increasing levels of state harassment, including those persons advocating against land grabs and corrupt trade arrangements. If confirmed, will support and advocate against repressive laws and highly restrictive amendments—including the Law on Associations and Non-Governmental Organizations (LANGO) and the Law on Political Parties—that perpetuate an enabling environment for human rights abuses in your post?

Answer. Supporting democracy and human rights are always important aspects of U.S. foreign policy, as highlighted by the new Indo-Pacific Transparency Initiative that the Vice President announced on November 17. In Cambodia, political opposition parties and our civil society partners have raised many concerns regarding the

Law on Associations and Non-Governmental Organizations (LANGO) and the Law on Political Parties including undue financial reporting requirements, registration of new organizations any time already registered organizations work together, and the requirement to notify authorities of any planned activities three days in advance. The Cambodian Government recently announced that it will no longer require the three-day advance notification; we are monitoring full implementation of this guidance. If confirmed, I will continue to urge the Cambodian Government to roll back undue restrictions on civil society organizations and political parties to restore a more open, democratic Cambodia.

*Question 17.* What are the specific actions that the U.S. Embassy in Cambodia will take to protect and support human rights defenders?

Answer. Government-imposed restrictions and the ruling party's near-absolute control over public institutions, the judiciary, and security services have unduly limited the space for civil society and free expression. This creates challenges for civil society and independent media to carry out their mission and to express views critical of the Government, ruling party, or leadership.

If confirmed, I am committed to actively supporting democracy, good governance, and human rights in Cambodia, including through State Department and USAID programs and by working with like-minded partners to ensure the Cambodian leadership respects the freedoms enshrined in the Cambodian constitution and the commitments made in the Paris Peace Accords. We will continue to urge that the Cambodian Government drop charges against and release all political prisoners, including those who fight for the human rights and fundamental freedoms guaranteed by Cambodia's constitution.

*Question 18.* What levers does the U.S. Government have in pressuring Hun Sen to ease his campaign against human rights and civil society organizations?

Answer. The United States uses a variety of tools to urge the Cambodian Government to restore democratic governance. The White House, State Department, and U.S. Embassy have all issued statements urging Cambodia to respect the rule of law and the freedoms enshrined in its Constitution. In June, the United States designated a senior Cambodian security official under E.O. 13818, which implements the Global Magnitsky Human Rights Accountability Act. We also implemented visa restrictions under Section 212(a)(3)(C) of the Immigration and Nationality Act for those undermining democracy in order to send a strong signal that the United States does not welcome those involved in anti-democratic actions in Cambodia. If confirmed, I will also continue to engage like-minded diplomatic partners to encourage the Cambodian Government to respect the civil and political rights of all.

*Question 19.* In 2017 and 2018, the U.S. decided to suspend or curtail programs through Treasury, USAID, and military assistance that supported individuals and institutions complicit in human rights violations and corruption in the country. Do you believe targeted sanctions through levers like the Global Magnitsky Human Rights Accountability Act and cutting military aid can encourage a change in the Cambodian Government's behavior?

Answer. The United States has available a variety of measures including targeted sanctions and adjustments to military aid that can be used to promote accountability for human rights abuse and corruption that undermines the values that form an essential foundation of stable, secure, and functioning societies; have devastating impacts on individuals; weaken democratic institutions; degrade the rule of law; perpetuate violent conflicts; facilitate the activities of dangerous persons; and undermine economic markets. In June, the United States designated Cambodian General Hing Bun Hieng for being the leader of an entity responsible for or complicit in, directly or indirectly, serious human rights abuse under E.O. 13818, which implements the Global Magnitsky Human Rights Accountability Act. Any assets Bun Hieng has within U.S. jurisdiction are blocked, and U.S. individuals and entities are generally prohibited from engaging in transactions with him. In order to enjoy a productive military-to-military relationship with the United States, the Cambodian Government must demonstrate greater progress in reversing its democratic backsliding.

*Question 20.* How will you engage with the sanctions process and do you pledge to support these measures when credible information about abuses or corruption is provided to the U.S. Government?

Answer. I pledge to consider all options that could incentivize better behavior from the Cambodian Government and security forces and, if confirmed, to support them where I see they can be most effective. I am grateful for the many tools that Congress has provided us, including the Global Magnitsky Human Rights and Accountability Act.

*Question 21.* On November 16, the U.N.-backed Extraordinary Chambers in the Courts of Cambodia (ECCC) convicted three individuals of genocide committed under the Khmer Rouge regime. While the decision is historic, fissures remain between the collective consciousness of the Cambodian people and what the ECCC has been able to deliver in justice and accountability. After over a decade and more than \$300 million, the ECCC sentenced just three defendants. Although the Court has assembled a remarkable historical record of crimes committed, the ECCC has struggled with cooperation from the Cambodian Government. If confirmed, how will you work to pursue accountability for crimes committed against Cambodians and ethnic Vietnamese under the Khmer Rouge in the face of Cambodian Government opposition to continued ECCC investigations?

Answer. On November 16, the ECCC found former Khmer Rouge President Khieu Samphan and Pol Pot Deputy Nuon Chea guilty of genocide, crimes against humanity, and grave breaches of the Geneva Conventions in one of the most complex criminal cases since Nuremberg. Despite the long delay, the convictions by the ECCC provided justice for thousands of victims and opened the space for the people of Cambodia to address this tragic part of their past, seek justice and reparations, and demonstrate that those responsible for atrocity crimes will be held to account.

If confirmed, I would encourage that we stress to the tribunal that it complete the remaining cases with all deliberate speed while ensuring the conclusion of the remaining cases on the basis of the facts and the law and that justice is served. It is important that the United States continue to support the tribunal as it completes its mandate to help ensure its orderly drawdown, including, in particular, the establishment of publicly-accessible court archives, which will preserve the historical record of the Khmer Rouge atrocities.

*Question 22.* Given the ECCC's mixed record as a U.N.-backed hybrid court, do you believe the United States and international community should pursue a hybrid court model to seek accountability for crimes committed against the Rohingya?

Answer. In Burma, the United States continues to call for accountability for those responsible for atrocities committed in Rakhine, Kachin, and Shan States. Our efforts to date include supporting the U.N. Fact Finding Mission; an independent mechanism to collect, consolidate, preserve, and analyze evidence; and the respective mandates for the U.N. Special Envoy to Myanmar and the U.N. Special Rapporteur on the Human Rights Situation in Myanmar. A hybrid court model could form another option for pursuing justice for crimes in Burma. A policy decision regarding what type of international justice mechanism the United States would support would need to take into account speed, cost, and efficacy, among other factors.

*Question 23.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Cambodia specifically?

Answer. Corruption remains a serious challenge that hinders economic and political development in Cambodia. Some companies have engaged in opaque, non-competitive land and investment deals, a particular problem that fuels political corruption in Cambodia. If confirmed, I will actively urge the Cambodian Government to ensure transparency and accountability in all investment deals and transactions, and to ensure that U.S. companies are not unfairly disadvantaged in any tender or contract process.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
W. PATRICK MURPHY BY SENATOR EDWARD J. MARKEY

*Question 1.* In your testimony, you noted that as Deputy Assistant Secretary of the Bureau of East Asian and Pacific (EAP) Affairs, you were involved in the internal discussions on additional sanctions on senior level Burmese officials in response to the 2016 and 2017 attacks on Rohingya communities in Burma. Can you clarify what you recommended to the Secretary on whether to impose sanctions on senior level officials? Do you believe the U.S. should impose sanctions on Commander-in-Chief Min Aung Hlaing? If not, why not?

Answer. I cannot comment specifically on internal Department deliberations, but Department colleagues and I have continually aimed to shape policies that use the tools available to the United States to ease suffering, address root causes of violence, and attain justice for victims using the best evidence and analysis available to us. We continue to promote accountability options to attain justice for victims of atrocities in Rakhine State and other areas in Burma.

*Question 2.* Do you support the use of U.S. financial sanctions such as the Global Magnitsky Act against members of Hun Sen's inner circle and crony business supporters (specifically Lao Meng Khin and his wife Choeung Sopheap, Ly Yong Phat, Try Pheap and Mong Reththy) as a means of preventing them from benefiting from the proceeds of grand corruption, human rights abuses and stolen elections?

Answer. In June, the United States designated a senior Cambodian security official under E.O. 13818, which implements the Global Magnitsky Human Rights Accountability Act. I am grateful for the many tools that Congress has provided us, including the Global Magnitsky Human Rights and Accountability Act. If confirmed, I will encourage consideration of all options that could incentivize better behavior from the Cambodian Government and support those that I assess can be most effective.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
W. PATRICK MURPHY BY SENATOR JEFF MERKLEY**

*Documentation of Atrocities in Northern Rakhine State*

On September 24, 2018, the U.S. Department of State released its "Documentation of Atrocities in Northern Rakhine State" Report.

*Question 1.* According to a press report<sup>1</sup>, the State Department Bureau of East Asia and Pacific Affairs (EAP) recommended against making a determination of "genocide," for fear that such a move would drive the Government of Burma closer to China. Was that a correct characterization of EAP's position?

Answer. U.S. efforts have been and remain focused on steps to improve the situation for Rohingya refugees, internally displaced persons (IDPs), and all people in Burma. In the wake of the horrific acts committed against the Rohingya, the Department has pursued a three-pronged strategy to ease humanitarian suffering, address the root causes of violence, and hold accountable those responsible for atrocities. In this regard, we seek to work with likeminded countries to amplify these efforts.

*Question 2.* Do you help make this recommendation from EAP and do you agree that the State Department should not make this determination?

Answer. I cannot comment specifically on internal Department deliberations, but Department colleagues and I have continually aimed to shape policies that use the full tools available to the United States to ease suffering, address root causes of violence, and attain justice for victims using the best evidence and analysis available to us. Last year, the Department concluded that the situation in Burma's northern Rakhine State constituted ethnic cleansing against Rohingya. This conclusion of ethnic cleansing in no way prejudices any potential further analysis on whether other mass atrocities have taken place, including genocide or crimes against humanity.

*Question 3.* On August 28th, U.S. Ambassador to the United Nations, Nikki Haley, previewed that the U.S. Report was "consistent" with the findings of the U.N. Fact Finding Mission Report. However, the U.S. Report did not reach the same conclusion of the U.N. Fact Finding Mission, which said that acts of "ethnic cleansing" with "genocidal intent" occurred. What additional witness testimony or evidence is required for the United States to arrive at the same determination of the U.N.?

Answer. Last year, the Department concluded that the situation in Burma's northern Rakhine State constituted ethnic cleansing against Rohingya. This conclusion of ethnic cleansing in no way prejudices any potential further analysis on whether other mass atrocities have taken place, including genocide or crimes against humanity. The Department has thoroughly reviewed the U.N. Fact Finding Mission's (FFM) report, and has strongly supported the FFM's mandate. Further, we have ensured that the FFM was able to publicly brief the U.N. Security Council a month ago, despite opposition from some member states.

The Documentation Report produced by the State Department was not meant to serve as the basis for a particular legal finding, but rather as a means to gather and organize information about the atrocities in northern Rakhine State since 2016. Ambassador Haley's reference to consistency between the two reports means just that—the information gathered in the two reports is broadly consistent. We continue to review all evidence, reports and analysis, including the reports and analysis released on December 3 by the United States Holocaust Memorial Museum and the Public International Law & Policy Group.

*Question 4.* Would the United States support the establishment of an International, Impartial, and Independent Mechanism (IIIM) to gather further evidence of crimes to build a case for potential future prosecutions?

Answer. A key recommendation from the FFM was to establish an initiative to collect, preserve, and catalog evidence of atrocities and other crimes in northern Rakhine State akin to an IIIM. In support of this recommendation, in November we co-sponsored and voted for a U.N. General Assembly Third committee resolution that called for the immediate operationalization of a mechanism, which was created by the U.N. Human Rights Council in September of this year. Going forward, the Department will work to support this initiative so that it can have the strongest impact toward advancing accountability.

*Question 5.* On December 3, 2018, the United States Holocaust Museum said that “there is compelling evidence that the Burmese military committed crimes against humanity, and genocide against the Rohingya,” citing the U.N. Fact Finding Mission Report, U.S. State Department Report, and a Report led by the Holocaust Museum and Fortify Rights. Why does the United States disagree with their findings?

Answer. The U.S. Government characterized the atrocities that took place in northern Rakhine State as “ethnic cleansing” in November 2017, and since then has continued to review and analyze new evidence and information as it comes to light. The underlying information and findings of the State Department’s report, along with a variety of other credible reports, provide information to Secretary Pompeo and the Department as the U.S. Government seeks to advance accountability and prevent future atrocities in Burma.

*Question 6.* The United States Treasury Department announced in August 17, 2018, that it had sanctioned four Burmese military and Border Guard Policy (BGP) commanders and two Burmese military units, pursuant to the Global Magnitsky Human Rights Accountability Act of 2016. Would you recommend the United States sanction other senior military leaders, as is recommended by the U.N. Fact Finding Mission, to include the Commander in Chief of the Myanmar Armed Forces, Min Aung Hlaing?

Answer. The Department of State has played an important role within the inter-agency process in identifying and sanctioning those responsible for abuses against the Rohingya people. We will continue to evaluate all avenues to promote accountability.

*Question 7.* Has the State Department made specific recommendations to Treasury about individuals to sanction in Burma that have not yet been implemented? If not, why?

Answer. I cannot discuss potential or ongoing sanctions investigations.

*Question 8.* What additional accountability measures do you believe would be appropriate for the United States to take in response to the ethnic cleansing against the Rohingya?

Answer. The United States continues to pursue accountability for those responsible for the violence and atrocities in Rakhine, Kachin, and Shan States. We also have consistently called for the establishment of civilian control of the Burmese armed forces. We have worked closely with our allies and partners to support efforts and mechanisms at the U.N. to foster accountability for human rights abuses in Rakhine State and other areas of Burma. These efforts include the U.N. Fact Finding Mission; an independent mechanism to collect, consolidate, preserve, and analyze evidence; and the mandates for the U.N. Special Envoy to Myanmar and the U.N. Special Rapporteur on the Human Rights Situation in Myanmar. We will continue our efforts in this regard, pursuing additional accountability measures as appropriate for the atrocities committed in Rakhine State.

*Question 9.* Do you believe that U.S. support of Burma’s democratic transition must not be used as justification for not aggressively pursuing accountability for crimes committed against the Rohingya and other ethnic minorities in Burma?

Answer. We are committed to pursuing both goals at once: supporting Burma’s democratic transition and pursuing accountability for human rights violations and abuses committed against Rohingya, other ethnic and religious minorities, and all others in Burma. Empowering Burma’s democratic institutions is key to addressing longstanding underlying challenges following some fifty years of authoritarian military rule. We are focused on helping the elected government of Burma successfully transition to full democracy, deliver good governance, end impunity, and improve human rights practices.

Ultimately, improving the current conditions and future prospects of the people of Burma—including the 500,000–600,000 Rohingya remaining in Rakhine State

and the nearly one million Rohingya seeking refuge in Bangladesh—depends on Burma transitioning to a more open and democratic system of governance. We continue to raise concerns regarding the Government's human rights record, including with respect to fundamental freedoms and the rights of members of minority communities, and we stress the need to hold accountable those persons who commit atrocities in Rakhine State and elsewhere.

*Question 10.* Will the United States continue to insist that all parties uphold the principle of non-refoulement governing the return of Rohingya refugees to Burma consistent with international humanitarian law?

Answer. The Department will continue to vigorously support the principle of non-refoulement regarding the possible repatriation of Rohingya refugees. We continue to insist that both the Governments of Bangladesh and Burma ensure that any repatriations are voluntary, safe, sustainable, and dignified.

*Question 11.* Specifically, what progress has the Government of Burma made in implementing the Kofi Annan-led Advisory Commission Recommendations, particularly as they relate to freedom of movement, access to services, documentation, and livelihood opportunities?

Answer. The Government of Burma independently established the Rakhine Advisory Commission (RAC), prior to the events of August 2017 and as a means to address root causes of violence and discrimination, and accepted all of its recommendations. The Government has made limited progress in implementing some of the 88 RAC recommendations, but not on some of the more crucial recommendations, including those related to freedom of movement, civil documentation, a transparent pathway to citizenship, and access to livelihoods. We continue to urge the Government to make greater and more rapid progress on all recommendations and coordinate with likeminded countries to advance our advocacy efforts. Further, we are partnering with members of the local communities of Rakhine State to advance intercommunal reconciliation and trust-building efforts to improve the lives of those Rohingya remaining in Rakhine State and other vulnerable populations there. This is a necessary step to prepare for the eventual voluntary repatriation of Rohingya refugees from Bangladesh.

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## NOMINATIONS

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**TUESDAY, DECEMBER 4, 2018—(P.M.)**

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

The committee met, pursuant to notice, at 2:32 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker, Gardner, Young, Barrasso, Menendez, Cardin, Murphy, Kaine, Markey, Merkley, and Booker.

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

The CHAIRMAN. The Foreign Relations committee will come to order.

I know we have a number of my friends here in pink. Good to be with you. I thank you all for respecting democracy and respecting the fact that other people here want to be able to hear what is happening. I will say this one more time. I have in the past said that I am able to unarrest people when they have been arrested. I no longer have the ability to do that. So I would just hope that everybody would remain quiet and respectful. We have some outstanding nominees here today that we want to hear from.

We are going to hold a nomination hearing for four positions. Our nominees today are Arthur B. Culvahouse, to be Ambassador to Australia; the Honorable Carol Perez, to be Director General of the Foreign Service; Christopher Henzel, to be Ambassador to Yemen; John Barsa, to be Assistant Administrator of USAID for Latin America and the Caribbean; Sarah-Ann Lynch, to be Ambassador to Guyana; and Lynn Tracy, to be Ambassador to Armenia.

First, however, we have a very distinguished guest, one of my best friends in the Senate. He has served our State with distinction in many ways. He is here to introduce a great friend of both of ours, and out of respect for him so that he can go on about other business today, we are going to call on him first before we make opening comments. With that, we welcome the Great Lamar Alexander from Tennessee.

**STATEMENT OF HON. LAMAR ALEXANDER,  
U.S. SENATOR FROM TENNESSEE**

Senator ALEXANDER. Thank you, Senator Corker. It is good to be in your committee. Senator Menendez, Senator Cardin, Senator Barrasso.

It is my privilege today to introduce to the committee Arthur B. Culvahouse, Jr., and I am going to do that by saying a few words about him and a few words about the country that President Trump has nominated him to be the Ambassador to.

First, about A.B. Culvahouse, Jr. He is the most accomplished lawyer I know, and I do not know many of any public servants more accomplished than he is. That may sound like an extravagant claim, but I mean it sincerely.

He had the great advantage of being born and raised in Ten Mile, Tennessee. So that got him off to a good start.

Then he went to the University of Tennessee where, according to the professors there, he had the highest grades in finance of anybody and that lasted for a long time.

He was selected as a Root-Tilden Scholar at New York University Law School, which is sort of a public service scholarship for outstanding students who want to practice law in the grand manner.

He became Legislative Counsel to Howard Baker, our Senator, who later became Majority Leader of the United States Senate and whose daughter is in the audience today.

He became counsel to both John McCain and Donald Trump during their campaigns as they began to consider vice presidential selections.

He was counsel to President Ronald Reagan while he was in the White House.

And in the midst of all of that, he has been the chairman of one of the world's largest law firms, O'Melveny & Myers.

I will not read all the other activities that he has had, but they are enough to establish him as enormously well qualified for this position.

He was awarded by President Reagan the President's Citizens Medal, an award established in 1969 to recognize citizens who perform exemplary deeds of service.

He was a member of the President's Foreign Intelligence Advisory Board and the Intelligence Oversight Board, the U.S. Chamber of Commerce Commission on Regulation of U.S. Capital Markets, Board of Visitors of the U.S. Naval Academy, a member of the Board of Trustees of the Brookings Institution, and Howard H. Baker, Jr. Center for Public Policy at the University of Tennessee.

So he is enormously well qualified. That is my comment about A.B. Culvahouse, Jr.

Now, a short comment about Australia, a country to which he has been nominated to be Ambassador.

My family lived there in 1987 for 6 months, and at a dinner there, I heard the Governor General of Australia talk about the relationship between the United States and his country. He said, it is a happy accident of fate that the Constitution of the United States was being signed in 1787 just as our first fleet was sailing eastward across the Atlantic from Rio to Capetown on the third leg of its 10-month long voyage. The fleet carried a cargo of convicts who would have been on their way to Georgia in the United States had not the American Revolution succeeded and denied the British the opportunity to send their prisoners to America.

Then he went on. The links between our two nations, Australia and the United States, have evolved from earliest times. Our pioneers, like yours, were as unlikely a band as one could conceive. Your Gold Rush spilled into ours. Our constitution has been built on yours. Our soldiers have died together, and we have shared freedoms of speech and of association and of laws and of humanities and of civil liberties. And now both of us are a melting pot. This is the Governor General of Australia speaking. We read your prose. We speak your poetry. We watch your plays and films. We even watch your terrible television dramas.

Mr. Chairman, the English are our ancestors. The Australians are our cousins. And I would suggest they are our first cousins. They deserve to have, as the representative of our country to them, one of our finest. I believe that A.B. Culvahouse, Jr. is one of the finest public servants we have. I hope he is confirmed rapidly by this committee and by the full Senate.

And the only other thing I would say is that I am more than a little jealous that he is the Tennessean who gets to be the Ambassador to Australia. If he is confirmed by the Senate, which I hope he will be, he will have a wonderful experience ahead of him.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Thank you very much.

With that, you are welcome to—we understand you are very, very busy and would like to leave. [Laughter.]

The CHAIRMAN. I would like to also, before opening comments, recognize the fact that Darrell Issa is here. He has been nominated to be USTDA head, and at some point, hopefully soon, that will be taken up.

Today, as I mentioned, we will consider the nominations of six individuals to serve our nation both at home and abroad in a variety of important positions. We welcome all of you here and thank you for your willingness to serve. Thank you very much.

First, we have Mr. Arthur B. Culvahouse of Tennessee to serve as Ambassador to Australia. Mr. Culvahouse brings with him a wealth of experience in both government and the private sector. He previously served as top aide to U.S. Senator Howard Baker and as the White House Counsel to President Reagan, and for decades, he practiced law with the firm of O'Melveny & Myers where he is currently Chair Emeritus and Of Counsel.

Through his work on various presidential advisory boards, numerous nonprofits, and countless political campaigns, Mr. Culvahouse has gained a reputation as a person of integrity and of great intellect. It is a personal honor for me that I am able to call him my friend, and I know he will represent our nation well in Canberra.

Next, we have Ambassador Carol Perez to serve as Director General of the Foreign Service and Director of Human Resources at the Department of State. While much of the attention usually given this position focuses on the role it plays in relation to Foreign Service, this position is also the Chief Human Resources Officer for Civil Service. Thank you.

Ambassador Perez is a career member of the Foreign Service and currently serves as our Ambassador in Santiago, Chile where she has been stationed since 2016.

Having previously served as the U.S. Consul General in Milan and Principal Deputy Assistant Secretary in the Human Resources Bureau, Ambassador Perez is amply familiar with the bureau she will be heading and brings with her a variety of State Department management experience as she takes on her new role.

Next we have Mr. Christopher Henzel to be Ambassador to Yemen. Mr. Henzel is also a career member of the Foreign Service and has completed numerous tours across the Middle East. Currently he serves as Deputy Chief of Mission at our embassy in Riyadh, Saudi Arabia, and as the post to Yemen is currently based in Saudi Arabia, he is already familiar with the environment where the mission he is headed for is located.

Having viewed the conflict in Yemen from inside the Kingdom for the last 2 years, Mr. Henzel brings with him a unique perspective and a wealth of knowledge both of the conflict and of Saudi Arabia's influence in the country.

Accepting this position is a great responsibility. Mr. Henzel will have to navigate the political and social complexities of this region in an effort to bring peace to this war-ravaged nation.

Next, we have Mr. John Barsa to serve as Assistant Administrator of USAID for Latin America and the Caribbean. Mr. Barsa currently serves as the Acting Assistant Secretary of Homeland Security in the Office of Public Liaison, and he previously served in the U.S. Army Reserve until his honorable discharge in 1996.

Before joining the current administration, Mr. Barsa led the strategic communications and business development efforts for various corporations and also served on the staff of former Congressman Lincoln Diaz-Balart.

Mr. Barsa's family came to this country after fleeing oppression from Cuba. He has vast knowledge of Latin America and is a fluent Spanish speaker. As you can tell, I am not. [Laughter.]

The CHAIRMAN. With his personal background and his experience in both government and the private sector, I believe he will be an asset to USAID in furthering its mission in Latin America and the Caribbean.

Next, we have Sarah-Ann Lynch to be Ambassador to the Co-operative Republic of Guyana. As career foreign officer currently serving as Senior Deputy Administrator in USAID's Bureau for Latin America and the Caribbean, I believe she has the experience and management skills necessary to serve as head of mission in Georgetown.

Finally, we have Lynne Tracy to be Ambassador to Armenia. As a career Foreign Service officer with deep experience in Eurasian affairs, I believe she will be an asset for the United States in the Caucasus.

Our thanks to all of your for being here, and with that, I will turn to my friend, the ranking member, Bob Menendez, for any opening comments he wishes to have.

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

Senator MENENDEZ. Thank you, Mr. Chairman.

First of all, there is no more room at the table to have the hearing. So we have maxed out on the number of nominees who are here.

But we congratulate you all. It is an extremely impressive and distinguished panel of nominees from varied backgrounds and agencies. Among others, we have a U.S. Ambassador, a former Counsel to the President of the United States, a holder of the Secretary's Award for Heroism. So we thank you all for your service and your continued willingness to serve.

Mr. Henzel, while we have serious challenges all over the world, I expect that you may receive more attention than some of your colleagues on this panel. As our Deputy Chief of Mission in Riyadh for the past 3 years, you have had a front row seat to the crisis in Yemen. You understand the dynamics, the states, the key actors, and I hope that you will be able to provide us some insight into the trajectory of U.S. policy towards Yemen and the Saudi coalition's efforts there.

I hope you can provide some insight not just into the facts on the ground but what we assess to be our objectives and our specific diplomatic and political tools for achieving them. With more than 10,000 people dead, 14 million on the brink of starvation, millions displaced and suffering, the status quo is not tenable and we need some strong diplomacy. So we look forward to your insights.

The Ambassador to Armenia is a very important position of great interest to me. Armenia experienced a change in government earlier this year, and we encourage the continuing strengthening of democratic institutions in the country. Many challenges remain outside the borders of this small nation. I remain concerned about the aggressive role of Azerbaijan and the conflict in Nagorno-Karabakh, and I welcome the efforts of the Minsk process to find a path forward.

The Kremlin has made no secret of its agenda to undermine democracies across the world, and we must work together to counter such malign Russian influence in Armenia.

Central to my work in Armenia over the years has been my advocacy for the truth with respect to the Armenian genocide. I have long worked in the United States Senate to push for an honest accounting of the Armenian genocide and to ensure that anyone who represents the United States Government does so as well.

In every session of Congress since 2006, I have introduced or co-sponsored resolutions affirming the facts of the Armenian genocide. When I was the chairman of this committee, I was proud to preside over the first-ever passage of an Armenian genocide resolution out of the committee.

I have also scrutinized ambassadorial nominees to Armenia and other countries in the region. These actions are motivated by what I believe is a moral imperative for us all to recognize the atrocities against the Armenian people. So I look forward to engaging with you on your views with respect to the genocide this afternoon.

Next, with Mr. Barsa, the nominee for Assistant Administrator for Latin America and the Caribbean at USAID, a region of the world that I have spent a lot of time on, if confirmed, Mr. Barsa will assume this position at a time of many challenges in the region, from the economic and humanitarian crisis in Venezuela to

the challenges of insecurity and violence in Central America driving thousands to flee to the consolidation of peace in Colombia after more than a half a century of war and at a time when the oppressive regimes of Cuba, Venezuela, and Nicaragua continue to carry out human rights violations.

The Assistant Administrator's position is an important one, as it requires vision and leadership to carry out the agency's mission of promoting democratic values and advancing inclusive economic growth.

I look forward to hearing from you, as well as from Sarah-Ann Lynch, our Ambassador nominee to Guyana, a country with many challenges but also much potential.

I am also pleased that the President has nominated two well qualified candidates for the positions of Ambassador to Australia and the DG of the Foreign Service. I look forward to hearing from both of them.

Australia is a key ally. It is instrumental to our diplomatic security and economic success in the Indo-Pacific and dealing with the challenge of a rising China.

And the DG of the Foreign Service is essential for a well-functioning Department of State.

So we look forward to all of your testimony and to having an opportunity to ask you some questions.

With that, Mr. Chairman, I yield back to you.

The CHAIRMAN. Thank you.

It would be good if you just gave your testimony in the order that we introduced you. I know you may have some family members that we would love to meet. There is a plus and minus to having six people here today. We have asked that you shorten your comments to 2 and a half minutes, if possible, just to help everyone out. A little less time in front of C-SPAN but a little quicker. [Laughter.]

The CHAIRMAN. As you will realize, as this moves through, the quicker, the better for the nominees.

And with that, again, thank you for wanting to present yourself for service in this way. We are grateful to you and your families. And with that, A.B., if you would begin, we would appreciate it.

**STATEMENT OF ARTHUR B. CULVAHOUSE, JR., OF TENNESSEE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF AUSTRALIA**

Mr. CULVAHOUSE. Yes, sir, Mr. Chairman.

Shall I introduce my family first?

The CHAIRMAN. Sure.

Mr. CULVAHOUSE. Okay.

I am joined today by my three daughters, Liz, Sarah, and Anne, their three husbands, Steve, Jim, and Mike, and my three grandsons, three of my five grandsons, Joe, Ty, and Connor. The two youngest grandsons, in the interest of regular order and no protests, are not here, since they are 3 years old and 1 year old. But I am a lucky person to be represented by some people I love dearly.

Chairman Corker, Senator Menendez, it is my deep honor to testify before the committee as the President's nominee to be Ambassador to Australia, a vital and steadfast ally of the United States.

I sit here today in the Dirksen Building on the same floor and just a few steps away from where my government service began as Chief Legislative Assistant to Senator Howard H. Baker, Jr., a fellow Tennessean. Howard took a risk in hiring me right out of law school to be his Chief Legislative Assistant, although I was recommended to him by a then young Tennessee lawyer named Lamar Alexander.

Howard later took me with him to the Reagan White House where he recommended to President Reagan that I be appointed Counsel to the President when Howard became White House Chief of Staff. It was, therefore, my rare privilege to work in a White House led by two American Presidents, President Ronald Reagan, of course, and then Vice President George H.W. Bush, whom we honor this week.

I very much appreciate Senator Alexander's introduction. More than that, I appreciate our longstanding friendship. I am likewise grateful, Mr. Chairman, for your friendship and support. I would be remiss if I did not pay tribute to your stellar service to the Senate and to our home State.

More than anything, however, I treasure my three daughters, Sarah Culvahouse Mills, Elizabeth Culvahouse Callahan, and Anne Culvahouse Teague. I am thankful that if I am confirmed, they will continue to support me in this new adventure.

The United States and Australia have been formal allies since 1951 but friends for far longer. Australian troops have joined us in every major military conflict for the past 100 years. That shared history resonates personally with me, as two of my uncles, my father's brothers, served in the U.S. military in the Pacific in World War II, while my father served in Europe. I have visited the Australian war memorial in Canberra where I learned firsthand about the sacrifices Australians have made to defend freedom and democracy worldwide including, as I speak today, standing with us in Afghanistan and in the campaign to defeat ISIS. The relationship between the United States and Australia is as rock solid as ever, and if confirmed, it will be my solemn duty to ensure that our alliance remains as vibrant and strong as when the ANZUS treaty was first signed in San Francisco.

Australia is likewise a key foreign policy partner, working closely with us to persuade North Korea to denuclearize and to promote a free and open Indo-Pacific.

Our economic ties are centuries longstanding and extremely consequential. The United States is far and away Australia's largest foreign investor. U.S. exports to Australia support 300,000 American jobs, while American companies now employ more than 300,000 Australians.

Mr. Chairman, permit me to close by saying that, if confirmed, I look forward to continuing to broaden and deepen these and many other relationships that tie our governments and our people so very closely together.

Thank you.

[Mr. Culvahouse's prepared statement follows:]

## PREPARED STATEMENT OF ARTHUR B. CULVAHOUSE JR.

Chairman Corker, Ranking Member Menendez, and members of the committee, it is my deep honor to testify before you today as the President's nominee to be Ambassador to Australia, a vital and steadfast ally of the United States. I am humbled by the trust the President has placed in me by considering me to fill this important role.

I am here today in the Dirksen Building, on the same floor and just a few steps away from where my government service began as chief legislative assistant to the distinguished late Senator Howard H. Baker, Jr. A fellow Tennessean, he took a risk in hiring me right out of law school on the recommendation of a young Tennessee lawyer named Lamar Alexander. I was fortunate to learn from Howard Baker's experience and wise counsel in the Senate, and then as law partners, and again in the Reagan White House when he was Chief of Staff and I was the White House counsel. I am also thankful for the friendship and advice of many distinguished colleagues in public service, particularly Senator Corker. More than anything, though, I value the support of my three daughters, Sarah Culvahouse Mills, Elizabeth Culvahouse Callahan, and Anne Culvahouse Teague. Their steadfast love and encouragement has been critical to every success I have enjoyed, whether in government or in the private sector. I am so pleased that they could join me today. I am thankful that, if confirmed, they will continue to support me in this new adventure.

The United States and Australia established diplomatic relations 78 years ago and have been formal allies since 1951, but we have been friends for far longer. The United States and Australia first fought side-by-side 100 years ago during World War I and have faced combat together in every major global conflict since, including World War II, Korea, Vietnam, Afghanistan, and Iraq. That history of shared sacrifice resonates personally with me since two of my uncles served in the U.S. military in the Pacific during World War II, while my father served in Europe. During a recent trip to Australia, I visited the War Memorial in Canberra, where I learned about the sacrifices Australians have made to defend freedom and democracy worldwide. I was honored to lay a wreath in gratitude for these contributions. Today, the relationship between the United States and Australia is as solid as ever. If confirmed by the Senate, my first priority will be to ensure that our alliance grows even more robust than when the ANZUS treaty was signed in San Francisco nearly seven decades ago.

In addition to the remarkably strong and active U.S.-Australia military relationship, our diplomatic, economic, and people-to-people ties with Australia are dynamic and growing. Australia is a key foreign policy partner, working closely with us to persuade North Korea to de-nuclearize; to promote a free and open Indo-Pacific region; and to increase development assistance and infrastructure investment in the Pacific. Our economic ties go back to the late 1700s when American whaling ships provisioned in Sydney Harbor. One hundred years ago, the first U.S. firms opened offices in Australia. Today, the United States is far and away Australia's largest foreign investor. Two-way trade topped \$64 billion in 2017, and the United States enjoys a trade surplus with Australia of nearly \$29 billion. U.S. exports to Australia support roughly 300,000 jobs in the United States, while American companies employ more than 300,000 Australians. And our people-to-people connections are also deep and broad. In 2017, almost 1.5 million Australians visited the United States and nearly 730,000 U.S. residents visited Australia, up nearly 27 percent over the last two years. The United States is the top destination for Australians wishing to study abroad. If confirmed, I look forward to continuing to broaden and deepen these relationships—relationships that bring not only our governments more closely together, but our people as well.

Importantly, our relationship with Australia is not only about honoring our shared military sacrifice and close diplomatic, economic, and personal bonds over the past century—it is equally about nurturing and deepening these ties in the century to come. I am convinced that we have a bright future together, whether by working to confront current and emerging security challenges, by expanding our already strong bilateral diplomatic ties to include even greater cooperation with like-minded partners in the region, or by leveraging the opportunities presented by our open and innovative economies to work with Asia's rapidly growing middle class to make the entire Indo-Pacific a more prosperous and stable region in the years to come. If I am confirmed, I look forward to working with our team at Embassy Canberra and our consulates in Sydney, Melbourne, and Perth to connect to younger Australians through education exchanges, science and technology collaboration, investments by cutting-edge American firms, and our common foundation of shared history, enduring democratic values, and deep cultural bonds.

Thank you.

The CHAIRMAN. Thank you.  
Go ahead.

**STATEMENT OF HON. CAROL Z. PEREZ, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE**

Ambassador PEREZ. Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as the President's nominee to be the Director General of the Foreign Service and Director of Human Resources at the Department of State.

It would be my privilege to advance America's security and values by empowering and strengthening the workforce charged with this critical mission, our Foreign Service, Civil Service, locally employed personnel, family members, and other colleagues who work at the State Department in Washington and at our 277 posts around the world. Secretary Pompeo noted in his confirmation statement, diplomacy is not for the faint of heart, especially at a time of growing global challenges.

Mr. Chairman, for over 31 years, I have had the pleasure of working with capable, dedicated, and patriotic public servants. These women and men toil both at home and abroad in service to our country. They swear an oath to protect and defend the Constitution often at great sacrifice to themselves and their families. And I can think of no higher honor than directing the recruitment, development, and retention of our personnel.

Mr. Chairman, I would like to take a moment to recognize the members of my family in the room: my husband Al, my son Michael, and my daughters, Marisa and Caroline and her husband Jacob, who are here with today. They have stood by my side and I am forever grateful for their love and support.

The Secretary noted in his confirmation testimony that his first priority would be setting the mission empowering our people, and to that end, on May 15th, he lifted the hiring freeze, ending the workforce reduction plan. The Department is actively recruiting and hiring to fill our highest priority, mission-critical vacancies. The Secretary has also made clear his commitment to filling senior vacancies. And if confirmed, these will be among my top priorities. Our employees are self-motivated and committed to the mission, but vacancies have had a demoralizing effect and we must work hard to turn this around.

Mr. Chairman, putting our people first is not just about hiring. It is also about retention, professional development, engagement, and workplace culture. Like the Secretary, I believe in fostering a culture of excellence anchored in performance, accountability, and communication. And communication begins with listening, but it also requires responsiveness and transparency. The Secretary has made this a priority, and if confirmed, I will follow his lead.

Thanks to your longstanding bipartisan support for building a workforce that reflects our country's rich diversity, we have made important progress. Today's State Department looks and feels very different from the one that I entered in 1987. But we have a ways

to go, especially in fostering diversity at more senior levels. If confirmed, I will work with the members of this committee to build on the progress we have made.

Mr. Chairman, like our military, the State Department needs an array of different capabilities and skills to meet its mission. Our almost 14,000 Foreign Service employees are a forward-deployed force, doing everything from opening markets for American companies to preventing the spread of weapons of mass destruction. Our nearly 11,000 Civil Service personnel are the Department's institutional memory and are subject-matter experts. Our 50,000 locally employed staff are the mainstay of our U.S. diplomatic operations abroad. But whatever our position or title, as the Secretary has noted, we are one team with one mission and with one future. And I will work to enable this team effort to advance America's security, prosperity, and freedom.

We live in a complex and changing world. Change has always been with us, but the pace has accelerated exponentially. Successful organizations share one characteristic: they adapt. And while our people excel at adapting, the Department as an institution has had a mixed record of doing so. And this must change. The Secretary has emphasized the need to be nimble, smart, and relevant. But to deliver better results for the American people, the Department must do a better job of supporting its own personnel, and if confirmed, I am committed to doing just that.

Thank you for the opportunity to appear before you today.  
 [Ambassador Perez's prepared statement follows:]

PREPARED STATEMENT OF HON. CAROL Z. PEREZ

Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as the President's nominee to be Director General of the Foreign Service and Director of Human Resources at the Department of State. I am deeply grateful for the confidence the President and Secretary Pompeo have shown in putting forth my nomination.

It would be my privilege to advance America's security and values by empowering and strengthening the workforce charged with this critical mission—our Foreign Service, Civil Service, Locally Employed personnel, family members, and other colleagues who work at the State Department in Washington and at our 277 posts around the world. Secretary Pompeo noted in his confirmation statement, diplomacy is not for the faint of heart, especially at a time of growing global challenges. Strategic competition from China, Russian aggression, Iran's malign actions, terrorism, and narcotics and human trafficking are just some of the challenges.

For more than 31 years, I have had the pleasure of working with capable, dedicated, and patriotic public servants. These women and men toil both at home and abroad in service to our country. They swear an oath to protect and defend the Constitution, often at great sacrifice to themselves and their families. Our locally employed staff sometimes also incur great risks working with and for the United States. I can think of no higher honor than directing the recruitment, development, and retention of all our personnel.

I would like to take a moment to recognize the members of my family—my mom and dad, Irene and John Zelis, who are at home in Chicago, my husband Al, my son Michael, my daughters Marisa and Caroline and her husband Jacob, who are here with me today. They have stood by my side as I proudly represented the United States overseas and in Washington. I am forever grateful for their love and support.

The Secretary noted in his confirmation testimony that his first priority would be setting the mission and empowering our people. To that end, on May 15, he lifted the hiring freeze on Foreign Service and Civil Service employment, ending the workforce reduction plan. The Department is actively recruiting and hiring to fill our highest priority, mission-critical vacancies. If confirmed, this will be one of my top priorities. The Secretary has also made clear his commitment to filling senior vacan-

cies. If confirmed, I will support his efforts to identify our best career candidates for senior positions so we can get them in place and on-the-job. Our employees are self-motivated and committed to the mission, but, as the Secretary has noted, vacancies have had a demoralizing effect and we must work hard to turn this around.

Putting our people first is not just about hiring. It is about retention, professional development, engagement, and workplace culture. Like the Secretary, I believe in fostering a culture of excellence that is anchored in performance, accountability, and communication. Leaders have a special responsibility to communicate. Communication begins with listening, but it also requires responsiveness and transparency. Communication is also critical to unleashing the talent of a diverse workforce. The Secretary has made this a priority, and, if confirmed, I will follow his lead.

