

## NOMINATIONS

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TUESDAY, JUNE 15, 2021

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

The committee met, pursuant to notice, at 10:04 a.m. in Room SD-106, Hon. Robert Menendez, chairman of the committee, presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Kaine, Schatz, Van Hollen, Risch, Johnson, Portman, Young, Cruz, and Hagerty.

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

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

We are here today to consider nominees for three important positions, Ambassador Todd Robinson to be Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, Ambassador Daniel Kritenbrink to be Assistant Secretary of State for East Asian and Pacific Affairs, and Mr. Brett Holmgren to be Assistant Secretary of State for Intelligence and Research.

So congratulations to the three of you on your nominations. We appreciate your commitment and willingness to serve our country and your families as well.

Ambassador Robinson, it is nice to have you back before this committee for another confirmation hearing, this time as the nominee to lead the Bureau of International Narcotics and Law Enforcement Affairs, which we know as INL, one of the most important offices for strengthening democratic governance and the rule of law globally.

INL's work around the world is critical to countering narcotics trafficking, criminal syndicates, money laundering, and other financial crimes, addressing the criminal use of ransomware and malware, combating illegal mining and fishing, and supporting efforts to combat gender-based violence.

Over the last decade, authoritarian leaders have increasingly wielded criminality and kleptocracy as tools to debilitate democracy at home and foment instability beyond their borders.

I welcome President Biden's recent directorate establishing the fight against kleptocracy as a key national security priority and making it clear that we will tackle its corrosive impact.

INL has a central role to play in that fight. INL is also at the forefront of our international efforts to combat narcotics trafficking.

CDC data shows that over 70,000 Americans died from drug overdoses in 2019, including over 2,800 in my home state of New Jersey.

I am particularly concerned about the lethal impact of fentanyl as well as the illicit production and trafficking routes that extend through Mexico and back to China. While we must improve our public health responses to address drug abuse domestically, INL's work is essential to countering drug trafficking by transnational criminal organizations.

So I look forward to hearing from you about your vision for the Bureau and your plans for strengthening justice systems and law enforcement cooperation to advance our national security interests.

Ambassador Kritenbrink, I am also pleased to have you back before this committee for another confirmation hearing. I think the last time we saw each other was in China, and your post there—your career as a public servant and your extensive experience in the region will be critical as you take on this important role.

In recent years and under administrations and Congresses of both parties the United States has reassessed and rebalanced our approach to the Indo-Pacific to take into account the reality of our competitive relationship with China.

Although this new era of strategic competition may not be what many of us had hoped for in the U.S.-China relationship, it is our reality and we must deal with it with clear-eyed pragmatism, starting with rebuilding and replenishing the sources of our national strength here at home and our alliances and partnerships abroad.

The recently passed Senate China competition package, including the Strategic Competition Act that the ranking member and I and other members of this committee authored, marks our effort to contribute to that process.

Beyond China, the region you will be responsible for is rich with pressing challenges, from North Korea's nuclear and missile programs, which only grew stronger under President Trump's ill-conceived North Korea policy, to a coup plunging Burma back into chaos, to a roll back in human rights and democracy across the region.

I know that you are intimately familiar with these issues and we look forward to hearing your thoughts on how we can best position the United States for success there in the years ahead.

Mr. Holmgren, the independent analysis of the State Department's Bureau of Intelligence and Research has long been recognized as among the best, most reliable, and most careful of the intelligence community.

We have today a nominee for the Assistant Secretary of INR that brings a great breadth of experience to its mission.

Mr. Holmgren has held significant experience relevant to INR's mission, including serving as a senior director for intelligence and for counterterrorism at the National Security Council, as well as service at the Central Intelligence Agency and the Pentagon.

I have little doubt that such experience would be of immense benefit to the State Department Bureau.

INR is an invaluable resource for the Secretary of State, senior officials, and department overall. Indeed, the Bureau could also be of immense benefit to this committee.

Our oversight of U.S. foreign policy would be better served by more regular contact and briefings from INR, and I look forward to that engagement with you should you be confirmed, something that has been missing in the past and I hope, under your leadership, we can engage with the committee more robustly.

In closing, the three of you have an immense task ahead, but I have no doubt about your knowledge and experience will serve you well and the nation well as you take on these new responsibilities.

I look forward to each of your testimony. Let me turn to the ranking member for his opening remarks.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you, Mr. Chairman. Certainly, these are important nominations we are hearing today. There is a broad swath of responsibility here and an important responsibility.

Personally, my top two foreign policy priorities are China and global health. Regarding China, my main concerns are the Chinese Communist Party's aggression and coercion in the Indo-Pacific and the urgency of the Taiwan issue.

To counter Chinese aggression, I believe we must ensure that the State Department is appropriately resourced in terms of funding and personnel in the Indo-Pacific.

I am interested to hear from you, if confirmed, plans to advocate for this critical region in this—in the State Department budgeting process.

Additionally, our network of alliances and partnerships is key to advancing a free and open Indo-Pacific. The U.S. security commitments, including extended deterrence and commitments to help allies and partners develop advanced capabilities, are crucial to this effort, and it is important to remember U.S. policy will only be successful if we work closely with our allies.

Also, I am particularly concerned about Chinese aggression against Taiwan. Taiwan is an important democratic partner, and how we support and work with Taiwan will have significant implications for our strategy in the region and our alliance system. Taiwan must be a main focus of the administration and the State Department.

Regarding global health, the Indo-Pacific region is in great need of more COVID-19 vaccines, especially given China's aggressive vaccine diplomacy.

Supporting our partners as well as countries in need during this global health crisis will be a mark of U.S. commitment to the region.

Finally, I believe it would be a mistake to use U.S. taxpayer dollars to buy and distribute Chinese vaccines.

Moving on to the nomination of Assistant Secretary of State for Intelligence and Research, I am concerned about reports of directed energy attacks against State Department personnel, both abroad and here at home.

This has been widely written about, greatly discussed, but the amount of information available is pretty de minimis. The Bureau of Intelligence and Research will play an important role in helping to identify the perpetrator and the means of these attacks.

The Assistant Secretary also has a responsibility to provide our committee and the Intelligence Committee with up to date information on all investigations into these attacks.

If confirmed, I expect to be in regular contact on this important issue. In addition to supporting the intelligence needs of the Secretary of State, INR must also work closely with the intelligence community.

It is imperative that the Bureau maintain its analytical independence from policymakers within the State Department to ensure information is objective and accurate.

Finally, the nomination of Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. Transnational criminal organizations, money laundering, and trafficking of people, narcotics, and weapons undermine international stability and pose complex threats to U.S. public health and security.

INR plays an important role in improving the capacity of our foreign partners to disrupt and dismantle transnational criminal activity. But these efforts do not exist in a vacuum.

I am concerned about the negative impact the administration's decision to reduce our military presence in Afghanistan will have on narcotics production and associated criminal activities, including funding terrorism.

I am also concerned that the administration's open borders policy has incentivized record-breaking waves of illegal migrants and undermine U.S. efforts to improve governance, security, and economic prosperity in Mexico and in the North and Central America.

I look forward to hearing plans you have to overcome these and other international law enforcement challenges, should you be confirmed.

We have a lot to cover today, and with that, I yield back my time, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

With that, we will start with our nominees and their testimony. All of your full records will be included in the—I am sorry. Your full statements will be included in the record. We ask you to summarize in about five minutes or so so we can have a conversation with you.

We will start with Ambassador Robinson and work our way down. Thank you.

**STATEMENT OF HON. TODD D. ROBINSON OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS), VICE KIRSTEN DAWN MADISON**

Mr. ROBINSON. Chairman Menendez, Ranking Member Risch, and members of the committee, thank you for the opportunity to appear before you today as the nominee to be the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

I am honored by President Biden's nomination and the support of Secretary Blinken for the opportunity to continue to serve the American people.

I would like to take the opportunity to recognize the support of my friends, colleagues, and, most importantly, my family, my mother, Willetta BaCote, and my brothers, Mark Robinson and Jeffrey BaCote. Their encouragement has been invaluable to me.

The Bureau of International Narcotics and Law Enforcement Affairs, INL, which I called home for three and a half years as the Deputy Assistant Secretary of State, is a key component in protecting the American people by countering crime and supporting the rule of law to maintain stability abroad.

I look forward to the possibility of leading my Foreign Service, civil service, contractor, and local staff INL colleagues working in Washington and more than 90 countries.

If confirmed, I commit to working with Congress to tackle the great challenges laid out in the president's national security agenda, including combating narcotics trafficking, addressing transnational organized criminal threats, corruption and cybercrime, countering Chinese malign influence, and tackling issues of bias and discrimination in criminal justice systems.

Stopping illegal drugs like synthetic opioids from reaching America will be among my highest priorities. We know some terrorist organizations traffic drugs to fund their illicit activities. Transnational criminal organizations have seemingly limitless appetites for illicit profits from synthetic drugs.

If confirmed, I will prioritize INL's critical engagement with partners and allies to combat this threat. Transnational criminal organizations are not static, so INL cannot be either.

Working with our interagency partners, such as the Departments of Justice and Homeland Security, INL can lead the effort to ensure that our programs are better coordinated and show results.

Example—after the People's Republic of China scheduled fentanyl as a regulated chemical class in 2019, direct flows of fentanyl from the PRC to the United States dropped precipitously.

However, nonfentanyl opioids and precursor chemicals continue to flow from the PRC to Mexican criminals that manufacture the fentanyl and traffic it to the United States.

If confirmed, I will prioritize continued diplomatic engagement at all levels to decrease the shipment of these precursors from the PRC and to reinvigorate shared security cooperation between the United States and Mexico.

In fact, U.S.-Mexico cooperation must continue to address another high priority issue, the management of migration across the region and to the U.S. southern border.

Strategic thinking and data will help us address irregular migration and build a smarter border. INL is working closely within the administration to shape a central America—Central America root causes strategy to look at the drivers of this migration.

I know this topic is a high priority to members of the committee and I look forward to hearing your thoughts on how we can make our foreign assistance dollars more effective on this issue.

If confirmed, I vow to respond to these complex challenges using the experience gained in relationships built over my 35-year Foreign Service career.

Another global challenge we confront today is corruption. Simply put, corruption kills. I saw its effects in Guatemala where political,

economic, and social elites, at times working with criminal organizations, buy judges and threaten independent and courageous judicial actors.

I saw it in Venezuela, where the Maduro regime reaps ill-gotten profits by selectively distributing food and pillages that nation's natural resources.

As President Biden and Secretary Blinken have noted, corruption undermines U.S. foreign policy and national security interests around the world, and damages the credibility of countries where U.S. businesses may want to invest.

INL, with our interagency partners, acts as a bulwark against global corruption, and if confirmed, I would seek to enhance this work by identifying like-minded crime fighters around the world, build their capacity to prevent, investigate, and prosecute corruption, and reinvigorating multilateral global anti-corruption networks.

INL can also use rewards and visa restrictions to promote accountability for corrupt actors globally. If confirmed, I commit to working with the Congress on advancing America's interests at home and abroad.

Thank you for this opportunity and I look forward to your questions.

[The prepared statement of Mr. Robinson follows:]

PREPARED STATEMENT OF HON. TODD D. ROBINSON

Chairman Menendez, Ranking Member Risch, and members of the committee, thank you for the opportunity to appear before you today as the nominee to be the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs. I am honored by the President's nomination and the support of Secretary Blinken for the opportunity to continue to serve the American people.

I would like to take the opportunity to recognize the support of my friends, colleagues and, most importantly, my family—my mother, Willetta BaCote, and my brothers Mark Robinson and Jeffrey BaCote. Their encouragement has been invaluable to me.

