

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

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

JANUARY 3, 2017 TO JANUARY 3, 2018

Printed for the use of the Committee on Foreign Relations



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

S. HRG. 115-413

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

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

—
JANUARY 3, 2017 TO JANUARY 3, 2018
—

Printed for the use of the Committee on Foreign Relations



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

U.S. GOVERNMENT PUBLISHING OFFICE

33-623 PDF

WASHINGTON : 2018

COMMITTEE ON FOREIGN RELATIONS

BOB CORKER, Tennessee, *Chairman*

JAMES E. RISCH, Idaho

MARCO RUBIO, Florida

RON JOHNSON, Wisconsin

JEFF FLAKE, Arizona

CORY GARDNER, Colorado

TODD YOUNG, Indiana

JOHN BARRASSO, Wyoming

JOHNNY ISAKSON, Georgia

ROB PORTMAN, Ohio

RAND PAUL, Kentucky

BENJAMIN L. CARDIN, Maryland

ROBERT MENENDEZ, New Jersey

JEANNE SHAHEEN, New Hampshire

CHRISTOPHER A. COONS, Delaware

TOM UDALL, New Mexico

CHRISTOPHER MURPHY, Connecticut

TIM Kaine, Virginia

EDWARD J. MARKEY, Massachusetts

JEFF MERKLEY, Oregon

CORY A. BOOKER, New Jersey

TODD WOMACK, *Staff Director*

JESSICA LEWIS, *Democratic Staff Director*

JOHN DUTTON, *Chief Clerk*

CONTENTS

The nominees' responses to additional questions and any other additional material submitted for the record are located at the end of each hearing transcript.

	Page
Wednesday, January 11, 2017	na
Tillerson, Rex, to be Secretary of State, transcript printed under separate cover, S. Hrg. 115-4.	na
Wednesday, January 18, 2017	na
Haley, Gov. Nimrata “Nikki,” to be Ambassador to the United Nations, transcript printed under separate cover, S. Hrg. 115-345.	na
Thursday, February 16, 2017	1
Friedman, David, of New York, to be Ambassador to Israel	9
Wednesday, April 26, 2017	71
Mushingi, Hon. Tulinabo Salama, of Virginia, to be Ambassador to the Republic of Senegal and to the Republic of Guinea-Bissau	73
Haskell, Todd Philip, of Florida, to be Ambassador to the Republic of the Congo	75
Tuesday, May 2, 2017	93
Branstad, Hon. Terry, of Iowa, to be Ambassador to the People’s Republic of China	98
Tuesday, May 9, 2017	145
Sullivan, Hon. John J., of Maryland, to be Deputy Secretary of State	149
Wednesday, May 17, 2017	207
Brown, Scott P., of New Hampshire, to be Ambassador to New Zealand, and to the Independent State of Samoa	211
Thursday, May 18, 2017	227
Hagerty, William Francis IV, of Tennessee, to be Ambassador to Japan	231
Thursday, June 15, 2017	259
Green, Mark Andrew, of Wisconsin, to be Administrator of the U.S. Agency for International Development	266
Tuesday, July 11, 2017	303
Bohigian, Hon. David Steele, of Missouri, to be Executive Vice President of the Overseas Private Investment Corporation	307
Washburne, Ray, of Texas, to be President of the Overseas Private Investment Corporation	309
Currie, Kelley Eckels, of Georgia, to be U.S. Representative on the Economic and Social Council of the United Nations	312
Murray, Jay Patrick, of Virginia, to be an Alternate Representative for Special Political Affairs in the United Nations	315

	Page
Tuesday, July 18, 2017	345
Gingrich, Callista L., of Virginia, to be Ambassador to the Holy See	349
Sales, Nathan Alexander, of Ohio, to be Coordinator for Counterterrorism, Department of State	352
Glass, George Edward, of Oregon, to be Ambassador to the Portuguese Republic	355
Risch, Carl C., of Pennsylvania, to be an Assistant Secretary of State, Consular Affairs	358
Wednesday, July 19, 2017	389
Arreaga, Hon. Luis E., of Virginia, to be Ambassador to the Republic of Guatemala	389
Day, Sharon, of Florida, to be Ambassador to the Republic of Costa Rica	391
Urs, Krishna R., of Connecticut, to be Ambassador to the Republic of Peru	393
Thursday, July 20, 2017	415
Hutchison, Hon. Kay Bailey, of Texas, to be U.S. Permanent Representative on The Council of the North Atlantic Treaty Organization	425
Craft, Kelly Knight, of Kentucky, to be Ambassador to Canada	429
Johnson, Robert Wood IV, of New York, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland	432
Eisenberg, Lewis M., of Florida, to be Ambassador to the Italian Republic and to the Republic of San Marino	434
McFarland, Kathleen Troia, of New York, to be Ambassador to the Republic of Singapore	437
Wednesday, July 26, 2017	491
Raynor, Hon. Michael Arthur, of Maryland, to be Ambassador to the Federal Democratic Republic of Ethiopia	492
Brewer, Maria E., of Indiana, to be Ambassador to the Republic of Sierra Leone	494
Desrocher, John P., of New York, to be Ambassador to the People's Democratic Republic of Algeria	496
Tuesday, August 1, 2017	517
King, Stephen B., of Wisconsin, to be Ambassador to the Czech Republic ..	518
Tuesday, September 12, 2017	531
Ueland, Eric M., of Oregon, to be an Under Secretary of State (Management)	536
Bass, Hon. John R., of New York, to be Ambassador to the Islamic Republic of Afghanistan	556
Siberell, Justin Hicks, of Maryland, Nominee to be Ambassador to the Kingdom of Bahrain	560
Dowd, J. Steven, of Florida, to be U.S. Director of the African Development Bank for a Term of 5 Years	563
Tuesday, September 19, 2017	617
Huntsman, Hon. Jon M. Jr., of Utah, to be Ambassador to the Russian Federation State	624
Mitchell, A. Wess, of Virginia, to be an Assistant Secretary of State (European and Eurasian Affairs)	640
Wednesday, September 27, 2017, (a.m.)	693
Kritenbrink, Daniel J., of Virginia, to be Ambassador to the Socialist Republic of Vietnam	695
Fitzpatrick, Kathleen M., of the District of Columbia, to be Ambassador to the Democratic Republic of Timor-Leste	698
Wednesday, September 27, 2017 (p.m.)	715
Hoekstra, Hon. Peter, of Michigan, to be Ambassador to the Kingdom of the Netherlands	718
Buchan, Richard Duke, III, of Florida, to be Ambassador to the Kingdom of Spain	721

	Page
Wednesday, September 27, 2017 (p.m.) —Continued	
Grenell, Richard, of California, to be Ambassador to the Federal Republic of Germany	725
McCourt, Jamie, of California, to be Ambassador to the French Republic, and to the Principality of Monaco	728
McMullen, Edward T. Jr., of South Carolina, to be Ambassador to the Swiss Confederation, and to the Principality of Liechtenstein	732
Tuesday, October 3, 2017 (a.m.)	763
Juster, Hon. Kenneth Ian, of New York, to be Ambassador to the Republic of India	767
Tuesday, October 3, 2017 (p.m.)	789
Andre, Hon. Larry Edward, of Texas, to be Ambassador to the Republic of Djibouti	792
Barlerin, Peter Henry, of Colorado, to be Ambassador to Republic of Cameroon	794
Whitaker, Eric P., of Illinois, to be Ambassador to the Republic of Niger ..	796
Dodman, Michael James, of New York, to be Ambassador to the Islamic Republic of Mauritania	807
Fite, Nina Maria, of Pennsylvania, to be Ambassador to the Republic of Angola	810
Foote, Daniel L., of New York, to be Ambassador to the Republic of Zambia	813
Reimer, David Dale, of Ohio, to be Ambassador to the Republic of Mauritius and the Republic of Seychelles	815
Wednesday, October 4, 2017	849
Sison, Michele Jeanne, of Maryland, to be Ambassador to the Republic of Haiti	851
Brownback, Hon. Samuel Dale, of Kansas, to be Ambassador-at-Large for International Religious Freedom	855
Thursday, October 5, 2017	883
Sands, Carla, of California, to be Ambassador to the Kingdom of Denmark	884
Kohorst, W. Robert, of California, to be Ambassador to the Republic of Croatia	887
Wednesday, October 18, 2017	903
Carter, Thomas, of South Carolina, to be U.S. Representative on the Council of the International Civil Aviation Organization	905
Newstead, Jennifer Gillian, of New York, to be Legal Adviser of the Department of State	907
Singh, Manisha, of Florida, to be an Assistant Secretary of State (Economic and Business Affairs)	910
Evanoff, Michael T., of Arkansas, to be an Assistant Secretary of State (Diplomatic Security)	911
Wednesday, November 1, 2017	955
Goldstein, Irwin Steven, of New York, to be Under Secretary of State (Public Diplomacy)	957
Lawler, Sean P., of Maryland, to be Chief of Protocol of the Department of State	960
Johnson, Lisa A., of Washington, to be Ambassador to the Republic of Namibia	962
Gonzales, Rebecca Eliza, of Texas, to be Ambassador to the Kingdom of Lesotho	964
Evans, James Randolph, of Georgia, to be Ambassador To Luxembourg	966
Tuesday, November 28, 2017	1013
Poblete, Yleem D.S., Ph.D., of Virginia, to be an Assistant Secretary of State (Verification and Compliance)	1019
Ford, Christopher Ashley, D.Phil., of Maryland, to be an Assistant Secretary of State (International Security and Non-Proliferation)	1022