Thanks to our long-standing diversity efforts and bipartisan Congressional support through the Pickering and Rangel programs and other initiatives, we have made important progress in this area. Today's State Department looks and feels very different than the one I entered in 1987. But we have a ways to go, especially in fostering diversity at more senior levels. Addressing barriers to advancement and supporting professional development and career advancement opportunities will be a critical part of our efforts. If confirmed, I will work with the members of this committee to build on the progress we have made.

Like our military, the State Department needs an array of different capabilities and skills to meet its mission. And while we do not have five services, we have three distinct personnel systems. Our almost 14,000 Foreign Service employees, both our officers and specialists, are our forward-deployed force doing everything from opening markets for American companies and helping American citizens overseas to preventing the spread of weapons of mass destruction. Our nearly 11,000 Civil Service personnel are the Department's institutional memory, continuity, and subject matter experts, based mostly in Washington, but also at our passport, security, and foreign mission offices across the country. Our 50,000 locally employed staff are the mainstay of our U.S. diplomatic operations abroad. Whatever our position or title, as the Secretary has noted, we are "one team, with one mission, and one future." If confirmed, I will work to enable this team effort to advance America's security, prosperity and freedom.

We live in a complex and changing world. Change has always been with us but the pace has accelerated exponentially in recent decades. Successful organizations share one characteristic: They adapt. While our people excel at adapting, the Department as an institution has a mixed record of doing so. This must change. The Secretary has emphasized the need to be "nimble, smart, and relevant." Our people add value every day in big and small ways. But to deliver better results for the American people, the Department must do a better job of supporting its own personnel by empowering them, removing barriers and streamlining processes.

If confirmed, I am committed to smart, strategic talent management that will build a diverse, capable, agile workforce capable of meeting the challenges and opportunities of our times.

Thank you for the opportunity to appear before you today. I look forward to your questions.

The CHAIRMAN. Thank you.

**STATEMENT OF CHRISTOPHER PAUL HENZEL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF YEMEN**

Mr. HENZEL. Chairman Corker, Ranking Member Menendez, members of the committee, it is an honor to appear before you today as President Trump's nominee to serve as Ambassador to the Republic of Yemen. I am grateful to the President for his nomination and to Secretary Pompeo for his continued trust and confidence. I welcome the opportunity to discuss Yemen today.

First, I want to publicly thank my amazing wife Adrienne and our children, Claire, Brendon, and Joey. I have had the privilege of serving as a Foreign Service officer for 32 years and have spent most of my career focusing on the Middle East and the Muslim world. I cannot imagine having done this without the support of my

family. Families are an essential part of the Foreign Service and they share both the rewards and the hardships of foreign service life.

Mr. Chairman, Ranking Member Menendez, members of the committee, if confirmed, I will work to advance our country's foreign policy and national security interests in Yemen. I will work to support the United Nations-led efforts toward a negotiated cessation of hostilities and a comprehensive peace agreement in Yemen, to bolster U.S. security cooperation with the Yemeni Government to foster stability, support efforts to address the dire humanitarian consequences of the conflict in Yemen, and ensure the safety and security of U.S. citizens and employees under Chief of Mission authority.

If confirmed, I will continue the work of my predecessor and engage with the internationally recognized government of the Republic of Yemen, now operating in Aden and Riyadh. If confirmed, I will support the efforts of the U.N. Special Envoy, Martin Griffiths, to press for cessation of hostilities and to begin negotiations towards reconciliation, a comprehensive peace agreement, and a representative government. It is also imperative that we continue to urge all parties to allow commercial goods and humanitarian aid to reach the Yemeni people, something I know this committee has been very active on.

In early November, the administration announced that it would cease refueling coalition aircraft after the Government of Saudi Arabia notified the United States that it no longer required this assistance. At our urging, the Saudi-led coalition has incorporated the no-strike list into its target development procedures, stopped the use of cluster munitions, changed its rules of engagement to incorporate U.S. recommendations, and established the Joint incident Assessment Team. The United States will continue to press the coalition and the Republic of Yemen Government to minimize civilian casualties and expand urgent humanitarian efforts throughout the country.

The United Nations estimates that 22 million Yemenis, 80 percent of the population, are in need of assistance. An estimated 14 million people could face severe food insecurity if conditions worsen. The United States is among the top humanitarian assistance donors to Yemen, providing more than \$697 million since fiscal year 2018, which includes nearly \$131 million in additional emergency food assistance the Secretary announced on November 27th.

A unified and prosperous Yemen at peace with itself and its neighbors is critical to the security of the Gulf Region and to safe navigation in the Bab al-Mandab. The United States will continue to lead the international community's response to mitigate the humanitarian crisis, while helping to build a stronger foundation for durable peace.

Chairman Corker, Ranking Member Menendez, I am grateful for this opportunity to appear before you today and look forward to answering your questions.

[Mr. Henzel's prepared statement follows:]

## PREPARED STATEMENT OF CHRISTOPHER HENZEL

Chairman Corker, Ranking Member Menendez, members of the committee, it is an honor to appear before you today as President Trump's nominee to serve as Ambassador to the Republic of Yemen. I am grateful to the President for his nomination and to Secretary Pompeo for his continued trust and confidence. I welcome the opportunity to discuss Yemen and ask that my full testimony be submitted for the record.

First, I want to start by publicly thanking my amazing wife Adrienne, and our children Claire, Brendan, and Joseph, who have shared with me the rewards and hardships of Foreign Service life. I have had the privilege of serving as a Foreign Service Officer for nearly 33 years, currently as Charge D'Affaires at the U.S. Embassy in Riyadh and have spent most of my career focusing on the Middle East and Muslim world. Without their support none of this would have been possible.

Mr. Chairman, Ranking Member Menendez, members of the committee, if confirmed, I will work to advance our country's key foreign policy and national security interests in Yemen. I will work to support the United Nations (U.N.)-led efforts towards a negotiated cessation of hostilities and a comprehensive peace agreement in Yemen; bolster U.S. security cooperation with the Yemeni Government and other partners to foster greater regional and global stability; support efforts to address the dire humanitarian consequences of the conflict in Yemen; and ensure the safety and security of U.S. citizens and employees under Chief of Mission authority.

The Office of the United States Ambassador to Yemen operates out of the Yemen Affairs Unit located at the United States Embassy in Riyadh, with monitoring offices in Jeddah and Amman, due to the security situation in Yemen, which is now entering a fifth year of conflict. This protracted war has exacerbated the world's largest food insecurity emergency and cholera epidemic, and created an economic crisis. The conflict has drawn in neighboring states, has led to collapsed state institutions, local power vacuums and ungoverned spaces that the Houthis and terrorists have exploited to threaten important partners in the region, and has threatened U.S. national security interests, as well. The war in Yemen has complicated our ongoing counterterrorism efforts and has facilitated Iran's ambitions, further threatening regional stability. If confirmed, I will continue the work of my predecessor and continue to engage with and support the internationally recognized Republic of Yemen Government (ROYG), including President Hadi and the Prime Minister and cabinet members now operating in Aden and Riyadh, as well as the other governments supporting it.

The administration's position on bringing an end to the conflict in Yemen is clear: only a negotiated settlement can end this protracted war and unify Yemen. If confirmed, I will fully support U.N. Special Envoy to Yemen, Martin Griffiths' efforts to press for a cessation of hostilities, particularly in the western port of Hudaydah, and to begin negotiations towards reconciliation, a comprehensive peace agreement, and a representative government. It is also imperative that we continue to urge all parties to allow commercial goods and humanitarian aid and supplies to continue to flow through this crucial port to reach the Yemeni people-something I know this committee has been very active on.

In early November, the administration announced that we would cease refueling Coalition aircraft after the Government of Saudi Arabia notified the United States that it no longer required our assistance. At our urging, the Saudi-led Coalition incorporated the No-Strike List into its target development procedures; stopped the use of cluster munitions; changed its rules of engagement to incorporate some U.S. recommendations; established the Joint Incident Assessment Team; and now primarily utilizes precision-guided munitions, which can help decrease civilian casualties and collateral damage. However, the United States will continue to focus on working with the Coalition and the ROYG to minimize civilian casualties and expand urgent humanitarian efforts throughout the country.

The United Nations estimates that 22.2 million Yemenis, 80 percent of the population, are in need of assistance. An estimated 14 million people could face severe food insecurity if conditions worsen. The United States is among the top humanitarian assistance donors to Yemen, providing more than \$697 million in FY 2018, which includes nearly \$131 million in additional emergency food assistance the Secretary announced November 27. Our continued assistance is critical to preventing famine-level conditions. The United States Agency for International Development (USAID) and the Department of State will continue to play a pivotal role in stabilization and governance capacity building in areas of Yemen under ROYG control. USAID efforts include promoting social protection programs to create job opportunities, providing technical assistance to the Central Bank of Yemen to strengthen this critical pillar of the Yemeni economy, and investing in Yemen's education system

by feeding more than 900,000 Yemeni children daily and putting over two million children back in school. USAID will also support the recovery of Yemen's health system and repair infrastructure to provide potable water and reduce the likelihood of further devastating cholera outbreaks.

Developing stabilization and governance capacity building in areas of Yemen under ROYG control in order to enhance Yemenis' capacity to manage conflicts at the local level is also critical. Looking ahead, once a peace agreement is reached, experts project that there could be over one million former combatants in Yemen. To prepare for this, the Department is planning long-term engagement on post-conflict Security Sector Reform and Disarmament, Demobilization, and Re-integration needs. If confirmed, I will also continue our security cooperation programming with the ROYG and the Saudi-led Coalition to strengthen the counter-smuggling and counterterrorism capacity of Yemeni forces, in addition to their maritime defense and customs and border protection capabilities. While Coalition efforts in eastern and southern Yemen have produced measurable gains, Al-Qa'ida in the Arabian Peninsula (AQAP) and the Islamic State in Yemen (ISIL-Y) continue to use Yemen as a safe haven, seizing every opportunity to expand their operations. We must also continue to strengthen U.S.-Yemeni coordination in the fight to defeat terrorism by continuing strong U.S. support for programs that develop the capability of our partners within Yemen's security forces, counter violent extremism, and build the capacity of law enforcement for a future unified Yemen.

A unified and prosperous Yemen, at peace with itself and its neighbors, is critical to stability in the Gulf region and safe navigation in the vital waterways of the Red Sea and Bab al-Mandab. The United States will continue to lead the international community's response to mitigate the humanitarian crisis, while helping to build a stronger foundation for durable peace by strengthening Yemeni systems, including government, civil society, and private sector institutions that reduce conflict.

We must prepare ourselves to have a strong presence in a unified Yemen, despite future threats that may be posed by the efforts of rebuilding and unification.

Chairman Corker, Ranking Member Menendez, I am grateful for the opportunity to appear before you today and I look forward to answering your questions.

The CHAIRMAN. Thank you.

Mr. Barsa?

**STATEMENT OF JOHN BARSA, OF FLORIDA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR LATIN AMERICA AND THE CARIBBEAN**

Mr. BARSA. Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as the nominee to serve as the Assistant Administrator for Latin America and the Caribbean at USAID.

I am deeply grateful to President Trump and USAID Administrator Mark Green for the support and confidence they have placed in me with this nomination. If confirmed, I look forward to working closely with the U.S. Congress to ensure that USAID's programs in the region advance U.S. national security and geopolitical interests.

As I begin my remarks, I would like to recognize the outstanding leadership of Sarah-Ann Lynch, seated here with me and Steve Olive who have headed up USAID LAC Bureau for the past 2 years. Thanks to their efforts, the LAC Bureau has been able to continually and successfully function in sometimes challenging times.

I would also like to take this opportunity to thank my wife Lisa and my daughters Camille and Olivia, who are here today seated behind me, for their unwavering love and support.

As the son of a Cuban refugee who grew up amongst immigrants from throughout the western hemisphere, my understanding of the forces that deny people the ability to live in freedom, prosperity, and safety in their own countries is not just something I know be-

cause of academic studies; it is part of my history. I know it intimately and viscerally.

Throughout my career in public service, as a member of the U.S. Army Reserves for almost a decade, as a congressional staffer working in the U.S. House of Representatives, and as an appointee in the executive branch at the Department of Homeland Security, I have always appreciated the ability of an individual to make a difference.

If confirmed by the Senate, the charge before me of leading the Latin America and Caribbean of USAID is a great one. The men and women of the LAC Bureau are engaged in critical work throughout the hemisphere. If confirmed, it will be my responsibility and greatest honor to ensure that each and every individual in the bureau has the guidance and resources they need to accomplish their mission of furthering the U.S. national interests by ensuring the growth of freedom, prosperity, and democracy throughout the western hemisphere.

It would be a particular honor to serve under Administrator Mark Green. His unwavering moral compass and leadership in the execution of the USAID mission is inspirational.

If confirmed, I also look forward to working closely and collaboratively with this committee to tackle the scourges of corruption, impunity, failed governments, and dictatorial regimes that plague too many in our part of the world.

I am humbled by the opportunity being afforded to me as an individual to enable positive change for countless individuals in our world. If confirmed, I can, without hesitation or reservation, pledge to you that I will endeavor to bring every talent and skill that I may have to the challenges before me in furtherance of the USAID LAC mission.

Mr. Chairman, members of the committee, thank you for the opportunity to testify before you today. I am honored to be here, and I welcome your questions.

[Mr. Barsa's prepared statement follows:]

#### PREPARED STATEMENT OF JOHN BARSA

Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to serve as the Assistant Administrator for Latin America and the Caribbean (LAC) at the United States Agency for International Development (USAID). I am deeply grateful to the President and USAID Administrator Mark Green for the support and confidence they have placed in me with this nomination. If confirmed, I look forward to working closely with the U.S. Congress to ensure that USAID's programs in the region advance U.S. national security and geopolitical interests.

As I begin my remarks, I would like to recognize the outstanding leadership of Sarah-Ann Lynch and Steve Olive, who have headed USAID's LAC Bureau for the past two years. Thanks to their efforts the LAC Bureau has been able to continually and successfully function in sometimes challenging times.

I would also like to take this opportunity to thank my wife, Lisa, and my daughters, Camille and Olivia, who are here today, for their unwavering love and support.

Throughout my career, I have been blessed with the opportunity to work with many talented and inspiring leaders. I would also like to thank these mentors, too many to name here, who have made me a better public servant, manager, and leader.

I truly am humbled to have been nominated to lead the men and women of USAID's Bureau for Latin America and the Caribbean. I cannot agree more with Secretary Pompeo who just last week said the administration considers "our relationship with South America, Central America and Mexico to be central to American

success." In addition to furthering our national interest, it's also the right and moral thing to do. If confirmed, I will use my experience—coordinating with other Agencies, collaborating with Congress, leading teams in a results-driven manner, participating in disaster responses and coordinating with the military—to lead USAID's Bureau for Latin America and the Caribbean.

My interest in Latin America and the Caribbean is not purely academic. It is quite literally in my blood. My mother was born in Santiago de Cuba, to a middle-class family that never harbored any desire to leave their country. They were not political in any sense of the word. Like just about everyone else, my mother and her four siblings simply sought educations, careers, the ability to start and support their own families, and the opportunity to provide an even brighter future for their own children.

As the nightmare of Fidel Castro's communist revolution descended upon the island, it became clear that not only were their highest aspirations no longer possible, their ability to live in safety with the most basic of freedoms was in jeopardy as well. Members of my family were placed in jail for the crime of possessing U.S. dollars. Family properties were seized. Jobs were lost. People they knew were being summarily executed for not supporting the revolution. For my family's own survival they felt they had to flee the island. And so they did.

When my mother and most of her immediate family settled in Miami, they were able to restart their lives as is only possible in America. It was there in Miami that she met my father. It was there that I was born and raised as a fully bilingual and bicultural individual. And it is there that I graduated from Belen Jesuit High School, and it was there that I received my B.A. in International Relations from Florida International University. And throughout it all, I was not only surrounded by first- and second-generation Cuban refugees, but also by first- and second-generation refugees and immigrants from Haiti, Nicaragua, Guatemala, Colombia, Venezuela, and other countries throughout the Western Hemisphere.

Growing up among immigrants and their descendants does not make me unique. The vast majority of Americans are the descendants of immigrants. But because I grew up in Miami as the son of a Cuban refugee and surrounded by other immigrants from across Latin America and the Caribbean, my understanding of the forces that deny people the ability to live in freedom, prosperity, and safety in their own countries isn't just something I know because of academic studies. It is part of my history. I know it innately and viscerally.

The Jesuit ideal of "being a man for others," which I was taught at Belen Jesuit High School, was something I first put into practice in 1987, when I joined the United States Army Reserve, where I ultimately became a member of the 11th Special Forces Group, and later served in a Civil Affairs unit. It was while I served in Civil Affairs that I first learned about the unique partnership between USAID and the Department of Defense, and U.S. Army Reserve's Civil Affairs in particular. If confirmed as Assistant Administrator for Latin America and the Caribbean at USAID, I will use this unique understanding of the organization and role of the military in general, and Civil Affairs in particular, to ensure continued USAID-Department of Defense partnerships to advance U.S. foreign policy goals.

My next instance of public service occurred in 1993, when I joined the personal staff of Congressman Lincoln Diaz-Balart (R-FL). It was there that I developed a deep appreciation for Congress' oversight responsibilities. While on Congressman Diaz-Balart's staff, I also learned the critical importance of working in a bipartisan manner for the greater good of the country. Perhaps no better example of this was the 1997 passage of the Nicaraguan Adjustment and Central American Relief Act (NACARA), which was the culmination of countless hours of bipartisan negotiations and interparty discussions. I believe it remains a great testament to what Congress can achieve regarding immigration reform, and I am extremely proud to have played a very small part in its passage.

I am also extremely proud to be continuing my public service today, in my current role as the Principal Deputy Assistant Secretary for the Office of Partnership and Engagement (OPE) at the Department of Homeland Security (DHS). DHS OPE coordinates the Department's outreach efforts with critical stakeholders nationwide, including state, local, tribal, territorial (SLTT) governments, SLTT elected officials, SLTT law enforcement, the private sector, and academia, ensuring a unified approach to external engagement. OPE advocates and represents the interests of these stakeholders through the Department's policy making process and as a conduit for the Secretary to engage with stakeholders or share information.

Early in the administration, when I arrived at OPE as the Acting Assistant Secretary, I found that my organization was in charge of three separate public awareness campaigns: the "If You See Something, Say Something" campaign, the "Blue Campaign"—the unified voice for Anti-Human Trafficking efforts throughout DHS—

and a Cyber Security Awareness campaign given to DHS by the 114th Congress. All three campaigns had different reporting structures and mechanisms. It was clear to me that for each of the campaigns to grow and flourish they needed to operate out of their existing silos and share resources and information. I merged all three campaigns into one “Campaign Office” within OPE. I hand-picked a political appointee to lead this new office, and together we helped realize multiple efficiencies and benefits for all of the campaigns. Perhaps most importantly to this committee, under my tenure at DHS OPE, the Blue Campaign to raise awareness about human trafficking has grown remarkably.

Another aspect of my professional experience is also relevant to the position for which I have been nominated: disaster response. I have worked on disaster responses for Hurricanes Katrina, Irma, and most recently, Maria. When I deployed to Puerto Rico in the aftermath of Hurricane Maria, I was asked to set up an inter-governmental affairs operation within the FEMA response framework that would somehow establish communications and regular contact with each of Puerto Rico’s 78 mayors. Even today, it is hard to fathom just how extensively Puerto Rico was impacted. Not only was the physical devastation severe, but traditional means of communication were virtually non-existent.

I arrived in Puerto Rico not fully knowing exactly how I was to accomplish this mission. However, upon seeing the familiar Civil Affairs patch on the arm of some soldiers at FEMA’s Joint Field Office, I knew that the Army Reserve’s Civil Affairs would be part of my solution.

And they eventually were. A Civil Affairs Battalion, mostly fluent native Spanish speakers, became part of my team which included other fluent Spanish speakers from the U.S. Coast Guard and a myriad of other civilian agencies. My teams established regular contact with local government leaders, allowing improved disaster response and life-saving efforts. This—the largest and most complex intergovernmental affairs effort in FEMA history—has been lauded by FEMA and military leaders as an example for future post-disaster cooperation. I am proud that my knowledge of just how civilian and military organizations can work together helped to contribute to this success. If confirmed, I will bring this experience to USAID, the U.S. Government lead on international disaster responses.

However, as we know, meeting the development and prosperity challenges in the Western Hemisphere necessitates more than just disaster response. Each country has unique challenges as they move forward on what Administrator Green has eloquently described as the Journey to Self-Reliance. In the Northern Triangle of Central America, challenges include weak democratic governance, corruption, a lack of economic progress, and a dearth of job opportunities for those who desperately seek them. Taken together, these challenges darken the future of those living there and all too often drive them to undertake a treacherous journey north and seek to illegally immigrate to the United States. USAID programs in the Northern Triangle, such as programs in El Salvador that target communities with high homicide rates, and programs in Honduras and Guatemala that combat corruption, seek to directly take on these challenges.

In Haiti, USAID continues to help the people of Haiti to gain stability and prosperity so that they can build their futures at home. In Colombia and Peru, USAID and its partners must continue promoting rural economic development so that we can curb the flow of cocaine into our country and mitigate the effects of illegal mining and resource extraction. For those countries further along on their Journey to Self-Reliance, such as Mexico, Chile, and Brazil, USAID’s relationship has gone from strictly donor to one of partnership. If confirmed, I look forward to strengthening and expanding these current partnerships, to further the prosperity and security of the entire Western Hemisphere.

And as Administrator Green has repeatedly noted and as National Security Advisor Bolton recently said in Miami, there are three countries that stand out among others. These countries—Cuba, Venezuela, and Nicaragua—are led by regimes who daily show their disregard for human rights, the rule of law, and the betterment of their own people. Cuba, in particular, is not just oppressing its own people, but is exporting their brutal techniques and expertise to support the tyrannies in Venezuela and Nicaragua. With Cuba’s support, Maduro’s repression of his own people has led to the greatest migration crisis in the history of the Western Hemisphere. To date, approximately 3 million people have fled the brutal dictatorship to seek refuge in neighboring countries, putting fragile democracies at risk. USAID is contributing life-saving humanitarian and development assistance to Venezuelans throughout the region and the countries generously hosting them.

Right now, USAID’s programs in Venezuela, Nicaragua and Cuba maintain a crucial lifeline to independent media and civil society in these countries who are under threat from their own governments. If confirmed by the Senate, you will have my

unwavering commitment to build upon USAID activities to further the cause of freedom in Cuba, Nicaragua, and Venezuela.

I believe in Vice President Pence's vision—echoed by Administrator Green—of a Hemisphere of Freedom in which all people have a voice in their governments. If confirmed by the Senate, I will ensure that USAID programs continue to address the root causes that hinder prosperity and freedom throughout the Western Hemisphere.

Mr. Chairman, members of the committee, thank you for the opportunity to testify before you today. I am honored to be here, and I thank you for your consideration. I welcome your questions.

The CHAIRMAN. Thank you.  
Ms. Lynch?

**STATEMENT OF SARAH-ANN LYNCH, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO-OPERATIVE REPUBLIC OF GUYANA**

Ms. LYNCH. Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to serve as the next U.S. Ambassador to the Co-operative Republic of Guyana.

I am deeply grateful to the President, Secretary Pompeo, and USAID Administrator Mark Green for the support and confidence they have placed in me. If confirmed, I pledge to work closely with you, with this committee and its staff, and other Members of the Congress, to advance our nation's interest in the Co-operative Republic of Guyana.

I would like to take this opportunity to thank my husband, Dr. Kevin Healy, who is with me here today, for all his support over the years. Our children could not be here, but I would like to also thank them, Mariah, Garrett, and Dylan, for their support, as well as for their service to AmeriCorps/City Year, the U.S. Army National Guard, and various community organizations. I am also extraordinarily grateful for the encouragement of my mother Evelyn, a former member of World War II's Cadet Nursing Corps, and my late father Robert, an Army veteran of World War II.

My passion for international affairs was sparked years ago when I was accepted into the U.S. Peace Corps. I was honored to serve as a Peace Corps volunteer in Morocco and continued my work in international affairs as a USAID Foreign Service officer, serving for the past 25 years overseas in Bangladesh, Peru, Afghanistan, and Iraq, and in Washington, more recently, in the Bureau for Latin America and the Caribbean. Having served over half my career working on issues related to Latin America and the Caribbean, I am particularly honored to be considered for this important position in a region that is near and dear to my heart.

If confirmed, I will proudly promote U.S. values and represent the United States in Guyana, a melting pot of ethnic and religious diversity. I pledge to work with Guyana in areas of mutual interest as we seek to support the Government of Guyana as the country emerges as a petroleum producer, increase fair and reciprocal bilateral trade and investment, and work with the Guyanese Government and people to build upon gains in democratic governance, the rule of law, and citizen security. A secure democratic and pros-

perous Guyana will be a key ally for the United States for years to come in the region that we share.

This is a particularly momentous time for Guyana, a country that the World Bank currently identifies as middle income. However, the discovery of significant reserves of oil in recent years could alter the equation for this small nation. As such, it is critical that the country not fall into the trap of the resource curse. Guyana must continue to look for opportunities to diversify its economy, improve its governance, and strengthen its civil society. If confirmed, I will look for ways to build upon the work that Guyana has already done to chart a productive course for its future.

I look forward to enhancing U.S.-Guyanese relations and exploring every opportunity to engage with the government and the people of Guyana to help them fulfill their ambitious agenda.

Also, as the Secretary of State's representative to CARICOM, if confirmed, I will work closely with our regional partners to broaden our engagement under the U.S.-Caribbean 2020 strategy.

Finally, as a matter of the highest priority, I will strive to protect U.S. mission personnel and private U.S. citizens in Guyana.

Chairman Corker, Ranking Member Menendez, and committee members, I thank you all again for the opportunity to appear before you today, and I welcome your questions. Thank you.

[Ms. Lynch's prepared statement follows:]

#### PREPARED STATEMENT OF SARAH-ANN LYNCH

Chairman Corker, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to serve as the next U.S. Ambassador to the Co-operative Republic of Guyana. I am deeply grateful to the President, Secretary Pompeo and the U.S. Agency for International Development (USAID) Administrator Mark Green for the support and confidence they have placed in me. If confirmed, I pledge to work closely with you, with this committee and its staff, and other members of Congress to advance our nation's interests in the Co-operative Republic of Guyana.

I would like to take this opportunity to thank my husband, Dr. Kevin Healy, who is with me today, for all his support over the years. Our children could not be here, but I would also like to thank them—Mariah, Garrett and Dylan—for their support, as well as for their service to AmeriCorps/City Year, the U.S. Army National Guard and various community organizations. I am also extraordinarily grateful for the encouragement of my mother, Evelyn, a former member of World War II's Cadet Nursing Corps, and my late father, Robert, an Army veteran of World War II.

My passion for international affairs was sparked years ago when I was accepted into the U.S. Peace Corps. I was honored to serve as a Peace Corps volunteer in Morocco, and, if confirmed, it would be a privilege to work with today's volunteers who are delivering critical U.S. assistance to the Guyanese people. I continued my work in international affairs as a USAID Foreign Service Officer, serving for the past 25 years overseas in Bangladesh, Peru, Afghanistan, and Iraq, and in Washington, most recently as the Senior Deputy Assistant Administrator in the Bureau for Latin America and the Caribbean. Having served over half of my career working on issues related to Latin America and the Caribbean, I am particularly honored to be considered for this important position in a region that is near and dear to my heart.

If confirmed, I will proudly promote U.S. values and represent the United States in Guyana, a melting pot of ethnic and religious diversity. I pledge to work with Guyana in areas of mutual interest as we seek to: (1) support the Government of Guyana as the country emerges as a petroleum producer and leverages its newfound revenues to expand economic opportunities and social services for all its citizens; (2) increase fair and reciprocal bilateral trade and investment, including promoting opportunities for U.S. businesses; and, (3) work with the Guyanese Government and people to build upon gains in democratic governance, the rule of law and citizen security. A secure, democratic and prosperous Guyana will be a key ally for the United States for years to come in the region that we share.

This is a particularly momentous time for Guyana, a country the World Bank currently identifies as middle-income. However, the discovery of significant reserves of oil in recent years could alter the equation for this small nation. It is estimated that Guyana holds over 4 billion barrels of offshore oil reserves, which could put it into the top twenty oil producing countries in the world. As such, it is critical the country not fall into the trap of the “resource curse.” Guyana must continue to look for opportunities to diversify its economy, improve its governance, and strengthen its civil society. If confirmed, I will look for ways to build upon the work that Guyana has already done to chart a productive course for its future.

We only have to look to Guyana’s west—to Venezuela—to see how poor governance and corruption have destroyed what should be one of South America’s most prosperous economies. Venezuelans are fleeing their country in droves, with thousands now entering neighboring Guyana. While the Government and people of Guyana have been extremely generous in their assistance to the Venezuelan people, Guyanese systems could become overwhelmed. If confirmed, I pledge to work with the Government of Guyana to help them continue to look for ways to address this situation.

I look forward to enhancing U.S.—Guyanese relations and exploring every opportunity to engage with the Government and people of Guyana to help them fulfill their ambitious agenda. Also, as the Secretary of State’s representative to CARICOM, if confirmed, I will work closely with our regional partners to broaden our engagement under the U.S.-Caribbean 2020 strategy.

Finally, as a matter of the highest priority, I will strive to protect U.S. Mission personnel and private U.S. citizens in Guyana.

Chairman Corker, Ranking Member Menendez and committee members, I thank you again for the opportunity to appear before you today, and I welcome your questions.

The CHAIRMAN. Thank you.  
Ms. Tracy?

**STATEMENT OF LYNNE M. TRACY, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA**

Ms. TRACY. Mr. Chairman, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as President Trump’s nominee to be the next U.S. Ambassador to Armenia. If confirmed, I pledge to work closely with this committee and all Members of Congress.

I am pleased to be joined today by my mother, Carol Sue Tracy, and my sister, Anita Jepsky. I want to thank them, as well as other family members who could not be here today. I particularly want to acknowledge my father, Albert Tracy, who passed away 3 weeks ago. He was a constant source of strength and encouragement and was so proud and happy when my nomination was announced. Throughout my 24 years of public service, my family’s support has meant everything to me during some very tough and dangerous assignments.

Mr. Chairman, the overall goal of Armenian policy remains an independent, democratic, and prosperous Armenia at peace with its neighbors. And we continue to affirm our commitment to a sovereign Armenia, free to choose its own partners.

In April and May of this year, hundreds of thousands of Armenian citizens took to the streets with determination but without violence to hold their government accountable. Like so many others, I was heartened to see a peaceful transition of power. Armenia still has work ahead, however, to cement the gains of the past 6 months. If confirmed, I would continue our efforts to support the

democratic aspirations of the Armenian people. And we are grateful for the assistance from Congress that has made a lasting impact on Armenia's economic development and democratic transition.

The peaceful settlement of the Nagorno-Karabakh conflict is essential for a more secure and prosperous future for Armenia and the South Caucasus. If confirmed, I will support the administration's commitment to achieving this goal.

Mr. Chairman, the horrific events of 1915 represent one of the worst mass atrocities of the 20th century when 1.5 million Armenians were deported, massacred, or marched to their deaths in the final years of the Ottoman Empire. As President Trump stated on Armenian Remembrance Day this year, such atrocities must not be repeated. If confirmed, I pledge to do everything in my power to remember the victims and encourage Turkey and Armenia to acknowledge and reckon with the painful elements of the past.

Armenia has been a steadfast partner on many fronts, and the bonds between Armenia and the United States are further bolstered by the active participation of the Armenian American diaspora. If confirmed, I will do everything in my power to strengthen and deepen the U.S.-Armenian partnership.

Finally, as a veteran of multiple high danger postings, questions of safety and security for American citizens and embassy personnel will have my complete attention and will be my highest priority, if confirmed.

Mr. Chairman, thank you for the privilege of appearing before the committee and considering my nomination. I look forward to your questions.

[Ms. Tracy's prepared statement follows:]

#### PREPARED STATEMENT OF LYNNE TRACY

Mr. Chairman, Ranking Member Menendez, and distinguished members of the committee, I am honored to appear before you today as President Trump's nominee to be the next U.S. Ambassador to Armenia. I am grateful to the President and Secretary Pompeo for the confidence they have placed in me. If confirmed, I pledge to work closely with this committee and all members of Congress to advance U.S. interests in Armenia and promote the democratic ideals and values for which the United States stands.

I am pleased to be joined today by my mother Carol Sue Tracy and my sister Anita Jepsky. I want to thank them as well as Anita's husband Arthur Jepsky, my sister Mary Lou Carter and her husband Donald Carter, and my grandmother Isabel Pontius who could not be here today. I particularly want to acknowledge my father Albert Tracy who recently passed away and was a constant source of strength and encouragement. Throughout my 24 years of public service, their support has meant everything to me during some very tough and dangerous assignments.

The overall goal of our Armenia policy remains an independent, democratic, and prosperous Armenia, at peace with its neighbors. Situated astride a geographic and cultural crossroads, Armenia has always balanced competing interests, and we continue to affirm our commitment to a sovereign Armenia, free to choose its own partners.

In April and May of this year, hundreds of thousands of Armenian citizens took to the streets with determination but without violence to hold their government accountable. Like so many others, I was heartened to see a peaceful transition of power. Armenia still has work ahead, however, to cement the gains of the past six months. If confirmed, I would continue the distinguished efforts of my predecessor, Ambassador Rick Mills, to support the aspirations of the Armenian people, who are calling for accountable governance, an economy free of unfair and monopolistic practices, respect for human rights and fundamental freedoms, rule of law buttressed by an independent judiciary, and a system of government with strong checks and balances.

We are grateful for the assistance from Congress that has made a lasting impact on Armenia's economic development and democratic transition by supporting anti-corruption initiatives, civil society, independent media, private sector productivity, regional integration, and efforts to counter malign influence. I am mindful that these are hard-earned U.S. taxpayer dollars that must be spent effectively in support of U.S. goals and priorities.

The peaceful settlement of the Nagorno-Karabakh conflict is essential for a more secure and prosperous future for Armenia and the South Caucasus. As Co-Chair of the OSCE Minsk Group, the United States is working to help the sides achieve a peaceful, lasting negotiated settlement of the conflict based on the principles of the U.N. Charter and the Helsinki Final Act, including the non-use of force or threat of force, territorial integrity, and the equal rights and self-determination of peoples. If confirmed, I will support the administration's commitment to achieving this goal.

Mr. Chairman, the horrific events of 1915, the Meds Yeghern or Great Calamity, when 1.5 million Armenians were deported, massacred, or marched to their deaths in the final years of the Ottoman Empire, must never be forgotten. As President Trump stated on Armenian Remembrance Day this year, "As we honor the memory of those who suffered, we [must] ensure that such atrocities are not repeated." If confirmed, I pledge to do everything in my power to remember the Meds Yeghern victims and uphold that solemn commitment.

We must also look to the future and the opportunities for Armenia's next generation. Progress toward reconciliation with Turkey can help reduce Armenia's isolation and bolster its economy. Towards that end, we encourage Turkey and Armenia to acknowledge and reckon with painful elements of the past. If confirmed, I will do my best to support Armenian and Turkish efforts to forge a more peaceful and productive relationship.

Armenia has been a steadfast partner on many fronts, contributing 161 troops to NATO operations in Afghanistan and Kosovo and showing great generosity in welcoming Syrian refugees. Three years ago, Armenia and the United States signed a Trade and Investment Framework Agreement, and we saw significant increases in U.S.-Armenia trade in 2017, including several major U.S. investments. We want to help grow Armenia's economy, especially the burgeoning information technology sector, and broaden Armenia's economic diversity and ties to international markets.

People-to-people initiatives, including U.S. study and exchange programs, continue to be one of the pillars of our relationship, bringing nearly 450 Armenian students and professionals to the United States in the last five years. The bonds between Armenia and the United States are further bolstered by the active participation of the Armenian-American diaspora. Mr. Chairman, if confirmed, I will do everything in my power to strengthen and deepen the U.S.-Armenian partnership.

Finally, as a veteran of multiple high danger postings, questions of safety and security will have my complete attention. The safety and security of American citizens and our talented Embassy personnel and their families will be my highest priority, if confirmed.

Mr. Chairman, thank you for the privilege of appearing before the committee and considering my nomination. I look forward to your questions.

The CHAIRMAN. Thank you, and thank you all.

I will defer to our ranking member, Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

While I agreed to this panel, one of the challenges of having a large set of nominees with substantive geographic and jurisdictional issues is the ability to ask the questions. I see there are other colleagues. So I would like to reserve the right to come to a second round because I do not think I will get to all of my questions.

The CHAIRMAN. Sure, absolutely. By the way, thank you for letting us have this near the end of this Congress. I very much appreciate that.

Senator MENENDEZ. Thank you, Mr. Chairman.

Mr. Henzel, despite repeated assertions that there is no military solution to the conflict in Yemen, we have not seen an investment in a robust diplomatic strategy, and we, from my perspective, continue to pay only lip service to the support of the U.N. Special

Envoy Martin Griffiths' efforts to bring the warring parties to the negotiating table in Sweden, hopefully as soon as this week.

In fact, the administration has argued against something that the Senate is presently considering, the Sanders-Lee resolution to remove U.S. forces from unauthorized hostilities in Yemen because of the prospects for renewed talks under U.N. auspices. But we have seen this pattern of hope for new talks followed by spoilers and collapse time and time again.

So can you explain to me very specifically why there is such optimism about this particular set of talks in Sweden? And what specifically should the United States be doing? What leverage or conditions should we apply to ensure that this round of talks is different than all other previously failed rounds of negotiations?

Mr. HENZEL. Senator, thank you. Those are all very important issues that you raise. You are correct. There is no military solution to the conflict, and it is a tragedy what has been happening in Yemen.

The administration is working to end the hostilities. It is supporting the efforts of the U.N. Special Envoy Martin Griffiths, and it is supporting him by engaging with important parties to the conflict.

The humanitarian crisis is a tragedy. Millions are at or near starvation. The U.S. has put almost a billion dollars toward alleviating the humanitarian crisis. The Saudis and the Emiratis have made similar efforts. Iran, however, has provided nothing to address the humanitarian side of the crisis, but instead has been exacerbating the military conflict with a wide range of weapons that range up to ballistic missiles and advanced UAVs.

The administration is determined to both address the humanitarian crisis, support peace efforts, and ensure that the result is not an Iranian proxy on the southern border of Saudi Arabia—

Senator MENENDEZ. I do not mean to interrupt you, but my time is limited. And I appreciate the overview, which I know. I had two specific questions which I would like answered.

Number one, why is there so much optimism about this particular round of talks compared to the past where we have had failures? Can you give me some insight into that? I will start there, and then we will move to the next one.

Mr. HENZEL. Well, sir, I think it is appropriate to have measured expectations for this immediate round. I think it would be a great success if Mr. Griffiths were able to get the parties to show up, first of all, which the Houthis did not do during his last round.

Griffiths has also advanced some confidence building measures in order to get the process started, and actually a couple of those have come about.

First of all, a plane-load of wounded Houthis has gone to Muscat for medical treatment. This is something that Griffiths was not able to accomplish last time. It happened this time in no small part because the United States weighed in with a number of the parties, most importantly the Saudis, to make sure that this happened. So now that the Houthis have arrived in Muscat, I am more optimistic that their delegation will go to Sweden.

Griffiths has also been pushing for prisoner exchanges as a confidence building measure. I saw in the news today that it appears that one of the first exchanges has actually taken place.

So, again, I do not think it is appropriate to be over-optimistic about this immediate first round, but we have seen a couple of small signs of initial progress. And I think we have great confidence in Griffiths, and I think that if he can get the parties to show up in Sweden this time, there is the prospect of getting a substantive process started.

Senator MENENDEZ. So that is a much more measured view of these talks.

Let me ask you this. The Associated Press, Human Rights Watch, Amnesty International, the U.N. Panel of Experts on Yemen have all issued reports detailing the torture of Yemeni detainees by Yemeni forces receiving support from the United Arab Emirates. There are also allegations that at times UAE forces themselves have directly participated in the torture and illegal detention of Yemeni detainees in a network of secret prisons.

Mr. Henzel, my staff has told me that you read these reports. Can you confirm for me today that you did so? Have you read these reports?

Mr. HENZEL. No, sir, I have not. I have been based in Riyadh for the last couple of years focused on Saudi issues.

Senator MENENDEZ. In preparation for this hearing, you have not read these reports?

Mr. HENZEL. I have heard of reports. I have heard of the U.N. Panel of Experts' statement from January of 2018 I believe. My colleagues in the Department—first of all, the Department is very concerned about these reports, and my colleagues in the Department tell me that they are looking into these, in large part, to answer questions from this committee about it.

Senator MENENDEZ. Well, I would hope that before we confirm you, that you are going to get a chance to read these reports.

If you were confirmed as the Ambassador to Yemen, what is going to be your role in investigating the allegations of illegal detention and torture?

Mr. HENZEL. Sir, the Department has approached the Emirati Government about this and is seeking answers from them.

Senator MENENDEZ. Okay. So let me go back to my question. If you were confirmed—you are now the Ambassador of the United States for Yemen—what do you envision your role, not the Department's role, being in this regard?

Mr. HENZEL. Sir, if confirmed, I will also pursue answers to this question from the Emirati Government and any other places we can look.

Senator MENENDEZ. I have a lot more questions, Mr. Chairman, but I will yield for my colleagues.

The CHAIRMAN. Thank you.

Senator Young?

Senator YOUNG. Mr. Henzel, in your prepared statement, you write, quote, if confirmed, I will work to advance our country's key foreign policy and national security interests in Yemen. Unquote. And you go on to list those national security and foreign policy interests.