The Bureau of International Narcotics and Law Enforcement Affairs—INL—which I called home for three and a half years as a Deputy Assistant Secretary, is a key component in protecting the American people by countering crime and supporting the rule of law to maintain stability abroad. I look forward to the possibility of leading my foreign service, civil service, contractor, and local staff INL colleagues working in Washington and more than 90 countries.

If confirmed, I commit to working with Congress to tackle the great challenges laid out in the President's national security agenda including combating narcotics trafficking; addressing transnational organized criminal threats, corruption and cybercrime; countering PRC malign influence; and tackling issues of bias and discrimination, in criminal justice systems.

Stopping illegal drugs, like synthetic opioids, from reaching America will be among my highest priorities. We know some terrorist organizations traffic drugs and other commodities to fund their illicit activities. Transnational criminal organizations have seemingly limitless appetites for illicit profits from synthetic drugs. If confirmed, I will prioritize INL's critical engagement with partners and allies to combat this threat.

Transnational criminal organizations are not static, so INL cannot be either. Working with our interagency partners such as the Departments of Justice and Homeland Security, INL can lead the effort to ensure that our programs are better coordinated and show results. Example: after the People's Republic of China (PRC) scheduled fentanyl as a regulated chemical class in 2019, direct flows of fentanyl from the PRC to the United States dropped precipitously. However, non-fentanyl opioids and precursor chemicals continue to flow from the PRC to Mexican criminals that manufacture the fentanyl and traffic it to the U.S. If confirmed, I will prioritize continued diplomatic engagement at all levels to decrease the shipment of these pre-

cursors from the PRC, and to reinvigorate shared security cooperation between the United States and Mexico.

In fact, U.S.-Mexico cooperation must continue to address another high priority issue—the management of migration across the region and to the U.S. southern border. Strategic thinking and data will help us address irregular migration and build a smarter border. INL is working closely within the Administration to shape a Central America Root Causes Strategy to look at the drivers of this migration. I know this topic is a high priority to many Committee Members and I look forward to hearing your thoughts on how we can make our foreign assistance dollars more effective on this issue. If confirmed, I vow to respond to these complex challenges using the experience gained and relationships built over my 35-year Foreign Service career.

Another global challenge we confront today is corruption. Simply put, corruption kills. I saw its effects in Guatemala where political, economic, and social elites—at times working with criminal organizations—buy judges and threaten independent and courageous judicial actors. I saw it in Venezuela where the Maduro regime reaps ill-gotten profits by selectively distributing food rations and pillages that nation's natural resources. As President Biden and Secretary Blinken have noted, corruption undermines U.S. foreign policy and national security interests around the world and damages the credibility of countries where U.S. businesses may want to invest.

INL, with our interagency partners, acts as a bulwark against global corruption. If confirmed, I would seek to enhance this work by identifying like-minded crime fighters around the world; building their capacity to prevent, investigate, and prosecute corruption; and reinvigorating multilateral global anticorruption networks. INL can also use rewards and visa restrictions to promote accountability for corrupt actors globally.

Criminals and state-actors use technology to target the American people, our institutions, and critical infrastructure. The detrimental impact of cybercrime on America is clear, with one in four U.S. households affected, and annual losses reported to the FBI last year of \$4.2 billion. If confirmed, I will want INL to build the necessary know-how and cross-border cooperation to address 21st century transnational security challenges.

Finally, given its decades of criminal justice sector reform experience, INL has a unique responsibility to work with foreign partners to recognize, prevent, and counter bias and discrimination within their criminal justice systems. If confirmed, INL programs and partnerships will continue to reflect a respect for human rights and best practices in balancing individual rights with public safety.

If confirmed, I commit to working with the Congress on advancing America's interests at home and abroad. Thank you for this opportunity and I look forward to your questions.

The CHAIRMAN. Thank you.  
Mr. Holmgren?

**STATEMENT OF BRETT M. HOLMGREN OF MINNESOTA, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH), VICE ELLEN E. MCCARTHY**

Mr. HOLMGREN. Chairman Menendez, Ranking Member Risch, and members of the committee, it is an honor to appear before you today as the nominee to be Assistant Secretary of State for the Bureau of Intelligence and Research.

I am deeply grateful to President Biden and Secretary Blinken for the confidence they have placed in me, and to Director of National Intelligence Avril Haines for supporting my nomination.

I would not be here today if it were not for the love and support of my family, my wife, Dana, my son, Teddy, my parents, Michael and Mary, and my siblings, Stacy, Christa and Ryan. Each of them has inspired me to live my life with a sense of purpose, love, and humility.

Like many Americans of my generation, the tragic events of 9/11 were a turning point in my life. I left my home state of Minnesota 18 years ago to pursue a career in public service, to defend the freedoms, values, and liberties we all cherish.

I came to Washington with a sense of optimism, and a deep and abiding belief in the ideals of this country, that America is a force for good in the world and that all men and women are created equal with the right to life, liberty, and the pursuit of happiness.

Those ideals derived from my upbringing in Minnesota, where I was surrounded by family who believed deeply in the role of public service.

Both of my grandfathers were World War II veterans, and my parents, both of whom were public school teachers for 40 years, instilled in my siblings and me the importance of service.

I still share that same sense of optimism and commitment to public service that I brought with me to Washington two decades ago.

While I may be a new face to members of this committee, I have a long track record of working on intelligence and foreign policy issues. As an analyst first at the Defense Intelligence Agency and later at the CIA, I authored all sorts of analytic products to inform policy decisions.

Through deployments overseas, including in war zones, I have seen firsthand the key role that intelligence plays in shaping national security and the tremendous sacrifices of our diplomats, intelligence officers, and warfighters.

Throughout my career, I have also served in policy roles in the Pentagon and on the National Security Council staff at the White House.

These experiences gave me a richer understanding of the vital role and the limitations of intelligence in shaping policy. Most significantly, I gained through these experiences a greater appreciation for the importance of analytic objectivity and the need for the intelligence community to tell the policymaker what they need to know, not what they want to hear.

I have been nominated for this position at a time when the United States and its allies are facing a diverse interconnected array of threats against the backdrop of a global pandemic that is straining governments and societies, fueling unrest, and accelerating global competition.

From China, Russia, Iran, North Korea, the continuing threat of terrorism, cyber, emerging technologies, these threats pose new challenges and opportunities.

Mr. Chairman, I believe that INR has a unique role to play in addressing these challenges. As the oldest civilian intelligence agency in the United States, the Bureau has a long and proud history of providing policymakers with valuable insights into America's most pressing national security issues, while empowering diplomats with the information and analysis needed to advance U.S. foreign policy.

If confirmed, I look forward to leading this remarkable institution. I understand the role comes with important responsibilities, including serving as the principal intelligence adviser to the Secretary of State and as the head of one of the nation's 18 intelligence agencies, providing timely objective all-source information to inform consideration of foreign and national security policies, and finally, assuring that intelligence and sensitive law enforce-

ment activities are conducted consistent with and supportive of U.S. foreign policy objectives.

If confirmed, four inter-related imperatives will shape my approach to leading INR.

First, I will ensure that INR's capabilities and resources are aligned and strategically prioritized to address the most pressing challenges and opportunities to include China, Russia, Iran, North Korea, as well as global health security, cyber, climate change, and how to capitalize on the revolution in open source intelligence.

Second, I will prioritize investments in INR's greatest assets, its people. We must continue to attract, train, and retain the best and brightest while placing much greater emphasis on diversity recruitment.

Third, I will focus on upgrading INR's technology to empower its analysts with the tools they need to improve the delivery of INR's products and services to better support its customers, especially U.S. diplomats overseas.

Finally, I will insist on strong cybersecurity practices throughout INR to safeguard the confidentiality, integrity, and availability of its data systems and networks.

In closing, Mr. Chairman, I want to recognize the important role that I believe congressional oversight plays in ensuring that U.S. intelligence activities are lawful, ethical, and consistent with our values.

If confirmed, I look forward to partnering closely with Congress as we confront the many challenges ahead.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Holmgren follows:]

PREPARED STATEMENT OF BRETT M. HOLMGREN

Chairman Menendez, Ranking Member Risch, and members of the committee, it is an honor to appear before you today as the nominee to be Assistant Secretary of State for the Bureau of Intelligence and Research. I am deeply grateful to President Biden and Secretary Blinken for the confidence they have placed in me, and to Director of National Intelligence, Avril Haines, for supporting my nomination.

I would not be here if it were not for the love and support of my family: my wife, Dana, our son Teddy, my parents, Michael and Mary, and my siblings Stacie, Krista and Ryan. Each of them has inspired me to live my life with a sense of purpose, love, and humility.

Like many Americans of my generation, the tragic events of 9/11 were a turning point in my life. I left my home state of Minnesota nearly 18 years ago to pursue a career in public service to defend the freedoms, values, and liberties we all cherish. I came to Washington with a sense of optimism and a deep and abiding belief in the ideals of this country—that America is a force for good in the world, and that all men and women are created equal with the right to life, liberty, and the pursuit of happiness.

Those ideals derive from my upbringing in Minnesota, where I was surrounded by family who believed deeply in the role of public service. Both of my grandfathers were World War II veterans. My parents, both of whom were public school teachers for 40 years, instilled in my siblings and me the importance of service. I still share the optimism and commitment to public service that I brought with me to Washington nearly two decades ago.

While I may be a new face to many of the members here today, I have a long track record of working in and with the Intelligence Community. As an analyst, first at the Defense Intelligence Agency and later at Central Intelligence Agency, I authored all-source intelligence products to inform policy decisions. Through deployments overseas, including in warzones, I have seen firsthand the key role that intelligence plays in shaping national security and the tremendous sacrifices of our diplomats, intelligence officers, and warfighters.

Throughout my career, I have also served in policy roles at the Pentagon and on the National Security Council staff at the White House. These experiences gave me a richer understanding of the vital role and the limitations of intelligence in shaping policy. Most importantly, I gained a greater appreciation for the importance of analytic objectivity and the need for the Intelligence Community to tell the policymaker what they need to know, not what they want to hear.

I have been nominated for this position at a time when the United States and its allies are facing a diverse, interconnected array of threats against the backdrop of a global pandemic that is straining governments and societies, fueling unrest, and accelerating global competition. From China, Russia, North Korea and Iran, to terrorism, cyber, climate change, and evolving technologies, these threats pose new challenges and opportunities for the Intelligence Community.

INR plays a unique role in addressing these challenges. As the oldest civilian intelligence agency in the United States, the Bureau has a long and proud history of providing policymakers valuable insights into America's most pressing national security issues, while empowering our diplomats with the information and analysis to advance U.S. foreign policy.

If confirmed, I look forward to leading this remarkable institution, serving as the principal intelligence advisor to the Secretary of State and the head of one of the Nation's 18 intelligence agencies. INR's responsibility to provide timely, objective, all-source analysis and to assure that intelligence and sensitive law enforcement activities are consistent with, and supportive of, our foreign policy objectives is more critical than ever.

If confirmed, four interrelated imperatives will shape my approach to leading INR. First, I will ensure that our capabilities and resources are aligned and strategically prioritized to address the most pressing challenges and opportunities, to include China, Russia, Iran and North Korea, as well as global health, cyber, climate change and how to capitalize on the revolution in open-source intelligence.

Second, I will prioritize investments in INR's greatest asset—its people. We must continue to attract, train, and retain top talent while placing greater emphasis on diversity recruitment.

Third, I will focus on upgrading INR's technology infrastructure to empower our analysts with the tools they need to improve the delivery of our products and support our customers, especially our diplomats overseas.

Finally, I will insist on strong cybersecurity practices throughout INR to safeguard the confidentiality, integrity, and availability of our data, networks, and systems.