VI

	Page
Thursday, November 30, 2017	1071
Bierman, Hon. Brock D., of Virginia, to be an Assistant Administrator of the United States Agency For International Development	1076
Braithwaite, Rear Admiral Kenneth J., USN (Ret), of Pennsylvania, to be Ambassador to the Kingdom of Norway	1080
Trujillo, Hon. Carlos, of Florida, to be the Permanent U.S. Representative to the Organization of American States	1083
McClenny, M. Lee, of Washington, to be Ambassador to the Republic of Paraguay	1086
Tuesday, December 19, 2017	1123
Vrooman, Peter Hendrick, of New York, to be Ambassador to the Republic of Rwanda	1125
Danies, Joel, of Maryland, to be Ambassador to the Gabonese Republic and to the Democratic Republic of Sao Tomé and Príncipe	1128

APPENDIX

Alphabetical listing of nominees considered by the committee, including im- portant dates	1151
--	------

NOMINATIONS

WEDNESDAY, SEPTEMBER 27, 2017 (a.m.)

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

The committee met, pursuant to notice, at 10:55 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Cory Gardner, presiding.

Present: Senators Gardner [presiding], Risch, Markey, Murphy, and Kaine.

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

Senator GARDNER. This hearing will come to order.

Let me welcome you all to today's Senate Foreign Relations hearing for nominations.

I apologize for being late. I was introducing a fellow Coloradan to head the National Institute of Standards and Technology in Boulder, Colorado right before this committee hearing. So thank you for the indulgence and I apologize for being late.

The nations of Vietnam and Timor-Leste are important partners for the U.S. in the Asia-Pacific region. Since the establishment of diplomatic ties in 1995, Vietnam and the United States have enjoyed a robust and fast-growing relationship. The United States is now Vietnam's second largest bilateral trading partner. Common security challenges in the region have allowed for steady growth of our security partnership. President Trump and Prime Minister Nguyen reaffirmed and committed to strengthen these ties during the Prime Minister's visit to Washington on May 31st. Vietnam will host the 2017 Asia-Pacific Economic Cooperation, APEC, leaders summit in November, a momentous occasion for the country.

The White House has announced that President Trump plans to attend the APEC summit, which will be a critical show of leadership from the United States. I sincerely hope that the President's trip will go as planned.

Timor-Leste is one of the youngest nations in the world, having gained its independence only in 2002. It is an emerging democracy, and in 2017, they held presidential and parliamentary elections that were widely recognized as free and fair and encouraging development.

It is my hope that the nominees before us today, if confirmed, could advance these partnerships to benefit U.S. national and economic security.

And with that, I will turn it over to my colleague and ranking member, Senator Markey.

**STATEMENT OF HON. EDWARD J. MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Thank you, Mr. Chairman, very much. Thank you for having this hearing.

Today we are considering the nominations of two outstanding diplomats to represent the United States in Timor-Leste and Vietnam. Ms. Fitzpatrick and Mr. Kritenbrink, we thank you and your families for your years of service representing America abroad as members of the Foreign Service.

If confirmed, you will embark on diplomatic missions to two very important emerging countries. In 2002, Timor-Leste became the first new sovereign state of the 21st century and joined the United Nations and the community of Portuguese language countries. Today it seeks full economic integration into the Southeast Asia region as it continues its economic and political growth. It is very important that the United States continue to support it on this path.

The Vietnam-United States relationship has a difficult history, as we are reminded this week by Ken Burns' documentary broadcast on PBS. But remarkably, just over 40 years after the end of the Vietnam War, we have not only normalized relations, but have developed an expanding relationship that includes economic, political, and security cooperation. It is critical that we continue to build this relationship for the mutual benefit of both the American and Vietnamese people. At the same time, we must continue to strongly urge the Vietnam Government to meet international standards with respect to human rights and democratic governance.

I have every confidence that, if confirmed, each of you will perform your mission with distinction. Please do not question whether or not we appreciate the service that career diplomats play in the representation of our country.

We thank you, Mr. Chairman, very much and I yield back the balance of my time.

Senator GARDNER. Thank you, Senator Markey.

Our first nominee is Mr. Daniel Kritenbrink of Virginia. Mr. Kritenbrink is a career member of the Senior Foreign Service Class of Minister-Counselor and has served as an American diplomat since 1994. He currently serves as the Senior Advisor at the State Department. Mr. Kritenbrink has previously served as Deputy Chief of Mission in Beijing and has also served as a Senior Director at the National Security Council. Thank you, you and your family, for your willingness to serve, and we will begin with your testimony first.

And our next nominee, who we will turn to after that, of course, is Kathleen Fitzpatrick of the District of Columbia. Ms. Fitzpatrick is also a Career Member of the Senior Foreign Service, Class of Minister-Counselor, and has served as an American diplomat since 1983. She currently serves as the Principal Deputy Assistant Secretary in the Bureau of Intelligence and Research at the Department of State. Thank you, you and your family, for your willingness to serve.

Mr. Kritenbrink, we will begin with you.

STATEMENT OF DANIEL J. KRITENBRINK, 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 SOCIALIST REPUBLIC OF VIETNAM

Mr. KRITENBRINK. Good morning. Thank you, Chairman Gardner, Ranking Member Markey, and members of the committee, for the honor of allowing me to testify before you and for considering my nomination by the President to be the next United States Ambassador to Vietnam. I am deeply grateful for the confidence that President Trump and Secretary Tillerson have shown in me.

I would also like to thank my wife Nami and my children, Mia and Joseph, who are sitting right behind me, for joining me today. Their love has been a constant source of support and encouragement, without which I would not be here.

It has always been my dream to serve my country, and I have been privileged to do so as a Foreign Service officer since 1994. I have spent most of my career in Asia. I know how critical this dynamic region is to U.S. interests. Few countries highlight the impact of consistent, creative, U.S. engagement more than Vietnam. That is something I have witnessed firsthand, including during three official trips to Vietnam and during my overseeing the negotiation of two bilateral joint statements with Vietnam in 2015 and 2016.

Over the last 40 years, the U.S.-Vietnam relationship has undergone a profound transformation. Thanks to the efforts of successive U.S. administrations, the Congress, veterans, the business community, and members from among the more than 2 million Vietnamese Americans, Vietnam has become a valuable and strategic partner. If confirmed, I look forward to working closely with the Senate to advance American interests and build upon the already strong ties between the United States and Vietnam, including in the following areas.

First, security. Our two countries have expanded security cooperation, including U.S. support to strengthen Vietnam's maritime security capabilities, as part of our shared interest in upholding international law and resisting coercion in the South China Sea. We are also helping Vietnam build capacity to become a more active contributor on the regional and global stage. We are encouraging Vietnam to continue its active role within ASEAN, and we support Vietnam's planned contributions to UN peacekeeping missions. The United States and Vietnam have also increased collaboration on preventing North Korea from threatening the region through its nuclear and missile programs. If confirmed, I will continue this vital work.

Second, trade and investment. Bilateral trade with Vietnam has grown exponentially, increasing from \$451 million in 1995 to \$52 billion in 2016. Last year, Vietnam was America's fastest growing export market. U.S. investment in Vietnam has grown to \$1.5 billion. Yet challenges obviously remain. If confirmed, I will work to boost U.S. exports and expand trade and investment ties. I will

also advocate for a level playing field for U.S. companies and investors.