The first U.S. national security interest you mention is supporting the U.N.-led efforts towards a negotiated cessation of hostilities and a comprehensive peace agreement in Yemen.

Why do you believe the cessation of hostilities and a comprehensive peace agreement in Yemen is in the national security interests, not just the humanitarian interests, of the United States?

Mr. HENZEL. Well, sir, the conflict in Yemen, first of all, of course, is a terrible humanitarian catastrophe. But beyond that, from the point of view of our security interests, it has provided an opportunity for Iran to advance its goals in the region. Iran's involvement has become more and more worrying with each year of the conflict. So for that reason alone, I think we have an important interest in seeing a cessation of hostilities and a political settlement that involves all Yemeni parties, including the Houthis who are part of Yemen.

Furthermore, as I mentioned, having a client of Iran secure on Saudi Arabia's southern border and next to the Bab Al-Mandab where they could launch missiles whenever it is convenient to Iran would clearly be a serious problem for our national interests.

Senator YOUNG. Just to fill in a little bit, using your own language, you mentioned Iran and how their ambitions in the region could be furthered by the perpetuation of this conflict and destabilization of Yemen moving forward.

You mentioned in your written testimony local power vacuums in ungoverned spaces that have been created by the civil war, that the Houthis and terrorists have exploited to threaten important partners in the region, Saudis and others. You also say that the civil war in Yemen has complicated our ongoing counterterrorism efforts.

So particularly for my colleagues who do not yet share a sense of urgency on the national security imperative for ending the civil war, let me summarize what the Trump administration's nominee to serve as our next Ambassador in Yemen has said here today.

You have testified the ongoing civil war in Yemen has exacerbated the world's largest food security emergency, created power vacuums—I know I am being redundant, but this is very important—that the terrorists have exploited, facilitated Iran's ambitions, and complicated our counterterrorism efforts.

Mr. Henzel, I will not ask you to comment on the following because I know these decisions are made well above you. However, if the ongoing civil war has exacerbated the world's largest food security emergency and created these power vacuums and created further dangers of terrorism, it would seem we should use all available leverage to pressure the combatants to bring the civil war to an end.

I have been arguing for some period of time, frankly, that we have not done that. We have leverage, particularly with the Saudis, and given the national security interests that the civil war is undermining, I still say we should use all of that leverage to achieve a negotiated cessation of hostilities and a comprehensive peace agreement.

That is why I and Senator Shaheen and others have repeatedly called for this. And in my view, we clearly have not used all available leverage with the Saudis. So this is one of my reasons why we

have arrived where we have arrived legislatively as a body here in the United States Senate, and that is why Senate Joint Resolution 54, despite the opposition of the administration, is before this body.

Mr. Henzel, on October 30, Secretary Pompeo issued a statement, which you are familiar with, on ending the conflict in Yemen. He called for the Houthis to stop missile and UAV strikes, and he called on the Saudis, with whom, again, we have partnered in this conflict, to stop airstrikes in populated areas in Yemen.

On that very same day, Secretary Mattis called for a ceasefire in the next 30 days, including ceasing dropping of bombs.

Now, by my count, 30 days from October 30 expired on November 29.

Mr. Henzel, given the clear demand of our Secretary of State and our Secretary of Defense, have the Saudis ceased dropping bombs in Yemen?

Mr. HENZEL. Senator—

Senator YOUNG. Yes or no, sir.

Mr. HENZEL [continuing]. No, not completely, sir. No. The Saudis and the Emiratis dialed back their military operations, especially around Hodeidah. My understanding is that the current situation around Hodeidah remains generally static. There have been some exchanges of fire across the line of control there, but there has been a reduction in the violence.

Senator YOUNG. Okay.

So according to local media reports cited by OXFAM, there have been repeated airstrikes since November 29, including in Hodeidah, Hajjah, Sana'a. That includes 48 airstrikes yesterday alone.

Mr. Chairman, with unanimous consent, I request permission to enter this list of airstrikes in the record.

The CHAIRMAN. Without objection.

[The information referred to above follows:]

### Airstrikes in Yemen Since 29 November 2018

- ♦ 03 Dec: Al Hudaydah governorate, Al Mina: 4 civilians were killed and 3 injured when airstrikes hit the seaport area in Al Mina district.
- ♦ 03 Dec: Sa'ada governorate, Kitaf Wa Al-Boq'e district: Four civilians were killed and another nine civilians, including a child, were injured by an airstrike that hit a vehicle in the Tebaq area in Kitaf Wa Al-Boq'e district in Sa'ada.
- ♦ 03 Dec: Sa'ada governorate, Baqim district: A civilian was killed and another civilian was injured by an airstrike in Baqim district in Sa'ada.
- ♦ 03 Dec: Sanaa governorate, Sanhan: Houses were damaged when 5 airstrikes hit Jirban in Sanhan district.
- ♦ 02 Dec: Al Hudaydah governorate, Bajil: The vocational training institute in Al Qurar in Bajil was damaged by 2 airstrikes.
- ♦ 02 Dec: Al Hudaydah governorate, Ad Durayhimi: Houses and farms were damaged by 18 airstrikes that hit Ad Durayhimi city and other areas in the district. The airstrikes also caused damage to the offices of the local branch of the General People's Congress (GPC).
- ♦ 02 Dec: Sa'ada governorate, Baqim district: Three civilians were killed by airstrikes that hit Qama'il area in Baqim district in Sa'ada.
- ♦ 02 Dec: Al Hudaydah governorate, As Sukhna: Houses were damaged when airstrikes hit areas in the north of As Sukhna district.
- ♦ 02 Dec: Al-Jawf governorate, Al-Matammah district: Al-Mansaf government compound was damaged by airstrikes in Al-Matammah district in Al-Jawf.

- ♦ 01 Dec: Sa'ada governorate, Baqim district: A civilian was killed by airstrikes that hit house in Baqim district in Sa'ada.
- ♦ 01 Dec: Sanaa governorate, Nihm: Houses were hit by 10 airstrikes in different areas in Nihm district.
- ♦ 30 Nov: Sa'ada governorate, Baqim district: Houses hit by airstrikes in Baqim district in Sa'ada.
- ♦ 30 Nov: Al Bayda governorate, Radman Al Awad: A telecommunications network was damaged by 4 airstrikes in Hawran in Radman Al Awad district.
- ♦ 30 Nov: Al Hudaydah governorate, Al Mina: 2 civilians were killed and 4 injured, including 2 women and 1 child, when drones hit 4 houses in the Arba'ah Wa Ishreen (24) neighborhood in Al Mina district.
- ♦ 29 Nov: Al Hudaydah governorate, Bayt Al Faqih: 1 civilian was killed and 7 injured, including 2 women, when an airstrike hit a house in Al Karamah village in Al Jah of Bayt Al Faqih.
- ♦ 29 Nov: Al Hudaydah governorate, Ad Dahi: 1 child was injured when an air-strike hit a water drill in Ad Dahi district.
- ♦ 29 Nov: Al Hudaydah governorate, At Tuhayat: Houses and farms were hit by several airstrikes in the west and south of At Tuhayat.
- ♦ 29 Nov: Sa'ada governorate, Al-Safra'a district: A child was injured when houses were hit by airstrikes in Noshur area in Al-Safra'a district in Sa'ada.
- ♦ 29 Nov: Sa'ada governorate, Haydan district: A car was damaged by airstrikes that hit the main road in the west of Haydan district in Sa'ada.
- ♦ 29 Nov: Sa'ada governorate, Razih district: A woman was killed by an airstrike that hit Sha'bani area in Razih district in Sa'ada.
- ♦ 29 Nov: Sa'ada governorate, Baqim district: Houses and farms were hit by airstrikes in Baqim district in Sa'ada.

**Source:** Civilian Impact Monitoring Project (UN High Commissioner for Refugees).

Senator YOUNG. So this is a list of airstrikes in Yemen just since November 29 that has been compiled by the U.N. High Commissioner for Refugees' Civilian Impact Monitoring Project.

I will not ask you to comment, Mr. Henzel, but I do not believe it is in our national security interests to do nothing when our Secretaries of State and Defense have been so clearly and directly blown off by Riyadh.

Thank you. I yield back.

The CHAIRMAN. Thank you.

Senator Murphy?

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

Mr. Henzel, I am going to come back to you, but I will give you a break for a moment. I wanted to bring Ambassador Perez into the conversation here for a moment because there are going to be some pressing issues that you are going to be dealing with, should you be confirmed.

I wanted to ask you about a number of reports that have emerged from senior diplomats who have given rise to concerns that the Trump administration has exacted political revenge at the State Department on career diplomats who worked on President Obama's foreign policy priorities, including the Iran deal, the Paris Climate Accord, and relationships with Cuba, by failing to promote them or by moving them into leadership positions that were clearly meant as a signal to them about their prior work.

I understand the Inspector General is probing these allegations today. Do you have any update as to the Inspector General's work on this matter? And do you think that the proper protections are in place today to protect our career diplomats from an overtly polit-

ical agenda to push them out or damage their careers, given what they have worked on previous administrations?

Ambassador PEREZ. Senator, thank you very much for that question.

First of all, the kinds of things that you are talking about right now are illegal. They are illegal under both title 5 and under the Foreign Service Act. And we have those protections in place.

I, unfortunately, do not have an update on where that investigation is. I am currently serving as the Ambassador to Chile. So I am aware of these cases from what I have read in the press. My understanding is there are two different investigations: one for the Office of the Inspector General, one for the Office of Special Counsel.

And so, if confirmed, my job will be to make sure that our employees understand what their protections are under the law and to make sure that we do work with those entities to give the documents that they need and to support those investigations going forward.

Senator MURPHY. And if there are any recommendations from these reviews, to implement those recommendations.

Ambassador PEREZ. Absolutely. Absolutely, Senator.

Senator MURPHY. Thank you.

Mr. Henzel, thank you for the time in our office. Thank you for your commitment to this very difficult job.

I wanted to raise one additional issue with you. Some concerning recent reports from "The Guardian" newspaper have found that weapons from the United States that were given to our partners in the Saudi-led coalition have ended up in the hands of militias that are linked to Al Qaeda and ISIS. These weapons include rocket launchers, grenades, and rifles.

We also hear repeatedly from researchers and partners and non-profits on the ground that the coalition provides arms and financing for radical Salafist groups, militias that are often the most zealous fighters against the Houthis. This is not something that the United States is engaged in on the ground. This is something that our coalition partners are engaged in on the ground.

Are you aware of these reports? Do we have end-use requirements that prohibit the transfer of weapons to third party groups? And what is the U.S. policy towards the coalition's support for these dangerous Salafist militias inside Yemen?

Mr. HENZEL. Senator, yes, there are end-use requirements in place on weapons that are sold to partners of the United States overseas, and the U.S. Government does check to ensure that those are enforced. I have heard of these reports. I understand that they are being looked into.

As for extremists on the ground in Yemen, yes, my understanding is that there are individuals and small groups that are mixed in with some of the groups that partners are supporting, especially the United Arab Emirates. This is something that the United States has engaged with our partners about, and I would be happy to take the question back to get some more details for you.

Senator MURPHY. Does the administration or the embassy have independent knowledge, separate and aside from the report in "The

Guardian," that these weapons ended up in the hands of these militia groups?

Mr. HENZEL. I do not know, sir. I can take that question back for you.

Senator MURPHY. Okay. Thank you and thank you for your acknowledgement that this is a deepening problem on the ground. It is not something that we talk about enough in the context of the war inside Yemen. This has happened in Syria. This has clearly happened in Afghanistan. Time and time again, when we give weapons to people that we think are on our side, they end up getting into the hands of people that we are, in fact, doing battle with. If that is happening inside Yemen today, the weapons that we are providing to the Saudi coalition are ending up in the hands of groups aligned with Al Qaeda and ISIS, it is more and more evidence that we need to get out of this partnership as quickly as possible.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Kaine?

Senator KAINES. Thank you, Mr. Chairman.

Mr. Henzel, I appreciated the opportunity to dialogue with you earlier. The fact that you have already served once in Yemen, 1997 to 1999, that your service in Riyadh now, I think makes you a good candidate for this position.

One of the issues we talked about in my office was making sure that we have a meeting of the minds about the cause of the civil war in Yemen. And I do not want to put words in your mouth, but my understanding is while Iran is engaged in a lot of activity with the Houthis that we would be opposed to, just as they are engaged in other activity in the region we would be opposed to. Senator Coons and I just did a letter yesterday about prisoners being held by Iran, including Americans.

The civil war in Yemen is driven or there is an origin to that civil war, which is the Houthis' dissatisfaction as a minority with the way they are being treated by the government. And that is really the origin of the civil war, whatever Iran's participation in it is.

Would you agree with me in that statement?

Mr. HENZEL. Sir, it is a long story going back, the origins of the Houthis. At their very first beginnings, they had grievances with the regime of Ali Abdullah Saleh and their position in Yemen. They turned to violence to address those problems. Over the course of, I believe, six wars between the Houthis and the central government, their strength grew until they were in a position where they were able to overrun the capital.

Senator KAINES. And some of their concerns were the way they were treated as a minority, and other concerns were corruption by the government that they objected to. I mean, they had a whole series of sort of concerns that were fomenting their dissatisfaction with the central government. Correct?

Mr. HENZEL. At their origins, they had a number of concerns like that. But as I said, they turned to violence to address those problems and touched off a chain of conflicts that has resulted in the terrible situation in Yemen today.

Senator Kaine. And then Iran has been exploiting that division. They exploited a division in Bahrain when the 30 percent Sunni population essentially rules the 70 percent Shia population. There was dissatisfaction, and Iran moves in to exploit that dissatisfaction, which is not be excused and must be countered.

The reason I raise this issue is I hear the Saudis and also many from this administration talk about this war in Yemen. They act as if it is all caused by Iran. And there is a very dangerous blindness if we look at the problem that way.

The war in Vietnam between France and Vietnam was because of a failed colonial project. The U.S. had no equities in that war in 1954 after the French defeat in Dien Bien Phu. But we got convinced that it was not a colonial issue, that it was a battle against communism. And we took over the failed French colonial project in Southeast Asia, and it turned into this massive challenge for us. We misread the problem. We did not recognize that a native population had real concerns about their own politics, and we tried to interpret through our lens.

I very much worry that administration policymakers and the Saudis are interpreting Yemen as if it is just an instance of Iranian adventurism. And I think if you look at the problem just from that lens, you miss what the problem is.

And I appreciated the conversation that we had about it. We have got to deal with Iranian bellicosity in the region, but if we are not also willing to deal with legitimate grievances of populations that feel like they are under the thumb of a corrupt or unresponsive central government, then we will misunderstand. And I really will count on you giving our policymakers good advice about that, should you be confirmed.

I want to say to you, Ambassador Perez, congratulations on your nomination and your service.

Virginia is a very militarily connected State, but we also have 3,500 FSOs who call Virginia home. And I think the American public has gotten really good, whatever they think about the status of wars abroad, at really sincerely thanking our men and women who serve in the military. But we are not as good at thanking our other civil servants who serve in difficult positions abroad. Many FSOs get posted to places that they might not have chosen. They get posted to places where they cannot take their family. And some of you on the panel have taken such posts. So I think your work in this new position is very important to advocate for—and hopefully some of us will help you to advocate for the needs of some wonderful public servants.

Finally, I want to ask you, Mr. Culvahouse. Congratulations on your nomination. This is an incredibly important position. I am very intrigued with the notion of the Quad as our military and other leadership discuss a loose affiliation, military and otherwise, between the United States, Japan, Australia, and India. And I would like, if I could, ask one question as I conclude. Offer your thoughts about the utility of this idea in terms of both security cooperation and, more broadly, economic cooperation in the Indo-Pacific.

Mr. CULVAHOUSE. Thank you for your question, Senator.

I frankly need to know more about the Quad. I think in the briefings I have received, people have been excited about it, excited about the opportunity. They think it should be a priority that I should look at, if I am lucky enough to be confirmed. And certainly the challenges, the threats, and the geopolitical competition, if you will, from China in the region is such that I think the Quad initiative is one that definitely should be pursued.

Senator KAINES. Excellent. Well, I will just remind everybody that the Big 10 has 12 teams now, and the Big 12 has 10 teams. So just because we call it a Quad does not mean we cannot have other nations that want to join in also to participate. [Laughter.]

Senator KAINES. And I would encourage you on that as well.

Mr. CULVAHOUSE. Well said, sir.

Senator KAINES. Thanks, Mr. Chair.

The CHAIRMAN. I am just reading a note. At this point in time, the witnesses are saying, thank goodness for Yemen. [Laughter.]

Senator MENENDEZ. Not that quick, Mr. Chairman.

The CHAIRMAN. Okay.

I do want to just say—I know you are in Saudi Arabia now as the DCM. We heard the clearest testimony I have ever heard from intelligence this morning. I have been here 12 years. I have never heard ever a presentation like was made today. There is no doubt in my mind if the Crown Prince was in front of a jury, he would be convicted unanimously of murder in 30 minutes.

I do hope that somehow the administration will find a way to speak to this. I know that we are going to take this issue up, and it ties into Yemen, as you know, because of the conflict that is taking place there. To allow a crown prince to plan the sawing up of a—a sawing up of a journalist, to monitor that, to know that, and for that to go without any statement from the United States of America of condemnation.

Could you share with me a little bit about how in a culture like Saudi Arabia that affects a close-knit royal family and their sense of what they are able to continue to do once the world knows they have done this and they move on with impunity?

Mr. HENZEL. Well, Senator, they are very important issues.

The administration has condemned what happened to Mr. Kashoggi. It was an atrocity. And it continues to press for accountability for the persons responsible.

I think inside Saudi Arabia—I left about a week after these events came to light, but at that point, it seemed as if, unfortunately, popular opinion was rallying around the royal family. There is a sense that the leadership was being unfairly attacked from outside.

But however that progresses, the administration believes that there needs to be accountability for what happened to Mr. Kashoggi.

The CHAIRMAN. Senator Booker?

Senator BOOKER. Thank you very much.

Forgive me for not being here when a lot of the other questions were asked about Yemen, but I am going to go right there as well and just ask, first and foremost—really there is a counterterrorism issue that keeps being talked about. And in the midst of the conflict in Yemen between the Houthis and the coalition, Al Qaeda in

the Arabian Peninsula and other groups really do remain potential threats. We heard about that in our classified briefing.

But, Mr. Henzel, in your testimony, you noted that the war Yemen has complicated our ongoing counterterrorism efforts. Is it possible that as long as the war continues, Al Qaeda in the Arabian Peninsula will find plenty of ungoverned space to thrive and that this is actually going to create worse of a threat?

Mr. HENZEL. Senator, I cannot predict how the situation will progress, but it is definitely the case that the war in Yemen, which has been fueled and exacerbated by Iranian weapons, has made it more difficult for the United States to pursue its counterterrorism goals mostly in the eastern and southern part of Yemen.

Senator BOOKER. And so how would you characterize right now AQAP's current power position in Yemen as it relates to threats to the United States?

Mr. HENZEL. The UAE, sir?

Senator BOOKER. No. AQAP.

Mr. HENZEL. AQAP. Sorry.

AQAP remains active in ungoverned spaces in eastern and southern Yemen. The U.S. is engaged with its counterterrorism partners, including the UAE and Saudi Arabia, to push back on that threat. There have been a number of notable successes over the past year or so, including the killing of an important leader of Al Qaeda. This is an effort that the administration will continue, but bringing about a cessation of hostilities for the other conflict in Yemen, the Houthi war, and the establishment of an interim government that can better control Yemeni territory will certainly make the counterterrorism struggle easier for the U.S. to succeed at.

Senator BOOKER. I am sure you have heard today from my colleagues this bipartisan concern about the war, about the humanitarian consequences, the god-awful realities on the ground for children and other civilians. And maybe for me—and you may have said this already, but can you make it clear to me at least what policy changes you are going to advocate, should you be confirmed, that are going to be different from years past? Are you planning a different policy agenda to try to deal with this crisis that I have watched now over many months just grow worse?

Mr. HENZEL. Well, Senator, the administration's policy, shaped here in Washington and in consultation with Congress, remains to support efforts to bring about a political settlement among the parties in Yemen, which include the Houthis. And in our assessment, the best way to bring that about is to continue to support the efforts of the U.N. Special Envoy Martin Griffiths.

And in fact, this week he is likely to convene the parties in Sweden. There have already been two important confidence building measures carried out: the transfer of some Houthi wounded to Muscat for treatment, and some discussions about prisoner exchanges, which seem to be bearing fruit.

As I said earlier, I think it is appropriate to be cautious when assessing the prospects for some immediate breakthrough. But as a first step, bringing the parties together will be more than anyone has been able to do for the past couple of years.

Senator BOOKER. Well, again, I am grateful that you are willing to step into what I think is one of the more urgent humanitarian

crises on the planet earth with implications for the region. And I am hoping that as you step up to this very important post, that what you said in your answer to me continues to be the case, which is your willingness to engage with Congress. And right now, I have a lot of frustrations with how the administration is engaging or not engaging, and I am hoping that from your position, you will cooperate fully with us in sharing information and, using your word, consultation.

But, again, thank you for your willingness to step forward and put yourself up for such an important post, not just for the United States but for all of humanity. There is an indivisibility to human dignity, and the assaults on human dignity that are happening in Yemen diminish the dignity of this country and humanity as a whole. So thank you.

The CHAIRMAN. Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman.

Last Wednesday, we had a vote on the Senate floor on the Yemen law and the War Powers Act. But on the same day, Secretary Pompeo announced \$131 million in additional food assistance for Yemen to be provided through U.N. World Food Program. However, that announcement came after the World Food Program had already raised the alarm, that in recent weeks, imports through Hodeidah have fallen by nearly one-half at a time when half of the country's population is on the brink of starvation, and when 85,000 children have been estimated to have died from starvation in Yemen.

How does the administration, Mr. Henzel, expect the World Food Program and other agencies to successfully implement food distribution with this new funding without also sufficiently addressing humanitarian access constraints by parties to the conflict, including U.S. allies, the Saudis, the Emiratis? How do we do that? How do we get their cooperation? You can say that you are going to send in the food. The kids are dying. But we have other countries who are allegedly our allies who just have not been cooperating and, in fact, are the cause of the problem.

Mr. HENZEL. Senator, you are absolutely right that humanitarian access and access for commercial goods is of utmost importance, given the horrible humanitarian situation in Yemen.

When problems have come up from time to time over the last couple of years, like the one you just described in Hodeidah, the administration has engaged with the U.N., with the Saudis, with any party we could in order to try to straighten out these bottlenecks. The administration was engaged last week over some difficulties in the Port of Aden.

I am not familiar with the news you just mentioned, but I am sure that the administration at senior levels will be engaging with the Saudis if they are the source of the problem. The American embassy in Riyadh also engages regularly with the Saudi officials who manage these permits, and I am sure they will be doing that as well.

Senator MARKEY. Well, you know, my wife retired as a two-star admiral and had been the chief of behavioral medicine at the National Institutes of Health. And what she always tells me is that

individuals and countries are the same. You either have reenactment or you have reconciliation.

So my fear here is we are just going to go through reenactment, that we can say we are going to send in the food, but if the Saudis, the Emiratis are not really going to cooperate, then we are just going to see further exacerbation and, in fact, reenactment of what we have been going through. So without firm commitment by our government to ensuring that these countries get out of the way so we can get to these kids, we are just going to see a dramatic additional increase in unnecessary deaths, and without access, it just is not going to work.

So I like the concept, but that is only 20 percent of life. 80 percent of life is execution. So if we cannot pull this off, we cannot get in there, then it is just going to wind up with additional futility.

So I just say that to you, Mr. Henzel. We have high expectations that this problem is going to be alleviated and not exacerbated.

On Armenia, my question is it seems unlikely that the Trump administration will change its longstanding U.S. policy on how we refer to the Armenian genocide. How will you address calls by the Armenian community to call what the 1915 slaughter was, a genocide?

Ms. TRACY. Senator, thank you for that question.

Let me be absolutely clear. The Trump administration and I personally acknowledge the historical facts of what took place at the end of Ottoman Empire, the mass killings, the forced deportations, and marches that ended 1.5 million lives, and a lot of suffering. And I will, if confirmed, do everything in my power to acknowledge and respect the losses and the suffering and commit myself to participating in any remembrance activities.

Senator MARKEY. Well, it is time for us just to stand up and call it what it was. It helps us in the future to have credibility.

The peaceful transfer of power in May of 2018 seemed to present an opportunity, but there has been a poor track record on the previous government. So what are we going to do to support the Armenian Government in promoting reforms, either diplomatically or through our assistance?

Ms. TRACY. Senator, thank you for that question.

It was a very remarkable moment what happened this past spring to see a peaceful transition of power. And since then, we have mobilized resources to focus on three areas. Fighting corruption, which is a place where this new government has also set a high priority, and we are working to try to assist them on that. Continuing to strengthen civil society where we have a long record in Armenia and where I think that played an important role in what happened this past spring. And supporting an independent media. These are three areas that help maintain accountability, I think buttress the checks and balances that are necessary in a democratic society. And so those are the areas where we are going to work to help support the democratic aspirations of the Armenian people.

Senator MARKEY. I hope so. Armenians in America are maybe the most successful ethnic group. We want to make sure that the Armenians who stay can enjoy all of their God-given abilities as

well, and I think we have to help to just continue to promote the reform they are going to need.

Thank you, Mr. Chairman.  
The CHAIRMAN. Thank you.

Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me ask all of the nominees first a question that I would like your verbal response to. Will you provide this committee and members thereof with a timely, honest, and candid response to inquiries that are put to you, either if you are an Ambassador nominee in a situation on the ground, or if you are heading a department with reference to the jurisdiction of your department? Give me a verbal answer to that.

Mr. CULVAHOUSE. Yes, Senator.  
Ambassador PEREZ. Yes, Senator.  
Mr. HENZEL. Yes, Senator.  
Mr. BUSBY. Yes, Senator.  
Ms. LYNCH. Yes, Senator.  
Ms. TRACY. Yes, Senator.

Senator MENENDEZ. And I appreciate that because for us to determine what is the right foreign policy anywhere in the world, having an honest assessment of what is going on is critical. So I know that while you are nominated by the President, you are advised and consented to by the United States Senate. And so, therefore, you work for the whole of the American government, and it is important for us to know, as we have experienced most recently on some issues.

Let me turn back to you, Mr. Henzel. I am perplexed and I have given our government and the Saudis the benefit of the doubt, but no longer—about our assistance to them under the guise that we would create less terrible humanitarian consequences as a result of our military assistance to them and our strategic information to them as to how they go about their missions.

Why is it, since you have been the charge d'affaires, that you think that they cannot capture that and succeed in doing it? Is it a lack of will? Is it a lack of capacity, experience? What is it? Because it hard to see that the bombing of a school bus and other civilian targets is a perfection of what we are doing.

Mr. HENZEL. Yes, sir. You are right. These civilian casualty incidents are unacceptable. Even one would be and the fact that there has been a chain of them is a tragedy.

The U.S. military has attempted to assist the Saudis and the Emiratis with their targeting procedures, their overall operations. I have seen a lot of this work taking place. I believe there have been some results, but clearly the results are not nearly adequate yet. And the administration is committed to continuing to press the Saudis to ensure that there are no more of these incidents.

You asked why there has not been an improvement. My impression from being there is that while the operational levels of the Saudi military have taken on board the lessons they have gotten from the U.S. military and through their own desire to avoid more of these problems, there is still a lack of discipline in some parts of the Saudi command structure, and they sometimes bypass all

the good procedures that they have set up. And we often find that that is at the root of these new civilian casualty incidents.

Senator MENENDEZ. The problem with that is when you bypass the procedures and there is no consequences for bypassing and you allow that bypassing to go on with impunity at the end of the day.

Let me turn to Ms. Tracy. Do you acknowledge that from 1915 to 1923 nearly 1.5 million Armenian men, women, and children were killed by the Ottoman Empire?

Ms. TRACY. Yes, Senator. As I stated, the administration and I acknowledge the historical effects that you have mentioned.

Senator MENENDEZ. You can keep your microphone on because I am going to have a series of questions for you.

Do you acknowledge that on May 24th, 1915, the allied powers of England, France, and Russia jointly issued a statement explicitly charging for the first time ever another government of committing crimes, "against humanity and civilization?"

Ms. TRACY. Senator, I am not aware of that particular event.

Senator MENENDEZ. I commend it to your attention, and ask that you give me a written response after you read it.

Ms. TRACY. Yes, sir.

Senator MENENDEZ. Do you acknowledge that the United States Holocaust Memorial Council, an independent federal agency, unanimously resolved on April 30, 1981 that the United States Holocaust Memorial Museum would document the Armenian genocide in the museum and has done so through a public examination of the historic record?

Ms. TRACY. Senator, I will provide a written acknowledgement to you of that.

Senator MENENDEZ. Do you acknowledge that Henry Morgenthau, the United States Ambassador to the Ottoman Empire at the time, said that the Turkish Government's deportation order for the Armenians was, "a death warrant to a whole race" and an aim which, "they made no particular attempt to conceal" in their discussions with him?

Ms. TRACY. Yes, Senator, I acknowledge the facts of that reporting of Ambassador Morgenthau.

Senator MENENDEZ. Would you discipline or otherwise punish an employee of the U.S. embassy in Armenia for an honest remembrance of the Armenian genocide?

Ms. TRACY. Senator, I would expect that, as with myself, we follow the policy of the administration, and the policy is that we acknowledge the historical facts of the events of 1915 as a mass atrocity and that we participate in any remembrance activities.

And I will just say as a senior leader in the Foreign Service, I am always open to debate on my team. I do not punish people for expressing their viewpoints. But as members of the executive branch, at the end of the day we support the President's policies.

Senator MENENDEZ. This is the problem with nominees who come before us—not you particularly—that in fact, we have a historical reality: 1.5 million people were massacred. That is a genocide. And yet, we send an ambassador to a country. We will have them go to a memorial of a holocaust of the Armenian people, and yet they will not be able to call it a genocide. Pretty ironic. If we are not able to acknowledge the past, we are destined to relive it. This is

not unique to this department. It has been going on for a while. We need to change that reality.

You know, I gave you a series of questions because I am trying to give you all the other elements. But the reality is it seems that we cannot have the words come off our lips: "Armenian genocide." That is what took place. That is what history shows. That is what the world recognizes. That is what our own federal agencies like the Holocaust Museum recognize.

So I hope that you will look at those other questions and give me answers in order to get to a better place.

There are some efforts for a U.S.-Armenia tax treaty. I hope that you will work to advance the timely negotiation of this accord to help promote transparency and protect U.S. investors from the threat of double taxation, if you are confirmed.

Ms. TRACY. Senator, if confirmed, I will be very pleased to look further into this issue. My understanding is that the lead federal agency is the Treasury Department's Office of Tax Policy. But I will certainly be very happy to look into this issue further with the Treasury.

Senator MENENDEZ. It is, but as the Ambassador, if you promote it, then we will hopefully move it along. So I hope you will do that.

Ms. TRACY. Yes, sir.

Senator MENENDEZ. Thank you.

Now, Ambassador Perez, I want to follow up on questions that Mr. Murphy raised with you. I have asked the State Department for a series of information, emails, memos, and other information with reference to the targeting of career employees for retaliation of their perceived political beliefs and other elements, which I have not received, which is the legitimate oversight of this committee. No different than when we had Benghazi hearings and a whole host of others in the past. So in the absence of receiving that, I will continue to hold nominees until I can get a response.

But having said that, do you agree, if you were to be confirmed, that any such targeting of career employees, whether for perceived political beliefs, ethnic origin, or association with prior policies is illegal under federal law?

Ambassador PEREZ. Senator, I do agree.

Senator MENENDEZ. And if confirmed, what will you do to communicate to the offices within your purview that any such targeting or retaliation is unacceptable? And how will you ensure that the appropriate targeting or retaliation does not occur?

Ambassador PEREZ. Sir, I believe communication is really critical—Senator, is really critical in this regard. We have to make sure that the employees of the State Department understand what are prohibited personnel practices, and I think that would be my role, if confirmed, to do that and to make sure that our employees know where they can go if they believe that their rights have been violated. As we discussed earlier today, the Office of the Inspector General and the Office of the Special Counsel are two entities that would look at that review.

There is also an accountability part of this that needs to be addressed. And obviously, once we have the results of those, to deal with accountability.

Senator MENENDEZ. I think I heard your answer to Senator Murphy. I just want to make sure. You are committed to implement, if you are confirmed, any of the recommendations put out by the Inspector General or Special Counsel?

Ambassador PEREZ. Yes, sir. Again, I do not know the specifics of the cases right now, but yes, sir, generally the recommendations made by the Office of the Inspector General are taken very seriously by the department, and we will be committed to responding to those.

Senator MENENDEZ. Okay. Responding to does not mean implementing.

Ambassador PEREZ. Sir, yes. To implement those questions, absolutely. I do not know what they are going to say, so I just do not know if I have the authority to do that in the job that I will have.

Senator MENENDEZ. I appreciate that. But within your authority.

Ambassador PEREZ. Within my authorities.

Senator MENENDEZ. Okay. And one last question for you.

I have, in my 26 years of doing foreign policy between the House and the Senate, had a real challenge with the State Department's lack of diversity. And America's Foreign Service should look like America in both gender and race and ethnicity.

What will you do to work, since this comes under your bailiwick, to make the State Department more diverse than it is today? It is one of the worst of the federal agencies that we have.

Ambassador PEREZ. Sir, I could not agree more. As I said in my statement, the State Department looks a little bit different today than when I joined. But we are not doing a good enough job, especially at the senior levels. We have to be able to weave diversity into the fabric of our entire lifecycle of talent management. So it starts, obviously, with recruitment, but it continues through promotion, succession planning, the entire talent management cycle.

I can tell you as Chief of Mission, I work with a diverse group in Santiago. I am a better Ambassador because of that. I have a better mission because of that. We have people with different experiences, with different opinions. We are better able to represent the U.S. Government.

So my job is going to be able to make sure people understand why diversity is important, and it has to be a part of everything that we do.

Senator MENENDEZ. I appreciate that.

Mr. Culvahouse, I wonder if you understand the interplay with Australia and China and the influence that China has in Australia and the activities that China has actually taking place in Australia to influence elements of Australian society. Could you give me a sense of that, and how is it that we put our relationship, which started off a little rocky under the administration, in a way that promotes Australia as a critical partner in this part of the world, especially with a rising China that seeks to exert its influence throughout that region in a way that seeks dominance at the end of the day?

Mr. CULVAHOUSE. Yes, Senator. And it is an excellent question, excellent point. And other members of the committee have mentioned it as well.

The fact is that China is Australia's largest trading partner, and that it gives it outsized influence and outsized opportunities to a nation that is already—let us say—aggressive. And I know that from my commercial experience representing U.S. companies in the Asia-Pacific.

The Australians have recognized some of the aggressive efforts to influence them, have done some housecleaning, have passed domestic legislation, creating a counterpart of our Foreign Agents Registration Act. CTE and Huawei have been denied the opportunity to participate in certain investments. There has been an investment by a Hong Kong company that is in the energy sector that has been denied. So I think the Australians are already quite sensitized to it.

But just let me say that I view the strategic and security relationship between the United States and Australia to be strategically critical, and I, if confirmed, will make an assessment of efforts by third countries, third parties to undermine that relationship, and if there are such efforts, including China, I will not refrain from forthrightly reporting same up the chain of the department and to speak publicly if and as required.

Senator MENENDEZ. Very good.

Finally, Mr. Barsa—and Ms. Lynch, you will forgive me, but you are not going to the world's worst assignment.

This role is incredibly important in the western hemisphere. I have serious concerns about where we are headed in the hemisphere. I have serious concerns that I expressed to the Administrator about the continuing part of AID's mission in democracy and human rights. We see a backsliding in democracy and human rights in the hemisphere. We have seen it in Venezuela, of course, longstanding in Cuba, as well as the realities of what is going on in Nicaragua. But that is not it in and of itself.

We have a series of movements across the hemisphere of changing constitutions under the guise of having a democratic process only to give people the opportunity to continue to stay in power for longer periods of time.

So AID's mission on democracy and human rights is critical. We constantly see budgets that are sent to us that would dramatically cut those elements.

I want to hear from you, if you are confirmed, will you be an advocate for these provisions of AID's portfolio that are critical, I think, to the national interests and security of the United States?

Mr. BARSA. Thank you for your question, Senator.

I share your belief in the importance of these funds and these activities furthering the national interest. If I did not believe this to be the case, I would not have accepted this nomination. It is a great honor given to me to be nominated to lead the men and women of LAC in carrying out this work.

I can certainly, without hesitation, commit to you, members of the committee, that certainly any funds coming to me from the United States Congress to expand freedom, prosperity, and democracy in the hemisphere—I will ensure that they are spent in an efficient manner. And I will advocate for this work within the process within the administration.

Senator MENENDEZ. And as an example of that, one of our challenges—and I will close on this. I have a series of other questions which I will submit for the record. And I would ask you all, to the extent that I have questions sent to you, for the sake of time and your families here, not to belabor it, but give me a substantive answer, please.

Central America. Perfect example of our own national—this is not being a good neighbor—our own national interests and our national security. The reason that people flee Central America is they have a choice: stay and die or see my daughter raped or see my son forcibly put into a gang, or flee and take a chance at living. Until we change the dynamics of those countries, we will continuously have this challenge.

So AID's mission in part in governance and institution building and democracy and human rights in those countries are critical for our own interests and our long-term elements. So I hope that, if you are confirmed, you will be an advocate of that because I think it is critically necessary for us to change the dynamics of what we see at the border as a result of the realities of what is happening on the ground in Central America.

Mr. BARSA. Thank you, Senator. I most assuredly will be an advocate for that.

There is certainly a difference between what we are seeing on the border and what you mention is going on in the countries. I have always advocated for going for root causes, and it is the root causes that are obviously the drivers of all kinds of migration. And certainly, if confirmed, I will absolutely be working towards those.

I am heartened by some data I have been seeing from El Salvador, where USAID funds worked closely with INL and the State Department have worked to drop homicide rates. And interestingly enough, with the drop of homicide rates in El Salvador, what we are seeing in the border is less Salvadorians coming into the border. So while that may not be replicated in the western highlands in Guatemala and Honduras, there may be some best practices there. But I agree with you wholeheartedly on the need to go to the root causes.

Senator MENENDEZ. Thank you, Mr. Chairman. Thank you for the courtesy.

The CHAIRMAN. Absolutely.

Thank you all for being here.

I am going to ask one question and the rest of them I will do in writing to make it easier for you and those who are with you.

But to Ms. Perez, section 404 of the Department of State Authorities Act of 2017 required the Secretary of State to establish a 3-year pilot program for lateral entry into the Foreign Service that targets mid-career individuals from the Civil Service and the private sector. This was something we pushed for and we think can enhance the department in a very positive way.

It is months overdue as the statute requires. And I just want to have your commitment that you will implement this program as required by law.

Ambassador PEREZ. Thank you, Senator.

Yes. My understanding is that because of the hiring freeze, this program has not yet been implemented. But I really do look for-

ward to working with you and the committee about what this program might look like. We need to get the best people we can find. It is very complex world we live in, and I think we need to look creatively and innovatively at how we staff. So I look forward to further discussions on this.

The CHAIRMAN. Thank you.

What we will do is keep the record open until the close of business on Thursday. I would hope that there would be some miraculous way to have a markup before we leave here. I do not know when we are leaving here with all of the things that have occurred. But hopefully the process you went through to prepare for the hearing today will make you even more prepared for the assignments you have upcoming. Thank you again for your desire to serve our country in this way, for your families in supporting that.

And with that, the meeting is adjourned.

[Whereupon, at 4:10 p.m., the hearing was adjourned.]

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## Additional Material Submitted for the Record

### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO ARTHUR B. CULVAHOUSE JR. BY SENATOR ROBERT MENENDEZ

*Question 1.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. One of the first policy initiatives I undertook during my tenure as chair of O'Melveny & Myers LLP was the launch of our firm-wide "Pro Bono Initiative." By formalizing and prioritizing our pro bono program, we set about to honor the firm's historic commitment to serving communities in need, and to create a platform to raise the prominence of our firm's pro bono efforts. Under my leadership, we adopted formal policies and procedures that rewarded our lawyers for using their skills to provide access to justice for those in need. Our program grew into one of the most respected in the country.

O'Melveny's pro bono work frequently targets matters of basic human rights and core democratic values. These efforts include combating human trafficking, protecting victims of abuse and neglect, preserving access to high quality education for low-income children, assisting military veterans, ensuring access to health care and food security for the most vulnerable, assisting with adoption and foster care proceedings, and fighting for civil rights. I am extremely proud of how successful our program, our lawyers, and our firm have been in promoting human rights and democratic values, and I look forward to continuing this work if confirmed as Ambassador.

*Question 2.* What issues are the most pressing challenges to democracy or democratic development in Australia? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Australia is a vibrant constitutional democracy with a freely elected federal parliamentary government. An independent press, an effective judiciary, and a highly functional democratic political system combine to promote individual freedoms. We work closely with Australian civil society to promote an already robust civic debate on a range of social, academic, economic and security issues. Over the past few years, Australia has focused on the growing efforts by foreign entities to interfere in its domestic politics and influence its foreign policy. Since 2017, Australia's Government and parliament have debated and passed several ground-breaking laws that restrict foreign political donations, require foreign agents to register, and curb and penalize acts which are injurious and undermine confidence in public institutions and civic life.

In any major, cosmopolitan society there are always groups that face tougher challenges economically or socially. Australia has taken great pains to acknowledge the value and historic role of its indigenous inhabitants, the aborigines, and help address some of the lingering social issues that face that community. Voters elected the first indigenous woman to the House of Representatives in 2016. If confirmed, I would seek opportunities to share America's own experiences in encouraging greater inclusivity.