In closing, I want to recognize the important role that Congressional oversight plays in ensuring that U.S. intelligence activities are lawful, ethical, and consistent with our values. If confirmed, I look forward to partnering with Congress as we confront the many challenges ahead.

Thank you, and I look forward to your questions.

The CHAIRMAN. Thank you very much, Mr. Holmgren. Thank you.

Ambassador Kritenbrink?

Am I pronouncing your name correctly?

Mr. KRITENBRINK. Yes, sir.

The CHAIRMAN. Okay. Thank you.

Mr. KRITENBRINK. Thank you, Mr. Chairman.

**STATEMENT OF HON. DANIEL J. KRITENBRINK OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE DAVID STILWELL**

Mr. KRITENBRINK. Chairman Menendez, Ranking Member Risch, members of the committee, thank you for the opportunity to appear before you today. I am deeply grateful to President Biden, Vice President Harris, and Secretary Blinken for their confidence in me.

I want to thank my wife, Nami, children, Mia and Joe, my parents, Don and Joyce, and sisters, Kay and Nancy, for their love and support.

It would be the honor of a lifetime to serve as Assistant Secretary of State for East Asian and Pacific Affairs, a region in which I have been engaged for 24 out of my 27 years in the U.S. Foreign Service.

If confirmed, I look forward to consulting closely with the Senate and, of course, with this committee.

President Biden and Secretary Blinken have placed diplomacy at the center of U.S. foreign policy and emphasize the centrality of a free and open Indo-Pacific to the security and prosperity of the American people.

If confirmed, I would focus on the following six priorities.

First, revitalizing ties with allies and partners. Our network of alliances and partnerships is our greatest strategic asset, enabling us to pool our strengths to advance shared interests, deter common threats, and promote universal values, to include our commitment to a free and open Indo-Pacific that is rules based and unconstrained by coercion, the peaceful resolution of disputes, freedom of navigation and over flight, and respect for human rights.

If confirmed, strengthening these relationships will be my top priority. The priority placed on our treaty alliances was demonstrated by President Biden's hosting of his Japanese and Republic of Korea counterparts in April and May.

The president's hosting of the first ever Quad leaders summit in March showed the resolve of the Indo-Pacific democracies—Australia, India, Japan and the United States—to work together to support the region.

I support ASEAN's centrality and, if confirmed, will work to strengthen our partnership, our strategic partnership, with ASEAN, including treaty allies Thailand and the Philippines.

If confirmed, I will reinforce our partnership with friends in the Pacific Islands, including our unique relationship with the Freely Associated States. I will also further develop our robust ties with our democratic partner Taiwan.

Second, prevailing in our strategic competition with China. The People's Republic of China is our biggest geopolitical test.

I support approaching the PRC from a position of strength by working with allies and partners, engaging with international organizations, standing up for our values, and investing in our diplomatic and military capabilities and the American people.

Secretary Blinken has said our approach to China will have competitive, adversarial, and cooperative aspects. The United States will counter PRC attempts to erode the international rules-based order, push back on unfair PRC trade practices, secure critical supply chains, protect sensitive U.S. technology, and build our strength at home.

We will continue holding Chinese authorities responsible for the ongoing genocide in Xinjiang, the trampling of autonomy and civil liberties in Hong Kong, and systematic repression in Tibet.

We will bolster partners' capacity to resist PRC intimidation and oppose China's unlawful maritime claims. We will also cooperate with Beijing when in our interests, such as on the climate crisis, counter narcotics, and nonproliferation.

As President Biden has said, we are not looking for conflict, but welcome stiff competition and will defend U.S. interests across the board.

Third, reducing the threat posed by North Korea's nuclear and missile programs. President Biden has stated we remain committed to the complete denuclearization of the Korean Peninsula and will work with allies to address that threat through diplomacy and deterrence.

If confirmed, I will work to ensure North Korea and others abide by U.N. Security Council resolutions while supporting a calibrated and practical diplomatic approach that prioritizes the security of the United States, our allies, and our deployed military forces.

Fourth, supporting inclusive economic policies that benefit all Americans. If confirmed, I will ensure that our diplomats in the region fight for every job in the interests of American workers by insisting on market access and fair treatment, stopping intellectual property theft and currency manipulation, and combating corruption.

Fifth, promoting democracy and human rights. Our values and our example are critical to successful diplomacy in Asia.

If confirmed, I would work with our allies and partners to support democracy, promote human rights, and stand against abuses wherever they occur.

In Burma, I would work with partners to press the military to reverse course following the February 1 coup, cease violence, release those unjustly detained, including American citizens, and return Burma to the democratic path chosen by its people.

I would work to support the people of Burma by holding accountable those responsible for violence. I would also promote accountability for PRC officials responsible for human rights violations across China.

Sixth, if confirmed, I pledge to address global priorities in the region, particularly combating COVID-19 and the climate crisis.

If confirmed, I will also prioritize the safety and well being of my team, maintain their focus on top goals, and ensure they represent the diverse talents of the American people.

Thank you for inviting me to testify here today. I look forward to your questions.

[The prepared statement of Mr. Kritenbrink follows:]

PREPARED STATEMENT OF HON. DANIEL J. KRITENBRINK

Chairman Menendez, Ranking Member Risch, and members of the committee, thank you for the opportunity to appear before you today. I am deeply grateful to President Biden, Vice President Harris, and Secretary Blinken for their confidence in me. I want to thank my wife Nami, children Mia and Joe, my parents Don and Joyce, and sisters Kay and Nancy, for their love and support.

It would be the honor of a lifetime to serve as Assistant Secretary of State for East Asian and Pacific Affairs, a region in which I have been engaged for 24 out of my 27 years in the Foreign Service. If confirmed, I look forward to consulting closely with the Senate.

President Biden and Secretary Blinken have placed diplomacy at the center of U.S. foreign policy, and emphasized the centrality of a free and open Indo-Pacific to the security and prosperity of the American people. If confirmed, I would focus on the following six priorities.

*First, revitalizing ties with allies and partners.* Our network of alliances and partnerships is our greatest strategic asset, enabling us to pool our strengths to advance shared interests, deter common threats, and promote universal values—including

our commitment to a free and open Indo-Pacific that is rules-based and unconstrained by coercion; the peaceful resolution of disputes; freedom of navigation and overflight; and respect for human rights. If confirmed, strengthening these relationships will be my top priority. The priority placed on our treaty alliances was demonstrated by President Biden's hosting of his Japanese and Republic of Korea counterparts in April and May. The President's hosting of the first-ever Quad Leaders Summit in March showed the resolve of the Indo-Pacific democracies Australia, India, Japan, and the United States to work together to support the region. I support ASEAN centrality and, if confirmed, will work to strengthen our strategic partnership with ASEAN, including treaty allies Thailand and the Philippines. If confirmed, I will reinforce our partnership with friends in the Pacific Islands, including our unique relationship with the Freely Associated States. I will also further develop our robust ties with our democratic partner Taiwan.

*Second, prevailing in our strategic competition with China.* The People's Republic of China is our biggest geopolitical test. I support approaching the PRC from a position of strength, by working with allies and partners, engaging with international organizations, standing up for our values, and investing in our diplomatic and military capabilities—and the American people. Secretary Blinken has said our approach to China will have competitive, adversarial, and cooperative aspects. The United States will counter PRC attempts to erode the international rules-based order, push back on unfair PRC trade practices, secure critical supply chains, protect sensitive U.S. technology, and build our strength at home. We will continue holding Chinese authorities responsible for the ongoing genocide in Xinjiang, the trampling of autonomy and civil liberties in Hong Kong, and systematic repression in Tibet. We will bolster partners' capacity to resist PRC intimidation and oppose China's unlawful maritime claims. We will also cooperate with Beijing when in our interests, such as on the climate crisis, counternarcotics, and nonproliferation. As President Biden has said, we are not looking for conflict but welcome stiff competition and will defend U.S. interests across the board.

*Third, reducing the threat posed by North Korea's nuclear and missile programs.* President Biden has stated we remain committed to the complete denuclearization of the Korean Peninsula and will work with allies to address that threat through diplomacy and deterrence. If confirmed, I will work to ensure North Korea and others abide by U.N. Security Council resolutions while supporting a calibrated and practical diplomatic approach that prioritizes the security of the United States, our allies, and our deployed military forces.

*Fourth, supporting inclusive economic policies that benefit all Americans.* If confirmed, I will ensure our diplomats in the region fight for every job and the interests of American workers by insisting on market access and fair treatment, and by stopping intellectual property theft and currency manipulation. We will also work with regional partners to foster economic development that is transparent and sustainable, including via APEC.

*Fifth, promoting democracy and human rights.* Our values and our example are critical to successful diplomacy in Asia. If confirmed, I would work with our allies and partners to support democracy, promote human rights, and stand against abuses wherever they occur. In Burma, I would work with partners to press the military to reverse course following the February 1 coup, cease violence, release those unjustly detained, including American citizens, and return Burma to the democratic path chosen by its people. I would work to support the people of Burma by holding accountable those responsible for violence. I would also promote accountability for PRC officials responsible for human rights violations across China. Throughout the region, we will champion transparency, the rule of law, civil society, and independent media.

*Sixth, addressing global priorities, particularly combating COVID-19 and the climate crisis.* On COVID-19, if confirmed, I pledge to support our work with regional partners and international initiatives such as COVAX and the Quad Vaccine Partnership to provide U.S. leadership in the fight to end the pandemic. On the climate crisis, I would work to advance climate solutions with countries in the region, which include some of the world's largest emitters as well as those most vulnerable to climate change.

If confirmed, I will also prioritize the safety and well-being of my team, maintain their focus on top goals, and ensure they represent the diverse talents of the American people.

Thank you for inviting me to testify. I look forward to your questions.

The CHAIRMAN. Thank you all. We will start a round with five minutes. I am going to ask, first, before that some perfunctory questions that we ask all of our nominees.

It is very brief questions that speak to the importance that this committee places on responsiveness by all officials in the executive branch and that we expect and will be seeking from you.

So I would just simply ask you each to provide a yes or no answer.

Do you agree to appear before this committee and make officials from your office available to the committee and designated staff when invited?

Mr. ROBINSON. Yes.

Mr. HOLMGREN. Yes.

Mr. KRITENBRINK. Yes.

The CHAIRMAN. Do you commit to keep the committee fully and currently informed about the activities under your purview?

Mr. ROBINSON. Yes.

Mr. HOLMGREN. Yes.

Mr. KRITENBRINK. Yes.

The CHAIRMAN. Do you commit to engaging in meaningful consultation while policies are being developed, not just providing notification after the fact?

Mr. ROBINSON. Yes.

Mr. HOLMGREN. Yes.

Mr. KRITENBRINK. Yes.

The CHAIRMAN. And finally, do you commit to promptly responding to requests for briefings and information requested by the committee and its designated staff?

Mr. ROBINSON. Yes.

Mr. HOLMGREN. Yes.

Mr. KRITENBRINK. Yes.

The CHAIRMAN. All right. Thank you very much.

Now, Ambassador Kritenbrink, as you know, and I think the Senate has spoken with collectively and nearly one voice and that is not easy these days, we believe that China is our major geostrategic challenge in the world, and you address some of that in your remarks.

The Senate passed a sweeping China competitive bill. That includes the strategic competition that this committee put out led by the ranking member and myself and supported by the 19 members of the committee, a truly bipartisan effort.

What do you think of that legislation? What tools would you, if confirmed, want to see in your toolbox that Congress can provide? And can you elaborate on how you plan on approaching the China challenge?

Mr. KRITENBRINK. Thank you, Mr. Chairman.