Third, human rights. There has been some progress in Vietnam on human rights and religious freedom, due in no small part to congressional engagement and a productive bilateral dialogue on these issues. However, the trend over the past 18 months of increased arrests, convictions, and harsh sentences of activists is deeply troubling. If confirmed, I will continue to advocate for human rights and religious freedom and for the need to make progress in combating trafficking in persons. I will stress to Vietnam's leadership that progress on these issues is critical to enabling our partnership and Vietnam itself to reach its fullest potential.

Fourth, people-to-people ties. The bonds between the American and Vietnamese people are strong and growing. More than 21,000 Vietnamese now study in the United States. Over 80,000 Vietnamese visited the United States last year, and over half a million Americans visited Vietnam. The new Fulbright University Vietnam and the Peace Corps program in Vietnam will serve as the bridge to our brighter future together.

Fifth, humanitarian and war legacy issues. Providing the fullest possible accounting for U.S. personnel missing from the Vietnam War era remains our solemn obligation, and we must not stop until that work is complete. Since 1993, the United States has contributed over \$103 million to mitigate threats posed by unexploded ordnance. We have invested nearly \$115 million in the remediation of dioxin contamination in Danang. Our cooperation on these issues continues to build a foundation of trust to expand our relationship.

And this is just the beginning. Vietnam is an increasingly important partner on other regional and global challenges, including pandemic disease, wildlife and drug trafficking, and transnational crime.

If confirmed, I will work with our exceptional U.S. mission staff to strengthen our partnerships with Vietnam and the Vietnamese people. I will also make the safety and welfare of mission personnel a top priority, including by ensuring they have appropriate facilities in Vietnam from which to do their important work. Our goal remains to advance American interests across the board and support the development of a strong, prosperous, and independent Vietnam that contributes to international security, engages in mutually beneficial trade, and respects human rights and the rule of law.

Thank you again for considering my nomination. I look forward to your questions.

[Mr. Kritenbrink's prepared statement follows:]

PREPARED STATEMENT OF DANIEL J. KRITENBRINK

Thank you Chairman Gardner, Ranking Member Markey, and members of the committee for the honor of allowing me to testify before you, and for considering my nomination by the President to be the next United States Ambassador to Vietnam. I am deeply grateful for the confidence that President Trump and Secretary Tillerson have shown in me. I would also like to thank my wife Nami, and my children, Mia and Joseph, for joining me today. Their love has been a constant source of support and encouragement, without which I would not be here.

If confirmed, I look forward to working closely with the Senate to advance American interests and build upon the already strong ties between the United States and Vietnam.

It has always been my dream to serve my country, and I have been privileged to do so as a State Department Foreign Service Officer since 1994. I have spent most of my career in Asia, including in a variety of leadership positions. I know how critical this dynamic region is to U.S. interests. Few countries highlight the impact of consistent, creative U.S. engagement in Asia more than Vietnam. That is something I witnessed firsthand during my previous work with the Vietnamese, including three official trips to Vietnam, and my overseeing the negotiation of two bilateral Joint Statements with Vietnam in 2015 and 2016.

Over the last 40 years, the U.S.-Vietnam relationship has undergone a profound transformation. Thanks to the efforts of successive U.S. administrations, the Congress, and others, such as veterans, the business community, and members from among the more than two million Vietnamese-Americans, Vietnam has become a valuable and strategic partner. If confirmed, I will work to continue developing the U.S.-Vietnam relationship in support of a wide range of shared interests, including in the following areas.

First, security. Our two countries have significantly expanded security cooperation, including through U.S. support to strengthen Vietnam's maritime security capabilities, as part of our shared interest in upholding international law and resisting coercion in the South China Sea, a region vital to our respective security and commercial interests as Asia-Pacific nations. We are also helping Vietnam build capacity to become a more responsible and active contributor on the regional and global stage. We are encouraging Vietnam to continue its active role within ASEAN, and we support Vietnam's planned contributions to U.N. peacekeeping missions. The United States and Vietnam have also increased collaboration on preventing North Korea from threatening the region through its nuclear and missile programs. If confirmed, I will continue this vital work.

Second, trade and investment. Bilateral trade with Vietnam has grown exponentially, increasing from \$451 million in 1995 to \$52 billion in 2016. Last year, Vietnam was America's fastest growing export market. U.S. investment in Vietnam has grown to \$1.5 billion. Yet challenges obviously remain. If confirmed, I will work to boost U.S. exports and expand trade and investment ties. I will also advocate for a level playing field for U.S. companies and investors, including by urging Vietnam to improve labor and environmental standards, transparency for state-owned enterprises, and intellectual property protection, so that our two countries enjoy a strong trade relationship that is free and fair.

Third, human rights. There has been some progress in Vietnam on human rights and religious freedom in recent years, due in no small part to Congressional engagement and a productive bilateral dialogue on these issues. However, the trend over the past 18 months of increased arrests, convictions, and harsh sentences of activists is deeply troubling. If confirmed, I will continue to advocate for human rights and religious freedom, and for the need to make further progress in combating trafficking in persons, while stressing to Vietnam's leadership that progress on these issues remains a top priority for the United States, and is critical to enabling our partnership—and Vietnam itself—to reach its fullest potential.

Fourth, people-to-people ties. The bonds between the American and Vietnamese people are strong and growing. More than 21,000 Vietnamese now study in the United States, placing Vietnam in the top six source countries for foreign students. These students not only build mutual understanding, but they also contributed nearly \$700 million to the U.S. economy in 2015. Over 80,000 Vietnamese visited the United States last year, supporting American jobs in every state, and over half a million Americans visited Vietnam. The new Fulbright University Vietnam and the Peace Corps program in Vietnam will further deepen these ties that will serve as the bridge to our brighter future together.

Fifth, humanitarian and war legacy issues. Providing the fullest possible accounting for U.S. personnel missing from the Vietnam War era remains our solemn obligation, and we must not stop until that work is complete. Vietnam has provided critical assistance to those efforts for decades. Since 1993, the United States has contributed over \$103 million to mitigate lingering threats posed by unexploded ordnance. We have invested nearly \$115 million in the remediation of dioxin contamination in Danang, which is scheduled to be completed later this year, and we have committed to doing more. Our cooperation on these issues continues to build a foundation of trust to expand our relationship.

This is just the beginning. In addition to the many issues I have mentioned, Vietnam is an increasingly important partner on other regional and global challenges, including pandemic disease, wildlife and drug trafficking, and transnational crime.

With a booming economy and a young and energetic population that holds overwhelmingly positive views of the United States, Vietnam has the potential to emerge as one of our strongest partners in the Asia-Pacific.

If confirmed, I will work with our exceptional U.S. Mission staff in Hanoi and in Ho Chi Minh City to strengthen our partnership with Vietnam and the Vietnamese people. I will also make the safety and welfare of Mission personnel a top priority, including by ensuring they have appropriate facilities in Vietnam from which to do their important work. Our goal remains to advance American interests across the board and support the development of a strong, prosperous, and independent Vietnam that contributes to international security, engages in mutually beneficial trade, and respects human rights and the rule of law.

Thank you again for considering my nomination. I look forward to your questions.

Senator GARDNER. Thank you.

Ms. Fitzpatrick?

STATEMENT OF KATHLEEN M. FITZPATRICK, OF THE DISTRICT OF COLUMBIA, 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 REPUBLIC OF TIMOR-LESTE

Ms. FITZPATRICK. Mr. Chairman, Ranking Member Markey, members of the committee, thank you for the opportunity to appear before you today as the President's nominee to become the next U.S. Ambassador to the Democratic Republic of Timor-Leste. I am deeply grateful to the President and Secretary Tillerson for placing their confidence in me to serve the United States in Timor-Leste, a young and promising democracy and friend of the United States.

Mr. Chairman, if I may, I would like to welcome my family whose support and encouragement has brought me where I am today. With me, is my husband, a retired Foreign Service officer, Richard Figueroa. I would also like to acknowledge our wonderful daughters, Elizabeth and Alexandra Figueroa. Elizabeth is here today. Alexandra is away at school. Also with me are my brothers, Michael and Tom Fitzpatrick, and my sister-in-law, Terry Fitzpatrick.

If I may, Mr. Chairman, both of my parents passed away 6 years ago, but they would have been so proud of this moment. And if I note, my mother's love is always still with us and my father is a hero in our family. He is a World War II veteran, navigator on B-17's. His plane was shot down coming back from a mission. He was a POW for a year and a half. But his service to country and devotion to family really is a shining example to all of us.