*Question 3.* What steps will you take—if confirmed—to support democracy in Australia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. Australia is an advanced, free and open democracy. The United States and Australia consult frequently on the challenges that mature democracies face. We work closely on how best to support and nurture the young democracies in the Indo-Pacific. If confirmed, I intend to continue our close and productive dialogues on this and many other topics.

*Question 4.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. As an advanced and free-market-based economy, Australia is not generally eligible to receive U.S. Government assistance. Rather, we robustly partner with Australia to coordinate our assistance to developing nations, particularly in the region. We seek to further such collaborative engagements with more people-to-people, educational, civic and scholarly exchanges and programs.

*Question 5.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Australia? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Australia is a mature democracy with a vibrant civil society. If confirmed, I look forward to meeting with civil society members to hear about their goals and objectives and to learn how we might work together in areas of common concern and share best practices.

Just as certain groups are underrepresented in the U.S. political system, in Australia women, indigenous peoples and minority groups are generally underrepresented in political bodies relative to their proportion of the population. If confirmed, I would seek opportunities to share our own experiences in encouraging greater inclusivity, possibly through U.S. Government-sponsored programs.

*Question 6.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Australia is a constitutional democracy with a freely elected federal parliamentary government. If confirmed, I intend to develop cordial relationships with members of all political parties in order to better understand their positions on issues of importance to us and to them, and to explain U.S. positions and their merits. I view this advocacy role as a key element of my position as Ambassador. As the father of three daughters, the issue of inclusivity, of women, minorities, and youth, in all facets of public, economic, and political life is near and dear to me. I am particularly proud that each of my daughters have spent time in government service following college graduation.

*Question 7.* Will you and your embassy team actively engage with Australia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in country Australia?

Answer. Australia enjoys the benefits of an independent and lively press. We are aware that Australia's defamation laws are different from ours, and it is concerning that some journalists who have done groundbreaking work on China's interference in Australia's domestic politics and foreign policy are being tried for defamation. We are tracking those cases closely. If confirmed, I look forward to engaging with a wide array of traditional and social media outlets.

*Question 8.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

**Answer.** Like many mature democracies with a tradition of openness, Australia is coming to terms with the fact that it is an active target of foreign influence campaigns, agents, and actors. In June 2018, the Australian parliament approved ground-breaking national security legislation that bans foreign interference in politics, stiffens the punishment for leaking classified information, and makes it a crime to damage Australia's economic relations with another country. In November 2018, the Australian parliament also passed legislation that bans foreign governments and state-owned enterprises from donating to Australian political parties, individual candidates and political campaigns. We seek to support Australia as it develops these tools to tackle a serious problem.

**Question 9.** Will you and your embassy teams actively engage with Australia on the right of labor groups to organize, including for independent trade unions?

**Answer.** Yes, if confirmed, I and my Embassy team will actively engage with the Government of Australia, employers, and civil society to promote internationally recognized worker rights, including freedom of association. Independent trade unions are one of the fundamental building blocks for any democratic society and are important partners for the State Department in many countries. Moreover, ensuring U.S. trade partners respect internationally recognized worker rights and adhere to high labor standards promotes a level playing field for U.S. workers and helps create stronger trading partners for the United States.

**Question 10.** Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Australia, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Australia? What specifically will you commit to do to help LGBTI people in Australia?

**Answer.** In Australia, discrimination based on sexual orientation and gender identity is prohibited by law in a wide range of areas, including in employment, housing, family law, taxes, child support, immigration, pensions, care of elderly persons, and social security. Same-sex marriage has been legal in Australia since December 2017. Nonetheless, instances of discrimination are sometime reported, usually due to lingering social prejudice.

If confirmed, my team and I will work supportively with Australian Government agencies, non-governmental organizations and other members of civil society to bolster public acceptance of the LGBTI community.

**Question 11.** Australia has been cited in several reports as "ground zero" for Chinese influence campaign activities, including interference with parliamentary elections, strong-arming of publishers, influencing the media, leveraging aggressive investments and business activities, Chinese student association activities, and so on:

- What is your understanding of these activities and how Chinese trade-craft differs from Russian trade-craft when it comes to influence activities?

**Answer.** Like many advanced and open democracies, Australia is an active target of influence and interference campaigns by foreign actors, agents, and states, including China, according to many credible reports. Should I be confirmed, I will undertake to work hard with my Australian colleagues to combat any and all efforts by foreign actors, agents, or states, including China and Russia, to interfere in Australia's or America's democratic processes, free markets, and academic institutions.

**Question 12.** Are there lessons we can learn from Australia's experience?

**Answer.** As kindred systems with a similar political, economic, and social systems, the United States and Australia have a lot to learn from each other and should continue to actively work together to understand the common threats that face us. We can make further progress on tackling this very serious issue by continuing to closely coordinate with one another and other like-minded governments, share best practices on deterrence and prosecution, and share relevant intelligence under our robust information-sharing practices.

**Question 13.** Where are the opportunities for the U.S., Australia, and others, to work more closely to seek to counter these Chinese activities?

**Answer.** Australia has recently taken steps to address inappropriate Chinese influence. In August 2018, the Australian parliament approved by a wide margin sweeping national security legislation that bans foreign interference in Australian public life, requires foreign agents to register with the state, and penalizes a host of activities that damage Australia's economic, political, or other systems of public trust. In December 2018, the parliament passed further legislation that bans foreign governments and state-owned enterprises from making contributions to Australian political parties, individual candidates, and political campaigns. The legislation also created an Office of the Counter Interference Coordinator (CIC). We welcome these

actions and will seek to apply, wherever possible, Australia's experience, lessons and responses to the situation in the United States as we face many of the same problems with foreign interference.

Collaboration is the key to containing and reversing this multifaceted problem. If confirmed, I will strongly advocate for sharing best practices in prosecuting foreign interference cases and deterring foreign actors, supporting the new CIC Coordinator, and learning from the experiences of Australia and our closest allies. We must also continue to collaborate to limit, ban, or reverse improper foreign interference in our critical infrastructure.

*Question 14.* Do you agree? In the specific case of Chinese student activities, the “export” of university education is the single largest service export Australia has, and China has shown willingness to restrict their purchases of education—and tourism—when Australia threatens to retaliate for political interference. What can the U.S. offer that matches the resources and leverage China can bring? What should we be doing to respond?

Answer. China is Australia's largest trading partner and one of its biggest sources of higher education revenue. However, by far and away, the United States is Australia's number one investor and economic partner of choice. Our bilateral economic relationship is robust, led in large part by our dynamic bilateral trade agreement from 2005. Our historical relationship is also very robust, buttressed by our shared values of democracy, free markets and human rights, grounds on which China cannot compete. This relationship has helped to insulate Australia from the brunt of Chinese efforts to leverage its growing economic clout in exchange for political influence. If confirmed, I will work to counter Chinese influence, increase our ties and strengthen our alliance through greater people-to-people ties, opportunities for U.S. private sector investment, and coordination on shared security challenges in a transparent and collaborative way.

*Question 15.* With the U.S. withdrawal from TPP, and APEC's first failure in its 29-year history to agree on a summit communique, what is our message to Australia when it comes to cooperation in multilateral negotiations and institutions?

Answer. Both the United States and Australia continue to actively lead multilateral attempts to promote a free, open, and secure Indo-Pacific. Despite China's scuttling consensus on the Leaders' Statement at APEC 2018 for the first time in its history, the United States and Australia were successful in making progress on a host of areas that support our partner economies in the region and our shared goals in the Indo-Pacific. These are reflected in the Chair's Statement. We will continue to build off of these successes in future negotiations and we will urge China to put aside its obstructionist behavior and support these laudable goals.

*Question 16.* Virtually all economic analysis, and particularly official and private assessments from Australia, conclude that the Trump-China trade confrontation—including the threatened next round of 25 percent tariffs on \$200 billion of Chinese exports—will materially harm Australia's economy. One estimate put the damage at half a trillion dollars over the next decade. What is the U.S. explanation to Australia for the price they are paying for our confrontation with China?

Answer. Over many years, the United States and Australia have repeatedly attempted to work with China in a cooperative and constructive manner, both bilaterally and multilaterally, to address China's unfair policies that challenge or subvert the rules of the international trading system. China has failed to resolve our concerns. As you know, at the G-20, the United States and China agreed to engage in negotiations over the next 90 days on changes with respect to China's structural issues such as forced technology transfer; counterfeiting and other forms of intellectual property theft; cyber intrusions into American business networks to steal trade secrets for commercial purposes; an undervalued currency; state-directed investment aimed at the U.S. technology base; large-scale subsidies to China's state-owned enterprises; and high tariff and non-tariff barriers.

*Question 17.* Are you concerned that the administration's approach to information security—including sharing highly classified material with Russia, the use of unsecure information technology, and Ivanka Trump's use of a personal email account—undercuts the faith and confidence that our Australian “Five Eye” partners have in us when it comes to intelligence cooperation?

Answer. No, under this administration, Australia has been and will remain an important and trusted “Five Eye” partner. If confirmed, I will work to ensure that our intelligence cooperation remains a key part of our relationship.

*Question 18.* Given that the important position as Ambassador that you have been nominated for has been open for almost two years, what are the immediate steps will you take, if confirmed, to convey to the Australian Government and the Aus-

tralian people that this relationship is, in fact, one that we cherish and value, and that this alliance is one of our most important?

**Answer.** The U.S.-Australia alliance is steadfast and enduring, and underpinned by a deep alignment of mutual interests and shared values. If confirmed, I will immediately begin to work with my Australian Government counterparts on the joint work plan that advances our shared strategic interests in the Indo-Pacific. This work plan reflects diplomatic, security, and economic dimensions agreed to during the annual U.S.-Australia Ministerial meeting in Palo Alto in July. Additionally, I will work with our entire U.S. Mission Australia team to engage the Australian public in the importance of the U.S.-Australian alliance through media interviews, social media outreach, and public speeches and engagements.

**Question 19.** Given the critical nature of freedom of navigation and the free flow of commerce for both the U.S. and Australia as maritime trading nations, are there areas for deeper alliance cooperation that you see to address security and stability in the Indo-Pacific maritime domain?

**Answer.** I share your concern about China's activities in the South China Sea and the broader Indo-Pacific region. Australia supports U.S. Freedom of Navigation Operations in the South China Sea and, along with the United States and Japan, supports ASEAN and Chinese efforts to negotiate a meaningful Code of Conduct (COC) for the South China Sea that respects the rights and interests of all states and is fully consistent with international law. While appreciative of U.S. efforts to uphold the rule of law against excessive maritime claims in the area, the Government of Australia has not conducted freedom of navigation operations within 12 nautical miles of disputed features in the South China Sea, either independently or alongside American vessels. Australia does, however, conduct presence operations and sails and flies regularly through the South China Sea. If confirmed, I will work with our interagency colleagues to explore with Australia how we might further enhance our cooperative efforts in a number of areas, both in the South China Sea and the broader Indo-Pacific region.

**Question 20.** How can the U.S. and Australia work together to promote democracy in Asia?

**Answer.** Good governance is a core pillar of the U.S. vision for a free and open Indo-Pacific. The Vice President announced the Indo-Pacific Transparency Initiative during his recent visit to the region in mid-November. As part of this initiative, the United States, with allies and partners such as Australia, will promote just, transparent and responsive governance through anti-corruption efforts while encouraging strong civil society and honest business practices. We will also continue to work with regional institutions, including ASEAN and APEC, to advance these shared goals and principles.

We are committed to working with all Indo-Pacific nations to create the conditions needed to instill greater attention to the importance of democracy, transparency, and good governance throughout the region.

**Question 21.** Given the Trump administration's apparent disdain for many of the key components of democracy here at home, how do you propose the United States position itself as a credible partner for Australia and a credible messenger for values in the region?

**Answer.** Good governance is a core pillar of the American experience and the U.S. vision for a free and open Indo-Pacific. The United States is committed to working with Indo-Pacific nations, including Australia, to create the conditions needed to unlock greater private investment, combat corruption, and secure nations' autonomy from foreign influence. We will continue to promote transparency, openness, rule of law, and the protection of human rights and fundamental freedoms. We are already working together with Australia in a number of regional fora to convey this message and to develop programs that strengthen local institutions that support these values. If confirmed, I look forward to working with my Australian colleagues to ensure that good governance flourishes in the region.

**Question 22.** Given its own history with immigration, what messages do you think that Australia and the Indo-Pacific region are taking away from the Trump administration's family separation policy? The President's desire to "build a wall"? Our efforts to deny refugees entry and asylum seekers their rights under international law?

**Answer.** The United States and Australia share a strong history of immigration and adherence to international law. If confirmed, I will work closely with the Australian Government and people of Australia to communicate the administration's policies clearly and accurately.

*Question 23.* Australia is an important trading partner of the United States. However, constituents have brought to my attention a concerning case in our trade and investment relationship. I am told that the Government of New South Wales (NSW) expropriated a company's mining license and left investors, including those from the U.S., with no recourse to challenge the action or ability to seek compensation. These were rights the investors had when they made the investments, but were later nullified by an act of the NSW Parliament. I have twice raised this issue with USTR Ambassador Lighthizer when he was before the Finance committee. To his credit, USTR continues to broach the topic of the treatment of U.S. investors with the Australian Government. In October 2017, Ambassador Lighthizer sent a letter to his counterpart formally requesting consultations with Australia under Article 11.16 of the Australia-U.S. Free Trade Agreement. I ask you to review the facts of this matter and encourage the Department of Foreign Affairs and Trade to undertake discussions with the New South Wales Government, the affected company, and USTR with the goal of establishing an impartial and transparent process for considering the claims of U.S. investors:

- Will you will commit to review this case?

Answer. The investment case involving the New South Wales Government is an important issue for the Australia-U.S. Free Trade Agreement. Over the last year, Chargé d'Affairs Jim Carousu and the Economic team at Embassy Canberra have continued to press the investor dispute with Australian officials, including members of the North South Wales Government. If confirmed, I commit to review this case and raise the dispute, as appropriate, with Australian authorities.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ARTHUR B. CULVAHOUSE JR. BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. One of the first policy initiatives I undertook during my tenure as chair of O'Melveny & Myers LLP was the launch of our firm-wide "Pro Bono Initiative." By formalizing and prioritizing our pro bono program, we set about to honor the firm's historic commitment to serving communities in need, and to create a platform to raise the prominence of our firm's pro bono efforts. Under my leadership, we adopted formal policies and procedures that rewarded our lawyers for using their skills to provide access to justice for those in need. Our program grew into one of the most respected in the country.

O'Melveny's pro bono work frequently targets matters of basic human rights and core democratic values. These efforts include combating human trafficking, protecting victims of abuse and neglect, preserving access to high quality education for low-income children, assisting military veterans, ensuring access to health care and food security for the most vulnerable, assisting with adoption and foster care proceedings, and fighting for civil rights. I am extremely proud of how successful our program, our lawyers, and our firm have been in promoting human rights and democratic values, and I look forward to continuing this work if confirmed as Ambassador.

*Question 2.* What are the most pressing human rights issues in Australia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Australia? What do you hope to accomplish through these actions?

Answer. Australia is a constitutional democracy with a freely elected federal parliamentary government. The most significant human rights issue involved allegations of abuses against asylum seekers in offshore detention centers, including Manus Island in Papua New Guinea and in Nauru. As noted in the 2017 Australia Human Rights Report, the Government of Australia took steps to prosecute officials accused of abuses, and ombudsmen, human rights bodies, and internal government mechanisms responded effectively to complaints. If confirmed, I will support the continued efforts of the United States to create brighter futures for some of the world's most vulnerable people, including many of those in the immigration detention centers on Manus Island and Nauru. I will have regular contact with Australian Government officials and other humanitarian organizations in Australia to monitor the conditions of those in the centers. I look forward to working with Australian officials

to continue addressing these issues and share best practices between our two governments.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Australia in advancing human rights, civil society and democracy in general?

Answer. Australia takes human rights seriously. Thanks to our close bilateral relationship and Australia's commitment to human rights, they are natural partners for addressing human rights issues not only in Australia, but in the Pacific and Southeast Asia region. If confirmed, I look forward to working with them to advance these issues.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Australia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes. I will meet with human rights, civil society, and non-governmental organizations in Australia. If confirmed, I will engage the Australian Government on best practices in incorporating human rights in Australia's own security assistance and security cooperation activities.

*Question 5.* Will you and your embassy team actively engage with Australia to address cases of key political prisoners or persons otherwise unjustly targeted by Australia?

Answer. Australia has high regard for its international human rights obligations, including with respect to freedom of expression, and is not known to have targeted individuals unjustly.

*Question 6.* Will you engage with Australia on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will work with Australian authorities to engage on matters of human rights, including civil rights, and governance. I will also seek to exchange best practices on human rights and governance between our governments and to partner with Australia to promote human rights in the region and beyond.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any such concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise any such concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in the Australia?

Answer. My investment portfolio includes funds that may hold positions in companies in Australia. However, these funds are exempt from the conflict of interest rules due to their diversified investment strategies. I also hold financial interests in several large companies with global operations, but out of an abundance of caution I committed in my Ethics Agreement to divest from all such assets within 90 days of my confirmation. The State Department Office of the Legal Adviser has reviewed all of my financial interests. I am committed to ensuring that my official actions will not give rise to a conflict of interest, and will remain vigilant with regard to my ethical obligations as Ambassador.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I agree that diverse teams are more creative and productive. Indeed, promoting diversity has been a focus throughout much of my career, and will continue to be so if confirmed as Ambassador. While Chair of O'Melveny, I oversaw the implementation of a number of measures to help promote diversity at the firm. First,

during my tenure the firm focused heavily on the recruiting, retention, and promotion of lawyers from diverse backgrounds. Under my leadership, the firm also launched a comprehensive mentoring, sponsorship, and professional development platform, with diversity and inclusion a key focus. Third, I launched O'Melveny's Diversity & Inclusion Department, overseen by a full-time Director of Diversity and supervised by key partners across the firm, including Warren Christopher (Secretary Christopher was one of my predecessors as Chair of the Firm and graciously served as our first Partner in charge of our Diversity initiatives). Fourth, we established diversity-based "Affinity Groups" for our lawyers and staff. If confirmed, I will use the experience gained from our diversity initiatives at O'Melveny to mentor and support Embassy staff from diverse backgrounds.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I believe that diversity must be championed by management and supervisors while embracing a grassroots perspective. During my tenure as Chair of O'Melveny, improving diversity was a top strategic goal of the firm. Diversity was a highlight of the firm's Values Statement which was developed during my tenure and continues to guide the firm today. As Chair I also mandated that every partner, lawyer, and staff member, around the globe, attend diversity awareness interactive workshops. In addition, from 2009–2012, I served on the first Board of Directors for the Leadership Council on Legal Diversity, a group now comprising more than 300 corporate chief legal officers and law firm managing partners working to improve diversity in the legal profession. In this role I helped shape the best practices for fostering diverse and inclusive legal working environments. If confirmed, I will work with the leadership at the Embassy to reflect these best practices as appropriate to the Embassy environment.

*Question 12.* How does political corruption impact democratic governance and the rule of law generally, and in Australia specifically?

Answer. Political corruption can undermine good governance and the rule of law. Fortunately, the United States and Australia are both open democracies with foreign policies based on the principles of individual freedom, free markets, and the rule of law. Our alliance and overall relationship is an affirmation of the timeless nature of these shared foundational principles. These values are embodied both in our National Security Strategy and in the 2017 Australian Foreign Policy White Paper.

Transparency in our civil society and educational institutions, economic governance institutions, and political processes is fundamental to the strength of our democracies. Laws that prevent corruption from negatively affecting governance and rule of law are strong in Australia. Just as any robust democracy, however, Australia does suffer from occasional and isolated cases of corrupt actors in their governing system. In those rare cases, the legal and political systems have been quick to react and remedy the situation.

In June 2018, the Australian parliament approved groundbreaking national security legislation that bans foreign malign influence in politics, stiffens the punishment for leaking classified information, and makes it a crime to damage Australia's economic relations with another country. In November 2018, the Australian parliament also passed legislation that bans foreign governments and state-owned enterprises from donating to Australian political parties, individual candidates and political campaigners. This brings Australia's national tools for preventing foreign malign influence in Australian governance up to the highest standards.

*Question 13.* What is your assessment of corruption trends in Australia and efforts to address them by the Government of Australia?

Answer. Like the United States and other states around the world, Australia is debating how best to balance maintaining a free and open society with the need to safeguard against interference by corrupt individuals and foreign actors. The United States and Australia discuss these issues and regularly share information with our close partners. Domestic corruption remains low in Australia and the legal system has the appropriate tools to combat future cases.

In June 2018, the Australian parliament approved groundbreaking national security legislation that bans foreign malign influence in politics, stiffens the punishment for leaking classified information, and makes it a crime to damage Australia's economic relations with another country. In November 2018, the Australian parliament also passed legislation that bans foreign governments and state-owned enterprises from donating to Australian political parties, individual candidates and political campaigners. This brings Australia's national tools for preventing foreign malign influence in Australian governance up to the highest standards.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Australia?

Answer. The United States promotes responsive governments, empowered citizens, and strong regional institutions across the Indo-Pacific. Part of our Indo-Pacific strategy relies on close cooperation with our Allies, like Australia.

If confirmed, I will work with the Government of Australia and civil society to increase Australia's already large commitment to good governance, transparency, and adherence to international rules and standards in collaboration with the United States across the region.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
ARTHUR B. CULVAHOUSE JR. BY SENATOR EDWARD J. MARKEY**

*Question 1.* Earlier, you discussed the importance of better messaging the importance of the U.S.-Australia partnership, especially to a new generation of Australian. Can you share some of your ideas for how best to do this?

Answer. If confirmed, I will lead efforts by our Mission, including through personal appearances and media interviews, to highlight how the United States and Australia are working together today to advance our shared vision for the Indo-Pacific—a region composed of nations that are independent, strong and prosperous. Additionally, I will work with colleagues in Washington and in Mission Australia to use the full range of public diplomacy tools, including educational and cultural exchanges, information programs, social media outreach, promotion of studying abroad in the United States and increased engagement with youth. Two themes that would seem to bear emphasis are the United States' long-standing position as Australia's largest economic partner and U.S. leadership in developing innovative technology. The aim is to deepen mutual understanding and to forge new relationships between the people of the United States and Australia in order to address the bilateral, regional, and global challenges we jointly face.

*Question 2.* Australia's new coalition government is under pressure from its members to advance Australia's commitments on climate change, as well as ways it could relax its refugee admissions policies to allow families to leave detention facilities on the island of Nauru. If confirmed, how would you address policy changes in Australia that may expand commitments to climate change and refugee admissions?

Answer. Our strong bilateral cooperation spans several changes in administration in both countries, and if confirmed, I will work to ensure that this cooperation continues with the current Australia coalition government. That includes continuing close coordination on Australia's refugee admissions policies, sharing information about best practices in refugee processing and resettlement, and continuing to fulfill U.S. commitments associated with the admission to the United States of refugees in Nauru via the U.S. Refugee Admissions Program. Approximately 450 refugees have been resettled to date. I will also seek continued cooperation with Australia on climate change, especially through research and development of new renewable and clean energy technologies. The United States is a leader in clean energy and innovation, producing affordable, reliable energy and stable, high-paying jobs while dropping carbon emissions to the lowest level in 25 years.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CAROL Z. PEREZ BY SENATOR ROBERT MENENDEZ**

*Hiring Efforts Post-Freeze*

Now that the Department has rescinded the unjustified and unproductive hiring freeze, I am pleased to hear there are efforts to increase staffing and restore some of the damage that was done. However, the hiring of civil service employees in particular has been slow. In September of this year, there were 300 fewer civil service employees than at the start of the year—and that does not reflect the full reductions due to the hiring freeze:

*Question 1.* Do you commit to hiring the most qualified candidates and seeking to restore civil service jobs to where they were before the freeze?

Answer. The flexibility to hire the most qualified people with the right skills is essential to promoting the Department's mission and U.S. foreign policy goals. All Civil Service hiring options are now available to bureaus, including laterally reas-

signing and promoting Civil Service employees from within the Department; competitively hiring from the outside, to include using special hiring authorities (e.g. Schedule A (disability), VEOA (Veterans Employment), and Direct Hire Authority); utilizing special programs and fellowships (e.g., Presidential Management Fellows); and converting Pathways interns to meet mission priorities. Additionally, bureaus are authorized to hire in advance of projected attrition for the fiscal year. If confirmed, I will continue to consult and work with Congress to ensure that all critical priorities are met within appropriated funding levels for FY 2019. As I understand it, these levels if funded, will bring us to or very near pre-freeze levels for both Civil Service and Foreign Service positions.

*Question 2.* When do you anticipate that all civil service vacancies will be restored to pre-hiring freeze levels?

Answer. I understand that the Department has been focused on expediting hiring since the Secretary officially lifted the hiring freeze on Foreign Service and Civil Service employment on May 15 this year. Civil Service employees, unlike the Foreign Service, are hired one vacancy announcement at a time following OPM prescribed procedures. The security clearance process adds an additional time lag. In November, the Department established a task force to increase the pace of Civil Service hiring and it is beginning to show some gains. If confirmed, I will work closely with the Secretary and other Department leaders to expedite hiring and return the Department to authorized employment levels as funded in the Department's appropriation.

*Loss of Experience in Foreign Service*

One of the most severe impacts of the hiring freeze was the depletion of senior Foreign Service Officers, who were denied opportunities and promotions commensurate with their experience.

*Question 3.* How do you plan to restore the loss of senior leadership, particularly in the Foreign Service?

Answer. One of the Director General's most important responsibilities is the strategic selection and development of personnel. If confirmed, I will routinely analyze promotion opportunities and career development assignments to not only build a strong Senior Foreign Service but to develop the bench strength we need for the future. I will ensure that we are meeting the Secretary's goals of recognizing our talented workforce and having the right people in the right places, doing the right job to succeed in our foreign policy mission.

*Special Education for Children of Foreign Service Officers*

I continue to remain perplexed and concerned about reports that Foreign Service Officers who have children with special needs are facing a variety of obstacles in obtaining the funds and services they need—reports that medical clearances have been revoked, families have been asked to repay benefits, and reduced funds were available for special education services. I have yet to receive a satisfactory response from the Department to my inquiries on this issue. I will be following up again with the expectation that the Department will be fully transparent and forthcoming about how it is ensuring that these families and children are treated equally, and that the Department is making it easier, not harder, for those willing to serve our country abroad:

*Question 4.* Do you commit to ensuring these families and children are treated fairly by the Department and will have the resources they need, and to review current policies to ensure that State is fully complying with the Americans with Disabilities Act?

Answer. As a Chief of Mission currently and, if confirmed, as Director General, nothing is more important to me than the welfare of our personnel and the wellbeing of our family members. If confirmed, I will ensure that the families of Foreign Service personnel who have children with special needs are treated fairly by the Department. I further commit to ensuring that State is fully complying with all applicable laws. In fact, the Department is already taking action in response to employees' concerns. A task force was convened to review current policies and practices and to address the concerns raised.

Building on the findings of the task force, which examined issues related to administering the Special Needs Education Allowance, I understand the Department is now implementing an action plan to support employees with special needs children. Priority actions include filling vacancies in the Bureau of Medical Services Child and Family Program and effectively communicating the criteria for receiving a Special Needs Educational Allowance.

*Vacant Senior Positions*

Nearly two years into this administration, the Department remains crippled by prolonged vacancies of key leadership positions. A proposal by OMB to cut the Foreign Affairs Budget by 32 percent led the Secretary of State to pursue a sustained hiring freeze—both for new officers and eligible family members—that assumed passage by Congress of these steep cuts and to cut promotions into and within the Senior Foreign Service by more than 50 percent. In particular, the lack of permanent—or even acting—principal deputy assistant secretaries (PDAS) in several critical bureaus seriously undermines the Department's ability to fulfill its mission and jeopardizes our national security and prosperity. As the debate on our relationship with Saudi Arabia continues, for example, we have no permanent PDAS for the Bureau of Near Eastern Affairs. Two years into this administration, we only recently received a nomination for Ambassador to Saudi Arabia. These vacancies have hamstrung the United States' ability to engage diplomatically on critical national security and humanitarian issues in the region. And that is just one example.

*Question 5.* I would like to hear how and under what timeline you will work to fill—with qualified candidates—crucial posts, including the PDAS positions in critical bureaus such as Near Eastern Affairs, Political-Military Affairs, Arms Control, Verification, & Compliance, Conflict and Stabilization Operations, and Democracy, Human Rights, & Labor.

Answer. Ensuring that leadership positions are filled with the most qualified candidates is an important role for the Director General. As vacancies in bureaus in the Department's senior positions have occurred, Senior Career officials—from both the Senior Foreign Service and Senior Executive Service—have stepped in as Acting Principal Deputy Assistant Secretaries and Deputy Assistant Secretaries to provide the experience and essential leadership needed to ensure U.S. interests are protected.

If confirmed, I commit to working closely with the Secretary to identify and expeditiously assign the most qualified Career candidates to fill important positions both at home and abroad.

*Vacant Senior Positions*

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*Question 6.* Is it the Department's intention to decrease the size of the Senior Foreign Service permanently?

Answer. Not at all. The FY 17 promotions levels were lower than previous years in anticipation of workforce reductions. Soon after coming on board in May, Secretary Pompeo lifted the hiring freeze and effectively ended the workforce reduction plan. The FY 2018 promotions returned to more traditional levels and have already been released to the field. If confirmed, I will work with the Secretary to authorize the appropriate number of promotions needed to supply a steady flow of Foreign Service into the senior ranks so that we have the right people with the right levels of experience, in the right places, doing the right job to succeed in our foreign policy mission.

*Cuba Attacks*

As you know, more than 2 years has passed since the first reported attack on our diplomats in Cuba. We still do not know what or who is behind these attacks. And while the Department is taking action to address the health needs of those affected, many questions remain. In particular, I remain con-

cerned that we do not know the extent of the threat to diplomats serving elsewhere in the world. I continue to have many questions and look forward to hearing more from the State Department on how to ensure the safety of security personnel abroad.

*Question 7.* Have you read the September 2018 GAO report recommending better communication and reporting of security and health incidents?

Answer. I have read the September 2018 GAO report. HR has also briefed me on its participation in the Deputy Secretary's Health Incidents Response Task Force and its ongoing communication and coordination with other federal agencies. I take GAO recommendations very seriously and I am committed to ensuring prompt, clear communication and reporting through formal channels regarding potential security and health incidents.

*Question 8.* Do you commit to ensuring that HR promptly addresses and responds to any concerns related to similar attacks, and that all personnel affected receive the full medical treatment that they require?

Answer. The Department of State's number one priority is the health and welfare of its employees, as well as the employees and family members from State and other agencies who serve overseas under Chief of Mission authority. If confirmed, I am committed to ensuring that our affected employees and family members receive all the care and benefits to which they are entitled. By statute, the Federal Employees' Compensation Act (FECA), i.e. workers' compensation, is the exclusive remedy for federal employees with work-related injuries or illnesses.

I understand that HR has encouraged our employees to apply for workers' compensation and the Department appointed Ambassador Robert T. Yamate (ret.) in September to serve as Senior Advisor and Care Coordinator for employees and family members affected by the health incidents in Cuba and China. Ambassador Yamate communicates directly with the employees one-to-one and in group settings, and advocates for them on a daily basis. We are also working on a legislative fix to include family members in our coverage.

*Question 9.* Do you commit to cooperating fully with any investigations by the Inspector General and Office of Special Counsel?

Answer. I take management's responsibility to cooperate fully with investigations by the OIG and the U.S. Office of the Special Counsel (OSC) very seriously. If confirmed, I commit to cooperate fully with any investigations and implement IG recommendations within the scope of my authority.

#### *Sexual Harassment*

Sexual harassment continues to be an issue that all workplaces, including federal agencies, can improve upon. Women who work in the national security sector face unique and complex challenges that often leave them especially vulnerable to sexual harassment, especially as there continue to be too few women in the senior ranks.

*Question 10.* Do you commit to ensuring that HR promptly addresses and responds to any complaint of sexual harassment, and to continually review and update training to ensure that it is adequately addressing the vulnerabilities women face?

Answer. Yes, I am strongly committed to ensuring the Department provides a workplace that is inclusive and free from sexual and discriminatory harassment. There is no room for harassment in today's work place. Earlier this year, the Department directed mandatory harassment awareness training for all agency employees, including local staff and contractors. Thanks to the efforts of the Office of Civil Rights, we accomplished that mission by June. Additionally, the Secretary sent out a cable to all employees in October about the importance of a culture of civility and respect. It outlined employee protections from harassment and toxic behavior at work. Both the training and supporting cable reinforce our effort to make sure employees understand the commitment of Department leadership to ensuring a workplace free from harassment and the support available if they are harassed.

The Department's policies addressing sexual harassment and retaliation are strong and are covered in the Department's Foreign Affairs Manual (FAM). The policies make it mandatory for all supervisors and other responsible management officials to immediately report incidents of possible harassment that they observe, are informed of, or reasonably suspect to the Department's Office of Civil Rights for investigation and further action by HR, when warranted. If confirmed, this will continue.

Yes, I commit to ensuring that these policies are clearly communicated, conveyed in mandatory employee training courses, and posted online. All new employees receive at least one hour of EEO and Harassment Awareness Training during the For-

eign Service Officer, Foreign Service Specialist and Civil Service orientation classes. This education continues through the life cycle of all employees as they progress in their careers. Additionally, the Foreign Service Institute has created a new on-line harassment awareness-training module that is part of the Department's mandatory training courses. It will be available to employees shortly.

*Question 11.* Are you familiar with the National Security #MeToo letter from last November? What else do you think the Department can do to protect women and ensure that they are not dissuaded from seeking out senior positions in government because of harassment or intimidation?

Answer. Yes, I am aware of the #MeToo letter. If confirmed, I will ensure that the State Department's strong policies continue to be enforced and that employees continue to receive effective training on these topics. Additionally, I will ensure that senior leadership convey the important message that all inappropriate behavior is unacceptable, and that any individuals who engage in improper conduct and/or violate these policies are held accountable. I will ensure that policies, messaging, and training are continuously reviewed and refreshed as necessary. It is unacceptable for any employee to intimidate or harass others, or in any way dissuade anyone from seeking out senior positions to advance their careers.

*DEA Incident in Honduras*

In 2012, there were 3 deadly force incidents in Honduras related to DEA operations. At the time, you were the Principal Deputy Assistant Secretary for INL. An Inspector General report from last year stated that you raised objections to Diplomatic Security (DS) conducting an investigation of the incidents and that INL refused to assist DS in its investigations.

*Question 12.* What is your response to the IG report?

Answer. As one of three Deputy Assistant Secretaries during the time of the Ahuas incident, my intent during my conversation with DS-Washington was to ensure that the U.S. Chief of Mission to Honduras had full control and oversight for this incident. At no point was I suggesting that DS should not engage, nor was I attempting to undermine the Chief of Mission; in fact, my efforts were to ensure that she could exercise her authorities fully by asking that all parties, including DS, work through her to resolve the investigation. In retrospect, I could have communicated this differently so that there would be no ambiguity or room for misinterpretation regarding my intent.

*Question 13.* As Director General, would you take the same action today?

Answer. As a current Chief of Mission, I have the requirement to coordinate and manage all activities for all agencies under my authority and understand completely the extent of my responsibility for actions that occur in my country. As Director General, I will fully support the Chief of Mission, including when they ask for assistance from DS domestic offices with regard to in-country investigations.

*Question 14.* What assurances can you give this committee that you will fully support DS staff in any jurisdictional dispute overseas?

Answer. I will fully support the role of Diplomatic Security in jurisdictional disputes overseas according to U.S. statute and regulations.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CAROL Z. PEREZ BY SENATOR BENJAMIN L. CARDIN

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have been an active and committed defender of human rights and democracy during my 31-year career in the Foreign Service. During my tenure as Consul General in Milan, as waves of North African immigrants arrived in Italy, we started a series of roundtable discussions with local authorities, policy makers and religious leaders that highlighted the positive benefits of immigration and exchanged best practices on integration. We funded a grant that expanded a Muslim online magazine throughout Europe, supporting efforts to counter violent extremism, improving communication and collaboration among a target audience of second generation Muslims. As Ambassador to Chile, I have made human rights a focus for the Embassy. I led Embassy campaigns that promoted women's empowerment and combated gender-based violence, expanded the Embassy's outreach to and programs in support of marginalized populations, such as LGBTI community mem-

bers, indigenous populations, and economically disadvantaged communities, and met with religious minority groups, including Chile's Jewish and Arab populations, to discuss religious freedom and promote tolerance. My focus on increasing opportunities for indigenous populations resulted in the first English language program for young indigenous entrepreneurs that will open new horizons for trade and commerce. Finally, as the political and humanitarian crisis has deepened in Venezuela, I have encouraged Chilean officials to work with regional counterparts to provide a safe-haven for those Venezuelans in most dire need, to meet with Venezuelan dissidents and human rights activists, and to hold the Venezuelan government accountable for violating the rights of its own citizens.

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Mentoring and staff development are important to me. If confirmed, I will work to strengthen the Department's diversity and inclusion efforts at every level. Effective mentoring and support can help the Department retain a diverse workforce and sustain that diversity as employees progress through their careers. Throughout my career, I have benefited from the guidance and counsel of mentors. Because I know first-hand just how important that kind of support can be, I have mentored entry-level and mid-level officers whenever I have had the opportunity. As Principal Deputy Assistant Secretary, I led HR Bureau efforts to strengthen our mentoring programs by incorporating best practices from the private sector and other government agencies.

We now have a number of programs in professional development, career advancement, and unconscious bias training. These programs are important to retaining and developing a diverse and prepared workforce so they can be successful, and we can be successful as a country. If confirmed, I will review these programs regularly to ensure they are as effective as they can be.

*Question 3.* What steps will you take to ensure each of the supervisors in the Bureau of Human Resources are fostering an environment that is diverse and inclusive?

Answer. If we are going to continue to have the best diplomatic service in the world, we must continue to weave diversity, inclusion, and respect into the whole lifecycle of employees' careers, from the moment they join the Department to the end of their service.

I believe that setting an example at the top and communicating expectations can be effective in supporting leadership efforts to foster diversity and inclusion at the bureau level. If confirmed, I will work with bureau leaders as they examine processes or practices that might hamper their efforts to cultivate a diverse and inclusive work environment.

*Question 4.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. My investment portfolio includes widely traded funds that may have investments in foreign companies; however, these funds are exempt from the conflict of interest rules. I also have financial interests in several large companies with global business, but those holdings either are below the \$15,000 *de minimis* threshold in the conflict of interest laws or were not identified as posing a conflict of interest. The State Department Ethics Office and the U.S. Office of Government Ethics reviewed all of my financial interests. I am committed to ensuring that my official actions will not give rise to a conflict of interest. I will divest my interests in any investments the state Department Ethics Office deems necessary in the future to avoid a conflict of interest, and will remain vigilant with regard to my ethics obligations.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CAROL Z. PEREZ BY SENATOR JEANNE SHAHEEN**

*Question 1.* Consistent, predictable staffing is essential to the maintenance of core diplomatic capabilities, effect career development, and an orderly flow of talent in the Foreign Service. If confirmed, how would you ensure that the Foreign Service has at the present and will have in the future appropriately experienced personnel at all grades?

Answer. The Department has a robust strategic workforce planning process with the goal of aligning resources, people, and policy priorities. There are three main components, which ensure a predictable flow through the Foreign Service ranks and ensure the right officers with the right level of experience are assigned to the right positions—intake/hiring, assignments/career development, and the promotions process. Recent hiring, with the exception of FY 2017, has been fairly consistent. In FY 2018 Foreign Service intake/hiring returned the Department to pre-2017 hiring levels as stipulated in the Department's FY 2018 appropriation Statement of Managers. Preliminary Foreign Service intake planning for FY 2019 assumes continued robust hiring within our final authorized funding levels.

If confirmed, I will work with the Secretary and advocate for a budget that fully funds the Department's staffing, training and career development requirements.

*Question 2.* How do you assess the current and planned training, professional development and professional education opportunities in the State Department? What is your view of making the George P. Shultz National Foreign Affairs Training Center an accredited academic institution, on a level equivalent to the U.S. military's war colleges, capable of granting a Master of Arts degree in diplomatic studies?

Answer. The State Department's Foreign Service Institute, located primarily at the George P. Shultz National Foreign Affairs Training Center, provides outstanding training and professional education for the State Department and other foreign affairs agencies personnel. That said, Secretary Pompeo has asked me, if confirmed, to work closely with the new Director of FSI, Ambassador Daniel Smith, to review our overall talent management, including the professional development and education opportunities we provide to our personnel over the course of their careers. One possibility FSI leadership will be considering is whether to enable FSI to grant a Master of Arts degree in diplomatic studies, either by itself or in partnership with another academic institution. Expanding current professional development opportunities through long-term training and detail assignments is another option. These assignments help us to fulfill the strategic goals of the Department and meet personal and professional development goals for our Civil Service and Foreign Service employees.

*Question 3.* Foreign language capability is one of the principal skills unique to Foreign Service officers in the federal government. If confirmed, how would you work to promote high-level language proficiency and to ensure that Foreign Service officers are able to maintain and improve the foreign language skills with which they enter into service or acquire through training?

Answer. I share your view that foreign language skills are critical to the Foreign Service. The State Department currently operates a Recruitment Language Program to attract individuals with specific language skills and a Language Incentive Pay program to encourage personnel to retain acquired language skills. The Foreign Service Institute established a "Beyond 3" program several years ago to enable officers to elevate their language skills. If confirmed, I look forward to working with FSI to evaluate the effectiveness of these programs and to identify additional or new ways to ensure that Foreign Service officers are able to acquire, maintain, and improve the language skills needed to effectively accomplish our mission.