Let me say again what an honor it is to be here today and I think, Mr. Chairman, you have identified, obviously, very correctly the major challenge that the United States faces today, and I would argue that our friends and partners around the world face today.

I do believe, Mr. Chairman, as I attempted to outline in my statement, for us to prevail in this strategic competition with China we need to do so from a position of strength.

I think we are stronger when we do that together with our like-minded partners around—our like-minded partners and allies around the world.

But, Mr. Chairman, I think we will do our best when we are fully united here at home as well. I am very grateful to you and members of this committee for the support and leadership that you have shown on these issues. I know when Secretary Blinken testified last week he stated his strong support for the bill that you described.

And I might say, as a career diplomat, the more tools and resources that the Senate and other members of Congress can give us as diplomats the more effective we can be.

Of course, to prevail in this long-term competition with China, I think it will be, largely, determined by how we do as a nation together and many of the investments we make here at home.

But I am very grateful for the leadership that the Senate has shown on these issues, and I can pledge to you that with the resources made available to us we will compete and we will prevail in this competition with China in every domain.

The CHAIRMAN. Let us talk about some of the elements of that competition. In Taiwan, given the increased muscle flexing and threatening rhetoric from Beijing, some policymakers and analysts have called for an end to the policy of strategic ambiguity with regard to Taiwan.

There is increasing concern that Beijing may seek to make the cross-straits an early test for this administration. How can the United States most effectively signal our resolve and deter Chinese aggression towards Taiwan?

Mr. KRITENBRINK. Mr. Chairman, thank you.

I do think showing strength and clarity and deterrence is key. What I think is crystal clear to me, Senator, is the United States commitment, rock-solid commitment, to meeting our obligations under the Taiwan Relations Act, to provide Taiwan with the means to maintain a credible self-defense.

If I were confirmed, I pledge to the committee that I will work very hard to support meeting those obligations and, further, to support further developing our very robust unofficial relationship with our Taiwanese democratic partners. It is one of our most important partners in—

The CHAIRMAN. Let me ask you—I agree. Do you support strategic ambiguity or do you think we need additional clarity or a new framework for managing the cross-strait relations?

Mr. KRITENBRINK. Mr. Chairman, my own view is that the framework outlined by our long-standing one-China policy based on the Taiwan Relations Act, the three joint communiqués, and the six assurances to Taiwan provides the framework that has ensured cross-strait stability and Taiwan security for these many decades.

I do think that maintenance of that status quo and of that security is a dynamic situation. As the threat from the PRC grows, as Beijing's aggressive and bullying behavior vis-à-vis Taiwan grows, I think that our response has to be calibrated as well.

But I am confident that the framework that we have and meeting those obligations in the Taiwan Relations Act gives us the tools to do so.

The CHAIRMAN. Mr. Holmgren, let me ask you, we rely on the Bureau of Intelligence and Research for insights and particular perspective that sometimes varies from the rest of the intelligence community, and when there is an opinion or assessment that is different for the IC, it is critical that we understand those differences.

Do you agree to be candid with the committee when those differences occur and to make sure we understand where and why INL comes to different conclusions?

Mr. HOLMGREN. Thank you, Mr. Chairman.

I think that, as you know, INR has a long and proud history of speaking truth to power and telling it like it is, and if there are instances where INR reaches a conclusion that is different than the rest of the intelligence community, I believe, absolutely, that it would require informing and engaging with this committee.

The CHAIRMAN. Thank you.

One other question. The Bureau of Intelligence and Research's analysis is going to be critical to our understanding as policy-makers and in response to a number of pressing issues, including the apparent attacks on U.S. personnel and the origins of COVID-19.

Do you commit to engaging proactively with the committee as INR's work on these matter advances and to keep us fully informed on your assessments both on these and other critical matters?

Mr. HOLMGREN. Yes, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Risch?

Senator RISCH. Thank you, Mr. Chairman.

I want to follow up, Mr. Kritenbrink, on the Taiwan issue that was raised by the chairman.

What—I had the same questions he had, and I think all of Congress does, really. But what—from your expertise and your experience in this area, what do you think the end game is here for the—for the Chinese Communist Party as far as Taiwan is concerned? And what do you think the end game is and how do you think they intend to achieve it?

Mr. KRITENBRINK. Well, Mr. Ranking Member, I am reluctant to try to put myself in the shoes of the leadership in Beijing, but they have stated that their long-term goal is reunification.

I think where I believe that we should remain focused and, if confirmed, where I would remain focused as EAP Assistant Secretary would be on meeting our obligations and responsibilities under the Taiwan Relations Act. I am confident that we have the tools to do so.

For example, through the support of this committee and others in Congress, the United States has made available to the authorities on Taiwan more than \$30 billion in arms sales since 2009.

I think it is also incumbent upon us to further develop our robust relationship with Taiwan in every sector. They are a top 10 trading partner, which is vitally important. We have important cultural and other relations as well.

They play a very critical important role, we believe, in international health and, therefore, we should support growing Taiwan's international space as well to make sure that they fully participate

in organizations where sovereignty is not required and have a meaningful role in those that do.

So I believe, Mr. Ranking Member, that we have the tools to continue to grow this robust partnership with Taiwan and to meet our commitments to ensure that Taiwan can maintain a credible self-defense.

Senator RISCH. I appreciate your thoughts in that regard. All good thoughts. I guess what crosses my mind is that we all know that the Communist Party wants reunification.

We also know that that is not the same view that Taiwan has, and, obviously, where you have two different views that are very much opposed, at some point in time it is going to come to a crossroads and that is what I am concerned about is what happens at that point.

What—how is that resolved?

Mr. KRITENBRINK. Yes, sir, Mr. Ranking Member.

I think the best thing that we can do is to continue to demonstrate our resolve and our commitment to meeting our rock-solid obligations, and I think by doing so I am confident that we can continue to effect the stability across the strait that we have benefited from for many years.

But, Mr. Ranking Member, I would, again, reemphasize we are deeply concerned by the increase in aggression and harassment and coercion that we have seen directed at Taiwan, and we continue—we intend and if I were confirmed I would intend to continue to show our resolve to, again, meeting our obligations under the Taiwan Relations Act.

Senator RISCH. I appreciate that. There is no doubt that the coercion and harassing and everything else has ratcheted up tremendously to the point, for instance, where Taiwan is having trouble scrambling jets every time that there is an incursion into airspace.

And that is done intentionally, there is no doubt, and that is something that is going to be on our plate, I think, sooner rather than later.

Mr. Holmgren, the matter of the Havana syndrome issue, as you know, has been kicking around for some time and, obviously, we are in an open session and cannot talk about all the details of it.

But I am assuming that you have been involved in that in some fashion. Am I right on that or not?

Mr. HOLMGREN. Thank you, Ranking Chairman. I very much share the concerns about these incidents. I have spoken to some of the victims of these attacks, and I can tell you they are they are suffering and their families are suffering.

And, if confirmed, I would have no higher priority than ensuring the safety and security of U.S. citizens, their families, and U.S. personnel overseas and would commit to ensure that INR is continuing to support the department and the interagency, especially CIA and DOD, with information and analysis around the origins of these incidents. So I believe it is a serious increase.

As a testament, I have committed to asking for a classified briefing, if confirmed, on my first day in office.

Senator RISCH. Well, thank you. This is, certainly a vexing problem and I can tell you it is very high up on the priority of this committee and the Intelligence Committee, particularly since it affects

our hard-working people around the world and outside the United States.

Mr. Robinson, the—Afghanistan produced and, I guess, continues to produce about 90 percent of the world's opium, and with us downsizing in Afghanistan, this is going to be the problem that it was before we ratcheted up there. It is going to raise its ugly head again.

What are your thoughts on this?

Mr. ROBINSON. Thank you, Senator, for that question.

I share your concerns, frankly, about the production and distribution of opioids from Afghanistan. We know that they are also interested in, perhaps, trying to get back into government and my—what I would say to the Taliban and to anybody there who is producing narcotics or opioids is that, you know, if you want to be seen as credible and you want to be treated as part of the international community, then you cannot do these things.

The other part of that, though, is while we may be drawing down in Afghanistan, there are programs that INL would wish to continue in that region. The hard part is figuring out how to—how to do that and keep our people safe.

So those are the two—sort of the two priorities we would have. One, you know, making sure that we are continuing programs that would go against, obviously, narcotics trafficking and sending very strong messages to those in government that they also have to commit to fighting against the narcotics trafficking.

But it is also very important if we are going to continue our programs there, and we want to continue our programs there, to make sure that we are taking care of our people and making sure that they can be there safely.

Senator RISCH. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I understand that Senator Cardin is with us virtually.

Senator CARDIN. Thank you, Mr. Chairman.

And let me start by thanking all three of our nominees for their prior service to our country and their willingness to serve in these critical positions that they have been appointed to.

I want to talk about the issue of fighting corruption, and, Ambassador Robinson, I must tell you, I think you said it very succinctly in your—in your statement—in your testimony when you said that corruption kills. It also is the fuel for autocrats in fighting democracies and trying to bring our democratic countries down.

Freedom House just recently issued their 2021 report that shows that we have the continuing trend of erosion of democratic states, and one of the principal reasons has been the growth of corruption that fuels this type of activity.

I enjoyed our conversation, but I just really want to drill down a little bit more on specifics. You laid out part of that in your comments to our committee. But I want to just get your assurance that you will work with Congress and leverage both branches of government in fighting corruption.

There is legislation pending in the United States Senate that I have introduced with Republican colleagues, bipartisan legislation that would establish a greater capacity within our missions and

State to understand the circumstances of corruption in each country, to use a rating system similar to what we do in trafficking in persons so that we can have consequences and international standards as to what we expect countries to do to fight corruption.

We have legislation that would establish specific funds so we can respond quickly to opportunities to help countries deal with corruption, and we have the Magnitsky sanctions to make them permanent.

So do I have your assurances that you will work with Congress to strengthen our tools to fight corruption globally?

Mr. ROBINSON. Absolutely, Senator. You have a firm commitment to work with Congress, to use all of the tools that we have in our toolbox to fight corruption, and I will further commit that you will not find a more stronger advocate to fight corruption than me.

It was to my—to my great joy to see the Biden/Harris administration raise corruption to the national security level. I think that that will—that will help us go after official corruption, unofficial corruption, in the region and around the world.

And further, it will give us greater tools to identify crime fighters around the world that we can partner with to fight this—to fight this scourge. There is no doubt corruption undermines democratic institutions around the world, and I know the bread and butter—INL's—one of INL's main jobs is going after those who would—who would take part in corrupt acts.

Senator CARDIN. I would just quote from my friend, Kara-Murza, who is one of the leading opposition leaders in Russia, who says that Putin steals from the Russians to spend it in the West.

So he uses the corrupt resources in order to try to undermine our system, and we have got to speak out against that. The Magnitsky sanctions are, of course, one area at some of these other tools that we are suggesting can help.

I just really want to underscore that we are all sincere about this. But we need the push of Congress to help prioritize within each of the missions countries that have significant problems of corruption to focus on this issue.

So I am going to hold you to your commitment to work with us to strengthen those tools so that we can all fight this a little bit more effectively.

Mr. Kritenbrink, Asia—China, of course, is the most significant country in that region from the point of view of concern about the United States on the erosion of governance.

Their One Road policy is, certainly, based upon using marketing—government-controlled economies and corruption to try to control the economics of the world. The Belt and Road Initiative really needs to be addressed.

Do you—are you committed to working with us to root out the way that it is based in corruption, stealing intellectual property, intimidating countries, so that we can take China on in a more aggressive way?