If I also may take a moment to send our love to the Figueroa side of the family who are in Puerto Rico and St. Thomas, with gratitude that they are safe as they face the aftermath of the hurricane.

Mr. Chairman, Timor-Leste has shown that it is possible for a new country to emerge from years of conflict as a nation succeeding on the foundations of democratic principles.

Timor-Leste and the United States share a friendship based on those common values, and our bilateral relations are anchored in mutual respect and admiration.

As Secretary Tillerson said in a message on Timor-Leste's independence day, 15 years of independence is a remarkable milestone, reflecting the resolve and the commitment of the Timorese people to build a new democracy based on respect for human rights and

the rule of law. We are committed to deepening ties between the American and Timorese people in the years to come.

Mr. Chairman, if confirmed, I will work to fulfill our commitment to deepen ties with a country that has earned our respect and set its own path as a democratic and resilient state. And this has been exemplified in the last several months as Timor-Leste held peaceful, credible, and fair presidential and parliamentary elections, the first without UN peacekeepers.

As a democratic country in a strategic neighborhood, Timor-Leste is an increasingly important voice for human rights and democracy regionally and globally. It is a founding member of the G-7 Plus fragile states group, sharing best practices on how societies rebuild after conflict. Timor-Leste has also been an important voice on regional issues, including calling for North Korea to abide by UN Security Council resolutions, which they did at the ASEAN regional forum in August when Timor-Leste made a statement in that regard.

Timor-Leste has also applied to join ASEAN and the World Trade Organization.

Our cooperation, whether through USAID, our military-to-military engagement, our Peace Corps volunteers, or a new Millennium Challenge Corporation threshold program, will build capacity for stronger democratic institutions, inclusive economic growth, and better security. We have supported Timor-Leste in diversifying its economy, bolstering the country's ability to work with the United States on issues of common concern. For example, a coffee cooperative, established and developed with U.S. assistance, now provides sustainable income for 22,000 of its members.

Our growing security partnership with Timor-Leste builds capacity to respond to natural disasters and humanitarian crises, strengthens maritime security, and it deepens the professionalism of the Timorese military and law enforcement.

Mr. Chairman, if confirmed, I will work with our team in Dili and Washington, our Timorese hosts, and other international partners to further strengthen our cooperation with Timor-Leste and to advance U.S. interests. I will also work to deepen our outreach to the Timorese people, particularly the large youth population, so that our future ties are built on a strong foundation.

If confirmed, I look forward to working with this committee and other Members of Congress as we continue to promote our interests in Timor-Leste and the broader East Asia and Pacific region.

Thank you, Mr. Chairman, for this opportunity to appear before you today, and I am honored to take your questions.

[Ms. Fitzpatrick's prepared statement follows:]

PREPARED STATEMENT OF KATHLEEN M. FITZPATRICK

Mr. Chairman, Ranking Member Markey, members of the committee, thank you for the opportunity to appear before you today as the President's nominee to become the next U.S. Ambassador to the Democratic Republic of Timor-Leste. I am deeply grateful to the President and Secretary Tillerson for placing their confidence in me to serve the United States in Timor-Leste, a young and promising democracy and friend of the United States.

I would like to introduce my family, whose support and encouragement has brought me to where I am today. With me today is my husband, retired Foreign Service Officer Richard Figueroa. I would also like to acknowledge our wonderful daughters, Elizabeth and Alexandra Figueroa; Elizabeth is here today, while Alex-

andra is away at college. My brothers Michael and Tom Fitzpatrick and sister-in-law Terry have also joined us today. Both of my parents passed away six years ago but they would have been very proud of this moment. My Mom's love still surrounds us. And, my father, a WWII veteran—who flew as a navigator on B-17s, and when his plane was shot down, was a POW for a year and a half—serves as a shining example of service to country and devotion to family. I would also like to send my love to the Figueroa side of our family who live in Puerto Rico and St. Thomas, with gratitude that they are safe as they endure the aftermath of Hurricane Maria. Finally Mr. Chairman, I also thank my many mentors and colleagues who have supported me throughout my career.

Mr. Chairman, Timor-Leste has shown that it is possible for a new country to emerge from years of conflict as a nation succeeding on the foundations of democratic principles and respect for human rights.

Timor-Leste and the United States share a friendship based on those common values, and our bilateral relations are anchored in mutual respect and admiration. We respect the tremendous struggles Timor-Leste has endured to become the newest country in Asia, and we commend the vibrant and developing democracy Timor-Leste has built to respond to the aspirations of its diverse people. As President Trump said in a message on Timor-Leste's 15th independence day this year, the progress of this young country reflects the national spirit and determination of the Timorese people.

Secretary Tillerson echoed the President's comments in his own message when he said: "Fifteen years of independence is a remarkable milestone, reflecting the resolve and commitment of the Timorese people to build a new democracy based on respect for human rights and the rule of law. We are committed to deepening ties between the American and Timorese peoples in the years to come." Mr. Chairman, if confirmed, I will work to fulfill our commitment to deepen ties with a country that has earned our respect, a country that has set its own path—symbolized by the star the Timorese chose to adorn their nation's flag—as a democratic, resilient and stable state.

Timor-Leste has held peaceful, credible and fair presidential and parliamentary elections in 2017, the first without U.N. peacekeepers, reflecting the diversity of emerging political views, especially among young people voting for the first time, and with an impressively high turnout.

As a young country in a large and strategic neighborhood, Timor-Leste faces economic, security, and environmental challenges. Timor-Leste is actively addressing some of these concerns. Its leaders are working with Australia in a conciliation process to resolve peacefully a maritime boundary dispute in accordance with international law using a mechanism that could be a model for other countries seeking to solve such differences. It has applied to join ASEAN and the World Trade Organization. Timor-Leste is an increasingly important voice for human rights and democracy globally. It is a founding member of the *g7+* fragile states group and shares experiences and best practices on how societies rebuild after conflict. Timor-Leste has also been an important voice on regional issues of mutual concern, including calling for North Korea to abide by U.N. Security Council resolutions at the ASEAN Regional Forum in August.

Our cooperation, whether through USAID, military-to-military engagement, Peace Corps, or a new Millennium Challenge Corporation Threshold Program, will build capacity for inclusive economic growth, maritime security, and stronger governance. Much of our collaboration assists Timor-Leste in diversifying its economy for more sustainable development, bolstering Timor-Leste's ability to work with the United States on issues of common concern. A coffee cooperative established and developed with USAID and USDA assistance, for example, now provides sustainable income and access to rural health clinics for its 22,000 members.

Our growing security partnership with Timor-Leste builds capacity to respond to natural disasters and humanitarian crises, strengthens maritime security, and deepens the professionalism of the Timorese military. Our armed forces conduct regular bilateral exercises, and a rotating U.S. Navy Seabees detachment provides critical humanitarian assistance and infrastructure support to the Timorese people. To support Timor-Leste's efforts to strengthen rule of law, we also train Timorese law enforcement personnel at the regional International Law Enforcement Academy. We have also worked with Timor-Leste as it strengthens its ability to combat trafficking in persons.

Mr. Chairman, if confirmed, I will work with our team in Dili and Washington, our Timorese hosts, and other international partners to further strengthen our bilateral and multilateral cooperation with Timor-Leste and advance U.S. interests there and in the region. I will also work to deepen our outreach to the Timorese people,

particularly the large youth population, so that our future ties are built on a strong foundation.

Mr. Chairman, during my Foreign Service career, I have proudly served the United States both in Washington and abroad. If confirmed, I will use my experience to guide our mission in Dili to strengthen our relationship with the region's newest nation. Over the years, members of the U.S. Congress have shown particular interest in Timor-Leste's development and success, having played an important role in the country's independence. If confirmed, I look forward to working with this committee and other members of Congress, whether here in Washington or in the region, as we continue to promote our interests in Timor-Leste and the broader East Asia and Pacific region.

Thank you for this opportunity to appear before you today. I am honored to take your questions.

Senator GARDNER. Thank you both for your time and testimony. And congratulations again on your nominations, and to your families, again welcome to the Foreign Relations Committee.

I will begin briefly with questions.

Broadly speaking in Asia, we seem to have had over the past several decades policies that may reflect the 4-year or 8-year tenure of a presidency, but rarely do we have policies that last 10 or 20 years when it comes to an Asia strategy writ-large.