*Question 4.* Even though the United States recognizes same sex marriage and the State Department works to treat all employees equally, LGBTI diplomats and their families often experience bureaucratic obstacles to serving worldwide—with the same privileges and immunities—as heterosexual colleagues. As the head of the State Department's Bureau of Human Resources, if confirmed, how would you ensure Department leadership advocated with foreign governments so that LGBTI employees and their families could serve in all assignments worldwide without undue impediment?

Answer. If confirmed, I will continue the Department's strong support for our LGBTI employees and their families. Specifically in the area of assignments, I will ensure that our embassies strongly advocate for our LGBTI employees and their families assigned overseas to have their accreditation accepted by the host country

and be afforded appropriate levels of privileges and immunities equal to their heterosexual counterparts. The Department has made good progress in recent years in achieving acceptance of accreditation in more than half of the countries where we have representation (97 of 170). We will continue to engage other governments to “Move them to YES.”

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CAROL Z. PEREZ BY SENATOR CORY A. BOOKER**

*Diversity at State*

As Director General of the Foreign Service, if confirmed, you will have an awesome responsibility overseeing the men and women who make up our incredible civil and foreign services and ensuring we cultivate the most talented and hardworking individuals to serve. But we also want a corps that represents the richness of America.

The Charles B. Rangel International Affairs and Thomas R. Pickering Foreign Affairs programs help us do just that.

*Question 1.* If confirmed, would you support expanding the Rangel and Pickering fellowship programs?

Answer. As I noted in my testimony, thanks to our long-standing diversity efforts and bipartisan Congressional support through the Pickering and Rangel programs and other initiatives, we have made important progress. I understand that, beginning in FY 2017, Congress requested that the Department expand the Pickering and Rangel Programs by ten fellows each.

Without additional funding, adding twenty Fellows would result in a significant decrease in tuition assistance that would endanger the program. If confirmed, I will carry out a comprehensive assessment to evaluate opportunities for expansion and determine the best options for the Department to continue to recruit diverse and talented candidates.

*Question 2.* What policies do you think are needed to increase the share of women in the Foreign Service and better ensure that more women are promoted to the Senior Foreign Service?

Answer. If we are going to remain the world’s premier diplomatic service, the Department must continue to weave diversity into the whole lifecycle of our talent management system, from recruitment to training and promotions.

Our recruitment efforts place a strong emphasis on diversity and talent. The Pickering and Rangel Fellowship programs in particular have a high proportion of women and have contributed significantly to bringing female candidates into the Foreign Service.

If confirmed, I look forward to building upon the significant progress the Department has made over the last several years to ensure that our workforce reflects the diversity and talent of America.

*Mid-career Diversity Programs*

As of the end of September, both the Senior Executive Foreign Service (SES) and Senior Foreign Service (SFS) are overwhelmingly white (over 88 percent) and male (over 60 percent). In order to create a more diverse and representative SES and SFS, the State Department needs to ensure it is investing in and retaining junior and mid-career professionals. The Department is a sponsor of programs including the International Career Advancement Program (ICAP), which seeks to increase the quality and diversity of senior international affairs policymakers by assisting highly promising mid-career professionals from underrepresented groups.

*Question 3.* Will you commit to continuing to support mid-career training and advancement programs, including ICAP, for underrepresented groups?

Answer. Yes, if confirmed, I will continue to support critical mid-career training and advancement programs. The Department supports its retention goals by funding diverse mid-level employees’ participation in the International Career Advancement Program (ICAP). We view this program as a cornerstone to fostering growth and development in our Civil Service and Foreign Service employees. Since 2016, the Department has sent ten participants every year to participate in ICAP. If confirmed, I will work to ensure this targeted leadership program remains a mainstay of our retention efforts.

*Question 4.* What other steps do you think are needed to support a more diverse and representative SES and SFS?

Answer. I am committed to ensuring the gains in diversity at the entry and mid-levels are reflected at the senior levels. If confirmed, I will work to foster greater diversity at the senior levels of the State Department by assessing whether barriers to advancement exist, and by building on current efforts to utilize the talents of all employees, including continued support for mid-career development programs such as ICAP and the SES Candidate Development Program for more senior employees.

#### *Supporting LGBTI Employees*

On January 9, 2017, Secretary Kerry took the unprecedented step of apologizing to gay, lesbian, and other State Department employees who were fired or otherwise discriminated against in the past because of their sexual orientation during the so-called “Lavender Scare” and at other periods in the Department’s history.

*Question 5.* Does the State Department continue to support and reaffirm Secretary Kerry’s statement?

Answer. Yes. The Department has a strong record supporting our LGBTI employees, which Secretary Pompeo has continued. In noting LGBTI Pride Month in June, Secretary Pompeo said: “The United States joins people around the world in celebrating Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) Pride Month, and reaffirms its commitment to protecting and defending the human rights of all, including LGBTI persons.” If confirmed, as Director General I will fully support LGBTI employees and their families as valued members of the State Department community.

#### *Visas for Same-Sex Partners*

While U.S. laws and Supreme Court decisions in recent years have paved the way for same-sex couples to legally marry, same-sex marriage is still not legal in the vast majority of countries around the world. This can be a challenge for LGBTI Foreign Service officers with same-sex spouses, as they may be entering a country that does not recognize their marriage and thus the government may refuse to issue a visa for their spouse. However, given the importance of reciprocity in diplomatic relations we would expect countries to fully accept the legal marriages of all U.S. Foreign Service officers and their spouses, regardless of sex.

*Question 6.* What is the list of the names of countries that routinely deny visas to same-sex partners of U.S. Foreign Service officers or personnel posted overseas?

Answer. The list of countries that routinely deny diplomatic visas to same-sex spouses of our officers and personnel includes the following 72 countries:

- *Africa:* Angola, Botswana, Burkina Faso, Cameroon, Cote d’Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Madagascar, Malawai, Mauritania, Namibia, Niger, Nigeria, Senegal, Sudan, Tanzania, The Gambia, Uganda, Zambia, Zimbabwe
- *East Asia and the Pacific:* Brunei, China, Fiji, Hong Kong, Indonesia, Korea, Malaysia, Marshall Islands, Micronesia, Palau, Papua New Guinea, Philippines, Singapore, Thailand
- *Europe:* Azerbaijan, Belarus, Georgia, Poland, Russia
- *Near East:* Algeria, Bahrain, Egypt, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Saudi Arabia, Tunisia, United Arab Emirates
- *South and Central Asia:* Afghanistan, India, Kyrgyzstan, Pakistan, Sri Lanka, Tajikistan, Turkmenistan, Uzbekistan
- *Western Hemisphere:* Barbados, Grenada, Guyana, Jamaica, Nicaragua, Suriname, Trinidad & Tobago

*Question 7.* What steps do you plan to take to ensure such countries do not have de facto vetoes over where U.S. Foreign Service officers or personnel posted overseas with same-sex spouses can be assigned due to their sexual orientation?

Answer. Department policy is to seek appropriate visas and to request from receiving, i.e., host, states appropriate privileges and immunities for all our employees and their families serving overseas, including employees in same sex marriages. In cases where the receiving state will not accept accreditation and provide privileges and immunities for same-sex spouses equal to those of their opposite-sex counterparts, we try to find informal arrangements that nonetheless allow the spouse to accompany the employee.

In most cases, this is possible. Regrettably there are times when it is not possible, such as when we conclude that assignment to a particular post might be inadvisable for an employee accompanied by a same-sex spouse because of personal safety or similar concerns. Although these informal arrangements can be sensitive, information on options is readily available to employees as they make decisions to bid on overseas assignments. Please note that some assignments are unaccompanied because conditions at post are too dangerous or difficult for families to accompany the employee regardless of sexual orientation.

*Increasing Diverse Hiring*

In a speech on August 18, 2017, then-Secretary of State Rex Tillerson laid out a number of new initiatives to increase the hiring of a diverse talent pool for the State Department. He said that he had “directed the relevant committees to adopt a new procedure. Every time we have an opening for an ambassador position, at least one of the candidates must be a minority candidate.”

*Question 8.* What is the status of this new procedure? Has it been implemented? If not, why not?

Answer. The Department takes very seriously our goal to foster diversity in the senior ranks. Diversity is one of the factors in considering candidates for Chief of Mission positions, as well as for Deputy Chief of Mission and Principal Officer positions. If confirmed, I am committed to strengthening these efforts by examining potential structural barriers to promotion to the senior ranks.

*Question 9.* Secretary Tillerson also stated that the Department is “going to build our recruiting team operations out in places that we haven’t concentrated before. Now, that doesn’t mean coming through town once a year and dropping some pamphlets off at the recruiting office. We’re going to build and develop relationships with institutions around the country so that people can more easily find us, and more importantly, we can find them, not just to rely upon people seeking us out.”

- What is the status of this recruiting team expansion? Has it been implemented? If not, why not?

Answer. The Department is committed to working hard to find diverse candidates. The Department’s current recruitment efforts span the United States and utilize targeted recruitment strategies to ensure the Department consistently meets its hiring needs, with a particular emphasis on diversity. Recruiters are based in Washington, D.C and at key institutions, including historically black colleges and universities (HBCUs) and Hispanic-serving institutions (HSIs), across the United States. If confirmed, I commit to reviewing the footprint and effectiveness of our recruiting program.

*Question 10.* Secretary Tillerson also stated that the Department wanted “to expand our footprint at minority-focused job fairs, and we can do more to recruit from one of the most diverse and proven talent pools.”

- What is the status of this job fair footprint expansion? Has it been implemented? If not, why not?

Answer. Our recruitment team includes Foreign Service Officers and Specialists assigned as regional “Diplomats in Residence” (DIRs) throughout the United States, as well as headquarters-based recruiters. The DIRs are hosted by, or recruit at Historically Black Colleges and Universities and Hispanic Serving Institutions (HSIs) with significant minority enrollment. All efforts focus on diversity recruitment.

In addition to attending job fairs, their activities include building relationships with campus career counselors, study abroad offices, and regional university consortia, and recruiting through World Affairs Councils, professional associations, and state and local diversity coordinators, to reach populations underrepresented in the Department.

As a chief of mission, I understand fully the value of a highly diverse team to advancing our nation’s foreign policy objectives. If confirmed, diversity will continue to be one of my highest priorities and I commit to reviewing the footprint and effectiveness of our recruiting program.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CHRISTOPHER PAUL HENZEL BY SENATOR ROBERT MENENDEZ**

*Question 1.* Does the UAE conduct assassinations? Can you confirm press accounts that the United Arab Emirates hired a U.S. firm to conduct assassinations, as described in press reports?

Answer. I am not able to confirm these press accounts. If confirmed, I intend to look into these allegations.

*Question 2.* For what services was Spear Operation Group, Abraham Golan, and associated U.S. citizens, hired to perform by the UAE?

Answer. I am not able to confirm these press accounts. If confirmed, I intend to look into these allegations.

*Question 3.* Did the U.S. citizen who has been working as a military officer for the United Arab Emirates, reportedly in the Joint Aviation Command, receive an export license to perform such activity?

Answer. I am unaware of any export license being issued to Spear Operations Group.

*Question 4.* What other military or security services are being performed for the UAE by U.S. citizens, and do they have ITAR licenses to perform such services?

Answer. In my current capacity as Deputy Chief of Mission in Saudi Arabia, I have not been following specific licensing or end-user issues in other countries. However, I understand that any U.S. person who provides defense services, as defined in 22 CFR 120.9 of the International Traffic in Arms Regulations, to UAE end-users requires authorization by the Department. Authorizations can come in the form of a license (for services limited in scope or duration) or through an agreement (for longer-term performance of defense services). A defense service means the furnishing of assistance related to a particular defense article or technical data being exported, and it can also mean military training for regular or irregular UAE forces, whether in the United States or abroad.

*U.S. Training of Yemeni Forces*

Secretary Mattis stated last month that “[t]he U.S. and the Coalition are planning to collaborate on building up legitimate Yemeni forces to defend the Yemeni people, secure their country’s borders, and contribute to counter Al Qaeda and ISIS efforts in Yemen and the region.” We understand that DoD is considering support for military and security elements under the control of the internationally recognized Republic of Yemen Government (ROYG), possibly relying on their section 333 authority. If you are confirmed as Ambassador, you would oversee such efforts.

*Question 5.* Which “Yemeni forces” are being considered for this support?

Answer. I understand that DoD, as part of the administration’s goal of improving the capacity of the Republic of Yemen Government, would like to increase existing training of Yemen’s Coast and Border guards. Assisting the Republic of Yemen Government to protect its own borders is central to our objectives of countering Iranian malign influence, preventing the flow of weapons to terrorist groups like Al-Qaeda in the Arabian Peninsula (AQAP) and the Islamic State in Yemen (ISIS), ensuring the security of strategic waterways, and eradicating the conflict economy that is an obstacle to peace in the country. I refer you to the Department of Defense for further specifics on this issue.

*Question 6.* What forms, and from what funding sources, will this support take?

Answer. I understand that the Department of Defense, as part of the administration’s goal of improving the capability of the Republic of Yemen Government, would like to increase existing training of Yemen’s Coast and Border guards. I refer you to the Department of Defense for specifics on this issue.

*Question 7.* What sort of vetting of Yemeni individuals will be done, how, and by whom?

Answer. I refer you to the Department of Defense for specifics on this issue.

*Question 8.* When will this support commence; over what time period; and according to what metrics of evaluation?

Answer. I refer you to the Department of Defense for specifics on this issue.

*Yemeni Detainees*

On June 22, 2017, Human Rights Watch issued a report detailing UAE support for Yemeni forces that have arbitrarily detained, forcibly disappeared, tortured, and abused individuals in Yemen during security operations:

*Question 9.* Please confirm that you have read this report.

Answer. I have read this report.

*Question 10.* What are the Yemeni forces named in the report? Please describe the nature of the support these forces received from the UAE, according to the report.

Answer. It is my understanding that the Yemeni forces named in the report, the Security Belt and Hadrami Elite Forces, were trained by the UAE. The Security Belt, a force created in spring 2016, is officially under the ROYG Interior Ministry but is funded, trained, and directed by the UAE. The Hadrami Elite Forces are formally a part of the Yemen Army, which covers parts of Hadramawt governorate. The UAE provides salaries, training, weapons, and direction to the Elite Forces, according to the Human Rights Watch report.

*Question 11.* According to the report, detainees were held in UAE-run detention facilities. Where were these facilities located, according to the report?

Answer. According to the report, there are detention facilities and secret prisons in Aden and Hadramawt, including at least two run by the UAE and others run by UAE-backed Yemeni security forces. The report states that the UAE ran at least one detention facility in Aden for terrorism suspects they deemed to be high-value or sensitive cases. There are allegations that the Yemeni Security Administration, which falls under the Yemeni Interior Ministry but whose top official is UAE-supported, also ran informal detention facilities and secret prisons in Aden. The report alleges that the UAE runs unofficial detention facilities in Mukalla, with the principal detention facility at al-Riyam airport, Mukalla's main airport. It is my understanding that the UAE says it no longer runs detention facilities in Yemen. The United States Government does not have a presence or access to these facilities and is unable to verify the Human Rights Watch report.

*Question 12.* Please describe the abuse inflicted on detainees at these facilities, according to the report.

Answer. According to the report, former detainees and family members told Human Rights Watch that some detainees had been abused or tortured inside detention facilities, most often through beatings by officers using their fists, guns, or other metal objects. Others mentioned electric shocks, forced nudity, threats to the detainees or their family members, and caning on the feet. Other allegations include exposure to cold temperatures, insults, death threats, and sexual abuse, including threats of rape.

The United States Government does not have a presence or access to these facilities and is unable to verify the Human Rights Watch report.

*Question 13.* What recommendations does the report give for the Governments of Yemen and the UAE regarding the detention and treatment of detainees?

Answer. The Human Rights Watch report recommends all parties carrying out detentions in Yemen should:

- Immediately stop forcibly disappearing, arbitrarily detaining, or torturing detainees. No exceptional circumstances may justify torture, and states are required to investigate and prosecute those responsible for torture.
- Release anyone arbitrarily detained or detained for involvement in peaceful political activities, including especially vulnerable people such as children.
- Immediately provide a list of all detention sites and of everyone currently in detention or who has died in custody.
- All detainees should be promptly brought before an independent authority, like a judge, provided specific reasons for their detention, and given the ability to contest the detention. Anyone not being prosecuted for a criminal offense may only be held for exceptional reasons of security, set out clearly in domestic law, and must be released as soon as the reasons for the deprivation of their liberty cease to exist. All such detainees should be brought promptly before a judge. Detention under such circumstances should be reviewed at least every six months.
- Every detainee must be treated humanely at all times.
- Visits from family members must be allowed if practicable.
- Under applicable human rights law, children should be detained only as a measure of last resort and for the shortest appropriate period of time. In all cases, children should be held separately from adults, unless they are detained with their family.

- Yemen is obliged to ensure that the Security Belt and Hadrami Elite Forces, as well as any other forces operating with the Yemeni Government's consent, comply with relevant legal requirements and procedural safeguards, including taking active steps to prevent disappearances, such as through regularizing the procedure of registering detainees and notifying family members of their whereabouts. The UAE has similar obligations, given its role in detentions.
- Yemen is responsible for taking all reasonable steps to protect the well-being of anyone they transfer to the UAE or other governments or groups. Anyone being transferred out of a country should be able to contest the transfer in that country's courts. Transfers cannot be made if the person would likely face torture or other major human rights abuses.

*Question 14.* On June 27, 2017, the Associated Press issued a report detailing the torture of Yemeni detainees by Yemeni forces receiving support from the UAE. Please confirm that you have read this report.

Answer. I have read this report.

*Question 15.* What are the specific allegations they made regarding the torture inflicted upon detainees?

Answer. According to the report, former inmates described being crammed into 3-by-10 meter shipping containers by the dozens, smeared with feces, blindfolded, and legs and hands bound for weeks on end, some for months. They said they were beaten, rotated on a spit and sexually assaulted, among other abuse. Others described being flogged with wires regularly and reported being inside a metal shipping container when the guards lit a fire underneath to fill it with smoke. A detainee reported being given electrical shocks on his neck, back, chin and "sensitive parts" of his body. One detainee said he underwent a fake execution where he was dressed in what he was told was an explosive suicide belt, then a sound grenade was set off near him. The United States Government does not have a presence or access to these facilities and is unable to verify the Human Rights Watch report.

*Question 16.* What are the specific allegations made about the involvement of UAE forces? What are the locations of the UAE's secret prisons detailed in the report?

Answer. According to the report, a member of the Hadramawt Elite alleged that American forces were at times only yards away from where torture was taking place. The report states that Department of Defense officials confirmed that U.S. forces have interrogated some detainees in Yemen but denied any participation in or knowledge of human rights abuses. The U.S. provides questions to the Emiratis and receives transcripts of their interrogations. According to the report, a Yemeni witness of American interrogations also told the AP that no torture took place during those sessions where he was present. The Department of Defense has responded that that U.S. forces have not witnessed or participated in such events.

*Question 17.* What are the specific allegations made in the report regarding the involvement of U.S. interrogators?

Answer. According to the report, a member of the Hadramawt Elite alleged that American forces were at times only yards away from where torture was taking place. The report states that Department of Defense officials confirmed that U.S. forces have interrogated some detainees in Yemen but denied any participation in or knowledge of human rights abuses. The U.S. provides questions to the Emiratis and receives transcripts of their interrogations. According to the report, a Yemeni witness of American interrogations also told the AP that no torture took place during those sessions where he was present. The Department of Defense has responded that that U.S. forces have not witnessed or participated in such events.

*Question 18.* What has been the administration's response to these allegations?

Answer. I understand that the Department of Defense conducted an investigation in July 2017 and determined that no U.S. officials had observed or participated in torture of detainees in Yemen. The administration has raised concerns about these allegations with UAE Government counterparts at senior levels through diplomatic, intelligence, and military channels and has urged the UAE to conduct a thorough investigation.

We urge all parties, including the UAE, to treat prisoners and detainees humanely, and to ensure that abuses are investigated and those responsible are held accountable. All parties must act in accordance with international law, including human rights law and the laws of armed conflict.

The administration has also asked the United Arab Emirates Government to take steps to prevent such incidents from occurring and has urged the Government to allow regular access by the International Committee of the Red Cross (ICRC) to any

detention facilities in Yemen under its control, so that it can ensure detainees are being treated in accordance with international law. It is my understanding that the UAE claims it has turned over management of all detention facilities in Yemen to the ROYG.

*Question 19.* On January 26, 2018, the United Nations Panel of Experts issued a report that, among other things, included allegations of the unlawful detention and abuse of individuals in Yemen. Please confirm that you have read this report.

Answer. I have read this report.

*Question 20.* Please describe the Panel's findings on the role of UAE forces in the detention of individuals in Yemen and the specific Yemeni units they partnered with.

Answer. The Panel found that the rule of law is deteriorating rapidly across Yemen, regardless of who controls a particular territory. It found that the Government of Yemen, the United Arab Emirates and Houthi-Saleh forces have all engaged in arbitrary arrests and detentions, carried out enforced disappearances and committed torture. The Panel reports that forces of the United Arab Emirates engaged in, or supervised, joint arrest operations with the Hadrami and Shabwani Elite Forces.

*Question 21.* Please describe the abuses against detainees that the Panel found UAE forces were responsible for and the number of detainees the Panel estimated to be in the custody of UAE forces.

Answer. The Panel found that forces of the United Arab Emirates were responsible for: (i) torture (including beatings, electrocution, constrained suspension and imprisonment in a metal cell ('the cage') in the sun); (ii) ill treatment; (iii) denial of timely medical treatment; (iv) denial of due process rights; and (v) enforced disappearance of detainees, in violation of international humanitarian law and international human rights law.

*Question 22.* The Panel has requested from both the UAE and the Government of Yemen the relevant legal authority under which the UAE is authorized to arrest and detain individuals in Yemen. To your knowledge, have those authorities been provided?

Answer. I am not aware whether those authorities have been provided. I would refer you to the Panel.

*Question 23.* According to the Panel, has either the Yemeni or the UAE Governments conducted credible investigations into these reports of detention and abuse? To your knowledge, have either government conducted a credible investigation on this matter since the Panel's report was issued?

Answer. I am not aware of the results of any such investigation and would refer you to the Panel. While the administration is not in a position to independently verify these reports, we have raised concerns about these allegations with UAE Government counterparts at senior levels through diplomatic, intelligence, and military channels and have urged the UAE to conduct a thorough investigation.

*Question 24.* On June 20, 2018, the Associated Press released a second report detailing the sexual abuse of Yemeni detainees at UAE-controlled prisons. Please confirm that you have read this report.

Answer. I have read this report.

*Question 25.* What are the specific allegations made in the report regarding the sexual torture inflicted upon detainees?

Answer. The report includes allegations of rape, electrocution and abuse of prisoners' genitals, and sexual violation with wooden or steel poles.

*Question 26.* What are the specific allegations made about the involvement of UAE forces? What are the locations of the UAE's secret prisons detailed in the report?

Answer. The report alleges that Emirati forces and Yemeni guards under the direction of Emirati officers abused prisoners and states that the UAE runs secret prisons in southern Yemen, at Beir Ahmed, Buriqa, at the house of Aden's security chief, and in Wadah.

*Question 27.* Has the UAE acknowledged the presence of any of its detention facilities inside or outside Yemen?

Answer. The UAE has publicly stated that Yemeni authorities are in complete control of local and federal governance, judicial and prison systems, and that the UAE has never managed or run prisons or secret detention centers in Yemen.

*Question 28.* What allegations are made regarding the presence of U.S. personnel in the report?

**Answer.** The report alleges that U.S. personnel have been seen at the Buriqa base, along with Colombian mercenaries, according to two prisoners and two security officials. The detainees could not say whether the Americans, some of whom wear military uniforms, are members of the U.S. Government or mercenaries. It is my understanding that the Department of Defense has stated that U.S. forces have not witnessed or participated in such events.

**Question 29.** On July 12, 2018, Amnesty International issued a report alleging that UAE-backed Yemeni forces have conducted hundreds of arbitrary arrests and committed serious violations, including enforced disappearance and torture and other ill-treatment. Please confirm that you have read this report.

**Answer.** I have read this report.

**Question 30.** Please describe the Yemeni forces named in the report and their relationships with the UAE, including support received from and cooperation with the UAE.

**Answer.** The report refers to local Yemeni security forces known as the Security Belt and Elite Forces, and states that these forces were created, trained, equipped and financed by the UAE. The report states that the Security Belt forces operate in southern Yemen, and that the Elite Forces of Hadramawt and Shabwa perform military and police roles.

**Question 31.** What recommendations does the report give for the Governments of Yemen and the UAE regarding the detention and treatment of detainees? What recommendations does the report have for the United States?

**Answer.** The report recommends that the UAE Government:

- End all practices of arbitrary arrests, enforced disappearance, torture and other ill treatment and human rights violations in Yemen;
- Reveal the fate and whereabouts of all persons who have been subjected to enforced disappearance and give those remaining in custody access to their families and to lawyers;
- Release all persons who have been arbitrarily arrested and detained and hand their files over to Yemeni prosecutors to promptly charge them with internationally recognizable criminal offenses and try them in proceedings that fully comply with international standards and without the possibility of the death penalty.
- Reveal the locations of the detention facilities it runs or supervises in Yemen and bring these under the supervision of the Yemeni Prosecutor General.
- Allow independent monitors to access all places of detention it runs or supervises in Yemen and to visit all detainees.
- Initiate a prompt, impartial investigation into the allegations of violations of international humanitarian law committed by its troops and the Yemeni forces it backs.
- Ensure that all individuals who have suffered violations of international humanitarian law or serious violations and abuses of human rights law are afforded an effective remedy and reparations.
- Immediately implement the decisions of Yemeni prosecutors and refrain from obstructing their release orders.
- Co-operate fully with the U.N.-appointed group of international experts to investigate abuses by all parties to the conflict in Yemen and provide it unhindered access to detention facilities it runs and supervises.
- Ratify the International Covenant on Civil and Political Rights, the International Convention for the Protection of all Persons against Enforced Disappearance and the Rome statute of the International Criminal Court.

It recommends that the Government of the Republic of Yemen:

- Ensure that people in Yemen are protected from enforced disappearance and other serious human right violations carried out by agents of other states;
- Establish an office mandated to collect and centralize information related to detainees and forcibly disappeared persons; the office would be the main point of contact for updating relatives on individual cases and for submitting information to the prosecutorial authorities for investigation.
- Publicly clarify the authority under which the UAE and UAE-backed forces carry out arrests and detention in Yemen, and take effective measures to ensure that these forces fully comply with international human rights law and international humanitarian law;

- Ensure that all security forces are brought under its effective control, and that prosecutors have jurisdiction over all those deprived of their liberty and all detention facilities;
- Conduct prompt, effective and impartial investigations into the alleged involvement of Yemeni officials and units in arbitrary arrests, enforced disappearance, torture and other ill-treatment. Suspend officials suspected of responsibility pending the outcome of investigations; wherever there is sufficient admissible evidence of responsibility for serious violations, prosecute suspects in fair trials;
- Initiate a prompt, effective, and impartial investigation into the conduct of UAE forces in Yemen and allegations of violations of international humanitarian law and other serious violations and abuses of human rights law against them;
- Ensure that law enforcement officials provide a response to the numerous correspondences sent to them by various government entities and families of disappeared detainees inquiring about the whereabouts of these persons unlawfully deprived of their liberty.
- Ensure that all individuals who have suffered violations of international humanitarian law or serious violations and abuses of human rights law are afforded an effective remedy and reparation, including restitution, compensation, rehabilitation, and guarantees of non-repetition;
- Ratify the International Convention for the Protection of all Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court.
- Extend invitations to the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and to the Working Group on Enforced or Involuntary Disappearances, and facilitate their visits.

It recommends that the Prosecutor General of Yemen:

- Initiate prompt, impartial and effective investigations into allegations of torture and other ill-treatment, deaths in custody, arbitrary detention and enforced disappearances by Yemeni and UAE forces even if specific complaints were not formally filed;
- Continue efforts to try to bring unofficial detention facilities under judicial oversight;
- Ensure that officials responsible for security forces and directors of detention facilities require their subordinates to maintain records regarding every detainee, including the date, time, and location of arrest, the name of the detainee, the reason for detention, and the specific unit or agency.

And it recommends that the United States:

- Refrain from receiving information likely to have been obtained through use of torture or other ill-treatment and take preventive measures to ensure that intelligence sharing between states does not reward unlawful interrogation practices;
- Actively promote the compliance of counter-terrorism partners, namely the UAE, with international humanitarian law and respect for human rights, in particular the absolute prohibition of torture and other ill-treatment.
- Facilitate independent oversight, including by the U.S. Congress, over U.S. military or intelligence cooperation with Yemeni and UAE forces involved in detention activities in Yemen. Investigate the role of U.S. military or intelligence personnel in detention-related abuses in Yemen and comply with all legal investigation and reporting requirements related to this issue.
- Once accountability mechanisms are in place, ensure that any forces in Yemen with whom the USA is cooperating receive appropriate training in human rights and international humanitarian law, including in international standards for law enforcement.
- Suspend the supply of weapons, munitions, and related military equipment to the UAE and other parties to the conflict in Yemen, where there is a substantial risk of these arms being used in Yemen.

*Question 32.* On August 28, 2018, the U.N. Human Rights Council's Group of Regional and International Eminent Experts on Yemen issued a report that, among other concerns, detailed widespread arbitrary detention and abuse by UAE-backed Yemeni Forces and UAE forces. Please confirm that you have read this report.

Answer. I have read this report.

*Question 33.* Please list the UAE-backed forces named in the report and the abuses alleged against them.

Answer. The United Arab Emirates has established control across southern Yemen, both by its direct action and through its proxy forces, namely the Security Belt Forces, the Hadrami Elite Forces and the Shabwani Elite Forces. The Southern Transitional Council forces, backed heavily by the United Arab Emirates, continue to control major cities in southern Yemen.

The report states that hundreds of individuals have been detained for perceived opposition to the Government or to the United Arab Emirates in detention facilities or undeclared centers under the control of the United Arab Emirates. According to the report, detainees have been subjected to torture and other cruel treatment in facilities such as the Al Rayyan and Bureqa facilities (controlled by the United Arab Emirates); the 7 October facility in Abyan, Lahij Central Prison and Al Mansoura Prison (controlled by Security Belt Forces); and Ma'rib Political Security (controlled by the Government). The Group of Experts also investigated sexual violence, including rape of adult male detainees, committed by United Arab Emirates personnel.

*Question 34.* Please describe the abuses against detainees that the Group found UAE forces were responsible for, and the role of UAE-controlled facilities in the detention and abuse of Yemenis.

Answer. The Group has reasonable grounds to believe that the Governments of Yemen, the United Arab Emirates and Saudi Arabia are responsible for human rights violations, including enforced disappearance. As most of these violations appear to be conflict related, they may amount to the following war crimes: rape, degrading and cruel treatment, torture and outrages upon personal dignity.

According to the report, detainees were not informed of the reasons for their arrest, were not charged, were denied access to lawyers or a judge and were held incommunicado for prolonged or indefinite periods. Parties to the conflict are using undeclared detention facilities in an apparent, and if confirmed unlawful, attempt to put detainees outside the reach of the law. A few individuals detained in areas under the control of the de facto authorities reported that they had been brought before tribunals where proceedings flouted basic due process standards, including the right to legal representation. Death sentences have been passed and implemented in Sana'a and Aden, in the absence of due process standards.

According to the report, in detention, during interrogation and while blindfolded and/or handcuffed, detainees were beaten, electrocuted, suspended upside down, drowned, threatened with violence against their families and held in solitary confinement for prolonged periods in violation of the absolute prohibition on torture, cruel or inhuman treatment. Reports indicate poor material conditions and grossly inadequate medical care for detainees. The Group has also received allegations of deaths in custody.

The Group of Experts also investigated sexual violence, including rape of adult male detainees, committed by United Arab Emirates personnel. Detainees described being interrogated while naked, bound and blindfolded, sexually assaulted and raped. In March 2018, nearly 200 detainees were stripped naked in a group while personnel of the United Arab Emirates forcibly examined their anuses. During this search, multiple detainees were raped digitally and with tools and sticks.

*Question 35.* What recommendations does the report give for the Governments of Yemen and the UAE regarding the detention and treatment of detainees?

Answer. (i) Ensure that all persons deprived of their liberty have their detention reviewed by a judge in compliance with national and international law; (ii) Ensure that arrests of individuals in connection with the ongoing conflict are carried out on legal grounds only and supported by credible and sufficient evidence; (iii) Document all unofficial detention centres and transfer detainees to official detention facilities in line with national and international law; and (iv) Create a national register for missing persons and inform families of the whereabouts of all detainees.

*Question 36.* Given the findings of these reports, do you agree or disagree with the conclusions of the U.N. Panel of Experts on Yemen and the Group of Independent Eminent International and Regional Experts of United Nations High Commissioner for Human Rights that the UAE has responsibility for secret or undeclared detention facilities in Yemen?

Answer. While I am not in a position to determine responsibility, I find these reports disturbing. The administration has raised its concerns regarding the reports of detainee abuses in detention facilities in Yemen with UAE military and diplomatic officials.

*Question 37.* Given the findings of these reports, do you agree or disagree with the conclusions of the U.N. Panel of Experts on Yemen and the Group of Independent Eminent International and Regional Experts of United Nations High Commissioner for Human Rights that the UAE has responsibility for the torture and disappearances of detainees in Yemen by its own forces or by Yemeni forces under the UAE's effective control or direction?

Answer. The administration is not able to independently verify the allegations upon which the findings of the reports are based, but given the seriousness of the allegations, we have raised and will continue to raise with the UAE Government the importance of investigating such reports and ensuring that any forces found to have engaged in such abuses are held accountable.

*Question 38.* If you are confirmed, what steps will you take to investigate the allegations of illegal detention and torture by UAE-backed Yemeni forces and UAE forces in Yemen? What steps will you take to push those forces to release any and all unjustly held individuals and to hold accountable those responsible for arbitrary detention and torture?

Answer. If confirmed, I will work closely with administration colleagues to continue to urge all parties, including the UAE, to treat prisoners and detainees humanely, and to ensure that abuses are investigated and those responsible are held accountable. In my engagements with Yemeni Government and Saudi-led Coalition officials, I will urge all parties to allow regular access by the International Committee of the Red Cross (ICRC) to any detention facilities in Yemen under their control, so that it can ensure detainees are being treated in accordance with international law.

*Question 39.* Do you agree or disagree with the conclusions of the U.N. Panel of Experts on Yemen and the Group of Independent Eminent International and Regional Experts of United Nations High Commissioner for Human Rights that the UAE is, in effect, supporting the breakup of Yemen through its support for the separatists of southern Yemen?

Answer. The UAE is an important partner of the United States in combatting AQAP in southern Yemen and has repeatedly stated in diplomatic engagements its support for the territorial integrity and unity of Yemen. The South has been a sensitive political issue for Yemen for a very long time and it is the administration's position that Southern issues should be addressed through ROYG-led intra-Yemeni discussions and negotiations. Any future political solution or agreement in Yemen should be representative and include the voices of all Yemenis.

#### *Security Training Oversight*

The U.S. Embassy in Yemen has been closed since 2015. The U.S. has pledged over half a billion dollars to Yemen in FY 2018. However, if confirmed, you will still have an important role in approving, monitoring and conducting oversight on U.S. security assistance in Yemen.

*Question 40.* Do you believe that our ability to evaluate and monitor U.S. assistance in Yemen is sufficient?

Answer. If confirmed, I will take end-user assurances, equipment security, and monitoring very seriously. Yemen remains a country in the middle of a civil war. It is my understanding that any assistance to Yemen undergoes an interagency process that assesses the U.S. Government's ability to evaluate and monitor assistance in-country, among other things. We do not provide U.S. assistance to a country if we are not satisfied after this review.

*Question 41.* Given the Saudi-led Coalition pledges of assistance, where can U.S. assistance be most effective and value added?

Answer. According to the U.N., Yemen's humanitarian crisis is currently the world's worst. Any assistance to Yemen, especially through U.N. channels, is of great use. The U.S. works with the U.N., other donors, and humanitarian organizations to coordinate response efforts and make sure aid is reaching the people who need it most. If confirmed as Ambassador to Yemen, I will be part of these ongoing efforts to make sure that we maximize the positive impact of any aid coming from the United States. In addition, I will work hard to build on efforts to reform Yemen's governing and economic institutions to increase the services to all the country's citizens.

#### *Civilian Casualties*

Secretary Pompeo certified in September that the Saudi-led coalition was "undertaking demonstrable actions to reduce the risk of harm to civilians and civilian infrastructure resulting from military operations." However,

over the same time period there was a significant increase in civilian casualties and deaths from Saudi-led coalition airstrikes.

*Question 42.* Mr. Henzel, you are in a unique position to provide this committee with insights into the efforts of the Saudi military to reduce civilian casualties, given your most recent position as the Chargé d’Affairs in Riyadh. In your assessment, has the Saudi military applying effective measures to protect civilians and reduce civilian casualties in Yemen?

Answer. The United States consistently urges the Saudi-led Coalition to take all feasible precautions to reduce the risk of harm to civilians, take appropriate measures when such casualties occur, and draw lessons from operations to reduce the risk of harm to civilians. We have seen tangible steps by the Saudi-led Coalition to reduce civilian casualties, including designation of over 10,000 targets on a No-Strike List. The Saudi Government has further provided significant humanitarian aid to Yemeni civilians as well as provided financial support to stabilize the country’s faltering economy.

That said, we have consistently said that more needs to be done. If confirmed, I will continue to engage counterparts to make sure this issue remains a top priority for all parties involved. We will continue to press all parties to the conflict in Yemen to take all feasible measures to mitigate the impact of the conflict on civilians and to investigate fully all credible allegations of international humanitarian law violations and hold all those responsible to account.

*Question 43.* Did you support the decision to certify in Section 1290 of the FY 19 National Defense Authorization Act that the Saudi Government is undertaking “demonstrable actions to reduce the risk of harm to civilians and civilian infrastructure resulting from military operations” in Yemen?

Answer. Pursuant to section 1290 of the Fiscal Year (FY) 2019 National Defense Authorization Act (NDAA) the Secretary certified that Saudi Arabia and the UAE are supporting diplomatic efforts to end the civil war, taking appropriate measures to alleviate the humanitarian crisis, and undertaking demonstrable actions to reduce the risk of harm to civilians and civilian infrastructure. As a part of this decision-making process, I along with many stakeholders throughout the Department, and the Department of Defense and USAID, provided information to the Secretary to allow him to make an informed decision.

*Question 44.* Last week, Secretary Pompeo announced \$131 million in additional food assistance for Yemen, to be provided through the U.N. World Food Program (WFP). However, this announcement came after WFP had already raised the alarm that in recent weeks, imports through Hodeidah have fallen by nearly half, at a time when roughly 50 percent of the country’s population is on the brink of starvation, and when 85,000 children have been estimated to have died from starvation. How does the administration expect the WFP and other agencies to successfully implement food distributions with this new funding without also sufficiently addressing humanitarian access constraints by parties to the conflict?

Answer. The administration takes humanitarian access constraints very seriously. We recognize that scaling up to the level needed will be a significant challenge. The United States continues to call on all parties to the conflict to take all feasible measures to allow for the free flow of humanitarian and commercial goods through the ports and around the country. We routinely encourage our partners to increase their contributions, as well as to avoid the obstruction of visas and movement of humanitarian aid workers. We urge them to do everything they can to facilitate the timely delivery of this life-saving assistance.

*Question 45.* For roughly a year, nearly all humanitarian NGOs operating in Yemen—including U.S.-funded ones—have had to circumvent the port of Hodeidah and instead ship humanitarian commodities and supplies through Aden in the south, due to ongoing conflict around Hodeidah and Saudi/UAE coalition bureaucratic constraints. NGOs report this significantly increases time, costs, and risk for delivering aid to the millions of Yemenis in need. What has the administration done in its engagement with the Saudis, Emiratis, and Hadi Government to reduce bureaucratic restrictions through Aden port and onward across the country?

Answer. While Hudaydah port remains operational, the administration recognizes that bureaucratic obstacles at all ports lead to unnecessary and unhelpful delays that cost humanitarian partners time, money and, in some cases, their perishable goods. These are goods that need to make it to the most vulnerable Yemenis who are acutely and catastrophically food insecure. On December 1, the United States, United Kingdom, Saudi Arabia, and the United Arab Emirates met with the U.N. to discuss humanitarian access and other challenges, including the backlog at Aden Port. We will continue working with the Saudi-led Coalition and Yemeni Govern-

ment to address the problems there. The United States continues to call on all parties to improve access restraints and take all feasible measures to allow for the free flow of humanitarian and commercial goods through the ports and around the country.

*Question 46.* As Ambassador to Yemen, what steps will you take to increase the flow of goods through Hodeidah?

Answer. The United States strongly supports U.N. Special Envoy (UNSE) Martin Griffiths' efforts to de-escalate tensions in and around Hudaydah and his proposal to create a U.N. role in the port's operation. The United States continues to call on all parties to improve access and take all feasible measures to allow for the free flow of humanitarian and commercial goods through the ports and around the country. If confirmed as Ambassador to Yemen, I will continue to work towards these goals.

*Question 47.* The Senate has shown that we are deeply concerned about the humanitarian situation in Yemen. Given that you will be situated in Saudi Arabia, how will you work both with the Saudi Government and independent of the Saudi Government to prevent a further decline of the humanitarian situation?

Answer. The United States is one of the largest donors of humanitarian assistance to the Yemen response, providing more than \$697 million in aid since fiscal year 2018. If confirmed as Ambassador to Yemen, I will continue to assess Yemen's humanitarian needs, and will work closely with the U.S. Embassy in Saudi Arabia to coordinate our efforts with the Saudi Government and the U.N. to address shortcomings and improve the humanitarian situation in Yemen. Bringing an end to the conflict represents the most positive step that would have the greatest impact on resolving the humanitarian crisis and the underlying economic collapse that is feeding it. To this end, the administration will continue to support U.N. Special Envoy Martin Griffiths' efforts to bring both sides of the table for negotiations.