Mr. KRITENBRINK. Yes, Senator, absolutely. I would—I would simply say that I agree with you wholeheartedly that we need to counter China's Belt and Road Initiative, as it is offered through means of coercion, corruption, lack of transparency, unsustainable debt loads, and the like.

Countries, I think, need to be very careful in signing on to the Belt and Road. But I think even more importantly, Senator, we need to have an affirmative agenda, affirmative programs that we can offer as an alternative, and I am very grateful to you and other members of Congress for giving us those tools, whether it is the BUILD Act or other resources we have at our disposal.

I would also note, Senator, that I was encouraged by the communiqué that came out of the G-7, and it is quite clear to me that our democratic partners around the world see eye to eye with us on this challenge.

The CHAIRMAN. Thank you.

Senator CARDIN. Thank you. I look forward to working with you. Thank you, Mr. Chairman.

Mr. KRITENBRINK. Thank you.

The CHAIRMAN. Thank you.

Senator HAGERTY?

Senator HAGERTY. Thank you, Mr. Chairman, and I want to thank each of you for your service.

I would like to start with you, Mr. Robinson, if I might. The issue that I have been deeply concerned about is fentanyl, and the impact on youth in my home state has been significant, particularly so since the borders have collapsed. In late January, we have seen an increase not only in overdoses but in deaths from fentanyl.

And I would like to read a definition to you, if I might, to see if we are on the same page. According to United States law, a weapon of mass destruction is defined as the following. One of these definitions is a weapon that is designed to cause death or serious injury through toxic or poisonous chemicals.

Would you define fentanyl as a weapon of mass destruction under these sort of circumstances?

Mr. ROBINSON. Senator, that is a great question. I do not know if I would define it as a weapon of mass destruction. But I absolutely am heartbroken by what fentanyl is doing to our communities across the United States.

I think—I think that we have a lot of work to do here at home on the demand side. But, more importantly, I think that there is very much we can do in terms of diplomatic engagement to work with our partners in Mexico, to work with our partners in—well, to work with China to stop the flow of precursors to Mexico and stop the distribution from Mexico by narcotic—

Senator HAGERTY. Yes. I was just in Mexico about two weeks ago meeting with their foreign minister and economic minister, and they are deeply concerned at the increase in inflow of fentanyl and its precursors from China coming into Mexico. It is being mixed there, shipped across the borders, and killing our children.

So as a parent, as an American, I very much appreciate your efforts here and I look forward to working with you, should you be confirmed, in pushing back against what I would call a weapon of mass destruction that is being unleashed against our population here.

Thank you.

Mr. ROBINSON. Thank you, sir.

Senator HAGERTY. Ambassador Kritenbrink, it is wonderful to see you again. My regards to Nami and to your two children.

Mr. KRITENBRINK. Thank you.

Senator HAGERTY. Again, thank you for your service at a most challenging time. I think you are the perfect person—

Mr. KRITENBRINK. Thank you.

Senator HAGERTY.—be brought forward for this position. I would like to talk with you about an area that you and I have had plenty of conversations before, and that is—that is the Quad and the Indo-Pacific.

I think that we have made great strides with our allies in the Quad. I think there is a lot more that we can do. I would love to get your perspective on how we might engage other nations in that effort.

Mr. KRITENBRINK. Thank you, Senator, very much for your comments.

I fully agree. I think the Quad is a vitally important mechanism. I was deeply impressed and grateful for the president's hosting of the first ever leaders level Quad summit, and I think it truly has shown that the four Quad democracies in the region have decided to stand together and advance these interests and these values that we share.

But they have also agreed, we have also agreed, to work in very practical areas, and I think, as a career diplomat, I am focused on the ways in which we, together with our partners, can move the needle in the region in practical ways.

So the Quad leaders summit issued a roadmap and a work plan for the rest of the year focused on public health, particularly, combating COVID-19, focusing on climate, but also issues related to technology, and I know you and I have discussed that in detail.

I think—I think we need to focus in those practical ways, but I do agree with you, Senator, it cannot be just the Quad. It has to be all of our like-minded partners, whether it is our treaty allies, whether it is our important friends and partners in ASEAN or across the region.

I think most of the region is united behind the vision of a region that is peaceful, stable, where countries large and small play by the rules, large countries do not bully small countries. I think that is where we need to focus our energy.

Senator HAGERTY. I appreciate your perspective on—

Mr. KRITENBRINK. Senator, the Quad is central.

Senator HAGERTY. Yeah, I appreciate your perspective on that.

I would just like to turn to one more thing and that is the movement of supply chains from China out—you know, companies that are trying to derisk their exposure to China.

Of course, I want every one of those companies to come back to American shores, to see those jobs back in America. But to the extent that those jobs do not come back here, what are the opportunities that we might have with some of our allies in the region to work together for joint economic prosperity, to work together to strengthen our economic ties, and that will bring our national security ties even closer?

Mr. KRITENBRINK. Thank you, Senator.

I fully agree. I think we need to focus on supply chain resiliency, security, to make sure that neither we nor the world are completely dependent upon and vulnerable to one country.

Again, as we do that, the preference, of course, would be to bring most of those home. Where that is not possible, I think ensuring that those supply chains are diversified and resilient and strong is key, particularly, working with like-minded democratic partners, I think, especially in the technology space, especially related to semiconductors, but also, as we discovered in COVID-19, even personal protective equipment and other medical equipment as key.

But I think—when I think about our competition with China, I do think these issues related to our economic competition, particularly related to technology and the resilience of our supply chains, will probably be central to that competition.

And I would be committed to doing everything possible, both within the State Department and across the U.S. government, to advance—

Senator HAGERTY. Should you be confirmed, I look forward to working with you closely.

Mr. KRITENBRINK. Thank you, Senator.

Senator HAGERTY. Thank you for your service, Ambassador Kritenbrink.

Mr. KRITENBRINK. Thank you, Senator.

Senator HAGERTY. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator KAINE?

Senator KAINE. Thank you, Mr. Chair, and thanks to this panel of nominees. I think you are all very highly qualified for these positions. Look forward to supporting you.

Ambassador Kritenbrink, I think I am going to spend my five minutes with you talking about a topic that matters a lot to me, the Chinese persecution of Uighurs in the Xinjiang province.

Mr. KRITENBRINK. Yes.

Senator KAINE. There is a sizable Uighur population in Virginia, and I have talked to many of my constituents as well as just following news about this.

The leadership of Xi Jinping has seen China not only become bolder and more effective in projecting malign influence and power worldwide, but the government has become more ruthless in many ways—uses of technology, forced sterilization, separation of families, and attempting to reduce and disperse its Uighur Muslim population.

Both Secretaries of State Pompeo and Blinken have indicated that this is a genocide under the technical term, an intentional and very strategic effort, in the words of China's own officials, to, basically, carry out the elimination or reduction of the Uighur population and other Muslim populations in Xinjiang province.

Last week, we had a joint subcommittee hearing in this committee. It was the first joint subcommittee hearing we had had in seven years and it was about China's atrocities in the Xinjiang province.

The chair—the subcommittee I chair on Western Hemisphere, Global Democracy, and Human Rights worked together with the Subcommittee on East Asia, chaired by Senator Markey. Senators Rubio and Romney were very involved in this.

And we heard from a number of witnesses in very powerful ways. One was my constituent, Ms. Rushan Abbas. She spoke very mov-

ingly about her sister, Dr. Gulshan Abbas, who has been in detention for three years. Her birthday was last Saturday, her third birthday in prison.

They know she is in prison. They do not know where she is, but they did find out that she was secretly sentenced in a secret trial to a 20-year prison term. She is a physician who had made her career in the Xinjiang province just helping patients.

U.S. efforts, global efforts thus far to combat the terrible atrocity have not been effective. So what more can we do as a committee, as an administration, as a country, to increase pressure on China to end this grim persecution of the Uighur and other Muslim populations in Xinjiang?

Mr. KRITENBRINK. Senator, thank you very much for your comments and your leadership on this issue.

I agree completely with your assessment of the challenge. I had the privilege of viewing most of your hearing last week and I, too, was moved by the testimony, particularly of Ms. Abbas.

The ongoing genocide in Xinjiang shocks the conscience. We estimate more than 1 million Uighurs have been forcibly detained, put into reeducation camps, forced to provide labor, and many other disturbing allegations about how they are being treated.

I think, Senator, working together with this committee, our obligation is to continue to shine a very bright light on this ongoing genocide, and I have been gratified to see that our other partners around the world, whether it is the G-7 or Japanese and Korean partners or our Quad partners as well have all spoken out against the abuses happening there.

But more importantly, Senator, I think we need to continue to take steps using all the tools that the U.S. government has at its disposal to hold to account the leaders who are carrying out these atrocities.

And if I were confirmed, I would be committed to doing just that. I know that we have used a variety of tools, including Global Magnitsky tools, to sanction a number of the leaders, officials, and entities who are carrying out this repression in Xinjiang, including the Xinjiang party secretary, Chen Quanguo.

And if I were confirmed, Senator, I pledge that we will continue to work not just to shine a bright light on the abuses, but also to take steps to hold those responsible accountable.

Senator KAINE. Thank you, Mr. Ambassador.

Two additional items in my last 40 seconds is related to the same topic.

First, a lot of U.S. companies may be directly or indirectly, even unknowingly, facilitating this persecution in Xinjiang through their contacts in the region.

Human Rights Watch had witness before us last week, Dr. Sophie Richardson, who indicated that they have written U.S. companies to get information to try to make sure the companies are aware of the dangers and they, generally, have not gotten responses.

It is my hope that we might work together with you, should you be confirmed, so that a request by the U.S. government might produce a response from some of these companies.

And then, in addition, we need to work with allies outside the region. China is engaged in a pretty aggressive practice of having Uighurs arrested—

Mr. KRITENBRINK. Yes.

Senator KAINE.—in countries like the UAE and Egypt and Saudi Arabia, allies in the United States, and then deported back to China, and we need to work with our allies to make sure that they do not facilitate the long arm of this gruesome persecution campaign all over the globe.

And I would look forward to working with you on that together as well.

Mr. KRITENBRINK. Yes, sir.

Senator, again, I fully agree with your assessment and your recommendation on both points. If confirmed, I look forward to working with you and members of the committee on both of those issues.

Senator KAINE. Great. Thank you so much.

Mr. KRITENBRINK. Thank you.

Senator KAINE. Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

I understand Senator Young is with us virtually.

Senator YOUNG. Yes, Mr. Chairman. Thank you so much.

Ambassador Robinson, in the midst of this global pandemic, Americans have continued to suffer under the scourge of narcotics trafficking, much of that being trafficked through our southern border.

Despite some public calls for the designation, the Trump administration notably refrained from designating the Mexican drug cartels as a foreign terrorist organization.

As the cartels use kidnapping, execution-style killings, the targeted killing of journalists and politicians, and with the flow of narcotics and violence into the United States continuing unabating it seems clear that the legal standard for this designation of foreign terrorist organization has been met.

But I understand that Mexico may oppose such a designation. If confirmed, Mr. Ambassador, would you consider such a designation?

Mr. ROBINSON. Thank you, Senator, for that—for that question, and I absolutely share your concerns with—about the malign influence of narcotics traffickers and the threats they pose to communities throughout the region.

I think, you know, it is probably worth, you know, looking at. I am not a lawyer so I do not know what the legal definition is.

But there is no doubt that the influence of narcotic traffickers throughout the region is crushing to communities, not just in the United States but in Mexico, in Colombia, and throughout Central America.

And I will, certainly, commit to you that we will use all of the necessary tools to go after these criminal organizations and traffickers.

Senator YOUNG. Well, I thank you for that. Perhaps you could—I understand you are not being—you are not an attorney, and you will want to refer to others' analysis.