I have been developing legislation known as the Asia Reassurance Initiative Act, which would focus on three areas talking about economic opportunities and enhancing trade throughout Southeast Asia in particular, talking about the security challenges that we face, Asia-Pacific security initiative, counterterrorism activities, maritime capabilities, training opportunities. And then, of course, the third leg of the stool would be promoting U.S. values, human rights, democracy components.

Both of you in the region, what do you think the most important sort of elements of the U.S.-Asia policy to be? Ms. Fitzpatrick?

Ms. FITZPATRICK. Thank you, Mr. Chairman, for that question and for your commitment to the Asia-Pacific region.

In that regard, Mr. Chairman, in a new democracy such as Timor-Leste, the newest country in Asia, we will continue—if confirmed, I will continue to build on our efforts to strengthen democratic institutions, to build sustainable development and economic diversification, as well as to further strengthen our very vibrant military-to-military engagement with Timor-Leste. So those would be my top priorities, as well as to advance our public diplomacy and our outreach to the Timorese people.

Senator GARDNER. Mr. Kritenbrink?

Mr. KRITENBRINK. Thank you, Mr. Chairman, for your question and also your commitment and support to our interests in the Asia-Pacific.

I think you have summed it up quite well, Mr. Chairman. And when I look at the Asia-Pacific, I guess basically I would say we have an enduring national interest in a secure, open, and free Asia-Pacific, and I think those are the fundamental interests that animate our policies. And building on your comments, I would say in Vietnam, I think that means we continue to advance policies that support our common interests. We both share an interest in a peaceful, secure, stable Asia-Pacific where differences are resolved peacefully in accordance with international law. If confirmed, I would work aggressively on those issues, similarly on the economic and trade side, and as you mentioned, Mr. Chairman, certainly our

values have to remain central to our engagement with the region and with Vietnam in particular.

Senator GARDNER. Thank you to you both.

Mr. Kritenbrink, we had an opportunity to talk about North Korea in the office. And of course, both of your opening statements referenced North Korea. Could you talk a little bit about your experience, that is, your background on North Korea but also your experience as it relates to working with Vietnam to further isolate the North Korean regime using Vietnam's leadership as a way to cut off trade and isolate further trade with North Korea?

Mr. KRITENBRINK. Thank you, Mr. Chairman.

Certainly the issue of North Korea and the threat that its nuclear weapons and missile programs present to the region and to the world is a grave national security threat and perhaps the most serious national security threat the United States faces today. Under President Trump, the United States has made clear that we will not stand idly by in the face of this threat and that we will use all elements of American national power to combat this threat, together with our allies and partners in the region.

I think particularly in the context of Vietnam, Mr. Chairman, I would say that as part of our global pressure campaign to, as you said, isolate North Korea, or restrict its sources of funding, we have had a very constructive and productive dialogue with Vietnam, and together we share an interest in curbing the threat posed by North Korea. And if confirmed, I would certainly advance that dialogue further and make it one of my top priorities.

Senator GARDNER. Thank you.

The State Department's 2017 Trafficking in Persons, the TIP Report, ranked Vietnam as a tier 2 country. The report described challenges in Vietnam's implementation of some relatively new anti-trafficking laws, including challenges they have facing limited resources, interagency coordination, and victim referral systems.

Do you think Vietnam deserved the tier 2 ranking for the seventh year in a row? And if confirmed, how would you engage the Government of Vietnam to address these ongoing anti-trafficking challenges?

Mr. KRITENBRINK. Thank you, Mr. Chairman, for raising that issue.

I think the issue of trafficking in persons or modern day slavery is a critically important issue, and it is with all countries in the region and around the world. And certainly, if confirmed, I would make it a top priority with Vietnam.

I think the assessment that the U.S. Government has made in our Trafficking in Persons Report of tier 2 is accurate for Vietnam. In other words, I think Vietnam has demonstrated a real commitment to tackling this problem, recognizes the seriousness of it and the importance of it, but candidly speaking, they fall short of doing the things necessary to actually achieve those goals.

I think you have outlined well some of the deficiencies regarding lack of interagency cooperation, lack of resources, lack of capacity, and a lack of convictions to date, as well as the delay in implementing their own domestic legislation related to trafficking in persons.

If I were confirmed, Mr. Chairman, again I would make it a top priority. It would be a topic of frequent engagement both at my level and at more senior levels, and also I would continue to support the various U.S. assistance programs that are also designed to improve Vietnam's capabilities to tackle this challenge.

Senator GARDNER. Thank you.

Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman.

Just following up on the chairman's comments, Human Rights Watch has now said that Vietnam's human rights record remains dire in all areas. And in July, a Vietnamese court sentenced a blogger activist to 9 years in prison, followed by 5 years under house arrest, for spreading, quote, anti-state propaganda.

So this question of human rights, this question of religious freedom is clearly something that is still a big part of the culture of Vietnam. So we thank you for the commitments that you have made to the chairman to be there as a voice for freedom in that country.

Let me follow up. Vietnam has mounted a series of challenges to China's claims in the South China Sea. Vietnam has been critical of China's reclamation project and has challenged China's maritime claims as well. After the Chinese protested, Vietnam in June suspended a gas drilling project in its exclusive economic zone. The administration's wavering on a South China Sea policy has left Vietnam feeling alone.

Mr. Krittenbrink, while the United States and Vietnam are not treaty allies, what more can we do to reassure Vietnam that we will continue to provide diplomatic support as they legally dispute China's territorial claims?

Mr. KRITENBRINK. Thank you, Senator, for that very important question.

I do think that the issues in the South China Sea—the maritime issues in the South China Sea, the territorial disputes, and the behavior of various states in the region are a critical national interest of the United States, and our interests include preserving freedom of navigation and overflight, the peaceful resolution of disputes in accordance with international law, and also free, unfettered, and legal commerce.

I think, Senator, the most effective approach that the United States can have engaging with Vietnam would be to continue diplomatically to engage with Vietnam to advance the interests that we share in common. Vietnam shares the same interests that we do in ensuring peace and stability and preserving the principles that I have just outlined in the South China Sea. They have stated repeatedly so publicly and privately.

Secondly, Senator, I think it is in our interest to continue building the capacity of Vietnam's coast guard and other forces so that Vietnam has the ability to maintain domain awareness and advocate its own positions and claims. And I think through both our diplomatic engagement, I think our assistance to further Vietnam's own capacity, and then I think, Senator, by maintaining our constant presence, our regular and frequent freedom of navigation operations, we can best support Vietnam and other likeminded partners.

Senator MARKEY. How much does Vietnam see the United States now as a counterbalance to China? Do you see that as an increasing and continually increasing part of our relationship with them?

Mr. KRITENBRINK. I think, Senator, that Vietnam maintains its own very complicated but important relationship with China. I think Vietnam, like most countries in the region, is looking for a diversified and balanced set of relationships in its foreign policy. And I think Vietnam and others in the region look to the United States for leadership, for leadership on critical maritime issues, for contributing to peace and stability, and also for promoting economic prosperity. I think the demand signals coming from our Vietnamese friends and other likeminded partners throughout the region are very strong.

Senator MARKEY. Thank you.

Ms. Fitzpatrick, Timor-Leste's first president and former Prime Minister Gusmao was in Massachusetts last week to discuss the challenges Timor-Leste faces with respect to achieving full sovereignty. One of the lingering issues he has sought to resolve is the maritime boundary between Timor-Leste and Australia. On September 1st, the Permanent Court of Arbitration brought Timor-Leste and Australia one step closer to a permanent agreement. Once this deal is concluded, it will require significant ongoing coordination and cooperation between Timor-Leste and Australia.

How do you see the United States helping this process so that a final agreement can be reached and implemented?

Ms. FITZPATRICK. Thank you, Senator.

We do commend Timor-Leste and Australia for entering into the compulsory compliance mechanism under the UN Convention of Law of the Sea. We support international law and peaceful resolution of disputes, and we also were pleased that Timor-Leste and Australia did announce that they had reached a core of an agreement.

While we do not take positions on maritime boundary disputes, we do see this first use of this mechanism as a possible tool for other countries with similar issues. And if confirmed, Senator, I will continue to monitor the agreement and support efforts to comply and to adhere to international law and peaceful resolution of disputes.

Senator MARKEY. Thank you.

Thank you, Mr. Chairman.

Senator GARDNER. Senator Kaine?