*Question 48.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. I have consistently impressed upon government officials that their respect for human rights has a direct bearing on how their countries are perceived in the United States and on American support for bilateral cooperation. During my time as Deputy Chief of Mission and Charge d'Affaires in Saudi Arabia, I regularly raised the cases of detained activists, including female activists who fought to lift the driving ban and for revisions to guardianship laws that restricted opportunities for women in employment and public life. Last month, I personally raised the travel ban that had been placed on Jamal Khashoggi's son, Saleh, with Saudi Interior Minister Prince Abdel Aziz Al Saud; I was pleased to see that Saudi officials then permitted Saleh to travel to the United States. I cannot claim that my engagements in Riyadh on human rights always have been successful, but letting the Government there know that we are monitoring and care about these issues is essential, and something on which I will continue to engage seriously if confirmed as U.S. Ambassador to Yemen.

*Question 49.* What issues are the most pressing challenges to democracy or democratic development in Yemen? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The most pressing challenges to democracy in Yemen include extrajudicial killings, forced disappearances and kidnappings, as well as reports of torture and harsh and life-threatening conditions in prison following arbitrary arrest and detention by Yemeni Government, Houthi, and external actors. Other issues include arbitrary infringements on privacy rights; repression of the freedoms of expression, the press, association, and the right to peaceful assembly. We also remain concerned about the inability of citizens to choose their government through free and fair elections. Finally, there is unlawful recruitment and use of child soldiers and trafficking in persons, including forced labor. The Republic of Yemen Government has taken some steps to investigate, prosecute, and punish those found to have committed crimes related to such violations and abuses.

*Question 50.* What steps will you take—if confirmed—to support democracy in Yemen? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. The ongoing conflict in Yemen has created a complex network of regional authorities that poses a significant challenge to protecting democracy and human rights. The closure of Sanaa airport and Coalition restrictions on media and human

rights organizations' ability to travel into and out of the capital severely restrict independent investigation and monitoring of human rights violations in the north. Our access to areas of Houthi influence remains severely limited. In addition, Houthi influence over government institutions where they do operate has severely reduced the Government's capacity to conduct investigations. If confirmed, I will give full U.S. support to national reconciliation efforts that will bring all Yemenis under the authority of a government that is responsive to their needs and that can credibly investigate instances of human rights abuse when they occur. I will also demonstrate to the Yemeni Government that human rights are a priority U.S. interest by continuing to push the Government to build its own capacity to fully and transparently investigate incidents when they occur.

*Question 51.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. I will work with our Public Affairs Section to ensure that Yemenis benefiting from State Department and USAID funding are in fact the ones best placed to benefit from these programs. Whenever possible, I will prioritize diversity in the recipients of such benefits, to ensure that we are practicing what we preach when we push the parties to the conflict on an inclusive approach to national reconciliation. In addition to efforts at the national level, I will push for continued engagement at the local level with diverse recipients and partners across Yemen.

*Question 52.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Yemen? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. I am deeply committed to human rights and will work closely with civil society and non-governmental organizations to ensure that Yemenis' voices are heard on this important set of issues. Even in cases where we cannot physically reach the victims of human rights abuses, we can work with humanitarian organizations that have the access to advocate on their behalf. I will closely monitor any efforts by the Yemeni Government or the Houthis to restrict or penalize the freedom of civil society groups to operate without fear of reprisal.

*Question 53.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will welcome engagement with all democratically oriented actors interested in a stable, unified Yemen, and will also encourage these parties to dialogue with one another. I will promote genuine political competition by ensuring the Yemen Affairs Unit retains a broad contact base that is representative of all Yemenis, not just those currently in power, and that we emphasize the importance of including women, minorities, and youth in any national dialogue that occurs during my tenure.

*Question 54.* Will you and your embassy team actively engage with the Government of Yemen on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Yemen?

Answer. If confirmed, I will register our concerns regarding government efforts designed to control or undermine freedom of expression for members of the press, at the highest level of Yemen's Government. I will underscore to my Public Affairs team the importance of meeting independent, local Yemeni press. If face-to-face meetings are not possible, I will ensure my team has the resources to facilitate connections over voice or video calls.

*Question 55.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. I will emphasize to my team the importance of identifying and countering disinformation and propaganda disseminated by foreign state and non-state actors, and work with civil society and government counterparts to address such messaging.

*Question 56.* Will you and your embassy teams actively engage with the Government of Yemen on the right of labor groups to organize, including for independent trade unions?

Answer. I recognize the important role that unions have in organizing and informing workers around the world. My team will actively engage the Yemen Government on the importance of protecting workers' right to organize and to form independent trade unions.

*Question 57.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Yemen, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Yemen? What specifically will you commit to do to help LGBTI people in Yemen?

Answer. LGBTI persons face significant discrimination and even the death penalty in Yemen, although there have been no known executions of LGBTI persons in more than a decade. The penal code criminalizes consensual same-sex sexual conduct, with the death penalty as a sanction under the country's interpretation of Islamic law. Due to the illegality of and possible severe punishment for consensual same-sex sexual conduct, there are no LGBTI organizations, limiting the community's ability to organize to assert its rights. If confirmed, I will defend the human rights and dignity of all people in Yemen, irrespective of their sexual orientation or gender identity.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CHRISTOPHER PAUL HENZEL BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. I have consistently impressed upon foreign government counterparts that their respect for human rights has a direct bearing on how the United States perceives their countries and on American support for bilateral cooperation. During my time as Deputy Chief of Mission and Chargé d'Affaires in Saudi Arabia, I regularly raised the cases of unlawfully or arbitrarily detained activists, including female activists who fought to lift the driving ban and for revisions to guardianship laws that restricted opportunities for women in employment and public life. Last month, I personally raised the travel ban that had been placed on Jamal Khashoggi's son, Saleh, with Saudi Interior Minister Prince Abdel Aziz Al Saud; I was pleased to see that Saudi officials then permitted Saleh to travel to the United States. It is a top priority for me to ensure that my counterparts in the Saudi Government fully understand the United States Government monitors and cares greatly about these issues. This remains a priority on which I will continue to engage seriously if confirmed as U.S. Ambassador to Yemen.

*Question 2.* What are the most pressing human rights issues in Yemen? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Yemen? What do you hope to accomplish through these actions?

Answer. Due to the ongoing conflict, our most pressing current concerns in Yemen are to mitigate civilian casualties and alleviate the dire consequences of the humanitarian situation. We have worked closely with U.N. Special Envoy Martin Griffiths, the Republic of Yemen Government (ROYG), and the Coalition to promote peace, prosperity, and security in Yemen through a negotiated peace settlement.

Pressing human rights issues in Yemen also include extrajudicial killings, forced disappearances and kidnappings, and reports of torture and harsh, life-threatening conditions in prison following arbitrary arrest and detention by Yemeni Government, Houthi, and external actors. Other issues include arbitrary infringements on privacy rights; repression of the freedoms of the press, expression, association, and the right of peaceful assembly; and the inability of citizens to choose their government through free and fair elections. Finally, there is unlawful recruitment and use of child soldiers and trafficking in persons, including forced labor. The ROYG, to the best of its ability, has taken some steps to investigate, prosecute, and punish officials found to have committed crimes related to human rights violations and abuse. Their capacity, however, will remain limited as long as the conflict continues. If confirmed, I will give full U.S. support to national reconciliation efforts that will bring all Yemenis under the authority of a government that is responsive to their basic

needs and can credibly investigate instances of human rights violations and abuse when they do occur. I will also demonstrate to the Yemeni Government that human rights are a priority U.S. interest by continuing to push the Government to build its own capacity to fully and transparently investigate incidents when they occur.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Yemen in advancing human rights, civil society and democracy in general?

Answer. Our access to areas under Houthi influence remains severely limited. The closure of Sana'a airport and Coalition restrictions on media and human rights organizations' ability to travel into and out of the capital severely restrict independent investigation and monitoring of human rights violations in the north. In addition, Houthi influence over government institutions where they operate has severely reduced the Government's capacity to conduct investigations. The ongoing conflict in Yemen has created a complex network of regional authorities that poses a significant challenge to protecting human rights.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Yemen? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. I am deeply committed to human rights and will work closely with civil society and non-governmental organizations to ensure that Yemenis' voices are heard on this important set of issues. Even in cases where we cannot physically reach the victims of human rights abuses, we can work with organizations that have the access to advocate on their behalf. I will ensure that my staff are adequately trained so that all procedures associated with Leahy vetting are followed before security forces are provided U.S. assistance.

*Question 5.* Will you and your embassy team actively engage with Yemen to address cases of key political prisoners or persons otherwise unjustly targeted by Yemen?

Answer. If confirmed, I will continue the work of my predecessor in ensuring that all those unjustly targeted in Yemen, by any party to the conflict, will receive full U.S. support. I will work to broaden our contact base and ensure it covers at-risk populations. I will use our messaging platforms to underscore U.S. opposition to the unlawful detention of political prisoners wherever it occurs. I understand the Yemen Affairs Unit's Regional Security Office engages regularly with both the Government authorities and the Houthis on the issue of detainees. I plan to work closely with our security experts on these matters.

*Question 6.* Will you engage with Yemen on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. If confirmed, I will engage fully with the Government of Yemen on these matters and to message the leaders of the Republic of Yemen Government and the Houthi movement on their importance. A comprehensive political agreement to end the Yemen conflict must provide guarantees of fundamental freedoms, and rule of law.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Yemen?

Answer. No.

*Question 10.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. In my current assignment as Deputy Chief of Mission and Chargé in Riyadh, I have made clear that the U.S. Government's commitment to equal employment opportunity should be respected and promoted. I have encouraged the expansion of the Equal Employment Opportunity Counselor program at the Embassy in Riyadh and at the consulates general in Jeddah and Dhahran, and have met monthly with them and supported their work. I will continue this approach if confirmed as chief of mission for Yemen.

*Question 11.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. I will make clear to supervisors that both they and I are expected to support the Department's management precepts, including commitment to equal employment opportunity, and will strive to reinforce this message by my example.

*Question 12.* How does political corruption impact democratic governance and the rule of law?

Answer. Political corruption robs citizens of their right to participate in their government or to reap the benefits of that participation. When government officials use public power for personal gain, we all lose. This is as true for the United States as it is for Yemen or any other country. I will bring our core value of transparency and accountability in government to my work in Yemen.

*Question 13.* What is your assessment of corruption trends in Yemen and efforts to address and reduce them by the Government of Yemen?

Answer. Transparency International ranked Yemen 175 out of 180 countries in its 2017 Corruption Perceptions Index. A culture of corruption is pervasive and can be found in nearly every government office, with officials benefiting from insider arrangements, embezzlement, and bribes, especially in the security sector. Political leaders and most government agencies have taken negligible action to combat corruption; their capacity to do so has been severely limited since the outbreak of war. The Central Organization for Control and Audit (COCA), a national auditing agency for public expenditures and the investigative body for corruption, has not conducted any known investigations since 2015, when the Houthis took control over most government agencies, including COCA.

*Question 14.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Yemen?

Answer. If confirmed, I will ensure first and foremost that my staff understands that any malfeasance or complicity in local corrupt activities will not be tolerated. I will also ensure all of our contacts and interlocutors, no matter how senior, understand the U.S. stance on corruption, and will encourage them to work with the Embassy to develop programming to improve the Yemeni Government's internal capacity to prevent corruption. Finally, I will work with our Public Affairs Section to ensure that Yemeni Government officials benefiting from U.S. training or programming are in fact the ones best placed to benefit from these programs.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CHRISTOPHER PAUL HENZEL BY SENATOR JEANNE SHAHEEN**

*Question 1.* Following Secretary Mattis and Secretary Pompeo calling for a ceasefire in Yemen we saw a dramatic increase in attacks from the Saudi-led coalition. What do you assess as the reason for this surge and does the ceasefire have any chance of taking hold? What does success in Yemen realistically look like for the Saudis?

Answer. The Coalition at this point has begun to observe Secretary Pompeo's October 30 call for a cessation of hostilities by de-escalating all but defensive operations in and around Hudaydah as a measure of support for the political process. The Coalition has also signaled its support for political negotiations to proceed by supporting the United Nations Special Envoy efforts this week in Sweden.

Saudi Arabia's primary goal is to stop the growing malign influence of Iran in the Arabian Peninsula—a goal we share. With constant U.S. and U.N. diplomatic engagement, we seek to move all parties forward in the political process.

*Question 2.* Congress established firm benchmarks on avoiding civilian casualties in the NDAA. In your capacity in Riyadh now and, if confirmed, working on Yemen, how would you work to reduce civilian casualties in this war?

Answer. The United States consistently urges the Saudi-led Coalition to take all feasible precautions to reduce the risk of harm to civilians, take appropriate measures when such casualties occur, and draw lessons from operations to reduce the risk of harm to civilians. If confirmed as Ambassador, I will continue that engagement to the utmost extent possible. Working with Department of Defense partners, we will continue to engage the Coalition and regional leaders at all levels. Through continued bilateral and multilateral training efforts and exercises, we will seek to bolster the Coalition's adherence to international rules of engagement, respect for international humanitarian law, and best military practices to avoid civilian casualty incidents.

*Question 3.* The murder of Jamal Khashoggi underscored the increasing tension in our relationship with Saudi Arabia. In your view should we change our approach to our relationship with the Kingdom?

Answer. The murder of Jamal Khashoggi was a terrible, heinous act. We have sanctioned those against whom we have evidence they had a role in the murder, including visa restrictions and financial sanctions on 17 individuals under the Global Magnitsky Act. As the President and the Secretary have stated, we will continue to work to ascertain the facts, assess all information, and promote accountability, and we have consistently urged the Saudis to do the same as they continue their investigation. At the same time, the President has been clear that his priority is the safety and security of the American people, and part of that requires good partners and stability in the Middle East. The Kingdom of Saudi Arabia is an important part of that effort, and it remains in our national interest to maintain the important strategic relationship.

I can assure you that our engagement with the Saudi Government on the Khashoggi murder continues on a daily basis. My colleagues in Riyadh and Washington engage their Saudi and international counterparts on this matter at every opportunity, and continually examine next steps to ensure American interests are best served. We will continue to urge the Saudi Government to produce a credible, transparent investigation and legal process, and to hold accountable not only those who executed the murder, but also those who led and were involved or connected to it.

*Question 4.* What tools does the U.S. and global community have to bring the Houthis to the negotiating table? In your assessment, does power-sharing have a better chance of drawing the Houthis to negotiations?

Answer. The United States strongly supports the efforts of the U.N. Special Envoy's office to bring all sides of the conflict to the negotiating table. We encourage international partners, including the Saudi-led Coalition and Yemeni leaders, to continue to meet with U.N. Special Envoy Martin Griffiths to engage in the political process and map a stable political future for Yemen. We also leverage countries with known ties to the Houthis, such as Oman, to leverage their influence. The administration has repeatedly admonished Iran for its provision to the Houthis of ballistic missiles that threaten Saudi Arabia's major population centers.

When negotiations commence, all sides will have to make compromises in order to reach a political solution. During negotiations, Griffiths must address Houthi threats to Saudi Arabia's legitimate national security concerns. The Saudis will have to make compromises of their own, as the Houthis will likely retain a political role in Yemen. A durable commitment must have buy-in of key Yemeni parties, including the Republic of Yemen Government, Houthis, southerners, and other Yemeni actors.

*Question 5.* In your assessment, are further Yemen-related sanctions on Iran impactful on the Houthis' ability and will to fight in Yemen? How would you describe the scope of the Iranian—Houthi relationship?

Answer. Iran's provision of a broad range of weaponry to the Houthis, including rockets and missiles, exacerbates this conflict and advances Iran's regional ambitions. The Houthis have repeatedly used Iranian ballistic missile and cruise missile technology and have targeted Aramco facilities, Red Sea shipping lanes, and various locations in Riyadh, including the international airport. Additionally, the Houthis also launch rockets along and across Saudi Arabia's southern border on an almost daily basis. More than 100,000 U.S. citizens live in Saudi Arabia.

It is my understanding that further sanctions on Iran and Iranian-backed groups are only one tool under consideration to limit Iranian malign activities in the region. The administration is strengthening its engagement with regional governments to

improve their support for, and compliance with, the arms embargo in U.N. Security Council Resolution (UNSCR) 2216. The United States publicly displayed recovered materiel from Houthi missile attacks and shared this information with the Secretariat and the independent U.N. Panel of Experts charged with investigating violations of UNSCR 2216. In the medium-to-long term, resolution of the conflict in Yemen will reduce the instability in which the Iranian regime spreads its influence.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
CHRISTOPHER PAUL HENZEL BY SENATOR EDWARD J. MARKEY**

*Question 1.* During your testimony, you said that the administration was working to address humanitarian access issues in the port of Aden. Can you clarify what we are exactly doing to encourage the Hadi Government and coalition to ensure that impediments to humanitarian access to the port are removed?

Answer. We continue to raise with all parties the importance of ensuring unfettered access for humanitarian aid and commercial goods, especially food, fuel, and medicine, to reach Yemen. On December 1, the United States, the United Kingdom, Saudi Arabia, and the United Arab Emirates met with the U.N. to discuss humanitarian access and other challenges, including the backlog at Aden Port. We will continue working with the Saudi-led Coalition and Yemeni Government to address the problems there. The United States continues to call on all parties to improve access and take all feasible measures to allow for the free flow of humanitarian and commercial goods through the ports and around the country. In response, we understand the Coalition has agreed to deploy additional cargo scanners to expedite the inspection process as one means of addressing the backlog.

*Question 2.* There are reports that the U.S. is slow rolling the introduction of a UK-drafted resolution at the U.N. Security Council calling for a ceasefire and increased humanitarian aid in Yemen. Can you confirm these reports?

Answer. We remain in constant communication with the British Government to ensure that the proposed U.N. Security Council Resolution's timing and content support the U.N.-led talks in Sweden. Both the United States and the UK firmly support the U.N. Special Envoy's efforts to bring about a political process, which remains our priority. We continue to coordinate closely on the U.N. process and will take stock of next steps once the talks in Sweden run their course.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN BARSA BY SENATOR ROBERT MENENDEZ**

In Congress, there is broad bipartisan consensus that the U.S. Government must work with our partners in the region to address the root causes—lack of security, weak rule of law, and extreme poverty—pushing people to leave their countries and migrate to the United States. Parents and families have a choice: stay and die, or flee and have a chance at a better life. That is why Congress, in recent years has provided increased foreign assistance to Central America in order to tackle these challenges. To that end:

*Question 1.* How will you push back against proposed budget cuts and make sure that USAID has the funding to carry out its critical missions to address community security, strengthen democratic governance, and facilitate conditions for broad-based economic growth?

Answer. As I stated in my nomination hearing, I believe the efforts of the U.S. Agency for International Development (USAID) in Central America are critical to the U.S. national interest, and I would be a vocal advocate for this work within the Executive Branch, and with the U.S. Congress, if I am confirmed. I recognize that the budget process is a long, complex one, that takes many months from the initial formulation of the President's Budget Request to the enactment of appropriations legislation; if I am confirmed, I would advocate throughout this process for USAID's work in the region, including programs to address the root causes of migration from Central America; support the people of Venezuela, Cuba, and Nicaragua; counter transnational criminal organizations and their criminal enterprises, including in narcotics and illicit mining in places like Colombia; promote economic growth and citizen security; and push back against the rise of malign external actors in the region.

*Question 2.* Will you work to defend USAID's mission, and the importance of U.S. international development to the achievement of U.S. foreign policy goals through the interagency process and the development of the annual budget request process?

Answer. Yes.

*Question 3.* Will you commit to being responsive and transparent with all requests for information that come from the Senate Foreign Relations committee and its members?

Answer. Yes.

*Question 4.* If confirmed, how will you approach your relationship as Assistant Administrator with Congress?

Answer. Having served in both branches of government, I believe the relationship between the U.S. Agency for International Development (USAID) and the Congress is a critical one. I believe this not only because of Congress' responsibility to conduct appropriate oversight, and because it holds the power of the purse, but also because I believe that the only way the United States can address the challenges in the region adequately—from migration from Central America to the crisis in Venezuela and its neighbors—is if the Executive and Legislative Branches work collaboratively, and in partnership, to advance U.S. national security. To that end, I commit to providing you timely information, both proactively and when requested, both personally and on behalf of the team that I would lead, if I am confirmed.

*Question 5.* Will you commit to keeping the USAID missions in Latin America and the Caribbean regularly apprised of the functional, programmatic, and workflow changes that will result from Admin. Green's proposed redesign of the Agency?

Answer. Yes. I look forward to supporting Administrator Mark Green's Transformation. Administrator Green has stated that the Transformation will make the structure of the U.S. Agency for International Development (USAID) more field-focused, and allow the Agency's staff to respond better to the challenges they face in the field. As USAID's mission rightly focuses on the Agency's work in the field, it would be a critical piece of my role, if I am confirmed, to help the Bureau for Latin America and the Caribbean work with USAID's Foreign Service Officers and locally employed staff in our Missions in the region to implement the Transformation, which would include ensuring they receive regular updates on functional, programmatic, and workflow changes that will occur in Washington.

#### *Temporary Protected Status (TPS)*

In the past year, the administration terminated Temporary Protected Status (TPS) for El Salvadorans, Hondurans, Nicaraguans and Haitians. While a judge has issued a temporary stay on the termination, the fact remains that these countries are not fully prepared to take back the hundreds of thousands of TPS beneficiaries or the U.S. citizen children that will be travelling with them.

*Question 6.* Do you believe the U.S. has a responsibility to assist TPS returnees or host country governments that will be accepting TPS returnees, and to responsibly manage individuals' return?

Answer. I understand that the U.S. Agency for International Development (USAID) currently assists countries in the Northern Triangle of Central America with the reception and repatriation of returned migrants, including longer-term efforts to help those who are returning readjust and, ultimately, stay in their home countries. The potential return and assimilation of larger populations whose Temporary Protected Status (TPS) has expired poses a greater challenge to host governments. I believe USAID should assist host countries with this potential challenge as much as resources will allow. If confirmed, I would look to understand how USAID's programs can best support this and other development challenges in the region.

*Question 7.* Will you work to ensure that USAID helps to build local capacity so that countries can safely repatriate their citizens?

Answer. Yes. If I am confirmed to this position, it would be my responsibility to work to ensure all of the programs funded by the U.S. Agency for International Development (USAID) are responsive to all changing circumstances, including returns and reintegration, such as those that could result from changes to Temporary Protected Status (TPS). I understand that the Bureau for Latin America and the Caribbean within USAID has supported efforts to look at best practices across the region related to the repatriation of returnees, including in Ecuador, México, Colombia, and Perú, to build upon lessons learned for any work that takes place as the United States repatriates people who have held TPS to their home countries.

*Question 8.* What specific role do you believe USAID should play in countries that the administration is intent on ending Temporary Protected Status (TPS) for foreigners residing in the US?

Answer. While I do not want to presuppose the outcome of some of the thinking that the Bureau for Latin America and the Caribbean within the U.S. Agency for International Development (USAID) has undertaken prior to my nomination, I believe the Agency has the knowledge and the relationships to support reintegration, and to end recidivism. While the Governments of the countries in Central America must lead such efforts, I do believe USAID can, and should, share the lessons from its examination of the effectiveness of existing reintegration efforts. One key factor will be the specific demographics of the population that ultimately returns; some could bring desperately needed skills and knowledge back to their home countries to advance economic prosperity, while at the same time, being perilously susceptible to extortion. If confirmed, I would ensure USAID's programs respond adequately to these unique challenges. I am also aware of the Government Accountability Office's recent report that examined reintegration efforts in Central America; while the report does not have any specific recommendations for USAID, it offers insights into best practices. If I am confirmed, I would seek to implement the findings of this report that relate to USAID's programs.

*Question 9.* What is USAID's strategy for assisting individuals whose TPS status is ending acclimate and avoid victimization upon returning to their home countries?

Answer. As stated above, I am concerned that some of the individuals who could return following the determinations of the U.S. Department of Homeland Security to terminate Temporary Protected Status (TPS) could be particularly at risk for victimization once they resettle in their home countries. At the moment, I understand that while there is not a formal strategy for tackling this challenge, in part because we do not yet know who will ultimately return to their home countries as a result of the TPS determinations, I do know that the U.S. Agency for International Development (USAID) has been reviewing its own past and current efforts related to reintegration, as well as those of other donors and host countries. It is self-evident that the programs funded by the Bureau for Latin America and the Caribbean within USAID can only succeed if they are able to respond to new developments in the operating environment, whether in response to a crisis, a change in country context, or relevant policy decisions. If I am confirmed, I would like to work closely with you and your staff to ensure we can apply the appropriate kinds of programs that can address this, and other dynamics related to the reintegration of returnees, in Central America.

*Question 10.* What do you believe should happen with families where the parents are TPS recipients, and their children were born in the United States?

Answer. Decisions related to Temporary Protected Status (TPS) are the responsibility of the Secretary of Homeland Security. I believe the role of the U.S. Agency for International Development (USAID) in Central America can be to assist individuals who return to their home countries and the communities that are receiving them with any development-related challenges they face. If I am confirmed to lead the Bureau for Latin America and the Caribbean within USAID, I would seek to ensure USAID's programs do the best they can to support these countries, and their people, by advancing their economic prosperity and security.

*Question 11.* Do you believe TPS status should be ended for Haitians?

Answer. The decision to terminate Temporary Protected Status for Haitians made by then-Acting Secretary of Homeland Security Elaine Duke factored in inputs from throughout the U.S. Government, and from external sources as well. My staff at the Office of Partnership and Engagement within the U.S. Department of Homeland Security and I met with some stakeholders regarding this issue, and did pass along information to assist in the decision-making process. However, by no means have I been exposed to the totality of inputs available to then-Acting Secretary Duke when she made the determination.

#### *Venezuela's Manmade Humanitarian Catastrophe*

Venezuela's manmade humanitarian catastrophe has unleashed a refugee and migration crisis that is swiftly approaching the scale of the Syrian migration crisis that has engulfed Europe in recent years.

*Question 12.* If confirmed, do you commit to working with me and other members of this committee on legislation to strengthen U.S. efforts to address the growing crisis in Venezuela?

Answer. Yes. I have sincerely appreciated the leadership of the Congress, in particular the Senate Committee on Foreign Relations, which has ensured that the

United States, and the world, remained focused on the tragic, man-made crisis in Venezuela, which is straining its neighbors, including Colombia, Brazil, Ecuador, Perú, and Trinidad and Tobago, among others. While I have not yet reviewed the Venezuela Humanitarian, Relief, Reconstruction, and Rule of Law Act in full, I support the objectives of doing all we can to support the humanitarian needs and the democratic aspirations of the Venezuelan people, and, if confirmed, I look forward to working with you on any current or future legislation on Venezuela.

*Question 13.* How do you think the U.S. can strengthen its response to Venezuela's growing humanitarian crisis? Should the U.S. be hosting a donors conference to galvanize greater global funding for this challenge?

Answer. I have been impressed and heartened by response to the Venezuela crisis by the U.S. Agency for International Development (USAID), which I understand includes over \$140 million in humanitarian and development assistance provided to Venezuelans who have fled the tyranny and chaos in their country, and to the communities that are hosting them in neighboring countries. Yet it is clear that no amount of U.S. assistance will be sufficient to address the needs of the Venezuelan people, which grow worse by the because of the actions—and inaction—of the Maduro regime. If I am confirmed, I commit to you that I would do all in my power to galvanize global attention to the challenge, as well as global action, including funding. I would also undertake a detailed look at the assistance that USAID and the U.S. Department of State have provided to date; given how quickly the situation can change, I would ensure we are responding where the Agency's assistance can be of most help.

#### *USAID*

Given the absence of democracy in Cuba, Venezuela and Nicaragua, and the human rights violations faced by citizens of all three countries, it is critical that USAID maintain its vital support for democratic civil society and human rights defenders.

*Question 14.* If confirmed, do you commit to aggressively fight to ensure that USAID does not cut funding to these essential programs?

Answer. Yes. I believe programs in democracy and governance, particularly support for civil society and defenders of human rights, are a core part of the mission of the U.S. Agency for International Development (USAID), and they will certainly be a priority of mine if I am confirmed to this position. I understand such programs are, in some of these cases, a critical lifeline to civil-society organizations that are on the front lines of pushing back against government repression, and, in other cases, are a major reason the international community even understands what is taking place within these countries. If confirmed, I would look forward to working with you and the committee on how USAID can continue to support the people of Cuba, Venezuela, and Nicaragua.

*Question 15.* If confirmed, what strategies will you pursue in order to support democratic civil society in Cuba, Venezuela and Nicaragua, and help them strengthen efforts to defend basic human rights and fundamental freedoms in these countries?

Answer. As I noted in my written testimony, Cuba, Nicaragua, and Venezuela stand out in the region as countries with leadership who does not care for human rights, the rule of law, or the betterment of their own people. I pledge that, if I am confirmed, I would build upon the current activities of the U.S. Agency for International Development (USAID) to further the cause of freedom in these countries. I believe a lack of accountability is the greatest challenge to democracy and citizen-responsive governance in the world, and, if confirmed I, would seek to ensure that USAID's programs are promoting accountability. Whether it be supporting independent media to shed light on the actions of the Ortega regime in Nicaragua, or providing training and capacity-building support to civil-society organizations that continue to operate in Maduro's Venezuela, USAID's role is undeniable. If confirmed, I would review USAID's current portfolio in each of these countries to ensure the Agency is doing all it can to support those who are advancing human rights and freedom.

#### *Colombia*

The U.S. Congress has appropriated more than \$11 billion to Colombia over the last 18 years, demonstrating an unwavering bipartisan commitment across numerous presidencies. Today, Colombia is working through the difficulties of implementing its peace agreement. Given the complexities of the accord and the ongoing problems faced in different geographic regions of the

country, it is essential for the U.S. to remain engaged so that we can help Colombia win the peace. To that end,

*Question 16.* What priorities would you have for engaging Colombia?

Answer. If I am confirmed, my main priority in Colombia would be addressing the production of coca, as the flow of cocaine into the United States is an acute threat to our national security. While the production of coca might, at times, increase or decrease for many reasons, I believe the alternative-development investments made by the U.S. Agency for International Development (USAID) are a key piece of an ongoing interagency effort. However, alternative development will not succeed if conducted in a vacuum; we simultaneously need improvements in the governance of previously ungoverned spaces. Accordingly, working to improve the efficacy of local governments, and the capacity of local civil society to promote citizen-responsive governance, would be another priority. Finally, Colombia is suffering severely because of the crisis in neighboring Venezuela, as it is graciously hosting over a million refugees. I am not optimistic that the Venezuela crisis will end any time soon, as the Maduro regime has shown little sign that it is willing to, or capable of, undertaking the reforms and other actions necessary to improve the lives of the people of Venezuela. As such, if confirmed, I would seek a clearer understanding of Colombia's immediate needs in communities most affected by the crisis. It is clear we will only succeed in these areas if we do our work in close collaboration with the Government of Colombia. I appreciate the efforts that USAID Administrator Mark Green has undertaken to date to engage with the administration of President Duque, and, if confirmed, I would commit to building on these ties.

*Question 17.* How would you support peace accord implementation?

Answer. The programs in Colombia funded by the U.S. Agency for International Development (USAID) have been working to address the main drivers of the 50-year conflict, and are currently supporting four pillars of the implementation of the peace accord: Promoting equitable and sustainable rural development, ending the conflict, addressing illicit drugs, and supporting the victims of the conflict. While we all hope that the accords signed in 2016 can maintain the peace, successful implementation clearly brings its own challenges. I know USAID will continue to work to promote alternative development so farmers have a pathway to licit economic self-sufficiency. But alternative development on its own is not a panacea, and so I believe USAID will need to continue to work with interagency partners—including the U.S. Department of State and the Drug Enforcement Administration within the U.S. Department of Justice—to address the interlocking set of issues that allow coca and transnational criminal organizations to operate. Partnership with the private sector is also critical, as local producers need to be connected with regional, national, and international markets. If confirmed, I would look forward to engaging with the private sector to see how best we can continue these efforts. Additionally, improving citizen-responsive governance in rural areas that have lacked state presence will remain critical, so these transnational criminal organizations do not have the space in which to operate. More specifically, I believe this entails working to increase the resources available at the local level for public investment, and strengthening local government's capabilities to deliver services and perform other necessary functions.

*Question 18.* In a world of limited resources and competing priorities, how would you ensure that USAID has sufficient resources to carry out its important mission?

Answer. I am fully cognizant that the U.S. Agency for International Development (USAID) has limited resources, which underlies my commitment to be a good steward of the taxpayer resources Congress generously provides the Agency. I view this as a sacred trust, and so I would always be working with the Bureau for Latin America and the Caribbean within USAID, the Agency's leadership, and the U.S. Government interagency to make sure USAID's priorities are sound and the Agency has the appropriate resources. I am concerned that if the situation in Venezuela continues to worsen—which I believe it will—that the burden on neighboring countries, in particular Colombia, will continue to grow. However, I think it is critical that USAID not lose its focus on the development needs of Colombia related to reducing the production of coca and countering the influence of transnational criminal organizations, while still supporting the Government of Colombia and the communities that are hosting Venezuelan migrants. As this situation is fluid, I would expect regular updates from USAID's staff who are on the ground to ensure the Agency's efforts focus in the places they are most needed. If confirmed, I would be a vocal advocate within the administration's budget process for sufficient resources to address all of these challenges.

*Question 19.* Over the last two decades, waves of violence in Colombia have targeted human rights defenders, journalists, labor leaders, and most recently social

activists and community leaders. How can USAID best support these important leaders in Colombia?

**Answer.** Support for human rights, including those who dedicate their lives to advancing and defending such rights for others, is a critical component of the work of the U.S. Agency for International Development (USAID). I am very concerned by the targeting of human-rights defenders, community leaders, and other members of Colombian civil society, particularly in rural areas. USAID has been working to support those organizations and individuals by investigating abuses and strengthening the ability of citizens to voice their complaints and concerns. The Venezuela crisis has added an additional dynamic to this challenge, and I understand USAID has provided new assistance to support community defenders, and to assist victims of human-rights violations along the Colombia-Venezuela border. I understand the Office EOP the Attorney General of the Government of Colombia and the Office of the United Nations High Commissioner for Human Rights track statistics on attacks on human-rights defenders; if confirmed, I would closely study these data, and work with the USAID Mission in Colombia and staff in the Bureau for Latin America and the Caribbean in Washington to see how the Agency's programs can respond best to these troubling cases.

#### *Democracy*

**Question 20.** What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

**Answer.** My work as a staffer in office of Representative Lincoln Diaz-Balart afforded me the opportunity to play a role in the passage of the LIBERTAD Act and other Congressional actions that helped further the causes of democracy and human rights. I believe the passage of legislation such as the LIBERTAD Act and other actions that the Congress can take are critical ways both to demonstrate to civil society and the people of countries under repression that the United States stands with them, and to promote policies that can aid them in their efforts. Most recently, in the U.S. Department of Homeland Security, I have lead the team that has been managing the "Blue Campaign" to bring awareness to the scourge of human trafficking. The "Blue Campaign" has helped increase both the knowledge and recognition of the signs of human trafficking. This has had the direct impact of lessening opportunities for this horrific practice to go unnoticed, or unpunished. If confirmed, I would be committed to promoting human rights and democracy in Latin America and the Caribbean because democracy underpins all of USAID's work.

**Question 21.** What issues are the most pressing challenges to democracy or democratic development in Latin America? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

**Answer.** I believe the greatest challenge to democracy and democratic development around the globe is the lack of accountability. The greatest impediments to accountability are corruption and impunity. I firmly believe that sunlight is the greatest disinfectant. Believing this, while others see the increase in prosecutions for corruption in the Western Hemisphere and worldwide as a negative development, I do not think this is necessarily the case. I think this trend is a positive development in that actions that have hitherto gone unnoticed are coming into the light of day, and individuals who once could count upon darkness to mask their actions are now being exposed and held accountable.

**Question 22.** What steps will you take—if confirmed—to support democracy in Latin America? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

**Answer.** If confirmed, I would hope to enable the people in Latin America and the Caribbean to demand accountable, effective, citizen-responsive governance by supporting them directly, by working with like-minded Ministries and other governmental institutions to improve their capacity to govern justly and democratically, and by supporting those organizations and institutions that demonstrate their commitment to those ideas. Unfortunately, we see too much endemic corruption, economic mismanagement, and political repression in countries such as Venezuela and Nicaragua, which is driving regional instability. I believe the advent of modern technology to capture and share information widely is something we should welcome and expand, and, if confirmed, I would look into how our programs can incorporate use of such technology better. These are the tools for independent journalists and others to let individuals know how the wicked seek to take advantage of them and rob them of their human rights and ability to self-govern.

I share the concerns you expressed at my nomination hearing, that the region is seeing a tragic backsliding in democracy and citizen-responsive governance. This goes beyond the overt cases of repression in countries such as Cuba, Nicaragua, and Venezuela, to undemocratic actions undertaken by other governments in the region.

I am deeply concerned by corruption and the culture of impunity that have contributed to this backsliding. Beyond this, I am concerned by the lack of capacity on the part of the governmental institutions that must be stewards of the trust and resources of a country's citizens. If confirmed, I would look forward to seeing how the programs of the U.S. Agency for International Development in the region can address these, and other, challenges in the most-effective way possible.

*Question 23.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I would be committed to using U.S. Government resources available to implement the Mission Statement of the U.S. Agency for International Development (USAID), which includes an explicit commitment to strengthening citizen-responsive, democratic governance abroad. I admire the effort and assistance that USAID Administrator Mark Green has marshalled to support democracy and governance in Latin America and the Caribbean (LAC). The LAC Bureau at USAID has been working to address the core components of democracy and citizen-responsive governance throughout the region; if confirmed, I would continue these important efforts. In particular, in light of the crises caused by oppression in countries such as Venezuela, Cuba, and Nicaragua, I would prioritize ensuring that USAID's assistance remain a critical lifeline to civil society. Speaking at the Center for Strategic and International Studies Administrator Mark Green correctly stated that "[W]e refuse to be spectators." If confirmed, I would join him in this pledge.

*Question 24.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in the region? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes. If confirmed, I would commit to meeting with members of civil society and human-rights organizations both in Washington, D.C., and during my travels to Latin America and the Caribbean. If confirmed, it would be my honor to stand alongside civil society, human-rights leaders, and those who are fighting for the rule of law, not only by meeting with them, but also by using all other tools at my disposal to support them. While we all understandably focus on high-profile instances in which some governments seek to eliminate civil society outright, I agree that it is critical that we recognize that some governments employ far-more subtle tools to restrict civil society. Unfortunately, we are too familiar with the tactics that some governments in Latin America and the Caribbean employ to restrict, or outright eliminate, civil society. Whether it is monitoring the human-rights situation in Colombia to contribute to protecting targeted human-rights defenders, working with civil society to seek to improve the effectiveness of justiciable systems in Central America to be more-responsive to the needs of their citizens, or providing a rapid-assistance grant to the groups on the front lines of the Nicaragua crisis this year, I believe the U.S. Agency for International Development (USAID) can play a role in supporting these groups and their efforts. If confirmed, I would plan to examine USAID's current programs to look for areas in which additional support could be needed because of the crises in the Hemisphere. In addition, I believe the position for which the President has nominated me can help give voice to civil society and organizations under threat, which can, in and of itself, support them in their efforts to bring attention to the need to combat malign influences that seek to stymie their critical work.

*Question 25.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes. If confirmed, I would commit to meeting with democratically oriented political figures and parties, both in Washington, D.C., and during my travel abroad.

I understand the U.S. Agency for International Development (USAID) has been working on political competition in the region for some time. However, it is clear that challenges remain. Even in countries that have experienced more-genuine political competition, a controversial election, such as that in Honduras in 2017, can

quickly undermine any progress, as it can undermine the people's trust in the system, which can lead to violence or migration. I believe that USAID's assistance to encourage political competition can be successful if we can cultivate partners who respect the rule of law and other basic tenets of citizen-responsive governance. True partners in this respect do not engage in any acts of corruption. There are some areas of promise in the region. For example, in Ecuador, I am heartened by the actions of the Moreno administration, and

I understand USAID has been working to help ensure continued increased transparency and open political participation there. If I am confirmed, and if this positive trajectory continues, I would look forward to learning more about these efforts, continuing the partnership, and examining how to replicate these efforts elsewhere in the region. Finally, if confirmed, I would certainly advocate for access and inclusivity for women, minorities, and youth within political parties.

*Question 26.* Will you and your embassy team actively engage with Latin American countries on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in the region?

Answer. Yes. If confirmed, I would actively support freedom of the press with whatever means at my disposal, including through the programs in Latin America and the Caribbean (LAC) funded by the U.S. Agency for International Development (USAID). I also would commit to meeting regularly with independent, local media when traveling abroad. It is my view that the occupant of the position to which the President has nominated me has a moral responsibility to speak to the people of the LAC region, and to understand their concerns and views about their countries' development. I believe this necessitates regular engagement with independent, local press. While there are many reasons that I might travel in this position, if confirmed, one such reason would be to engage with the press for this purpose. I am also cognizant that are some countries to which it might be difficult for me to travel if I am confirmed, and often it is in those countries in which independent media is especially under attack. Accordingly, I would look forward to hosting them and meeting with them when they are able to travel to the United States, or through virtual means.

*Question 27.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the region?