I am an attorney. I do not want to overstate my qualifications to make this assessment, and attorneys can disagree.

But it seems to me that the legal definition is, indeed, met as I look at the different pillars that need to be analyzed. Time does not permit me to get into those.

But I also understand that there will be diplomatic considerations that play into this. What secondary effects may undermine the effectiveness of such a designation? This would be diplomatic analysis on your part.

Mr. ROBINSON. I think that is—I think that is a great question. I would—you know, I would have to talk to—you know, should I be confirmed, I would make it my—one of my missions to talk to governments in the region to find out what secondary effects there may be.

I, certainly, do not see why there would be obstacles to using maximum efforts to go after the narcotics traffickers and criminal organizations, and if this is a tool that we could effectively use, I would, certainly, want to engage with the governments in the region and governments globally to see what further we could do to sanction these groups.

Senator YOUNG. Like I said, I will look forward to working with you on that. I am encouraged by what seems to be an aggressive bias for action on this. I expect the Mexicans may indicate a lack of motivation to work with us on other matters if we go this direction.

That can be a concern, and there may be some—an increased migration flow into this country of Mexican nationals fleeing terrorism if the terrorist designation is made.

But with that said, would you commit to working with my office in working through this matter should you be confirmed, sir?

Mr. ROBINSON. Should I be confirmed, absolutely, Senator. I will work with your office.

Senator YOUNG. Okay, thank you. I know our time is winding down. I just wanted to put one other matter, a stake sort of in the ground about my interest in it. Perhaps we can work together, should you be confirmed.

One of the missions of your bureau is to enforce maritime rights and practice law enforcement at sea in the Indo-Pacific region. Admittedly, Ambassador Robinson, this is a mission larger than any single federal agency.

It will involve collaboration and cooperation with the Navy and the Coast Guard and other entities and agencies and individuals.

And given China's predatory actions at sea throughout the Pacific, I would be interested in exploring your priorities for INL's practicing of maritime law enforcement throughout the Pacific, especially in Oceania, and seeing where INL might better coordinate with the Coast Guard, moving forward. I would like to help do anything I can to ensure that INL is successful in this mission.

So thank you for your desire to serve.

Mr. ROBINSON. Thank you, Senator. And I agree, I think that that INL has a fairly good story to tell about cooperation in that region on maritime security.

I know when I was deputy assistant secretary we worked very closely with partner countries, allies in the region, on that issue. We did the same in West Africa.

And so I would be happy to, should I be confirmed, work with your office on this.

The CHAIRMAN. Thank you.

Senator YOUNG. Thank you.

The CHAIRMAN. Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman, and thank you to each of you for your willingness to be considered for these critical posts at this time.

I would like to begin with you, Ambassador Robinson, because I come from a state that has been very hard hit by the opioid epidemic, and fentanyl has been the killer.

We have one of—have had one of the highest overdose death rates in the country, and so I share the concerns that have been expressed on both sides of the aisle about how we respond to this and I appreciated your comments.

Senator Portman, who is also a member of this committee, and I recently introduced legislation to build the capacity of foreign law enforcement agencies to detect and interdict fentanyl and other synthetic drugs, and also to try and increase collaboration between the United States and foreign countries.

As someone who has worked in this arena in the past, can you tell me if you think there are particular best practices or areas where cooperation has really worked to make a difference to address this issue?

Mr. ROBINSON. Thank you, Senator, and it is a very important point. I just want to emphasize how heartbreaking it is to know—to see the ravages of this drug on American communities and, particularly, communities like your state—in your state.

Actually, INL, working on the—with the interagency, working with our partners in DEA and the Department of Justice, we have been able to do lots of training and capacity building globally, working with like-minded police organizations in countries around the world on training, identifying strategies, you know, making sure they are looking at going after the money and going after governments that participate in these things.

So there is a—there is a whole range of tools that we can use to work with police organizations on these issues, and I would be happy to explore that with your office, should I be confirmed.

Senator SHAHEEN. Well, thank you. Perhaps you could look at the legislation that we are introducing and see if there are ways that we can make it more effective and other authorizations or other needs that you might have at INL.

Mr. ROBINSON. Yeah, absolutely, Senator.

Senator SHAHEEN. Thank you.

Mr. Holmgren, you have been asked about Havana syndrome, and this is something that my office heard about almost immediately after the attacks because I have some constituents who have been affected by it.

And I am still concerned that six months into this new administration that we are still hearing from some of those people who have been affected about the lack of coordination, about the inabil-

ity to meet with leadership, and particularly at State about the willingness of State to cooperate with the Department of Defense and the red tape that is still involved with getting treatment.

So can you commit to not just trying to get to the bottom of that but to finding out what is causing it and why there is not more, at this point, coordination around how we are responding to this serious concern that is affecting too many employees within the federal government?

Mr. HOLMGREN. Thank you, Senator, for that important question and for your leadership—excuse me—on this issue.

I absolutely commit to understanding if there are ways in how we can improve the interagency coordination process on this and, in particular, what role INR can and should be playing to both support the department but also, as you mentioned, the interagency.

I understand that the NSC has established a coordination cell. I think that is a good—a very good positive development to bring together the different parts of the interagency and that State has now—has a lead, a person responsible for coordinating the State Department's efforts.

And so, if confirmed, I am—I am eager to be involved in that. As I said up front, I have friends and former colleagues from CIA and other places that are affected by this, and so I think it is—I take it as a personal responsibility to address the issue.

Senator SHAHEEN. Well, thank you. I really appreciate that.

And I will say to you what I have said to others, that I think one of the challenges with this issue is the classified nature of all of the information, and it makes it very difficult when there is an unwillingness of our State Departments and agencies to share with members of Congress what is going on and also to share with members of the public.

So I would urge you to look at ways in which we can unclassify information that is not going to be harmful so that people really understand what is going on.

Mr. HOLMGREN. Thank you, Senator. I hear your concern and I pledge to do that.

Senator SHAHEEN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Ambassador Schatz?

Senator SCHATZ. Thank you.

The CHAIRMAN. Senator Schatz. I was giving you—I do not know if it is a promotion.

[Laughter.]

The CHAIRMAN. Some would consider it a promotion.

Senator SCHATZ. We can ask Ambassador Hagerty if that is a promotion or not.

The CHAIRMAN. He is here, so I do not know. That may be the answer. I am sorry.

Senator Schatz?

Senator SCHATZ. Thank you, Mr. Chairman. Thank you all for your service.

Ambassador Kritenbrink, I want to start with Oceania. Secretary Blinken spoke at the Pacific Island Conference of Leaders a week ago.

These kinds of engagements are really meaningful. They underscore our commitment to the region, including helping them to confront COVID and the climate crisis.

Can you just talk about how you will engage in Oceania and your role to ensure that it will be elevated in our Indo-Pacific strategy?

And I think, you know, generally speaking, as we think on this committee, in the broader Senate, in the media, when we think about our Asia Pacific strategy, when we think our Indo-Pacific strategy, everyone is immediately thinking about China and China only.

And it occurs to me that there is a vast ocean full of nations—  
Mr. KRITENBRINK. Yes, sir.

Senator SCHATZ.—that we need to reengage with that are our longtime partners and allies and friends, and for both moral reasons and strategic reasons, we need to reengage, and I am wondering if you can comment on that.

Mr. KRITENBRINK. Senator, thank you very much for your comments and for your leadership on these issues.

I fully agree with your assessment. If confirmed, I would be committed to making sure we expand our robust engagement with the countries—with the Pacific Island countries.

I think, Senator, the first issue that you identified is one of the most important. First, we have to show up. We have to demonstrate our commitment by engaging and participating in meetings and organizations like the PIF.

Secondly, Senator, I believe that we need to engage across the board because we have a number of vital national interests that are implicated amongst our Pacific Island friends.

You mentioned climate, of course. Important security issues at play, issues related to illegal and unregulated fishing. Of course, climate change is an existential threat for many of these partners and, of course, COVID-19 is a great challenge across the region.

If I were confirmed, Senator, I would be committed to upping our engagement across the board to advance those interests and to ensure that our strategic competitors like China as well do not take advantage or use their malign influence to advance their interests at the expense of ours or our partners in the Pacific Islands.

Senator SCHATZ. Thank you.

Ambassador Robinson, I want to stay on Oceania for the moment. I introduced a bill with Senator Murkowski to elevate all of Oceania in U.S. foreign policy.

One aspect of this bill is to increase our ability to counter the Chinese government's foreign practices—foreign corrupt practices in Oceania, and much of that work runs through INL.

We have heard, though, that INL does not have the resources to be present in the Oceania region to the extent that you may wish and that they have had to make quote/unquote, “hard choices” about not prioritizing the Pacific Islands.

I was glad, however, to see that the president's budget carves out funding in INL to counter the Chinese government's global malign influence campaign. But we need to make sure that Oceania is part of that effort.

Can you talk about what you see in Oceania and what we ought to do about it through INL?

Mr. ROBINSON. Thank you, Senator. I think that is a—that is a very important question.

You know, as you have pointed out, most of our focus has been on focusing on the malign influence of China in the region. I suspect I would have to look more closely, but I suspect much of the work we are going to do INL would do in the region, if I am confirmed, would focus on China's malign influence.

But there are—you know, there are other issues in the region that we can—that we can and should focus on, and we spoke about it a little earlier. Working with like-minded partners on maritime safety, for instance, will be key.

And, you know, INL can take a look at issues a little bit outside of our area. We do work on wildlife trafficking. We do work on illegal mining. We do work on illegal fisheries.

And so all of those issues or many of those issues might get us closer to the region and closer to the issues that you are raising.

Senator SCHATZ. Final question. I will make it quick.

You know, I have been working on Lacey Act amendments. I know Senator Merkley and others have prioritized this over the many, many years.

The thing with the Lacey Act is it does not quite get to about half of all of the tropical deforestation, which is the result of illegal deforestation for commercial agriculture.

And so I am wondering if we can work with you and the other relevant federal agencies to get more supply chain transparency and also to dig into the root causes that result in deforestation, clear cutting for agriculture and for commodity development.

The Lacey Act was a very important start, but we are sort of stuck there, and even our partners in the business community who want to do the right thing have great difficulty in terms of the supply chain transparency.

So I think it is time for another round of collective thinking about what is the next iteration of the Lacey Act so that we can actually make sure that we do not just declare that we find illegal deforestation offensive to us and to the globe but that we are actually going to crack down on it, and I am wondering if I can have your commitment to work with us on that.

Mr. ROBINSON. Absolutely, Senator, you have my commitment.

Senator SCHATZ. Thank you.

The CHAIRMAN. Thank you.

Senator Van Hollen?

Senator VAN HOLLEN. Thank you, Mr. Chairman, Ranking Member. Congratulations to all of you on your nominations.

Let me start with you, Ambassador Kritenbrink.

Mr. KRITENBRINK. Yes, sir.

Senator VAN HOLLEN. I was pleased to see the statements made by President Biden and others at the recent NATO summit regarding a more coordinated coherent strategy with respect to China's efforts to use its centralized economic power to export its authoritarian model, and I was pleased to hear your response to Senator Hagerty with respect to the Quad and you also mentioned other allies in the area including, of course, South Korea and others.

One of the important issues that has come up with respect to the situation in the South China Sea is the importance of something

many of us have been in favor of for a long time, which is ratifying the Law of the Sea Treaty.

In your opinion, would that be an important step that the United States could take along with the international community to provide clear rules of the road that would benefit not just the United States but others in the region and around the world?

Mr. KRITENBRINK. Senator, thank you very much for your question.

I know that when Secretary Blinken was asked that same question in testimony last week, he stated that he was not yet aware if there was an administrative—administration position, but that he personally supported the ratification and believed it would be helpful.