Senator KAINE. Thank you, Mr. Chair.

And congratulations to each of you for your nominations but also for your long service to the country. These are not easy positions. I think folks who do not do them think there is a lot of glamour involved, and occasionally that is the case. But there are a lot of moves sometimes to places you want to go and sometimes to places that are tough. Sometimes your family can be with you. Sometimes they cannot. I think the Nation does a good job of thanking those who are in military service. We have grown to be able to do that, and that is smart. And we do not often have the same expression of appreciation to the many other Americans who serve abroad and to their families. I am glad your families are here with you and I congratulate you.

My colleagues have asked questions. I was interested in too. So as a member of the Armed Services Committee as well, I want to ask you about the mil-to-mil relationships with each country. One of the most powerful photos that I have ever seen in my political life was the docking of the USS John McCain in Danang Harbor in August of 2010 with the entire Vietnamese military brass there saluting, that sign of respect following a war that cost 60,000 American lives and somewhere between a million and a half and 3 million Vietnamese lives that we would back with a relationship that, while it has got its differences, is a thriving one, is powerful.

And then the Timorese military and the United States Navy participated in an annual CARA exercise that is focused primarily on maritime issues, maritime training.

That is the only question I am going to ask. If you could each talk a little bit about the mil-to-mil relationships and what you think you might be able to do if confirmed to enhance joint security between our nations.

Mr. KRITENBRINK. Senator Kaine, thank you so much for your question and thank you for your comments. They mean a great deal to me.

I think that the U.S.-Vietnam mil-mil relationship has grown, together with the rest of the bilateral relationship. And as you mentioned, Senator, I think it is particularly gratifying to see that progress given our painful history.

When I think of the bilateral mil-mil relationship, I think of the following three or four priorities.

I think first would be related to the maritime domain, and I think the U.S. military continues to play an important role in helping the Vietnamese coast guard and military develop its own capabilities both to achieve maritime domain awareness and other capabilities.

I would also add, Senator, that it was gratifying, indeed, to see the USS John McCain there, and I know over the last year, our two sides have announced they were working towards the visit of a U.S. aircraft carrier to Vietnam. And I think that would be an equally momentous event.

And the work on maritime includes both training, provision of assistance, and the like, and I think that has to continue going forward.

I think related to that, Senator, the U.S. military continues to play an important role engaging with the Vietnamese military to address legacy of war issues, whether that be the continued contamination by unexploded ordnance or remaining dioxin in the country. This is a U.S. government-wide effort, but certainly the Department of Defense is involved and plays a role there and then also I think benefits—our mil-mil relationship benefits a great deal from the work that we do there and the trust that we build as a result.

And the final point that I would mention, Senator, would be the humanitarian work, the humanitarian assistance, disaster relief kind of cooperation and training that the U.S. military does with the Vietnamese military.

I think those are probably the three key pillars going forward. I think related to that would be the training we are doing to help

Vietnam to be able to deploy in support of UN peacekeeping operations. So again, I think it is a robust relationship. If confirmed, those would be the first priorities that I would promote, if confirmed. Thank you.

Ms. FITZPATRICK. Thank you, Senator Kaine.

The United States and Timor-Leste share an interest in promoting regional peace, stability, and security. And in that regard, we have a very vibrant mil-to-mil relationship. It includes ship visits. It includes several annual exercises a year. It includes annual defense discussions. It includes training toward the professionalization of the Timorese military, as well as to enhance their expertise in various areas.

And there is also another area. You mentioned the U.S. Navy. The U.S. Navy Seabees are present in Timor-Leste. They have been there since 2009 on regular rotations every 6 months. And as part of our humanitarian outreach effort, in conjunction with our mil-to-mil engagement, they engage in infrastructure projects. They have completed about 109 projects, including constructing a hospital maternity ward and other facilities, a new classroom for public schools, repairing water and sanitation facilities, and other projects in that regard. The work of the Navy Seabees is sort of a great representative of the United States in Timor-Leste.

And although it is not quite mil-to-mil, I do want to mention our Peace Corps volunteers who are there and, of course, our embassy colleagues who are doing an active effort in public diplomacy, as well as our USAID colleagues.

So, sir, those would be the areas that I would very much welcome continuing to support and advance, consistent with the work that I have done throughout my career advancing humanitarian assistance, human rights, as well as security and military-to-military policy.

Senator Kaine. Thanks so much.

Senator Gardner. Thank you, Senator Kaine.

Mr. Krittenbrink, a couple more questions.

The U.S. in 2017—in May, the U.S.-Vietnam joint statement did not mention negotiating a bilateral trade agreement with Vietnam. That was following the U.S. decision to withdraw from the proposed Trans-Pacific Partnership. Do you think the administration will be able to pursue a bilateral agreement with Vietnam, or should pursue an agreement? And if so, when and what do you think our top trade priorities will be with Vietnam going forward?

Mr. Krittenbrink. Thank you, Mr. Chairman, for that question.

I would like to emphasize, Mr. Chairman, that we continue to have an exceptionally important and broad and dynamic trade and economic relationship with Vietnam. Given the decision that we have made on TPP, the focus of our efforts now with Vietnam comes under the rubric of our TIFA, our trade and investment framework agreement. On a bilateral basis, we are continuing to engage proactively with Vietnam on a broad number of areas related to the economic and trade relationship. As I mentioned in my statement, there are many economic opportunities in Vietnam. Trade continues to grow exponentially. But there are also many challenges that remain as well.

So primarily under the TIFA framework, our two sides are proactively addressing several priorities that we think need to be addressed so as to level the playing field, increase market access in a fair manner for U.S. and other foreign firms.

I think two issues that I would mention in particular, Mr. Chairman, would be protection of intellectual property rights, which remains a real focus for the administration and a top priority.

And the other issue that I would mention would be labor issues. I think Vietnam has made some progress on labor. I think Vietnam recognizes that it also needs to carry out certain reforms if it wants to be the kind of economy and country that it wants to be. But these issues are not related just to Vietnam's international obligations on labor. They also play an important part in the trade relationship.

So those would be two specific areas.

And then, of course, there are a whole number of specific issues that we as the U.S. Government as a whole of government, but also our friends at the U.S. Trade Representative in particular are focused on. Some of those have to do with electronic payments, other market access issues related to some of the agricultural exports to Vietnam. But those would be the priorities. And again, Mr. Chairman, I would just say our focus now is on working those issues bilaterally under the TIFA.

Senator GARDNER. Thank you.

Senator Markey, any additional questions?

Senator MARKEY. No, thank you.

Senator GARDNER. Well, I want to thank you both for your time and testimony today. If there are no other questions from the panel here, of course, I will announce that the record will remain open until the close of business on Friday, including for members to submit questions for the record. This is the homework assignment time, so I kindly ask the witnesses to respond as promptly as possible and your responses will be made a part of the record.

Thank you to all of you for your service today and your nominations. I wish you the best of luck.

Senator MARKEY. Mr. Chairman?

Senator GARDNER. Yes, absolutely, please.

Senator MARKEY. Can I just say these are two outstanding candidates, career, and necessary in terms of ensuring that our country is well represented overseas. Thank you and thanks to your families as well for your service as well.

Senator GARDNER. Thank you, Senator Markey.

And with that, the committee is adjourned.

[Whereupon, at 11:30 a.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DANIEL J. KRITENBRINK 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 placed the utmost importance on promoting human rights and democracy. During multiple assignments at the U.S. Embassy Beijing Political Section and later as Deputy Chief of Mission, and during my assignments as China Desk Director at the State Department and as Senior Director for Asian Affairs at the National Security Council, I prioritized human rights as a key pillar of our engagement with China, and had frequent and frank conversations on human rights issues as well as individual human rights cases with China's officials and leaders. For example, I participated in and helped organize multiple rounds of the U.S.-China Human Rights Dialogue, met frequently with civil society activists, organized meetings of activists with the U.S. Ambassador and various U.S. senior officials, oversaw U.S. Government funding designed to support some activists' work, and supported negotiations over the release and travel to the United States of a high-profile human rights advocate.

As NSC Senior Director, I advocated for human rights issues and activists in other Asia-Pacific countries as well, including Vietnam. For example, in 2015 and 2016, I organized and participated in meetings at the NSC with representatives of the Vietnamese-American and Vietnam human rights/civil society communities to explain our approach to Vietnam, hear their concerns, and receive their advice. In 2015 and 2016, I oversaw the negotiation of two bilateral Joint Statements with the Vietnamese, both of which included strong human rights language, and in 2016 I helped organize a meeting in Hanoi for the President with Vietnamese civil society representatives.