Answer. Yes. I believe the unrestricted flow of accurate information, free of political propaganda, is fundamental to a strong civil society and a stable, democratic nation. Latin America and the Caribbean (LAC) certainly faces a range of challenges to independent media, which range from a lack of capacity to intentional and blatant efforts to undermine it, including through disinformation or the direct targeting of independent media outlets. I am heartened by the efforts to date by the U.S. Agency for International Development (USAID) to address this challenge in even the most-difficult of environments, including the Agency's additional assistance in response to the crisis in Nicaragua, which has included funding for independent media, which I hope can continue to counter the disinformation and propaganda of the Ortega regime.

In addition, I am concerned by increased activity in the LAC region by malign external actors, including the People's Republic of China. If confirmed, I would ask USAID's Missions in the region to be aware of any instances in which external actors are spreading disinformation to further their own objectives, as opposed to being true partners with the nations of the LAC region to advance their development.

*Question 28.* Will you and your embassy teams actively engage with Latin American countries on the right of labor groups to organize, including for independent trade unions?

Answer. I support the rights of workers to organize. If confirmed, I would pledge to work with legitimate organizations that are working to defend the rights of workers throughout Latin America and the Caribbean.

*Question 29.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in the region, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Latin America? What specifically will you commit to do to help LGBTQ people in the region?

Answer. Yes. Administrator Mark Green has been clear that inclusion is one of the core values of the U.S. Agency for International Development (USAID), and that non-discrimination toward beneficiaries is a basic principle of development. I believe

all people—regardless of sexual orientation or gender identity—are born with equal rights we should defend and preserve. I believe this is an integral aspect of USAID's mission to promote and demonstrate democratic values abroad. If confirmed, I would do all that I can to ensure USAID's assistance supports the people of Latin America and the Caribbean (LAC) realize their human rights. While I believe this is a moral issue, I believe it is not just a moral issue. For example, I believe there are many reasons that individuals in the Northern Triangle of Central America choose to undertake the dangerous journey northwards. This can include sexual or gender-based violence, including violence directed at LGBTQ individuals or human-rights advocates who support them. I understand USAID is currently undertaking a substantial investment in the region to support civil-society organizations and human-rights defenders, including for members of the LGBTQ community, and I would look forward to learning more about the results of these efforts, and building upon them as appropriate.

#### *Climate Change*

*Question 30.* Do you believe that climate change is happening as a result of anthropogenic carbon emissions into the atmosphere?

Answer. I believe climate change is taking place. While I do not personally have the scientific knowledge to determine the cause, I do understand there is a broad-based scientific consensus that emissions of carbon are a large part of the cause.

*Question 31.* Do you believe that climate change is a threat to food security and food production and the abundance of water resources in countries across Latin America and the Caribbean?

Answer. Yes.

*Question 32.* According to NASA researchers, within the last decade Bolivia's Second largest lake, Lake Poopo, has dried up. What do you believe caused the (relatively) sudden disappearance of this centuries old lake happened due to natural variations in the Earth climate?

Answer. While I am not familiar with the specifics of Lake Poopo, I understand analysts see climate change as a likely cause of the current status of the lake, as is diversion of water for mining and other purposes. Such ecological changes can have devastating impacts on local communities. While the U.S. Agency for International Development (USAID) is not currently working in Bolivia, I understand the Agency is working on biodiversity and conservation efforts in other countries in the region, including Brazil. If confirmed, I would look forward to examining the lessons USAID has learned to date from this work to see how we can assist such affected communities better.

#### *China*

*Question 33.* What is the U.S. strategy for combating China's influence in Latin America and the Caribbean?

Answer. Administrator Mark Green of the U.S. Agency for International Development (USAID) has spoken eloquently about the dangers of the “authoritarian approach” to foreign assistance. In my view USAID's development approach in Latin America and the Caribbean contrasts greatly with that of other competing powers, and offers a clear alternative to our partner countries. USAID seeks to promote transformational change; help countries move away from dependence and toward self-reliance; promote transparency, strong and accountable institutions, and market-based, enterprise-led development. If confirmed, I would not shy away from the magnitude of this challenge, and would always look for ways to demonstrate better why partnership with USAID and the United States is in the best interest of the countries of the region.

*Question 34.* When USAID discusses its “clear choice” initiative in Latin America and the Caribbean what “choices” are in fact being given?

Answer. At its most basic level, I believe the clear choice of America's development assistance and so-called development assistance from the People's Republic of China is that ours is a model of partnership, while China's is one of dependency. In general, support from the U.S. Agency for International Development to these countries is in the form of sustainable projects, developed collaboratively, intended to promote economic prosperity and citizen-responsive governance—all towards the greater end of helping these countries in their efforts to become more self-reliant. China's approach with these countries is to provide loans on unfair terms, in a manner that cannot fairly be called “development,” and that undermines self-reliance.

*Question 35.* What concrete examples, or planned projects, can you give that demonstrate either actual, or anticipated, success of the Clear Choice initiative in Latin American and the Caribbean?

Answer. While I have not received a full briefing on the Clear Choice Initiative of the U.S. Agency for International Development (USAID), I believe efforts to support countries counter malign external influence could take many forms. I believe a part of the strategy of the People's Republic of China in Latin America and the Caribbean is to stymie or reverse transparency and governmental reforms, and that, as a result USAID's programs should continue to encourage such reforms—both by assisting those governments that are willing to undertake them, and by working with civil society so citizens are in a position to demand them. The more transparent these governments are, the more difficult it will be for China, other malign actors, or public officials who act in bad faith to get away with actions that undermine the well-being of these countries and the trust of the people. As a key part of China's approach has been to cultivate unsustainable debt for their so-called partners, I believe USAID's efforts that support appropriate fiscal management and domestic resource-mobilization provide a clear alternative, one that will better serve the economic needs and the Journey to Self-Reliance of countries in Latin America and the Caribbean.

#### *Energy*

*Question 36.* Do you believe it is in the best interest of the United States, and critical to countries' "journey to self-reliance" for the U.S. to help countries develop domestic energy production?

Answer. Yes.

*Question 37.* Understanding that part of the U.S.'s Joint Strategic Plan is to enhance export markets for U.S. fossil fuels (like natural gas), how does helping developing countries build power generation capacity that relies on imported fuels improve a country's "self-reliance?"

Answer. Energy is certainly part of a countries' development journey. While I do not have personal expertise on energy issues, I understand the Bureau for Latin America and the Caribbean (LAC) within the U.S. Agency for International Development (USAID) does have in-house expertise on energy as a part of its Office of Regional Sustainable Development, and that USAID more broadly has energy expertise from its work in other regions. Energy-security is a part of the President's National Security Strategy and the "Prosperity Pillar" of the U.S. Strategy for Central America, and I do believe that functioning energy grids, access to affordable energy, and creating investment opportunity for U.S. businesses must be our goals as we support countries throughout the LAC region. If confirmed, I would work with USAID's experts to improve my personal understanding of the energy challenges faced by countries throughout the LAC region and determine where programs can support these countries in reaching this goal.

#### *Food Security*

*Question 38.* What policies do you believe are necessary to improve the food security of Central America's rural and underserved populations?

Answer. Food-insecurity is one of the drivers of migration from Central America, and can be a particularly difficult development challenge, as it can entail volatility of food prices and a lack of political institutional capacity to undertake necessary reforms. I understand the U.S. Agency for International Development (USAID) is currently addressing this through the Feed the Future Initiative, specifically in Guatemala and Honduras, where food security is a particularly acute development challenge. It is critical that the Governments of these countries examine and address the specific needs in key geographic areas—such as the Western Highlands in Guatemala and the "Dry Corridor" in Honduras. I understand that, in light of the importance of policy decisions in shaping the opportunities for improved food security in the region, USAID is engaging the Governments of Guatemala and Honduras to encourage improved policies and investment in a number of areas, such as nutrition, food safety, agricultural-extension services, and the management of water resources, among others.

*Question 39.* What role is food insecurity playing in countries of the Northern Triangle in terms of driving poverty and migration in the region?

Answer. While it is clear that there are many root causes of migration within, and from, Central America, food-insecurity certainly counts among them. It is ultimately in the interest of the United States that the people of Central America remain healthy and prosperous in their home countries, and that goal is impossible without food security. For this reason, if confirmed, I would look forward to learning more

about the current and past efforts of the U.S. Agency for International Development to address food security, including internal and external evaluations of this work, and to integrating lessons-learned into the Agency's current and future programming.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
JOHN BARSA BY SENATOR BENJAMIN L. CARDIN**

*Human Rights*

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. My work as a staffer in the Office of Representative Lincoln Díaz-Balart afforded me the opportunity to play a role in the passage of the LIBERTAD Act and other Congressional actions that helped further the causes of democracy and human rights. I believe the passage of legislation such as the LIBERTAD Act and other actions the Congress can take are critical ways both to demonstrate to civil society and the people of countries under repression that the United States stands with them, and to promote policies that can aid them in their efforts. Most recently, at the U.S. Department of Homeland Security, I have lead the team that is managing the “Blue Campaign” to bring awareness to the scourge of human trafficking. The “Blue Campaign” has helped increase both the knowledge and recognition of the signs of human trafficking, which has had the direct impact of lessening opportunities for this horrific practice to go unnoticed, or unpunished. If confirmed, I would be committed to promoting human rights and democracy in Latin America and the Caribbean, because democracy underpins all of work of the U.S. Agency for International Development.

*Diversity*

*Question 2.* What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups at USAID?

Answer. As a manager, I have always taken great pride in empowering my team. In exercising this approach, I make no distinction between members of my team for reasons of race, age, sex, color, or creed. I do strongly believe that a diverse workforce makes a workplace stronger and more creative, which is critical as we seek innovative solutions to the development challenges that the region faces. This has always been my philosophy, and I am proud to have a tangible record of doing just this.

*Question 3.* What steps will you take to ensure each of the supervisors at USAID are fostering an environment that is diverse and inclusive?

Answer. I believe a culture of inclusivity and diversity starts at the top, and, if confirmed, I would hold anyone who reports to me, including those who supervise others, to a high standard on many fronts, including by ensuring they are fostering an environment that is open, inclusive, and diverse. Straying from this course is not something I would tolerate, if confirmed.

*Conflicts of Interest*

*Question 4.* Do you commit to bring to the committee's attention (and the USAID Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. Yes.

*Question 5.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. Yes.

*Question 6.* Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

*Western Hemisphere Issues*

Efforts to limit irregular migration from Central America's Northern Triangle will be useless unless they target the root causes of instability in those countries.

*Question 7.* If confirmed, how would you address the governance, human rights, economic, and security challenges that force Central Americans in Honduras, El Salvador, and Guatemala to flee home?

Answer. I could not agree more that it is crucial that we focus our attention and efforts on targeting the root causes of migration in the countries of Central America. People make the decision to migrate for a variety of factors, and I believe that if U.S. Government programs are to succeed in addressing migration, we must understand what drives different people to make this decision. I understand the U.S. Agency for International Development (USAID) has been collecting data to do this, and the results suggest there are variations in the primary reasons for migration in different geographic areas. For example, in the economically impoverished Western Highlands of Guatemala, it is more often lack of prosperity and food-insecurity that are the primary drivers, while in parts of Honduras and El Salvador particularly plagued by gang violence it is understandably a lack of a sense of security that is more central in this calculus. Therefore, it is important that USAID continue to advance programs that address economic prosperity and the security of citizens, targeted to the appropriate communities.

I also believe that these efforts will only succeed if the countries of the Northern Triangle continue to put resources towards their own development needs, as they have done under the Alliance for Prosperity. Finally, it is clear that corruption can undermine this entire effort, as citizens who have no faith in their government's ability to use public resources for public good, instead of their own gain, will be less likely to remain in their home communities. Accordingly, USAID programs that promote citizen-responsive governance are key to addressing the problem of illegal migration.

The deteriorating situation in Venezuela is producing both a humanitarian, as well as a human rights, crisis. If confirmed:

*Question 8.* Would USAID work to provide humanitarian assistance in Venezuela, as well as for those leaving the country? I understand that to date the U.S. Agency for International Development (USAID) has provided over \$140 million in humanitarian and development assistance for Venezuelans who have fled the repression and chaos in their country, as well as the communities in neighboring countries that are hosting them. Even if Maduro were to reverse his previous, public repudiations of U.S. assistance, it is clear that no amount of assistance can solve the ills that are plaguing Venezuela if the regime does not prioritize the needs and betterment of its citizens. While I understand that humanitarian assistance is the responsibility of USAID's Bureau of Democracy, Conflict, and Humanitarian Assistance, if confirmed, I would do all I can to ensure the appropriate assistance reaches those individuals and communities who need it most. In preparation for my confirmation hearing, I was heartened to learn of USAID's support for civil society inside Venezuela, including to improve the capacity of local organizations to be better-positioned to deliver needed humanitarian assistance, should circumstances permit.

*Question 9.* How would USAID support the courageous work of remaining democratic actors in Venezuela, including those in the democratically elected national assembly?

Answer. I admire the efforts the U.S. Agency for International Development (USAID) has undertaken to date to support what remains of democratic civil society in Venezuela, which I understand totaled \$9 million in Fiscal Year 2017. I understand this work has focused on defending human rights; strengthening civil society, including to prepare to be better-positioned to provide information to the international community on the humanitarian situation within Venezuela; partnering with the democratically elected National Assembly on improving its legislative effectiveness, even in the face of the unconstitutional actions taken by Maduro; supporting independent media; and promoting transparent electoral processes. If confirmed, I would look forward to working with the interagency and the Congress to build upon these efforts.

Colombia's historic 2016 accords gives the nation an unprecedented opportunity to consolidate peace in the country and address many of the development challenges at the root of the decades old conflict.

*Question 10.* If confirmed, how would USAID work to support the Colombian Government in the implementation of the development stipulations and related aspects of the accord?

**Answer.** The peace accords are bringing to an end an almost-unprecedented 52-year conflict, which left approximately 220,000 dead, and displaced approximately five million people. Large amounts of the country have never been under the jurisdiction of the Government of Colombia, which leave this land and its inhabitants open to coercion at the hand of transnational criminal organizations. The programs in Colombia funded by the U.S. Agency for International Development (USAID) have long been working to address the main drivers of the 50-year conflict, and are currently supporting four pillars of the implementation of the peace accord: Promoting equitable and sustainable rural development, ending the conflict, addressing illicit drugs, and supporting the victims of the conflict. While we all hope that the accord signed in 2016 can maintain the peace, successful implementation clearly brings its own challenges. Accordingly, I understand USAID will continue to work to promote alternative development so farmers have a pathway to licit economic growth. But alternative development on its own is not a panacea, and so USAID will need to continue to work with our interagency partners—including the U.S. Department of State and the Drug Enforcement Administration within the U.S. Department of Justice—to address the interlocking set of issues that allow coca-producers and transnational criminal organizations to operate. Partnership with the private sector is also critical, as local producers need to be connected with regional, national, and international markets. If confirmed, I would look forward to engaging with the private sector to see how we could continue these efforts. Additionally, improving citizen-responsive governance in rural areas that have lacked state presence will remain critical, so transnational criminal organizations do not have the space in which to operate. More specifically, I believe this entails working to increase the resources available at the local level for public investment, and strengthening local government's capabilities to deliver services and perform other basic necessary functions.

The crisis in Nicaragua is concerning and tragic. We are also hearing a renewed call for democratic reforms in the country that have not been seen at this level for years.

*Question 11.* If confirmed, how would you work to support democratic actors and their calls for reform in the country?

**Answer.** Since April 2018, the Nicaraguan regime again reminded the world that it does not have the best interests of the people of Nicaragua at heart. I understand that, in response to the events in Nicaragua since April 2018, the U.S. Agency for International Development (USAID) is providing emergency assistance to independent journalists and media outlets, as well as other civil-society actors, including human-rights defenders. Such support will remain critical, as the Ortega regime continues to oppress its own people. If confirmed, I would work to ensure USAID continues to provide the support to the people of Nicaragua as they voice their desire for freedom and their civil rights. This could include support to independent media, human-rights defenders, and the organizations that continue to constitute civil society, despite the efforts of the Ortega regime. If confirmed, I would look forward to working with the interagency, and with the Congress, to continue and build upon this support.

The administration is imposing a range of restrictions on foreign assistance to several countries in the hemisphere. For example, the decision not to issue a waiver for several countries in the hemisphere under the Trafficking Victims Protection Act (TVPA) has the potential to greatly affect USAID's work. I understand the importance of these restrictions, but I am concerned that if not properly implemented these restrictions could hurt our ability to bring about positive changes, particularly in the areas of democracy, human rights, health, and education.

*Question 12* If confirmed, how would USAID work to continue its invaluable programming in these areas in places like Venezuela where the administration is continually tightening restrictions?

**Answer.** I understand the U.S. Agency for International Development (USAID) does have programming in Venezuela, which is listed in Tier 3 of the 2018 Trafficking in Persons Report produced by the U.S. Department of State.

As you know, the governments of the countries listed in Tier 3 did not undertake an effort to meet even minimum standards for the elimination of trafficking in persons during the past year. I understand the administration continues to work on implementation of the November 29 Presidential Determination with Respect to the Efforts of Foreign Governments Regarding Trafficking in Persons. But I have not been a part of deliberations on this matter to date.

Unfortunately, trafficking-in-persons is only one of the many areas in which the Government of Venezuela has failed to address the needs of its people. If confirmed,

I would make it a priority to work to advance the democratic aspirations of the Venezuela people, and to support them in their human rights effort.

I am concerned about continued democratic backsliding in the region, along with alarming reports of persecution of human rights defenders, journalists, and ethnic minorities throughout the hemisphere.

*Question 13.* If confirmed, how would adjust and enhance USAID efforts to counter these concerning trends?

Answer. I share your concern about this backsliding. As observed during my confirmation hearing on December 4, this backsliding can take many forms, and ranges from the outright collapse of governance—and the economy—in Venezuela to more-nuanced efforts to undermine civil society, or to promote a culture of impunity by other governments in the region. Part of the Mission Statement of the U.S. Agency for International Development (USAID) is to “promote and demonstrate democratic values.” I believe the greatest challenge to democratic development in the world is a lack of accountability, and if confirmed, I would make finding ways to advance accountability my top priority. I believe the advent of modern technology to capture and share information widely is something we should welcome and expand. If confirmed, I would look forward to drawing on the expertise of the democracy and governance experts in the Bureau for Latin America and the Caribbean and the Center for Democracy, Human Rights, and Governance in the Bureau for Democracy, Conflict, and Humanitarian Assistance within USAID.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SARAH-ANN LYNCH BY SENATOR ROBERT MENENDEZ**

*Question 1.* What is your assessment of the dispute between Guyana and Venezuela? To your knowledge, are there any other U.S. interests that could be affected by the Venezuelan Government’s aggressive tactics?

Answer. The United States supports the definitive resolution of the Venezuela-Guyana border controversy. The United States has called on all parties to respect the 1899 arbitration decision unless and until a competent legal body rules or both parties agree otherwise. While there are no indications that Venezuela intends to use force to assert its claims, resolution of the controversy will improve regional security and rule of law. If confirmed, I am committed to addressing this issue.

*Question 2.* How is Guyana being affected by Venezuela’s humanitarian crisis? What is the United States’ role with regard to Venezuelan migrants in the region, including in Guyana?

Answer. The Guyanese Government reports approximately 2,800 Venezuelans are resident in Guyana and the United Nations estimates as many as 15,000 Venezuelans reside in Guyana. The number of Venezuelans in Guyana rises as Venezuela’s economic and political crisis further deteriorates.

Since FY 2017, the United States has provided nearly \$97 million across the region in life-saving humanitarian assistance for Venezuelans who have fled their country, including shelter for the most vulnerable, safe drinking water and hygiene supplies, protection from violence and exploitation, and work and education opportunities, in coordination with other humanitarian organizations and relevant government authorities. Of that humanitarian assistance, the State Department’s Bureau of Population, Refugees and Migration provided nearly \$48 million, including \$500,000 to UNICEF to provide education and child protection assistance for Venezuelans in Guyana.

*Question 3.* If confirmed, what role do you think the U.S. Embassy can play as U.S. businesses participate in Guyana’s discovery, exploration, and production efforts?

Answer. The discovery of oil, with production coming online in early 2020, will transform Guyana’s economy, which is poised to become one of the top 20 oil producers in the world.

If confirmed, I will commit the U.S. Embassy in Georgetown to supporting our U.S.-Caribbean 2020 strategy, a regional initiative focused on enhancing engagement with our Caribbean neighbors on energy, security, prosperity, health and education. I will also commit to supporting the American Chamber of Commerce as a resource for U.S. businesses participating in the discovery, exploration, and production of petroleum in Guyana. The U.S. Government was instrumental in establishing the American Chamber of Commerce in Guyana in 2018 in light of growing U.S. commercial interest in the country.

The U.S. Embassy is helping Guyana prepare for oil coming online within the rubric of the country's Green State Development Strategy, which aims to use the majority of the oil for export and use renewable sources of energy for domestic power and consumption. The U.S. Government has provided technical assistance to Guyana to create stable and transparent oversight of oil and gas projects that should bring economic growth. The U.S. Government has also assisted Guyana with becoming a member of the Extractive Industries Transparency Initiative (EITI), to ensure the country manages its resource wealth responsibly and transparently.

*Question 4.* How can the U.S. support Guyana in its efforts to ensure that new potential revenues are used productively and contribute to inclusive economic growth in the country?

Answer. If confirmed, I will commit to working closely with both the Guyanese Government and civic institutions to strengthen Guyana's ability to manage its resources responsibly. The U.S. Government has supported Guyana joining the Extractive Industries Transparency Initiative to ensure the country manages its resource wealth responsibly and transparently.

The U.S. Government has shared our expertise to assist in the promulgation of an effective and transparent oil regulatory and legal regime. We have encouraged the establishment of a sovereign wealth fund that is independent, transparent, inviolable, and non-partisan. The U.S. Government has also provided technical assistance to Guyana in the areas of human resource management and regulatory structures.

*Question 5.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. As the Senior Deputy Assistant Administrator for USAID's Bureau for Latin America and the Caribbean (LAC) and a career Foreign Service Officer, I have implemented and administered a large number of programs that have sought to build democratic institutions, support freedom of the press and good governance, and promote defense of human rights. These programs and activities have run the gamut from administration of justice/rule of law, to election monitoring, to civil liberties awareness trainings. Results of these efforts include the creation of a protection mechanism for journalists in Mexico, increased participation of marginalized populations (Afro-Colombians, indigenous populations, and women) in Colombia's peace efforts, and support to independent Venezuelan media outlets and civil society to shine the spotlight on corruption and gaps in governance in Venezuela. If confirmed, my commitment to supporting democracy and human rights around the world will continue to be steadfast and unwavering.

*Question 6.* What issues are the most pressing challenges to democracy or democratic development in Guyana? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The Guyanese people demonstrated their commitment to democracy in May 2015, when a coalition of five parties narrowly won national elections, replacing the Indo-Guyanese-dominated People's Progressive Party Civic, which had governed the country since 1992.

One of the challenges to democracy or democratic development in Guyana is corruption. Transparency International ranks Guyana 91 out of 180 for perceptions of corruption, which saps economic growth, hinders development, destabilizes governments, and undermines democracy.

Guyanese law protects freedom of expression and freedom of the press, which are guaranteed by the country's constitution. Penalties for defamation are found in both civil and criminal law, but public officials more commonly utilize civil defamation suits to stifle criticism in the media. While such suits are frequently unsuccessful, the threat of legal liability can be enough to silence journalists. Although physical harassment is rare or absent, government officials often refuse to give information to journalists affiliated with opposition media and instead limit their media contacts to state television outlets.

*Question 7.* What steps will you take—if confirmed—to support democracy in Guyana? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will commit to sustained engagement with a broad spectrum of civil society in Guyana, including political parties, human rights activists, religious groups, and watchdog organizations. I will champion existing embassy programs designed to foster democracy and human rights. I will also engage directly

with local leaders at all levels of society on resolving pressing democracy and human rights concerns.

Guyana enjoys a strong and stable democracy but needs to take action to address corruption in sectors of the government and society. If confirmed, I will continue to support U.S. training to military and law enforcement personnel, prosecutors, government employees, and policymakers to build capacity and bolster democratic institutions in Guyana and the region. If confirmed, I will push back on government pressure on journalists that leads to self-censorship. I will advocate for freedom of the press, including passage of freedom of information legislation, as a key component of democratic governance. I will encourage the press to foster active debate, increase investigative reporting, and serve as a forum to express different points of view, particularly on behalf of those who are marginalized in society.

*Question 8.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will use available U.S. Government assistance to preserve and expand democratic practice and governance standards, including increasing the transparency, capacity, and citizen accountability of Guyana's Government during a potential period of economic transformation. My focus will be on the targeted and creative use of limited assistance resources to achieve these policy goals. I commit to working closely with all of our partners in Guyana, and all relevant agencies of the U.S. Government, to ensure every dollar of U.S. assistance is used wisely and in accordance with our human rights and democracy goals in the region.

*Question 9.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Guyana? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. If confirmed, I will commit to sustained engagement with a broad spectrum of civil society in Guyana, including human rights activists and religious groups. I will ensure the Department continues to vet thoroughly all individuals and units nominated to participate in U.S.-funded security assistance activities, in accordance with the Leahy law. If there are findings of credible information regarding gross violations of human rights, I will take the necessary steps in accordance with the law and Department policy to ensure those implicated do not participate in U.S.-funded assistance.

If confirmed, I will engage with the Government to advocate for the continued open environment for NGOs and civil society groups to operate without unnecessary legal or regulatory restrictions. To the extent possible, I will urge that the perpetrators of gross violations of human rights be held accountable.

*Question 10.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I commit to meet with all democratically oriented Guyanese political opposition figures and parties. In my interactions with Guyanese officials, I will emphasize the importance of a free, open, and fair political system as the basis to modern democracy. If confirmed, I will also advocate for the inclusion of underrepresented and historically marginalized groups, including women, minorities, and youth, in political parties.

*Question 11.* Will you and your embassy team actively engage with Guyana on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Guyana?

Answer. If confirmed, I will support freedom of the press in Guyana as an essential pillar of democracy. I will commit to advocating for the rights of journalists in the print, broadcast, and digital space. Guyana has well-developed print and broadcast media and, if confirmed, I will fully support the U.S. embassy's efforts to preserve and strengthen the capacity of journalists on all of these platforms, including training in investigative skills, transparency, accountability in reporting, and digital security. I will work closely with interagency colleagues and the international community to broaden resources for start-up outlets and established media organizations. If confirmed, I look forward to meeting regularly with independent and local press in Guyana to underscore my commitment to a free and well-informed press.

*Question 12.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. The Department of State is concerned by any efforts to disseminate disinformation and anti-U.S. propaganda in Guyana and the region. One of the best defenses against disinformation is a free and transparent news media environment. If confirmed, I, along with my Embassy team, will work to promote accurate messages about the United States and other nations in the pursuit of freedom, prosperity, and security in the Western Hemisphere. If confirmed, I would work to monitor and counter any such efforts in Guyana, including by encouraging digital media literacy, independent journalism, and supporting civic-tech groups and other local stakeholders to inform the public and stem the malign spread of disinformation.

*Question 13.* Will you and your embassy teams actively engage with Guyana on the right of labor groups to organize, including for independent trade unions?

Answer. Yes. If confirmed, my Embassy team and I will actively engage with Guyana on the right of Guyanese labor groups, including independent trade unions, to organize within Guyanese law.

*Question 14.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Guyana, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and intersex (LGBTI) people face in Guyana? What specifically will you commit to do to help LGBTI people in Guyana?

Answer. Governments have an obligation to protect, respect, and uphold the dignity and fundamental freedoms of all people—including LGBTI persons. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing universal human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same respect, freedoms, and protections as everyone else. LGBTI conduct is criminalized in Guyana, and LGBTI persons face widespread discrimination in education, employment, and health care. If confirmed, my country team and I would consult closely with LGBTI civil society and human rights defenders on how best to support them in their advocacy, including through capacity building programs. I would not shy away from speaking out publicly and privately in support of the rights of all. If confirmed, I will continue to urge the Guyanese Government to uphold and respect international human rights obligations and commitments.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
SARAH-ANN LYNCH BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions?

Answer. As the Senior Deputy Assistant Administrator for USAID's Bureau for Latin America and the Caribbean (LAC) and a career Foreign Service Officer, I have implemented and administered a large number of programs that have sought to build democratic institutions, support freedom of the press and good governance, and promote defense of human rights. These programs and activities have run the gamut from administration of justice/rule of law, to election monitoring to, civil liberties awareness trainings. Results of these efforts include the creation of a protection mechanism for journalists in Mexico, increased participation of marginalized populations (Afro-Colombians, indigenous populations, and women) in Colombia's peace efforts, and support to independent Venezuelan media outlets and civil society to shine the spotlight on corruption and gaps in governance in Venezuela. If confirmed, my commitment to supporting democracy and human rights around the world will continue to be steadfast and unwavering.

*Question 2.* What are the most pressing human rights issues in Guyana? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Guyana? What do you hope to accomplish through these actions?

Answer. The most pressing human rights issues in Guyana include harsh and potentially life-threatening prison conditions and laws that criminalize same-sex sexual activity, although they are not generally enforced.

Additionally, Guyana continues to see human trafficking and some of the worst forms of child labor, including in mining and in commercial sexual exploitation. Law

enforcement agencies have insufficient funding and capacity to consistently enforce laws related to human trafficking and child labor, including its worst forms, and existing laws do not fully prohibit using children in certain forms of child labor. Even when perpetrators are convicted, they have received light sentences that are not commensurate with the seriousness of the crime.

If confirmed, I would champion existing embassy and U.S. Government programs designed to address these and other human rights issues. I will also use my platform as Ambassador to deliver public and private messages to the Guyanese people and the country's leadership to make clear the United States' expectations with regard to human rights protections as well as the measures we intend to take to address our concerns.

*Question 3.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Guyana in advancing human rights, civil society and democracy in general?

Answer. Guyana's challenge is to use its limited resources to promote respect for the rule of law while respecting human rights in a high-crime environment. Law enforcement agencies lack funds and capacity to enforce child labor laws, and the laws that exist do not fully prohibit child labor.

If confirmed, I will work with my embassy staff to augment existing training programs for Guyanese justice-sector officials, while ensuring that Leahy vetting is properly conducted where applicable. I would champion existing embassy and U.S. Government programs designed to promote human rights in Guyana.

*Question 4.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Guyana? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. If confirmed, I will prioritize support for human rights and civil society, and commit to meeting with non-governmental and other organizations in the United States and Guyana to demonstrate my support.

Implementation of the Leahy Law serves the legal and policy goal of ensuring that the United States does not provide foreign assistance to individuals or units credibly implicated in gross human rights violations. If confirmed, I would work to ensure that my team is fully informed of and committed to all procedures required to implement the Leahy Law. I will engage with colleagues in Washington and throughout the interagency to ensure thorough implementation.

*Question 5.* Will you and your embassy team actively engage with Guyana to address cases of key political prisoners or persons otherwise unjustly targeted by Guyana?

Answer. The State Department's 2017 Human Rights Report states there were no political prisoners or detainees in Guyana in 2017. If confirmed, however, I will work actively with the embassy team to address any cases of political prisoners or persons unjustly targeted by government entities to ensure their rights and fundamental freedoms are respected.

*Question 6.* Will you engage with Guyana on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will engage with Guyana on matters of human rights, civil rights and governance.

*Question 7.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. If confirmed, I commit to comply with all relevant federal ethics laws, regulations, and rules and to raise concerns that I may have through appropriate channels.

*Question 8.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 9.* Do you or do any members of your immediate family have any financial interests in Guyana?

**Answer.** My investment portfolio includes diversified mutual funds that may have investments in companies with a presence in Guyana; however, these funds are exempt from the conflicts of interest rules. I am committed to ensuring that my official actions will not give rise to a conflict of interest and I will remain vigilant with regard to my ethics obligations.

**Question 10.** Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

**Answer.** If confirmed, I look forward to leading the team of U.S. and Guyanese nationals at Embassy Georgetown and to tapping the unique and diverse talents each person brings to advance our bilateral relationship with Guyana and to promote U.S. foreign policy objectives. At the State Department's core are its people. The Department is committed to fostering a workforce that reflects the diverse people it represents. Diversity not only enhances our effectiveness but also promotes a workplace culture that values the efforts of all members and enhances the professional experience of our valued public servants. The Department's diversity efforts are outlined in its 2016 Diversity and Inclusion Strategic Plan. If confirmed, I will prioritize a variety of training opportunities, mentoring, and career development programs to ensure employees have the skills necessary for current and future work assignments.

**Question 11.** What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

**Answer.** The State Department is committed to equal employment opportunity (EEO) and to ensuring the Department's work environment is free from discrimination and harassment in all phases of employment—including hiring, evaluation, promotion, and training. This includes improving and enhancing mentorship programs, expanding outreach to managers who make hiring decisions, and encouraging collaboration with external partners. If confirmed, I will communicate strongly the Department's EEO policies in my mission and ensure they are followed. I will also take advantage of the variety of programs the Department offers to help supervisors work with a multicultural staff.

**Question 12.** How do you believe political corruption impacts democratic governance and the rule of law generally, and in Guyana specifically?

**Answer.** Corruption saps economic growth, hinders development, destabilizes governments, undermines democracy, and provides openings for dangerous groups like criminals, traffickers, and terrorists. The Department has made anti-corruption a national security priority and works across the globe to prevent graft, promote accountability, and empower reformers. Ranking 91 out of 180 on Transparency International's Corruption Perceptions Index, Guyana suffers many of the effects of political corruption and inconsistent enforcement. Anti-corruption efforts will be particularly important given the recent discovery of petroleum reserves expected to bring rapid economic growth. If confirmed, I commit to addressing this issue.

**Question 13.** What is your assessment of corruption trends in Guyana and efforts to address and reduce it by that government?

**Answer.** According to Transparency International's Corruption Perception indices, Guyana has markedly increased transparency since 2014, but the Government must do more to counter corruption. Guyana ratified the Inter-American Convention against Corruption, and bribery is established as a criminal offense under Guyanese law. Although the Government passed legislation in 1997 that requires public officials to disclose their assets to an Integrity Commission prior to assuming office, the Integrity Commission has not been constituted and remains inoperative. Public officials' compliance with the legislation is, therefore, uneven. If confirmed, I commit to addressing this issue.

**Question 14.** If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Guyana?

**Answer.** If confirmed, I will encourage Guyana's Government to make anti-corruption a national security priority and work to prevent graft, promote accountability, and empower reformers. I will highlight and assist groups committed to tackling corruption through strengthening democratic institutions and empowering citizen advocates to hold the Government accountable for corruption. I will work with global partners to enhance law enforcement cooperation across borders, improve data sharing between major financial hubs, and develop tools to recover stolen assets.

If confirmed, I will address corruption in the security arena, explaining how corruption threatens Guyana's national security; reduces trust in law enforcement; and diminishes its ability to protect its citizens, hold terrorists at bay, and defend national sovereignty.

*Question 15.* If confirmed, how would you work to prevent the humanitarian and political crisis from impacting Guyana, while addressing the needs of those Venezuelans who are fleeing to Guyana?

Answer. Guyana is a solid member of the Western Hemisphere's diplomatic consensus against the Maduro regime. If confirmed, I will continue to foster Guyana's efforts to support actions that enable Venezuelans themselves to forge the peaceful, democratic, and prosperous future they deserve in their home country. If confirmed, I will encourage Guyana to continue to coordinate with the international community to hold Venezuelan regime officials accountable for their actions, including supporting efforts at the Organization of American States, and to press the Maduro regime to accept international humanitarian assistance commensurate with needs. If confirmed, I will work with Guyana and other countries in the region to address the challenges posed by the exodus of Venezuelans from the Maduro regime.

*Question 16.* Given the CARICOM secretariat's location in Georgetown, how would you plan to strategically engage with the broader Caribbean community if confirmed?

Answer. Within the rubric of our U.S.-Caribbean 2020 strategy, engagement with CARICOM is essential to maintain regional cooperation and promote U.S. interests through engagement in the Caribbean on diplomacy, security, prosperity, health, education, and energy.

If confirmed, I would leverage my role as the Secretary of State's representative to CARICOM to advocate for greater regional coordination and cooperation along these six Caribbean 2020 pillars.

**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
LYNNE M. TRACY BY SENATOR ROBERT MENENDEZ**

*Question 1.* Do you acknowledge that on May 24, 1915, the Allied Powers of England, France, and Russia jointly issued a statement explicitly charging for the first time ever another government of committing crimes "against humanity and civilization"?

Answer. Yes, I acknowledge this historical fact. I acknowledge and mourn the mass killings and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. These events constituted one of the worst atrocities of the twentieth century.

*Question 2.* Do you acknowledge that the United States Holocaust Memorial Council, an independent Federal agency, unanimously resolved on April 30, 1981, that the United States Holocaust Memorial Museum would document the Armenian Genocide in the Museum, and has done so through a public examination of the historic record?

Answer. Yes, I acknowledge that fact. I recognize and deplore the mass killings and deportations of Armenians that occurred during the final years of the Ottoman Empire. I mourn the loss of so many innocent lives and fully respect that the Armenian people want their pain and loss to be acknowledged.

*Question 3.* Do you acknowledge that Henry Morgenthau, the U.S. Ambassador to the Ottoman Empire at the time, said that the Turkish Government's deportation order for the Armenians was "a death warrant to a whole race" and an aim which "they made no particular attempt to conceal" in their discussions with him?

Answer. Yes, I acknowledge that U.S. Ambassador Henry Morgenthau made those statements. The magnitude of these terrible acts—over 1.5 million killed or forcibly deported—defies comprehension. I empathize with the great suffering experienced by the Armenian people during this dark chapter in their history.

*Question 4.* If confirmed, do you commit to substantially engaging with the Armenian-American community over the course of your tenure?

Answer. Yes, I commit to substantially engaging with the Armenian-American community. I value the insights of the Armenian-American community and look forward to working with them to further strengthen U.S.-Armenian relations.

*Question 5.* What are the prospects for the Minsk Process moving forward?

**Answer.** As a Co-Chair of the Minsk Group, the United States plays an active role in helping the sides find a peaceful and comprehensive settlement of the long-standing Nagorno-Karabakh conflict, the resolution of which would usher in a new era of peace and prosperity for the people of the South Caucasus. The Minsk Group has continued to engage with the sides at the highest levels to promote dialogue in support of finding a peaceful and comprehensive settlement of the conflict. In July 2018, the Minsk Group Co-Chairs organized an introductory meeting in Brussels between Armenian Foreign Minister Mnatsakanyan and Azerbaijani Foreign Minister Mammadyarov. At that meeting, the foreign ministers exchanged views regarding the situation on the ground and discussed possible next steps and parameters for re-engaging in substantive negotiations as well as possible confidence-building measures. In September 2018, the two foreign ministers met again under the auspices of the Co-Chairs on the margins of the U.N. General Assembly in New York.

Acting Armenian Foreign Minister Mnatsakanyan and Azerbaijani Foreign Minister Mammadyarov plan to meet this week under the auspices of the Co-Chairs on the margins of the OSCE Ministerial Council meeting in Milan, where the Co-Chairs will encourage them to reaffirm their commitment to work intensively toward a just and lasting peaceful settlement of the Nagorno-Karabakh conflict.

Since Acting Prime Minister Pashinyan and President Aliyev met on the margins of the Commonwealth of Independent States summit in Dushanbe, Tajikistan, on September 27–28 and reached an understanding about the need to reduce tensions and uphold the ceasefire, the level of violence has fallen significantly. The Co-Chairs welcomed these developments, commended the sides for implementing constructive measures in good faith, and expressed their support for the leaders' continued high-level dialogue.

*Question 6.* How can Azerbaijan and Russia be encouraged to play a more constructive role in the process?

**Answer.** The U.S. Co-Chair cooperates with the Russian and French Co-Chairs of the OSCE Minsk Group to help the sides reach a peaceful and lasting settlement to the Nagorno-Karabakh conflict. Both Russia and France have consistently and publicly urged the parties to the conflict to demonstrate restraint and work toward a peaceful settlement. The United States continues to believe the Minsk Group format provides the best opportunity and the most trusted process for the sides to advance a settlement. U.S. policy remains clear: the only solution to this conflict is a negotiated settlement based on international law that includes adherence to the Helsinki Final Act principles of the non-use or threat of force, territorial integrity, and equal rights and self-determination of peoples.

As the Co-Chairs of the OSCE Minsk Group, the United States, Russia, and France have repeatedly condemned the use of force along the Line of Contact, and called on all sides to take measures to reduce tensions and improve the atmosphere for negotiations. If confirmed, I will ensure the U.S. Embassy in Armenia continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to this conflict.

*Question 7.* What is the level of Russian Federation Foreign Minister Lavrov's engagement on this process? What is the level of Sec. Pompeo's level of engagement?

**Answer.** All three Minsk Group Co-Chairs are actively engaged—as are Secretary Pompeo and Foreign Minister Lavrov—in helping the sides find a peaceful and comprehensive settlement of this longstanding conflict. Acting Armenian Foreign Minister Mnatsakanyan and Azerbaijani Foreign Minister Mammadyarov plan to meet this week under the auspices of the Co-Chairs on the margins of the OSCE Ministerial Council meeting in Milan, where the Co-Chairs will encourage them to reaffirm their commitment to work intensively toward a just and lasting peaceful settlement of the Nagorno-Karabakh conflict.

*Question 8.* Given Azerbaijan's ongoing cease-fire violations, what steps is the United States taking to hold Azerbaijan accountable?

**Answer.** If confirmed, I will ensure the Department of State continues to support the efforts of the OSCE Minsk Group to help the sides find a lasting solution to the Nagorno-Karabakh conflict, and to ensure the implementation of concrete measures to reduce tensions and increase effective monitoring along the Line of Contact and the Armenia-Azerbaijan international border. The United States strongly condemns the use of force and regrets the loss of life that has occurred along the Line of Contact. Such incidents are an unacceptable violation of the 1994 ceasefire agreement. We have frequently, publicly and privately, called upon both sides to refrain from the use of force or the threat of force. Such incidents only harm the peace process. If confirmed as Ambassador, I will support our U.S. Co-Chair, Andrew Schofer, in his efforts to help achieve a peaceful resolution to the Nagorno-Karabakh conflict.