I think what I would say, Senator, is whatever we can do to reinforce the rules-based international order where countries large and small play by the rules the better.

The great irony, of course, is that even though the United States has not ratified UNCLOS we do abide by it because we believe it represents customary international law.

China, of course, has ratified it and violates it on a daily basis.

Nonetheless, Senator I am—I would be supportive of any action that strengthens our position on maritime issues, including our legal rates.

Senator VAN HOLLEN. So would not it put the United States in a stronger position vis-à-vis China and its violations of the Law of the Sea Treaty if the United States were a party to the agreement?

Mr. KRITENBRINK. Well, I would associate myself with Secretary Blinken's comments on that last week.

Senator VAN HOLLEN. I will take that—I understand. He said he was personally in favor of it and I—

Mr. KRITENBRINK. Thank you, Senator.

Senator VAN HOLLEN. So—

Mr. KRITENBRINK. But can I just underscore? I think you have hit the nail right on the head that we have to advance our interests in supporting the rules-based international order.

Many other things we need to do in the maritime domain as well, but that is a key one. Thank you, sir.

Senator VAN HOLLEN. Thank you.

Let me ask you about a piece of legislation that we passed a couple years ago here. It was called the BRINK Act. I authored it together with Senator Toomey, and it was designed to close some of the loopholes in the sanctions that we have imposed on North Korea.

There was a recent U.N. panel of experts report on the implementation of international sanctions against North Korea, and they painted a picture of a very leaky sanctions regime, especially with respect to some goods flowing from China.

They also mentioned key imports, refined petroleum and coal, had surged into North Korea last year. So the BRINK Act establishes a secondary sanctions regime similar to the earlier Iran sanctions regime that helped bring Iran to the table for the JCPOA.

Could you commit to working with us and the Department of Treasury to make sure that we fully apply this law? And what is

your current assessment of, you know, the role sanctions can play in putting pressure on the North Korean regime?

Mr. KRITENBRINK. Senator, thank you very much.

If confirmed, I can assure you that I would look forward to working with you and your team on these issues.

As I noted at the outset, the Biden administration—Biden/Harris administration is committed to the denuclearization of the Korean Peninsula, and, if confirmed, I would support an approach that relies both on sanctions enforcement and deterrence as well as a practical calibrated approach open to democracy.

If confirmed, I would be delighted to learn more about the BRINK Act and how we can strengthen the sanctions regime.

But, Senator, I do agree, enforcing the sanctions regime with tools that we have, together with U.N. tools, I think is vitally important to the denuclearization goals that we have.

Senator VAN HOLLEN. Thank you. And again, thank all of you for your service.

And Mr. Holmgren, let me just say I think INR is one of those great agencies in the federal government that punches way above its weight.

So I hope you will hold your own within the IC because, in my experience, INR has called it right more than the other agencies, on average.

Mr. HOLMGREN. Thank you, Senator. It is an honor to be nominated to lead INR.

Senator VAN HOLLEN. Thank you.

The CHAIRMAN. Thank you.

Senator Cruz?

Senator CRUZ. Thank you, Mr. Chairman. Congratulations to each of the three of you.

Mr. Holmgren, let us start with you. If confirmed, you would be the principal intelligence adviser to the secretary and other State Department principals.

You would be charged with driving the intelligence apparatus advising the secretary of state on the risks and the benefits of reentering any nuclear deal with Iran.

I want to ask you about that. One of the most troubling aspects of the catastrophic Obama Iran nuclear deal were the enormous holes in verifying Iranian compliance.

Some of those holes were obvious, such as giving Iran weeks to clean up sites before inspections and functionally prohibiting inspection of military facilities.

Others were less obvious but even more damaging. One side deal forced the IAEA, the United Nations' nuclear watchdog, to prematurely close investigations into past Iranian nuclear weapons work, leaving the scope and the nature of Iran's weapons program unknown.

According to Bloomberg, the Obama administration provided Congress with a classified annex, saying that the deal could still be verified if Iran fully complied and did not cheat.

Today, we know, of course, the deal failed to detect vast portions of Iran's nuclear weapons program. We know it because of daring raids and revelations by our Israeli allies.

We know that between the implementation of the deal in January 26 to May 2018 the IAEA was not aware that Iran was concealing a nuclear weapons archive, nor was the IAEA aware that Iran was contained—had containers at a warehouse called Turqazabad where the IAEA later reportedly discovered traces of man-altered uranium.

The agency subsequently visited three other undisclosed sites and found nuclear material at two of them. The IAEA has never inspected any facility run by the SPND, a military organization employing nuclear weapons scientists, which, until last year, was run by the founder of Iran's nuclear weapons program. That is unknown sites and zero military facilities inspected.

Despite all of this, the Biden administration is rushing to reenter the Iran deal.

Mr. Holmgren, do you support reentering the deal in light of those failures?

Mr. HOLMGREN. Senator Cruz, thank you for that question.

As a former intelligence analyst who focused on the Middle East, I very much appreciate the multi-dimensional threat that Iran poses—their state sponsorship of terrorism, their nuclear ambitions, cyber, human rights violations, and their ballistic missile capabilities.

So I very much appreciate the threat. If confirmed to lead INR, which is part of the intelligence community, my commitment to you and to this entire committee is that we will supply objective information and analysis regarding all of Iran's malign activities to include its compliance with the—with the nuclear requirements as part of the JCPOA even if those conclusions diverge from your policy interests, but especially, because I think it is even more important, if the intelligence community has a different view based on all sorts of information of where policymakers are that we would absolutely provide that information to support the secretary but also other policymakers as well as this committee.

Senator CRUZ. In your assessment, what additional measures would be required to close the loopholes that allowed these failures in the prior deal?

Mr. HOLMGREN. Senator, I am not—I am not privy to—I have not been in government the last few years so I am not privy to the—any classified details and additional measures.

But what I could tell you is that, from an intelligence perspective, I think having an incredibly strong collection and analytic regime focused on Iran's compliance would be—certainly, would be a top priority.

As I mentioned in my opening remarks, I view Iran as one of the top big four threats we face, and so making sure that INR has the resources and the expertise to provide objective analysis would absolutely be a priority for me, sir.

Senator CRUZ. Okay.

And, Mr. Kritenbrink, the Obama administration implemented a policy that forbade our Taiwanese allies from displaying symbols of their sovereignty, whether flags or medals or uniforms, on U.S. soil.

During the Trump administration, I pressed the Trump administration to change that policy to reverse the ban, and they did so.

Unfortunately, after Secretary Blinken came through his confirmation hearing where I asked him about it and he committed to maintaining the policy of allowing Taiwan to display its symbols of sovereignty, subsequently, the Biden State Department reversed that policy and now prohibits our Taiwanese allies from displaying their symbols of sovereignty.

This committee just a few weeks ago took up legislation I had to reverse the new Biden ban and to return to the preexisting policy that allowed Taiwan, like our other allies, to display their symbols of sovereignty.

This committee passed that overwhelmingly. The Senate passed it overwhelmingly in a bipartisan manner. If confirmed, will you restore the previous policy allowing our Taiwanese allies to display their symbols of sovereignty, and if not, why not?

Mr. KRITENBRINK. Senator, thank you very much for the question.

I want to emphasize at the outset, Senator, if confirmed, I would be absolutely committed to growing our robust and vitally important partnership with democratic Taiwan.

I would argue that our partnership with Taiwan is perhaps stronger than it has ever been, from our commitments demonstrated under the Taiwan Relations Act, including \$30 billion in arm sales since 2009, to the provision of vaccines, to our close health cooperation to the visit by three members of the Senate in just the last few weeks.

I think we have made clear our commitment to growing that partnership with Taiwan.

Senator, since 1979, for decades now, the United States has followed a set of contact guidelines for our engagement with Taiwan, and my understanding, Senator, is for decades now those guidelines have outlined that during our important engagements with our unofficial—our Taiwan counterparts to advance our unofficial relationship that symbols of sovereignty are not allowed on U.S. government property.

And those guidelines, as I understand them, Senator, have been in place for decades and were in place for the vast majority of the previous administration as well.

Based on the briefings and discussions that I have had, Senator, the new guidelines that have been enacted under the Biden administration are significantly liberalized. They are explicitly designed to further develop our relationships and our partnership with Taiwan, and they have been welcomed by the Taiwan leadership, including President Tsai herself.

So I can assure you, Senator, that I am committed in every way to growing our partnership with Taiwan and I will hasten to add that, of course, I will always enforce U.S. law.

Senator CRUZ. Thank you.

The CHAIRMAN. Thank you. Thank you.

Ambassador Robinson, I am going to close up with you, I think, because this will be the last set of questions. I do not want you to think I—you have no—none of my attention. So let me just, briefly, make a statement about Mexico.

I had some deep concerns about Mexico over the last year. In the fall, the United States arrested Mexico's former defense minister on

drug trafficking charges. Very literally this case highlighted that Mexican drug trafficking organizations are capable of co-opting individuals at the highest levels of Mexico's government.

When we released General Cienfuegos, albeit under some rather murky circumstances, the López Obrador government responded by publishing U.S. law enforcement documents, in violation of our mutual legal assistance treaty and then pushing a law to the Mexican Congress that seemed intent on constraining bilateral law enforcement cooperation.

I understand how important the U.S. trade, economic, political, and security relationship is with Mexico and I am fully supportive of efforts to strengthen it.

However, we have to be clear eyed. We cannot ignore evidence about the links between certain members of Mexico security forces and drug traffickers.

So, if confirmed, I trust you will give these issues your full attention?

Mr. ROBINSON. Absolutely, Mr. Chairman.

I share your concerns and look forward, should I be confirmed, to working with the interagency and working with the Congress to addressing and focusing on these issues.

The CHAIRMAN. And one last question for you. We had a very good in-depth discussion so a lot of the issues have been raised.

As I thought, fentanyl and others have been raised. I am increasingly concerned by reports that the Assad regime is earning hard currency in the face of international sanctions and cratering currency and economy by manufacturing and exporting Captagon, a potent and addictive amphetamine, often with the cooperation of Hezbollah.

This drug is being smuggled, often by Hezbollah, across Lebanon's border with Syria and through Lebanon's weak import and export controls to be distributed throughout Europe and the Middle East, prompting bans on Lebanese exports recently that the Lebanese economy can ill afford.

What steps can we take to counter such drug smuggling, including assistance to strengthen the Lebanese border and customs enforcement?

Mr. ROBINSON. Mr. Chairman, that is a great question.

INL has a great track record on working with the government of Lebanon on training and capacity building, and we will continue. Should I be confirmed, I would make sure that we would continue to do that.

I would also say that we can work with the interagency—we have been working with the interagency to track these shipments, particularly with DEA, and working with like-minded partners in the region.

We know Saudi Arabia is particularly concerned about this, the trafficking of this drug, and we can continue to work with like-minded partners on this issue.

The CHAIRMAN. Well, I just want to highlight it because, of course, we often hear about fentanyl, as we should because it is causing deaths in America. But in this case of this Captagon, you have got a lot of bad players.

You have Hezbollah, you have Assad, and undermining what little is left of the Lebanese economy. That is a bad trifecta, at the end of the day.

So I hope that you will make it one of your priorities upon confirmation.

Mr. ROBINSON. I share your concern, Chairman, and should I be confirmed, we will absolutely track it.

The CHAIRMAN. Thank you.

Senator? All right.

With that, with the thanks of the committee, this record will remain open until tomorrow at the close of business.

There may be questions for the record. We would urge the nominees to answer those questions expeditiously so you can be considered for a business meeting.

And with that, this hearing is adjourned.

[Whereupon, at 11:37 a.m., the committee was adjourned.]