If confirmed as U.S. Ambassador to Vietnam, I will continue to emphasize to the Vietnamese Government the importance of human rights and will meet with Vietnamese civil society representatives. Demonstrable progress on human rights is critical to enabling the bilateral relationship—and Vietnam itself—to reach its fullest potential. I am committed to engaging Vietnam at the highest levels to press for progress on human rights and fundamental freedoms, including the freedom of religion and belief, freedom of expression, and respect for the rule of law.

Question 2. What are the most pressing human rights concerns in the Socialist Republic of Vietnam today? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in the Socialist Republic of Vietnam? What do you hope to accomplish through these actions?

Answer. The harassment, arrest, conviction, and excessive sentencing of individuals in Vietnam for exercising their human rights and fundamental rights, including freedom of expression, is deeply troubling. The continuing arbitrary detention of prisoners of conscience, including lengthy pretrial detentions and restrictions on individuals' ability to worship and practice their faith, are other pressing human rights concerns. If confirmed, I will advocate for the immediate and unconditional release of all prisoners of conscience. I will press the Government of Vietnam to bring its laws into conformity with Vietnam's constitution and international human rights obligations and commitments, including by removing burdensome restrictions on civil society organizations. I will meet with representatives of Vietnamese civil society. And I will continue to stress to Vietnam's leadership that progress on human rights is critical to enabling our partnership to reach its full potential to the mutual benefit of our peoples.

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 the Socialist Republic of Vietnam in advancing human rights, civil society and democracy in general?

Answer. Despite some progress, the human rights situation in Vietnam remains challenging. Vietnam needs to unconditionally release all prisoners of conscience, and allow all persons to express their views and practice their religious beliefs without intimidation or harassment. Capacity building for civil society and rights organizations will continue to be instrumental to advancing human rights in Vietnam. Promoting respect for the rule of law will also require engagement, training, and technical assistance. I will continue to advocate for USG technical assistance to

Vietnam's National Assembly and judicial sector to promote legislative and judicial 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 the Socialist Republic of Vietnam?

Answer. Yes. If confirmed, I will meet with human rights, civil society, and other NGOs in Vietnam as well as in the United States. I look forward to continuing the positive interactions and collaboration Mission Vietnam has already forged with established NGOs, while also reaching out to newer and smaller advocacy groups to ensure that all voices are heard.

Question 5. Will you and your embassy team actively engage with the Socialist Republic of Vietnam to address cases of key political prisoners or persons otherwise unjustly targeted by the Socialist Republic of Vietnam?

Answer. Yes. If confirmed, I will continue to call for the immediate and unconditional release of key political prisoners or persons otherwise unjustly targeted by the Government, and my team will do the same under my leadership.

Question 6. 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 proactively support the Leahy Law by ensuring our Mission maintains its stringent vetting processes for any Vietnamese security force members and units nominated for training. Mission Vietnam will maintain up-to-date Standard Operating Procedures for Leahy vetting and will continue to take a whole-of-mission approach to this process. I will also ensure that we take into account human rights and governance principles as we plan our security assistance and cooperation activities. I will also continually highlight the importance of professionalism, rule of law, and human rights in our engagements with Vietnam's police, military, and other law enforcement counterparts.

Question 7. Will you engage with Vietnamese on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, human rights, civil rights, and governance will continue to be top priorities for Mission Vietnam.

Question 8. 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, including in several leadership positions, I have had multiple opportunities to build high-functioning teams that represented America in all its diversity. If confirmed, I will ensure Mission Vietnam continually strives to promote equal opportunity for our officers, including women and those from historically marginalized groups.

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. If confirmed, and as I have done throughout my career, I will make clear to U.S. Mission staff that diversity, equal opportunity, and respect for all employees are top priorities. I will also encourage all supervisors to take available courses on equal employment opportunity principles, diversity, and related issues. I will urge them to address unconscious bias and similar topics when they mentor junior colleagues. I will direct supervisors to transparently and fairly provide opportunities to all entry- and mid-level professionals. Through my words and actions, and by providing time for professional development discussions to address diversity, I will highlight that this is a priority for me as Ambassador, if confirmed.

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 Socialist Republic of Vietnam?

Answer. No.

Question 13. Have there have been any material changes to your financial assets, income, or any other information requested by the OGE financial disclosure form since the date you signed it? If so, please list and explain below, and whether you have raised them with OGE.

Answer. No.

Question 14. Fulbright University Vietnam (FUV) and its predecessor entities in Vietnam have received steady funding from both State and USAID for almost two decades. FUV is the first-private, fully independent Vietnamese university founded on the principles of accountability, meritocracy, transparency, self-governance, mutual respect, and open inquiry. It is a prime example of the soft power assets in the region that the U.S. Government has historically invested in and should continue to invest in. If confirmed, how do you plan on supporting soft power tools such as the Fulbright University Vietnam as they prepare to welcome their first undergraduate class in the next year?

Answer. If confirmed, I will ensure the U.S. Mission's full support for FUV and the Peace Corps program, as well as other education and youth programs. FUV is poised to matriculate the first class of 50-60 students in its Master's Degree in Public Policy Program in October 2017. The United States continues to support FUV's capacity to recruit, enroll, and retain up to 1,000 future undergraduate students. I also look forward to supporting the Peace Corps' recruitment and placement of volunteers on the ground.

If confirmed, I will ensure that Mission Vietnam continues to strongly promote increased understanding between the people of the United States and Vietnam through its support for a range of programs, including exchange programs. Such programs include the Fulbright Student and Scholar Program, the International Visitor Leadership Program, the Young Southeast Asian Leaders Initiative, and the U.S. Speaker Program, to name a few. Our current engagement with Vietnam and the Vietnamese people is robust and has the potential to deepen and further expand to the benefit of our people-to-people ties. This will be one of my priorities as Ambassador, if confirmed.

Question 15. Three war legacy issues remain a serious concern for Vietnam—the environmental and health effects of Agent Orange/dioxin; unexploded ordnance; and U.S. assistance in recovering Vietnamese missing-in-action (MIAs). In the past the U.S. Government has shown a willingness to assist in the environmental remediation of land contaminated by the dioxin in Agent Orange and other defoliants sprayed on Vietnam during the war, but some reluctance to provide support for Vietnamese nationals with medical conditions attributed to exposure to dioxin. If confirmed as ambassador what forms of U.S. assistance would you recommend to address these war legacy issues? What would you recommend that the United States can or should do to provide assistance to Vietnamese nationals with medical and health conditions associated with dioxin exposure?

Answer. Addressing legacies of the Vietnam War continues to be one of the means by which our government strengthens U.S. ties with Vietnam and promotes goodwill between our peoples, building a foundation of trust that has enabled the U.S.-Vietnam partnership to move forward. If confirmed, I look forward to supporting our joint humanitarian efforts to account for personnel still missing from the war, as I believe providing the fullest possible accounting for U.S. personnel missing from the Vietnam War era remains our solemn obligation, and we must not stop until that work is complete.

If confirmed, I will also support continued efforts to mitigate the threats posed by unexploded ordnance, as well as exploring the best ways for the United States to continue our support for dioxin remediation in Vietnam.

We have been working hard with Vietnam to clean up a dioxin hotspot in Danang, which is on track to conclude this year. The President's FY 2018 budget request includes up to \$15 million for Agent Orange/dioxin cleanup. The United States and Vietnamese Governments are now reviewing potential remediation alternatives and plans regarding dioxin remediation at Bien Hoa.

We also support continued assistance for Vietnamese with disabilities, regardless of cause, and have contributed to programs in support of people with disabilities across the country. We are also helping to build the capacity of the Vietnamese Government to provide medical and social services to all of their citizens with disabilities.

If confirmed, I will continue Mission Vietnam's vital work in all these areas.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
 SUBMITTED TO DANIEL J. KRITENBRINK BY SENATOR MARCO RUBIO

Question 1. The U.S.-Vietnam partnership has many dimensions, including trade and economic ties as well as mutual security interests. As these elements of our partnership expand—they cannot come at the expense of speaking candidly with the Vietnamese Government about its violations of the rights of its own citizens.