Since Acting Prime Minister Pashinyan and President Aliyev met on the margins of the Commonwealth of Independent States summit in Dushanbe, Tajikistan, on September 27–28 and reached an understanding about the need to reduce tensions and uphold the ceasefire, the level of violence has fallen significantly. The Co-Chairs welcomed these developments, commended the sides for implementing constructive measures in good faith, and expressed their support for the leaders' continued high-level dialogue.

*Question 9.* What steps is the United States taking to ensure the implementation of enhanced border monitoring as well as the deployment of more monitors along the line of contact?

Answer. As a Co-Chair of the Minsk Group, the United States has played and continues to play an active role in mediating a comprehensive, peaceful settlement of this longstanding conflict, the resolution of which would usher in a new era of peace and prosperity for the people of the South Caucasus.

The United States supports proposals to withdraw snipers, launch an OSCE investigation mechanism, and deploy sensors along the Line of Contact and the Armenia-Azerbaijan international border. The United States has been a strong advocate in the Minsk Group process for these and other confidence-building measures, which we believe would further reduce violence in areas affected by the conflict.

Since Acting Prime Minister Pashinyan and President Aliyev met on the margins of the Commonwealth of Independent States summit in Dushanbe, Tajikistan, on September 27–28 and reached an understanding about the need to reduce tensions and uphold the ceasefire, the level of violence has fallen significantly. The Co-Chairs welcomed these developments, commended the sides for implementing constructive measures in good faith, and expressed their support for the leaders' continued high-level dialogue.

If confirmed, I will support initiatives by the sides, the Co-Chairs, and others, which have the potential to further strengthen the ceasefire, reduce violence, and sustain a climate of trust for intensive negotiations on a peaceful settlement the conflict.

*Question 10.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career—in Russia, Turkmenistan, Pakistan, Kazakhstan, Afghanistan, and elsewhere—I have worked to promote democracy and human rights. As Deputy Chief of Mission in Russia, I consistently promoted support for democracy and human rights as a core U.S. message and objective across the Mission. I provided strategic direction to Mission activities aimed at holding Russia accountable for its violations of international law and human rights. I met with human rights activists and civil society to demonstrate U.S. support at a time when these elements of Russian society were under increasing pressure from Russian authorities for exercising their fundamental freedoms. I represented the U.S. Embassy at the 10th anniversary ceremony of the murder of journalist Anna Politkovskaya and spoke out publicly at this event on the need for independent journalism and for the protection of journalists. I met with members of the LGBT community in the wake of increasing repression in Chechnya of this group and discussed how to seek and secure their protection.

As Deputy Chief of Mission in Turkmenistan, I fought hard to protect our Peace Corps program and Future Leaders Exchange program, which gave ordinary Turkmen citizens a rare window into democratic values. As Principal Officer in Peshawar, I championed literacy programs and other assistance for women and young girls to better enable them to exercise their rights and civic responsibilities. In Astana, Kazakhstan as Principal Officer, I intervened with the Ministry of Foreign Affairs when a high-profile Uzbek dissident was facing deportation to Uzbekistan. I helped find a compromise solution that permitted the dissident to depart safely to a third country.

As a Political Officer in Kabul just after the fall of the Taliban, I worked with members of Afghanistan's Human Rights Commission on their efforts to construct the country's future framework for the protection of human rights. I traveled extensively outside of Kabul to document political and human rights developments and provided ground truth to our first human rights report on Afghanistan in 23 years that was generated by a permanent U.S. presence inside the country. My contributions shaped Washington's understanding of the realities of entrenched warlords and the regressive treatment of Afghan women.

If confirmed, I pledge to uphold the U.S. commitment to democracy and human rights in Armenia.

*Question 11.* What issues are the most pressing challenges to democracy or human rights in Armenia? Please be as specific as possible.

Answer. This spring brought remarkable changes to Armenia, when a peaceful popular movement inspired tens of thousands of people to take to the streets and change the course of Armenian history. I commend the Armenian people, law enforcement, and Acting Prime Minister Pashinyan for ensuring the protests and subsequent government transition were non-violent. It is heartening to see how the events of the spring have given so many Armenians hope for the future of their country. I share in this sense of optimism for Armenia's future.

There is a hard journey ahead to keep the goals and priorities of the April/May transition on track. If confirmed, I would stress the importance of respect for the rule of law as crucial for democracy and human rights in Armenia and for the country's long-term stability. Public confidence in the fairness of the judicial system is especially important. Ensuring rule of law and fair trial guarantees also helps create the conditions to attract investment and support sustainable economic development.

Additionally, checks and balances to limit the power of any one leader or party, are important for democratic development. We also attach great importance to the ability of civil society, the media, and opposition politicians to criticize the Government, hold it accountable, and offer constructive ideas to move the political process forward. A strong democratic culture is integral to the ability of civil society, the media, and political parties to play their role.

*Question 12.* What steps will you take—if confirmed—to support democratic, accountable governance in Armenia? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will work to help the Armenian Government meet the aspirations of the Armenian people, who are calling for accountable governance, an end to corruption, and a level playing field. I will press publicly and privately, if confirmed, for full respect for political pluralism and democratic competition. To support democratic, accountable governance, if confirmed, I will prioritize helping Armenia strengthen checks and balances, including an independent judiciary, a parliament with the capacity to hold the executive branch accountable, and democratic electoral processes.

Potential impediments to addressing these challenges include corruption, weak rule of law, and entrenched economic interests, though there have been positive developments in some of these areas. If confirmed, I will work closely with the Armenian Government, civil society, and other stakeholders to address such impediments and advocate for progress in all of the areas crucial for strengthening democratic, accountable governance. Political will is a key first step to creating a strong independent judiciary, but building up institutions is equally important. I will also encourage the Armenian Government, if confirmed, to continue to consult with civil society as it formulates its policies and reform priorities going forward.

*Question 13.* How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. Current Department of State and USAID democracy assistance seeks to strengthen civil society, encourage and facilitate citizen participation in local decision-making, and support electoral processes and independent media. We stand ready to assist the Armenian Government in making sustainable institutional changes in the justice and law enforcement sectors that will assist the new government's anti-corruption policies, and continue to build transparency and accountability through civil society and media. If confirmed, I will continue to support these assistance efforts and will look for other ways to productively utilize assistance funds to promote shared objectives.

*Question 14.* If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S., and local human rights NGOs, and other members of civil society across Armenia?

Answer. Yes, if confirmed, it will be among my top priorities to meet with those outside of the Government, such as civil society representatives, including human rights-focused NGOs, to demonstrate our commitment to human rights and fundamental freedoms. Armenia has a vibrant civil society, as we have seen in recent months, and I look forward to engaging actively with the groups and individuals who are at the forefront of pushing for meaningful change in Armenia.

*Question 15.* If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with those outside of the Government, including political opposition figures and parties, to demonstrate our support for pluralism, checks and balances, and genuine political competition. I will advocate for equal access and inclusivity for women, minorities, and youth in all spheres, including in political life.

If confirmed, I will continue to support USAID and the Department of State's new initiatives following the political transition in Armenia in May. These new activities support priority programs in the political processes, anti-corruption, civil society, and independent media sectors. These assistance activities will help Armenia to build a multiparty political system and support free and fair elections.

*Question 16.* Will you and your embassy team actively engage with Armenia on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press across Armenia?

Answer. Independent media are key to Armenia's democratic and economic development. We support this objective with programs aimed at improving access to independent and reliable sources of information through media literacy programs and by strengthening professional standards and quality content of independent media.

If confirmed, I will engage actively on freedom of the press and will support the Embassy's continued commitment to have Embassy officers, at all levels, meet with those outside of the Government, including independent journalists.

*Question 17.* Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. If confirmed, I will engage with civil society and Armenian Government officials to counter disinformation and malign propaganda disseminated by foreign state or non-state actors in Armenia. The Embassy currently supports training for journalists to counter disinformation and promote professional journalism. If confirmed, I will support these and other efforts to counter disinformation in Armenia through Countering Russian Influence Fund (CRIF) programming and across our assistance portfolio.

*Question 18.* Will you and your embassy teams actively engage with Armenia on the right of labor groups to organize, including for independent trade unions?

Answer. In line with Department of State priorities, if confirmed, I will promote worker rights in Armenia by focusing on internationally-recognized labor rights related to the freedom of association, effective recognition of the right to collective bargaining, and the elimination of forced labor, child labor, and employment discrimination. I will engage with local civil society organizations, trade unions, companies, and other organizations. I will convey the need to increase efforts to investigate and prosecute labor trafficking cases. I will continue Embassy efforts to raise a lack of an effective labor inspectorate with the Government of Armenia. If confirmed, I will continue the Embassy's current commitment to have Embassy officers, at all levels, meet with labor and civil society groups.

*Question 19.* Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Armenia, no matter their sexual orientation or gender identity?

Answer. Governments have a responsibility to respect the human rights and fundamental freedoms of all individuals in their countries, including LGBTI persons. As the Universal Declaration of Human Rights states, all human beings are born free and equal in dignity and in rights. Advancing human rights is in our national interest, and as Secretary Pompeo has said, LGBTI persons deserve the same freedoms, protections, and respect as everyone else.

As documented in the 2017 Human Rights Report, in recent years the Government of Armenia has failed to protect LGBTI persons from violence. Societal discrimination against LGBTI individuals on the basis of their sexual orientation or gender identity negatively affected all aspects of life, including employment, housing, education, and health care.

If confirmed, my team and I would continue to urge the Government of Armenia to uphold and respect international human rights obligations and commitments for all individuals in their country.

*Question 20.* If confirmed, how will you engage in support of religious freedom and peaceful religious expression across Armenia? Will you commit to meet with representatives of a diverse swath of religious groups and communities and to advocate for their ability to register and worship peacefully in the country?

Answer. Armenia is a Christian majority country with a history of religious tolerance. Followers of many religions are able to practice their faith in Armenia. However, in the Department's annual International Religious Freedom Report, we have documented the difficulties some religious groups reported in registering their organizations, as well as reports of groups experiencing harassment when trying to practice their faith in Armenia.

If confirmed, I would continue our efforts to urge the Government to facilitate the ability for all people to worship as they choose, provide for straightforward registration of all religious groups, and remove controls on the importation, distribution, and sale of religious materials, as well as to protect the human rights of members of all groups. I would also continue to monitor the status of religious freedom in Armenia through regular meetings with civil society members, religious organizations, and human rights activists.

*Question 21.* If confirmed, how will you seek to boost resilience to Russian Government meddling within Armenia's institutions and civil society? What types of U.S. assistance do you see as most critical in this regard? How will you address corrupt political and economic influence or other illicit dealings with Armenian actors that can increase space in the country for the Kremlin to push its agenda?

Answer. The United States Government supports programs that make Armenia less vulnerable to foreign malign influence, including from Russia, by strengthening democratic institutions, reducing corruption, increasing civic engagement, sending civil society and youth to the United States on exchange programs, and strengthening independent media. Additionally, U.S. assistance focused on trade diversification, rural development, and creation of a skilled workforce in innovative and fast-growing sectors, such as information technology and cultural tourism, help diversify Armenia's economy and reduce its dependence on any one market. USAID also supports civil society, independent media, civic engagement, local governance, and economic reform to counterbalance Russian malign influence.

The Department of State and USAID have allocated \$6.4 million in FY 2018 AEECA and INCLE funds specifically designated towards the Countering Russian Influence Fund (CRIF) for these activities in Armenia. If confirmed, I will work with my team at the Embassy and USAID to continue to identify levers of malign influence in Armenia and leverage our assistance programs to combat those threats.

*Question 22.* What do you see as most needed to effectively counter malign interference from other foreign states, including Iran?

Answer. We encourage our Armenian partners to assess Iran's intentions in the region comprehensively, and to partner with us in encouraging Iran to be a responsible member of the international community. The support we provide for strengthening democratic institutions, building economic resilience, and increasing trade help make Armenia less vulnerable to foreign malign influence, including from Iran.

*Question 23.* What specific steps will you take if confirmed to expose and punish official and unofficial corruption and organized criminal activity in Armenia?

Answer. Corruption has a negative and corrosive impact on democratic governance and the rule of law, and perceptions of corruption and a lack of justice were drivers behind Armenia's spring political transition. Corruption in Armenia impedes the Government's stated goal of attracting investment and it negatively affects adherence to democratic principles, human rights, and the rule of law in the country. Corruption is also a national security issue. Increased transparency in governance, support for an independent judiciary, and strengthened separation of powers among branches of government are all important to help combat corruption. Acting Prime Minister Pashinyan has identified combating corruption as one of his top priorities.

In addition to its stated efforts to reduce the scope for future corruption, the current Armenian Government has sought to investigate past cases of suspected corruption. The Armenian Government has made clear a much higher standard of public servant conduct will be the expectation going forward. The Department welcomes the Government setting a higher standard for public servant conduct and making genuine efforts to decrease corruption in Armenia and, if confirmed, I stand ready to assist with these efforts.

Political will is a necessary component of any genuine anti-corruption effort, but it is also important to put in place institutional mechanisms for deterring and punishing corruption, including those in high office. If confirmed, I would be ready to assist the Armenian Government in making sustainable institutional changes in the

justice and law enforcement sectors that will assist the new government's anti-corruption policies and continue to build transparency and accountability through civil society and media. The Embassy will continue to advocate for a level playing field in Armenia, free of corruption and bribery, in which honest businesses and free competition may thrive.

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**RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
LYNNE M. TRACYU BY SENATOR BENJAMIN L. CARDIN**

*Question 1.* Armenia's recent "Velvet Revolution" led a former journalist, Nikol Pashinyan, to become acting Prime Minister in a peaceful overthrow of its government. What steps, if any, are being taken to engage in high level bilateral dialogue, and how will you work to expand the scope and depth of U.S.-Armenia dialogue?

Answer. This spring brought remarkable changes to Armenia, when a peaceful popular movement inspired tens of thousands of people to take to the streets and change the course of Armenian history. I commend the Armenian people, law enforcement, and Acting Prime Minister Pashinyan for ensuring the protests and subsequent government transition were non-violent. It is heartening to see how the events of the spring have given so many Armenians hope for the future of their country. I share in this sense of optimism for Armenia's future.

The Government and people of Armenia are valuable partners. The United States continues to strongly support Armenia and is committed to Armenia choosing its own future and partners, free from outside interference. Department officials engage regularly in high-level dialogue with the Armenian leadership. If confirmed, I will continue this practice of regular and active engagement. The U.S.-Armenia Task Force (USATF) is a valuable opportunity to take stock of the bilateral relationship and make progress in areas of mutual interest. Earlier this year, the Department and the Armenian Government expanded the scope and participants in the USATF dialogue to better capture the changes underway in Armenia and the full state of bilateral relations. We are in agreement with the Armenian Government about the general parameters of the new USATF format, and we are currently working out dates and a proposed agenda for the next USATF meeting, which we hope to have in the first quarter of 2019.

*Question 2.* What are the most important actions you have taken in your career to date to support democracy and human rights? What has been the impact of your actions?

Answer. Throughout my career—in Russia, Turkmenistan, Pakistan, Kazakhstan, Afghanistan, and elsewhere—I have worked to promote democracy and human rights. As Deputy Chief of Mission in Russia, I consistently promoted support for democracy and human rights as a core U.S. message and objective across the Mission. I provided strategic direction to Mission activities aimed at holding Russia accountable for its violations of international law and human rights. I met with human rights activists and civil society to demonstrate U.S. support at a time when these elements of Russian society were under increasing pressure from Russian authorities for exercising their fundamental freedoms. I represented the U.S. Embassy at the 10th anniversary ceremony of the murder of journalist Anna Politkovskaya and spoke out publicly at this event on the need for independent journalism and for the protection of journalists. I met with members of the LGBT community in the wake of increasing repression in Chechnya of this group and discussed how to seek and secure their protection.

As Deputy Chief of Mission in Turkmenistan, I fought hard to protect our Peace Corps program and Future Leaders Exchange program, which gave ordinary Turkmen citizens a rare window into democratic values. As Principal Officer in Peshawar, I championed literacy programs and other assistance for women and young girls to better enable them to exercise their rights and civic responsibilities. In Astana, Kazakhstan as Principal Officer, I intervened with the Ministry of Foreign Affairs when a high-profile Uzbek dissident was facing deportation to Uzbekistan. I helped find a compromise solution that permitted the dissident to depart safely to a third country. As a Political Officer in Kabul just after the fall of the Taliban, I worked with members of Afghanistan's Human Rights Commission on their efforts to construct the country's future framework for the protection of human rights. I traveled extensively outside of Kabul to document political and human rights developments and provided ground truth to our first human rights report on Afghanistan in 23 years that was generated by a permanent U.S. presence inside the country. My contributions shaped Washington's understanding of the realities of entrenched

warlords and the regressive treatment of Afghan women. If confirmed, I pledge to uphold the U.S. commitment to democracy and human rights in Armenia.

*Question 3.* What are the most pressing human rights issues in Armenia? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in Armenia? What do you hope to accomplish through these actions?

Answer. If confirmed, I would stress the importance of respect for the rule of law as crucial for democracy and human rights in Armenia and for the country's long-term stability. Public confidence in the fairness of the judicial system is especially important. Ensuring rule of law and fair trial guarantees also helps create the conditions to attract investment and support sustainable economic development.

Additionally, checks and balances to limit the power of any one leader or party, are important for democratic development. We attach great importance to the ability of civil society, the media, and opposition politicians to criticize the Government, hold it accountable, and offer constructive ideas to move the political process forward. A strong democratic culture is integral to the ability of civil society, the media, and political parties to play their role.

Current Department of State and USAID democracy assistance seeks to strengthen civil society, encourages and facilitates citizen participation in local decision-making, and supports electoral processes and independent media. We stand ready to assist the Armenian Government in making sustainable institutional changes in the justice and law enforcement sectors that will assist the new government's anti-corruption policies, and continue to build transparency and accountability through civil society and media. If confirmed, I will continue to support these assistance efforts and will look for other ways to productively utilize assistance funds to promote shared objectives.

If confirmed, I will press publicly and privately for full respect for political pluralism and democratic competition. I will also, if confirmed, encourage the Armenian Government to continue to consult with civil society as it formulates its policies and reform priorities going forward.

*Question 4.* If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Armenia in advancing human rights, civil society and democracy in general?

Answer. If confirmed, I will work to help the Armenian Government meet the aspirations of the Armenian people, who are calling for accountable governance, an end to corruption, and a level playing field. Strengthening rule of law and ensuring an independent judiciary are especially important, and require sustained effort and commitment. Potential impediments to addressing these challenges include corruption, weak rule of law, and entrenched economic interests, though there have been positive developments in some of these areas. If confirmed, I will work closely with the Armenian Government, civil society, and other stakeholders to address such impediments and advocate for progress in all of the areas crucial for strengthening democratic, accountable governance. Political will is a key first step to creating a strong independent judiciary, but building up institutions is equally important.

*Question 5.* Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in Armenia? If confirmed, what steps will you take to proactively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, if confirmed, it will be among my top priorities to meet with those outside of the Government, including civil society representatives and human rights-focused NGOs, to demonstrate our commitment to human rights and fundamental freedoms. Armenia has a vibrant civil society, as we have seen in recent months, and I look forward to engaging actively with the groups and individuals who are at the forefront of pushing for meaningful change in Armenia. If confirmed, I will ensure that the Embassy team continues to adhere to all applicable laws, including the Leahy Law, to ensure that U.S. security assistance and security cooperation in Armenia reinforce human rights.

*Question 6.* Will you and your embassy team actively engage with Armenia to address cases of key political prisoners or persons otherwise unjustly targeted by Armenia?

Answer. If confirmed, I would stress the importance of respect for human rights, rule of law, and fair trial guarantees. Public confidence in the fairness of the judicial system is especially important to democratic development and long-term stability. Ensuring rule of law also helps create the conditions to attract investment and sup-

port sustainable economic development, and fosters long-term stability. We attach great importance to the ability of civil society, the media, and opposition politicians to criticize the Government, hold it accountable, and offer constructive ideas to move the political process forward. If confirmed, I will press publicly and privately for full respect for political pluralism and a level playing field for democratic competition.

*Question 7.* Will you engage with Armenia on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Advancing universal human rights and fundamental freedoms, including civil rights and good governance, is in our national interest, as well as in Armenia's interest. If confirmed, my team and I would continue to urge the Government of Armenia to uphold and respect international human rights obligations and commitments. If confirmed, I will publicly and privately press for full respect and protection for human rights and fundamental freedoms, including civil rights, and will utilize diplomatic and development assistance tools to support good governance efforts.

*Question 8.* I, along with many members of Congress have supported efforts to officially recognize the Armenian Genocide, yet am disappointed with the U.S. Government's failure to issue an official recognition of genocide. If confirmed, how will you work to bring the United States Government and other international actors to a clear genocide determination?

Answer. The horrific events that took place 103 years ago resulted in one of the worst atrocities of the twentieth century. The administration recognizes the terrible events of 1915, when one and a half million Armenians were massacred or marched to their deaths in the final years of the Ottoman Empire. This event is commemorated every year in the United States so that we never forget this dark chapter in history. President Trump's focus is on remembering the past and on encouraging the Armenian and Turkish people to work together to heal the wounds of the past and move forward together in a shared future of security and prosperity in the region. Should I be confirmed as the personal representative of the President, I will faithfully represent the policies of the President and his administration.

*Question 9.* Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 10.* Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

*Question 11.* Do you or do any members of your immediate family have any financial interests in Armenia?

Answer. Neither I nor any members of my immediate family have any financial interests in Armenia.

*Question 12.* U.S.-Armenia trade is relatively low and has declined in recent years. What accounts for this decrease in trade? As Ambassador, how would you promote greater U.S. trade and investment with Armenia?

Answer. The U.S. Government has been actively involved in helping Armenia become a more welcoming place for U.S. foreign investment. Deepening the U.S.-Armenia business and trade relationship is one of our top priorities, and several multi-million dollar deals have been announced in the last few years. Embassy Yerevan plays a strong advocacy role on behalf of U.S. firms that do business or want to do business with Armenia.

If confirmed, I will promote U.S. trade and investment with Armenia. The Armenian Government's focus on tackling corruption and promoting competition are encouraging signs, but more can be done to improve the investment climate. Many factors, some outside of our control, impact overall trade numbers. We continue to stress that strong intellectual property rights protections, rule of law, and a level playing field all contribute to a predictable business environment that attracts foreign investment. If confirmed, I will continue to stress that impartiality, transparency, and predictability in the rule of law and regulatory processes are key for investor confidence.

*Question 13.* How will Armenia's change in government affect its relations with Russia, which is Armenia's ally and largest economic partner? Does Armenia now have a better opportunity to pursue closer integration with the West?

Answer. The United States believes every country has a sovereign right to determine its international relations. Any form of pressure to prevent sovereign states from pursuing greater integration with Western institutions runs contrary to the commitment to respect the sovereignty and independence of that state enshrined in important international instruments, such as the United Nations Charter, the Helsinki Final Act, and the Charter of Paris.

The Department of State and USAID are assisting Armenia to decrease its dependence on any one market and build resilience against malign influence by helping Armenia expand its access to European markets, foster opportunities for U.S. investment, and facilitate regional energy integration. U.S. assistance focused on trade diversification, rural development, and creation of a skilled workforce in innovative and fast-growing sectors, such as information technology and cultural tourism, helps diversify Armenia's economy and reduce its dependence on any one market. USAID also supports civil society, independent media, civic engagement, local governance, and economic reform to counterbalance Russian malign influence.

Armenia has been an active and productive partner in NATO's Partnership for Peace program since its inception, contributing troops to NATO-led peacekeeping operations in Kosovo and Afghanistan. Armenia is also working to fulfill the tasks set out in its NATO Individual Partnership Action Plan. In 2017, Armenia signed the Comprehensive and Enhanced Partnership Agreement (CEPA) with the European Union, which we welcomed. An Armenia that is peaceful, democratic, and prosperous is a valuable partner for the United States and Europe.

*Question 14.* Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. As the face of America overseas, the Department's workforce should be diverse in every sense of the word and reflect our nation's rich diversity. If confirmed, I will support that aim by recruiting a diverse team at the U.S. Embassy in Yerevan, mentoring all employees under my supervision to welcome and appreciate the advantages diversity brings to the workplace, and demanding that every team member be treated equally with dignity and respect.

*Question 15.* What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will recruit a diverse team at U.S. Embassy Yerevan, mentor all employees under my supervision, and demand that every team member be treated equally with dignity and respect. I will make clear to all supervisors at U.S. Embassy Yerevan that I expect them to adhere to these principles. Throughout my career, I have worked to foster inclusive and respectful work environments, and I will not tolerate improper behavior that undermines this aim.

*Question 16.* How do you believe political corruption impacts democratic governance and the rule of law generally, and in Armenia specifically?

Answer. Corruption has a negative and corrosive impact on democratic governance and the rule of law, and perceptions of corruption and a lack of justice were drivers behind Armenia's spring political transition. Corruption in Armenia impedes the Government's stated goal of attracting investment, and it negatively affects adherence to democratic principles, human rights, and the rule of law in the country. Corruption is also a national security issue. Increased transparency in governance, support for an independent judiciary, and strengthened separation of powers among branches of government are all important to help combat corruption. Acting Prime Minister Pashinyan has identified combating corruption as one of his top priorities.

*Question 17.* What is your assessment of corruption trends in Armenia and efforts to address and reduce it by that government?

Answer. Corruption has indeed been a problem in Armenia. Transparency International ranked Armenia 107 out of 180 countries surveyed in its 2017 Corruption Perceptions Index. At the same time, there are some encouraging trends. The World Bank's 2019 "Doing Business Report" ranked Armenia 41st overall in the world in ease of doing business, compared to 47th last year. I am encouraged that tackling corruption is a high priority for Acting Prime Minister Pashinyan.

Corruption in Armenia impedes the Government's stated goal of attracting foreign investment, and it negatively affects adherence to democratic principles, human rights, and the rule of law in the country. The new Armenian Government has made

impressive strides in just a few months in investigating cases of corruption. Additionally, the Armenian Government has made clear a much higher standard of public servant conduct will be the expectation going forward. The Department welcomes the Government setting a higher standard for public servant conduct and making genuine efforts to decrease corruption in Armenia and, if confirmed, I stand ready to assist with these efforts.

*Question 18.* If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Armenia?

Answer. Political will is a necessary component of any genuine anti-corruption effort, but it is also important to put in place institutional mechanisms for deterring and punishing corruption, including those in high office. We stand ready to assist the Armenian Government in making long-lasting, sustainable institutional changes in the justice and law enforcement sectors that will assist in achieving an Armenia free of corruption. If confirmed, I will continue to advocate for a level playing field in Armenia, free of corruption and bribery, in which honest businesses and free competition may thrive.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
LYNNE M. TRACY BY SENATOR JEANNE SHAHEEN

*Question 1.* If confirmed, how would you work to balance U.S. interests with Russia's considerable influence over Armenia? How would you work to make Armenia a stronger partner of the European Union and NATO?

Answer. The United States believes every country has a sovereign right to determine its international relations. Any form of pressure to prevent sovereign states from pursuing greater integration with Western institutions runs contrary to the commitment to respect the sovereignty and independence of that state enshrined in important international instruments, such as the United Nations Charter, the Helsinki Final Act, and the Charter of Paris.

The Department of State and USAID are assisting Armenia to decrease its dependence on any one market and build resilience against malign influence by helping Armenia expand its access to European markets, foster opportunities for U.S. investment, and facilitate regional energy integration. U.S. assistance focused on trade diversification, rural development, and creation of a skilled workforce in innovative and fast-growing sectors, such as information technology and cultural tourism, helps diversify Armenia's economy and reduce its dependence on any one market. USAID also supports civil society, independent media, civic engagement, local governance, and economic reform to counterbalance Russian malign influence.

Armenia has been an active and productive partner in NATO's Partnership for Peace program since its inception, contributing troops to NATO-led peacekeeping operations in Kosovo and Afghanistan. Armenia is also working to fulfill the tasks set out in its NATO Individual Partnership Action Plan. In 2017, Armenia signed the Comprehensive and Enhanced Partnership Agreement (CEPA) with the European Union, which we welcomed. An Armenia that is peaceful, democratic, and prosperous is a valuable partner for the United States and Europe.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO  
LYNNE M. TRACY BY SENATOR EDWARD J. MARKEY

*Question 1.* While Russia remains highly influential with the Armenian Government, there are signs that the Armenian Government is pursuing talks with European nations to diversify its economic relations. If confirmed, what will you do to encourage this dialogue? Do you foresee a Russian backlash, and if so, how will you address any potential Russian reaction?

Answer. The United States believes every country has a sovereign right to determine its international relations. Any form of pressure to prevent sovereign states from pursuing greater integration with Western institutions runs contrary to the commitment to respect the sovereignty and independence of that state enshrined in important international instruments, such as the United Nations Charter, the Helsinki Final Act, and the Charter of Paris.

The Department of State and USAID are assisting Armenia to decrease its dependence on any one market and build resilience against malign influence by helping Armenia expand its access to European markets, foster opportunities for U.S.

investment, and facilitate regional energy integration. U.S. assistance focused on trade diversification, rural development, and creation of a skilled workforce in innovative and fast-growing sectors, such as information technology and cultural tourism, helps diversify Armenia's economy and reduce its dependence on any one market. USAID also supports civil society, independent media, civic engagement, local governance, and economic reform to counterbalance Russian malign influence.

Armenia has been an active and productive partner in NATO's Partnership for Peace program since its inception, contributing troops to NATO-led peacekeeping operations in Kosovo and Afghanistan. Armenia is also working to fulfill the tasks set out in its NATO Individual Partnership Action Plan. In 2017, Armenia signed the Comprehensive and Enhanced Partnership Agreement (CEPA) with the European Union, which we welcomed. An Armenia that is peaceful, democratic, and prosperous is a valuable partner for the United States and Europe.

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## APPENDICES

- Appendix I. Nominations Considered by the Committee
  - Appendix II. Nominations Withdrawn by the President
  - Appendix III. Nominations Returned to the President (1/3/2019)
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**Appendix I. Nominations Considered by the Committee**  
**115th Congress, Second Session**

Nominee	Position	Referred	Hearing	Reported	Senate Exec. Cal.	Confirmed <sup>1</sup>
Bernstein, Robin S.	Amb to the Dominican Republic	11/2/2017	3/7/2018	6/26/2018	6/26/2018	6/28/2018
Berry, Randy W.	Amb to Nepal	5/10/2018	6/28/2018	7/10/2018	7/10/2018	9/6/2018 (V)
Bethel, Erik	IBRDAlt Exec Dir	12/1/2017	2/27/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Blome, Donald Armin	Amb to Tunisia	8/16/2018	10/11/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Breier, Kimberly	Asst SoS (Western Hemisphere)	3/12/2018	6/13/2018	6/26/2018	6/26/2018	10/11/2018 (V)
Chalet, Cherith Norman	UN Rep (Management and Reform)	5/21/2018	6/21/2018	6/26/2018	6/26/2018	9/12/2018 (V)
Cloud, Craig Lewis	Amb to Botswana	8/16/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Cohen, Johnathan R.	UN Rep to GA Sessions	2/13/2018	5/9/2018	5/16/2018	5/16/2018	5/24/2018 (V)
Cornstein, David B.	Amb to Hungary	2/15/2018	5/9/2018	5/16/2018	5/16/2018	5/24/2018 (V)
Culvahouse, Arthur B.	Amb to Australia	11/15/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Fannon, Francis R.	Asst SoS (Energy Resources)	1/18/2018	2/15/2018	5/16/2018	5/16/2018	5/24/2018 (V)
Garber, Judith Gail	Amb to Cyprus	8/16/2018	10/4/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Gidwitz, Ronald	Amb to Belgium	5/24/2018	6/21/2018	6/26/2018	6/26/2018	6/28/2018 (V)

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Glick, Bonnie	USAID, Deputy Admin	4/12/2018	9/25/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Hale, David	Under Sec of State (Political Affairs)	7/18/2018	8/16/2018	8/22/2018	8/22/2018	8/28/2018 (V)
Hammer, Michael	Amb to Democratic Republic of the Congo	6/20/2018	7/31/2018	8/22/2018	8/22/2018	9/6/2018 (V)
Hankins, Dennis B.	Amb to Mali	8/16/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Harris, Harry B. Jr.	Amb to Republic of Korea	5/23/2018	6/14/2018	6/26/2018	6/26/2018	6/28/2018 (V)
Harvey, Michael T.	USAID, Asst Admin (Int'l Dev)	6/28/2018	9/25/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Hearne, Dennis Walter	Amb to Mozambique	9/6/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Henshaw, Simon	Amb to Guinea	8/16/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Henzel, Christopher Paul	Amb to Yemen	9/28/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Hogan, Derek J.	Amb to Moldova	6/25/2018	8/16/2018	8/22/2018	8/22/2018	9/6/2018 (V)
Klecheski, Michael S.	Amb to Mongolia	8/16/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Kosnett, Philip S.	Amb to Kosovo	7/9/2018	8/16/2018	8/22/2018	8/22/2018	9/6/2018 (V)
Litzenberger, Earle D.	Amb to Azerbaijan	9/12/2018	10/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Lu, Donald	Amb to Kyrgyz Rep	5/24/2018	6/28/2018	7/10/2018	7/10/2018	9/6/2018 (V)
Lynch, Sarah-Ann	Amb to Guyana	9/24/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Madison, Kirsten D.	Asst Sec of State (INL)	2/5/2018	4/11/2018	4/23/2018	4/23/2018	4/26/2018 (V)

**Appendix I. Nominations Considered by the Committee—Continued**  
**115th Congress, Second Session**

Nominee	Position	Referred	Hearing	Reported	Senate Exec. Cal.	Confirmed <sup>1</sup>
Mahoney, Patricia	Amb to Benin	9/12/2018	11/14/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Matthews, Matthew John	Amb to Brunei Darussalam	8/27/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
McCarter, Kyle	Amb to Kenya	5/10/2018	7/31/2018	12/13/2018(R)	12/13/2018	1/2/2019 (V)
McLenny, M. Lee	Amb to Paraguay	10/30/2017	11/30/2017	12/5/2017	12/5/2017	12/21/2017 (V)
Miller, Earl Robert	Amb to Bangladesh	7/23/2018	8/23/2018	9/18/2018	9/18/2018	10/11/2018 (V)
Moley, Kevin	Assist SOS (IO Affairs)	1/8/2018	2/27/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Mondello, Joseph N.	Amb to Trinidad and Tobago	3/19/2018	6/13/2018	6/26/2018	6/26/2018	6/26/2018 (V)
Montgomery, Mark	USAID, Asst Admin (Int'l Dev)	6/20/2018	9/25/2018			
Mosbacher, Georgette	Amb to Poland	2/15/2018	6/5/2018	6/26/2018	6/26/2018	7/12/2018 (V)
Moser, William H.	Amb to Kazakhstan	8/16/2018	10/11/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Murphy, W. Patrick	Amb to Cambodia	8/16/2018	12/4/2018			
Nagy, Tabor Peter Jr.	Asst SOS (African Affairs)	5/10/2018	6/14/2018	6/26/2018	6/26/2018	6/28/2018 (V)

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Natali, Denise	Asst SoS (Conflict and Stabilization Operations)	5/24/2018	7/18/2018	7/26/2018	7/26/2018	10/11/2018 (V)
Nelson, Eric George	Amb to Bosnia & Herzegovina	8/27/2018	10/4/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Newstead, Jennifer Gillian	Legal Advisor of State	9/5/2017	10/18/2017	10/26/2017	10/26/2017	12/19/2017 (Roll Call 88/11)
Nichols, Brian	Amb to Zimbabwe	6/4/2018	6/21/2018	6/26/2018	6/26/2018	6/28/2018 (V)
Olsen, Josephine	Peace Corps Dir	1/8/2018	2/27/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Paschall, Richard Carlton III	Amb to The Gambia	8/21/2018	11/14/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Pedrosa, Eliot	Alt Exec Dir of IDB	2/5/2018	5/9/2018	5/16/2018	5/16/2018	5/24/2018 (V)
Pelletier, Michael Peter	Amb to Madagascar & Comoros	8/16/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Pence, Robert Frank	Amb to Finland	11/14/2017	3/1/2018	3/22/2018	3/22/2018	3/22/2018 (V)
Perez, Carol Z.	Director General of the Foreign Service	8/1/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Pommerstein, John Mark	Amb to Tajikistan	9/12/2018	10/11/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Pompeo, Mike	Secretary of State	3/20/2018	4/12/2018	4/23/2018	4/23/2018	4/26/2018 Roll Call 57-42-1 (No Vote. McCain)
Prado, Edward	Amb to Argentina	1/19/2018	3/7/2018	3/20/2018	3/20/2018	3/22/2018 (V)

**Appendix I. Nominations Considered by the Committee—Continued**  
**115th Congress, Second Session**

Nominee	Position	Referred	Hearing	Reported	Senate Exec. Cal.	Confirmed <sup>1</sup>
Reinke, Judy Rising	Amb to Montenegro	7/31/2018	8/16/2018	8/22/2018	8/22/2018	9/6/2018 (V)
Richmond, John Cotton	Director of the Office to Monitor and Combat Trafficking	7/9/2018	8/1/2018	8/22/2018	8/22/2018	10/11/2018 (V)
Royce, Maire	Assist SoS (Ed and Cultural Affairs)	1/8/2018	3/7/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Shelton, Judy Lynn	EBRD Director	12/1/2017	3/1/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Sondland, Gordon	Rep of US to the Eur Union	5/10/2018	6/21/2018	6/26/2018	6/26/2018	6/28/2018 (V)
Stevenson, Susan N.	Amb to Equatorial Guinea	9/24/2018	11/14/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Stromayer, Eric Williams	Amb to Togo	8/21/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Sullivan, Stephanie Sanders	Amb to Ghana	7/9/2018	7/31/2018	8/22/2018	8/22/2018	9/6/2018 (V)
Sullivan, Kevin K.	Amb to Nicaragua	7/17/2018	8/22/2018	9/18/2018	9/18/2018	10/11/2018 (V)
Tamlyn, Lucy	Amb to Central African Rep	7/31/2018	9/26/2018	11/28/2018	11/28/2018	1/2/2019 (V)
Teplitz, Alaina	Amb to Sri Lanka and Maldives	5/24/2018	6/28/2018	7/10/2018	7/10/2018	9/6/2018 (V)

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Thompson, Andrea	Under Sec (Arms Control and Int'l Security)	12/19/2017	2/15/2018	3/20/2018	3/20/2018	4/26/2018 (V)
Tracy, Lynne M.	Amb to Armenia	9/28/2018	12/4/2018	12/13/2018	12/13/2018	1/2/2019 (V)
Traina, Trevor D.	Amb to Austria	1/22/2018	3/18/2018	3/20/2018	3/20/2018	3/22/2018 (V)
Williams, Karen L.	Amb to Suriname	7/9/2018	8/22/2018	9/18/2018	9/18/2018	10/11/2018 (V)
Wolcott, Jackie	Rep to IAEA and Rep to UN Vienna Office	1/18/2018	5/9/2018	5/16/2018	5/16/2018	9/24/18 Roll Call 75/19
Yamamoto, Donald Y.	Amb to Somalia	7/18/2018	8/23/2018	9/18/2018	9/18/2018	10/11/2018 (V)

<sup>1</sup> (V) = Voice Vote

**Appendix II. Nominations Withdrawn by the President**  
**115th Congress, Second Session**

Nominee	Position	Date Withdrawn
McFarland, Kathleen Troia	Amb to Singapore .....	2/5/2018
Harris, Harry B. Jr.	Amb to Australia .....	5/23/2018
McCourt, Jamie	Amb to Kingdom of Belgium .....	8/2/2017
Masso, Edward	Amb to Estonia .....	5/24/2018
Montgomery, Mark	USAIDAsst Admin (Int'l Dev) .....	11/15/2018
Akard, Stephen	FS Dir Gen .....	3/20/2018
Thornton, Susan A.	Asst SoS (East Asian and Pacific Affairs) .....	8/16/2018
Ueland, Eric	Under SoS (Management) .....	6/18/2018
Miller, Johnathan	USAIDAsst Admin .....	3/20/2018
Gellert, Andrew	Amb to Chile .....	8/16/2018

**Appendix III. Nominations Returned to the President (1/3/2019)**  
**115th Congress, Second Session**

Nominee	Position
Akard, Stephen	OFM Dir
Barsa, John	USAIDAsst Admin (Latin America and Caribbean)
Blanchard, Lynda	Amb to Slovenia
Bulatao, Brian J.	Under SoS (Management)
Cairncross, Sean	MCC CEO
Cella, Joseph	Amb to Fiji
Cooper, R. Clarke	Asst SoS (Political-Military Affairs)
Fischer, David T.	Amb to Morocco
George, Kenneth S.	Amb to Oriental Rep of Uruguay
Gunter, Jeffrey Ross	Amb to Iceland
Macmanus, Joseph E.	Amb to Colombia
Rosen, Mark	IMF Exec Dir
Palmieri, Francisco Luis	Amb to Honduras
Rosenblum, Daniel N.	Amb to Uzbekistan
Schenker, David	Asst SoS (Near Eastern Affairs)
Tapia, Donald	Amb to Jamaica
Scott, Robert K.	Amb to Malawi
Thornton, Susan A.	Asst SoS (East Asian and Pacific Affairs) and U.S. Rep to U.N. (Food and Agriculture)
Tom, Kip	US Rep to U.N. (Food and Agriculture)