According to Freedom Houses' Freedom of the World Report 2017, Vietnam received a score of "Not Free." Basic freedoms, such as freedom of religion and freedom of expression are heavily restricted in Vietnam, most independent candidates are not allowed to run in legislative elections, and the Government has continued to crackdown on social media and the internet.

If confirmed, how do you plan to raise these issues with the Vietnamese Government?

Answer. Throughout my career, I have placed the utmost importance on promoting human rights and democracy. If confirmed as U.S. Ambassador to Vietnam, I will press the Government of Vietnam to bring its laws into conformity with Vietnam's constitution and international human rights obligations and commitments, including by removing burdensome restrictions on civil society organizations. I will continue to stress to Vietnam's leadership that progress on human rights, including religious freedom, is critical to enabling our partnership to reach its full potential to the mutual benefit of our peoples.

Question 2. Do you commit to urge them to respect the basic human rights of their citizens and make sincere political reforms?

Answer. Yes. If confirmed, I commit to urge the Government of Vietnam to respect human rights, and to implement reforms to bring its laws into conformity with Vietnam's constitution and international human rights obligations and commitments. I am committed to engaging Vietnam at the highest levels to press for progress on human rights and fundamental freedoms, including the freedom of religion or belief and the freedom of expression, as well as respect for the rule of law.

Question 3. If confirmed, would you urge the Government to release specific political prisoners, such as human rights and pro-democracy lawyer Nguyen Van Dai?

Answer. Yes. Vietnam should unconditionally release all prisoners of conscience. If confirmed, I will continue to call for the immediate and unconditional release of all political prisoners or persons otherwise unjustly detained by the Government—including Nguyen Van Dai, among others—and my team will do the same under my leadership.

Question 4. In its 2017 Annual Report, the bipartisan U.S. Commission on International Religious Freedom (USCIRF) again recommended that Vietnam be designated a Country of Particular Concern, and documented severe religious freedom violations, especially against ethnic minority communities.

- Do you believe the U.S. should be doing more to push for religious freedom in Vietnam?

Answer. Human rights, including religious freedom, remain an important pillar of our engagement with Vietnam. Despite some positive steps, removing restrictions on religious freedom in Vietnam remains a key concern and priority for the United States. Vietnam should allow all persons to express their views and practice their religious beliefs without intimidation or harassment. Vietnam also should lift onerous restrictions on the recognition and registration of religious organizations. If confirmed, I will urge Vietnam to make significant and sustained progress on protections for religious freedom for all of its people, including members of both registered and unregistered religious groups and ethnic minority communities. If I am confirmed, the U.S. Mission in Vietnam under my leadership will continue to monitor the situation closely and regularly raise our ongoing concerns as we continue to urge the Government to make significant progress on religious freedom.

Question 5. If confirmed, would you commit to working with USCIRF and the broader religious freedom community to urge the Vietnamese Governments to make improvements in their religious freedom record?

Answer. Yes. If confirmed, I will work with USCIRF and the broader religious freedom communities in Vietnam and the United States to urge the Vietnamese Government to improve its record on religious freedom and do more to protect the religious freedom of all its citizens.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
KATHLEEN M. FITZPATRICK 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. Promoting human rights and democracy has been a top priority for me throughout my career. In particular, when I served as Deputy Assistant Secretary in the Bureau of Democracy, Human Rights and Labor, I was very proud to lead efforts to advance our human rights priorities, including for religious freedom, in the Western Hemisphere, the Middle East, and in East Asia. Working with colleagues in the Bureau of East Asian and Pacific Affairs, I helped organize a U.S.-China Human Rights Dialogue in 2010 and traveled to Vietnam for discussions with Vietnamese officials emphasizing the importance of religious freedom.

When I served as Chief of Staff for the Under Secretary for Civilian Security, Democracy and Human Rights, I worked closely with the Office for Combatting Trafficking in Persons. I helped manage the Annual Combatting Trafficking in Persons report process to ensure it effectively targeted trafficking issues and raised public awareness about trafficking issues.

Many of my most rewarding Foreign Service experiences have been engagements with civil society leaders, hearing their stories and finding ways for our programs and diplomatic outreach could support their work. If confirmed, I look forward to engaging with the Timorese civil society in the same way.

Question 2. What are the most pressing human rights concerns in the Democratic Republic of Timor-Leste today? What are the most important steps you expect to take—if confirmed—to advance human rights and democracy in the Democratic Republic of Timor-Leste? What do you hope to accomplish through these actions?

Answer. The people of Timor-Leste have built a new country on the foundations of democracy and human rights, where there is respect for diversity and protections for individuals of different faiths, cultural, and ethnic backgrounds. Timor-Leste's civil society is vibrant and active, and there is a free and developing media. Timor-Leste has made significant progress in many areas involving human rights. In 2017 Timor-Leste passed quality trafficking-in-persons (TIP) legislation and significantly increased the number of TIP investigations and prosecutions.

Yet, as a young, post-conflict country, many challenges remain. The Timor-Leste Government continues to consult with the Government of Indonesia to reconcile their difficult past and promote transitional justice. More can be done to address gender-based violence. If confirmed, I pledge to draw on all of my experience advancing democracy and human rights to continue the diligent work of Embassy Dili in supporting our Timorese hosts in tackling these challenges. If confirmed, I will raise these issues with the Timor-Leste Government, engage with civil society to hear about their concerns, and continue to support programs that build capacity in Timor-Leste's justice sector, empower women, and enable civil society.

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 the Democratic Republic of Timor-Leste in advancing human rights, civil society and democracy in general?

Answer. The most significant challenge to addressing human rights concerns in Timor-Leste is developing the institutional capacity to effectively tackle the social and legal complexity of these issues. Timor-Leste has been independent for just 15 years, and its institutions are nascent. If confirmed, I will lead our embassy team in prioritizing programs and outreach that can build capacity in Timor-Leste to support the democracy, governance, and rule of law that I know the Timorese people prioritize.

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 Democratic Republic of Timor-Leste?

Answer. Yes. 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 the Democratic Republic of Timor-Leste.

Some of my most rewarding experiences when serving as a Deputy Assistant Secretary in the Bureau of Democracy, Human Rights and Labor were meetings with civil society in countries in various regions of the world to hear their concerns and to demonstrate U.S. commitment to supporting human rights and democracy.

Question 5. Will you and your embassy team actively engage with the Democratic Republic of Timor-Leste to address cases of key political prisoners or persons otherwise unjustly targeted by the Democratic Republic of Timor-Leste?

Answer. Should there be cases of persons unjustly targeted or imprisoned by the Government of Timor-Leste for political purposes, I affirm that, if confirmed, I and the embassy team would actively engage with government officials to address such cases.

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. The Department of State takes the Leahy Law very seriously and, if confirmed, I will ensure we carefully vet recipients of our security assistance, in accordance with the Leahy Law. I will also continually highlight the importance of professionalism, rule of law, and human rights in our engagements with Timor-Leste's policy-makers and military and law enforcement counterparts.

Question 7. Will you engage with Timorese on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will consider it an integral part of my job to engage with the Timorese on matters of human rights, including civil rights, and governance as part of our bilateral mission and annual reporting requirements, such as the Human Rights Report.

Question 8. 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 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 Intelligence and Research where I have emphasized diversity, leadership, and professional development for all of our team. If confirmed, I will ensure the U.S. Mission in Timor-Leste continually strives to promote equal opportunities for our officers, particularly those from diverse backgrounds or historically marginalized or underrepresented groups. I will also actively engage the other leaders at the Mission to prioritize mentoring and ensure that we are developing a new generation of diplomats to represent our country effectively.

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. My experience has given me many opportunities to build high-functioning teams with diverse members. I remain committed to equal employment opportunity principles. If confirmed, I will foster a work environment that recognizes the contributions of all employees, and will make sure they have information available about the Department's Diversity and Inclusion Strategic Plan, foreign affairs affinity organizations, and opportunities specific to various groups.

If confirmed, I will encourage all supervisors to take available courses on EEO principles, diversity, and related issues. I will urge them to include unconscious bias and similar topics when they mentor junior colleagues. I will direct supervisors to transparently and fairly provide opportunities to all entry- and mid-level professionals. If confirmed, I will highlight that this is a priority for me as the Ambassador by providing time for professional development discussions that address diversity.

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 Democratic Republic of Timor-Leste?

Answer. No.

Question 13. Have there been any material changes to your financial assets, income, or any other information requested by the OGE financial disclosure form since the date you signed it? If so, please list and explain below, and whether you have raised them with OGE.

Answer. No.