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### Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED  
TO HON. TODD D. ROBINSON BY SENATOR JAMES E. RISCH

#### *Central America/Illegal Migration*

*Question.* Given your previous experience in Central America and at INL, can you describe the nexus between transnational criminal organizations and human smuggling/trafficking across Central America and Mexico? What financial benefits would you estimate drug trafficking groups are reaping from the increased flows of illegal migrants arriving at our Southwest border?

*Answer.* Systemic corruption and impunity contribute to the permissive environments that enable the illicit activities of transnational criminal organizations across Central America and Mexico, some of which are involved in smuggling migrants across countries' borders or are profiting from the exploitation of individuals in sex trafficking or forced labor, including forced criminal activity. I understand corruption, insecurity, and low levels of trust in institutions are among the root causes driving irregular migration in the region, including to the United States, and undermine economic growth and development, weaken the rule of law, and lead to a loss of hope. If confirmed, I will continue to press these governments to take concrete actions to combat corruption and impunity, improve democratic governance, and strengthen the rule of law. Reliable estimates of the ill-gotten financial gains of drug trafficking groups or transnational criminal organizations are hard to confirm, but remain a concern.

#### *Mexico/Illicit Narcotics*

*Question.* What specific actions would you encourage Mexico take to meaningfully tackle transitional criminal activities through its territory, including trafficking of fentanyl and other illicit narcotics?

*Answer.* INL strengthens Mexico's capacity to reduce the production and trafficking of fentanyl and other illicit drugs. I understand that INL supports Mexico's recent steps to regulate fentanyl precursor chemicals and encourages Mexico to increase and better integrate its investigations into precursor chemical diversion, drug production, and trafficking. If confirmed, I will ensure the Department works to strengthen cooperation on this vital issue through the cabinet-level security dialogue committed to during Vice President Harris' June 8 meeting with Mexican President Lopez Obrador.

#### *Venezuela*

*Question.* Can you describe how the Maduro regime's involvement in transnational criminal activities impacts peace and stability in Colombia?

*Answer.* Colombia has worked hard to extend effective state presence throughout its national territory, but the Maduro regime's mismanagement and its tolerance of

illicit activities and evident lack of interest in controlling such activities within its own borders has made Colombia's task vastly more difficult. The Maduro regime's profit-seeking ties with dissident members of the Revolutionary Armed Forces of Colombia, the Colombian-origin National Liberation Army, and Venezuelan paramilitary groups facilitate illicit activity, public corruption, and graft schemes. These relationships, combined with historically weak government presence at the border between Colombia and Venezuela, have allowed Colombian terrorist groups and narcotraffickers to operate with impunity. Venezuelans and Colombians are the victims of the Maduro regime's inability or unwillingness to provide security within Venezuela and of the predatory behavior of these criminal groups.

*Cuba/State Sponsor of Terrorism*

*Question.* Should Cuba be removed from the list of state sponsors of terrorism (SST) while they continue to harbor U.S. fugitives and U.S.-designated Foreign Terrorist Organizations?

*Answer.* I understand the administration has committed to carefully reviewing decisions made in the prior administration, including the decision to designate Cuba as a State Sponsor of Terrorism.

If confirmed, I look forward to supporting the administration's review of Cuba policy. Our priority in Cuba, as the rest of the Hemisphere, needs to be democracy, human rights, and the rule of law.

*Afghanistan*

*Question.* Given the Biden administration's decision to withdraw troops from Afghanistan, how can INL realistically and effectively counter Afghanistan's opium problem or provide oversight of existing counternarcotic programs?

*Answer.* I understand that most cultivation and production of poppy in Afghanistan occurs in areas under Taliban influence or control, compounding the challenge of implementing effective counternarcotics projects. INL has a constructive working relationship with the Afghan Government and supports specialized counter-drug enforcement units in Afghanistan, such as the National Interdiction Unit and the polygraphed Sensitive Investigative Unit, with enablers including a modern wiretap system and a team of U.S. Drug Enforcement Administration mentors. These units have mounted successful operations in insurgent-held areas. Additionally, INL funds border and customs police to effectively search and profile passengers and cargo at ports of entry, treatment for Afghans suffering from substance use disorders, licit alternatives to poppy for farmers, and capacity building for the Afghan Government. If confirmed, I look forward to continuing to utilize a tiered approach to monitoring existing projects, including third party monitors for end-use monitoring and implementation activities, and multiple organizations to provide assessments and evaluations on INL activities.

*Lebanon-Internal Security Forces (ISF)*

*Question.* As Lebanon faces a potential state collapse, please comment on continued assistance to the ISF in Lebanon.

*Answer.* If confirmed, I will continue to prioritize our support to the ISF, a key partner in maintaining peace in Lebanon. Following the August 2020 Port of Beirut explosion, I understand INL increased efforts to provide basic equipment support to the ISF, including PPE as it dealt with the COVID crisis, address internal corruption, and improve internal and external cooperation through cross functional collaboration. This includes human resource automation efforts, which can reduce administrative demands, increase productivity, reduce costs, and provide more transparency and accountability within the ISF. Continued support to the ISF can help mitigate further instability in Lebanon.

*West Bank-Palestinian Security Forces (PASF)*

*Question.* Is this an appropriate focus for the PASF without securing concessions on pay to slay? How have Israeli attitudes towards the PASF evolved following recent violence with Hamas and Gaza? USSC has also suggested that PASF should be allowed to attend US military training and schools. Is this an appropriate use of taxpayer dollars given the PASF's non-state status?

*Answer.* If confirmed, I will ensure INL delivers its assistance consistent with its authorities and other U.S. laws. The shift in focus reflects improved performance and maturity by the PASF since we began providing assistance in 2007. I understand that INL believes taking this new focus will sustain that trend. The PASF units INL assisted performed well in their daily missions as well as during crises, especially including the latest round of violence, when they had to coordinate with

Israeli security forces. The PASF will receive their operational training at their own training centers in Jericho. If confirmed, I will ensure that any decision to send a small selection of well-vetted senior officers to U.S. military institutions is based solely on a commitment to provide them the best leadership training available that will make them better officers and further improve the performance of the PASF.

#### *Libya*

*Question.* How does INL plan to work with the MOI in Libya to re-establish a governmental monopoly on the use of force and reduce the presence of non-state militias and mercenaries?

*Answer.* A move away from the informal and hybrid relationships that have developed over the past war-torn years will require a combination of different strengths across the Department to address these challenges, particularly with disarmament, demobilization, and deradicalization, and to facilitate the movement towards re-legitimization of criminal justice institutions and law enforcement.

To that end, I understand INL aims to help build the capabilities of legitimate institutions that can provide for civilian security focused on their needs, incorporate the rule of law, and include greater emphasis on appropriate use of force that is compliant with international standards on human rights. INL is developing opportunities with the Ministries of Interior and Justice to return criminal justice facilities previously damaged by the hostilities witnessed in Libya back to Ministry of Justice control and out of the hands of militias.

#### *Tunisia*

*Question.* How does INL plan to work to ensure allegations of police violence and credibility and transparently investigated, and those found responsible held to account? Are there ways in which INL can tailor programming to ensure police officers and unit commanders are held accountable for instances of excessive use of force? What role should Tunisia's police unions play moving forward?

*Answer.* If confirmed, I will ensure INL continues to work across the Tunisian criminal justice sector to foster and institutionalize transparency and accountability. INL's law enforcement programming incorporates international best practices, including the use of modern policing techniques, methods of internal accountability, transparency to the public, and citizen-oriented approaches. INL complies with statutory provisions to vet units and individuals for potential gross violations of human rights and encourages the Government to investigate and hold accountable those responsible. The 2014 Tunisian constitution permits internal security forces to unionize; however, it does not define the unions' role beyond the prohibition to strike, and INL does not work with the unions.

*Question.* Are there specific steps that INL can take to advance security sector reform in Tunisia? What does INL consider to be the most pressing priorities in terms of advancing a wider security sector reform agenda?

*Answer.* Given security challenges, the need for broad reform, and limited resources, security sector reform in Tunisia has not been linear. Within this dynamic environment, INL designs its programming in Tunisia to address civilian criminal justice sector reform holistically across law enforcement, justice, and corrections. INL prioritizes assistance to the Government of Tunisia to improve core operational capacities and competencies in support of fair, transparent, and independent criminal justice organizations responsive to citizens' needs.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED  
TO HON. TODD D. ROBINSON BY SENATOR BENJAMIN L. CARDIN

#### *Addressing Corruption and Kleptocracy*

*Question.* The Combating Global Corruption Act obliges the Executive to identify corruption in countries and rank them; establishes minimum standards for combating corruption; and evaluates foreign persons engaged in grand corruption for consideration under the Global Magnitsky Human Rights Accountability Act.

- If confirmed, in what ways will you strengthen efforts at the State Department to focus on combating corruption abroad?

*Answer.* If confirmed, I will work across the department to combat corruption as a top foreignpolicy priority of the Biden-Harris Administration. The Bureau of International Narcotics and Law Enforcement Affairs plays a key role in the promotion of internationally recognized standards and commitments to prevent and combat

corruption, provides targeted foreign assistance to strengthen criminal justice systems and institutions to both resist and root out corruption abroad, and implements visa restrictions to promote accountability for corrupt actors. I will work to expand these efforts and our partnerships and coordination across the interagency to ensure the range of foreign assistance and diplomatic tools are brought to bear in cultivating strong, transparent institutions to prevent and combat corruption abroad.

*Question.* Do you see opportunities to improve our whole-of-government approach towards fighting corruption?

*Answer.* The United States enforces one of the most robust anticorruption frameworks in the world. The President's National Security Study Memorandum on the fight against corruption presents a unique opportunity to further integrate the expertise of U.S. federal agencies into these efforts and create a more expansive and effective whole-of-government response to this complex threat. The Bureau of International Narcotics and Law Enforcement Affairs maintains deep partnerships across the interagency in support of our shared mission to disrupt and deter transnational organized crime and corruption, both at home and abroad. If confirmed, I will continue to support these vital partnerships, and the State Department's commitment to this Administration priority.

#### *Strengthening the Global Magnitsky Act*

*Question.* The Global Magnitsky Act has proven valuable as a tool that can penalize human rights abusers and corrupt actors without rupturing bilateral relations. The Global Magnitsky Act sunset was removed in the U.S. Innovation and Competition Act of 2021.

- Do you agree that “Magnitsky-like” sanctions are an effective tool for countering human rights abusers and corruption around the world?

*Answer.* The Global Magnitsky sanctions program is an effective and impactful tool as part of our broader efforts to combat corruption and promote human rights globally. The Global Magnitsky sanctions program, along with other similar tools, such as Section 7031(c) visa restrictions, promotes accountability of corrupt actors and human rights abusers and deters future corruption and human rights abuse abroad.

*Question.* If confirmed, will you commit to robustly implementing the Global Magnitsky Act through high-impact sanctions designations, including by appropriately staffing relevant State Department offices and bureaus?

*Answer.* If confirmed, I will work across the Department and interagency to use all available tools, including the Global Magnitsky sanctions program, to combat corruption globally. The Bureau of International Narcotics and Law Enforcement Affairs (INL) has a dedicated team focused on implementing a range of deterrence tools, including supporting implementation of the corruption prong of Global Magnitsky. If confirmed, I will continue to support robust implementation of these tools in conjunction with INL's foreign assistance and diplomatic efforts to disrupt and deter corruption abroad.

*Question.* If confirmed, would you support the permanent authorization of Global Magnitsky sanctions?

*Answer.* If confirmed, I would support the permanent authorization of the Global Magnitsky Human Rights Accountability Act. This sanctions program has demonstrated its impact and supports our broader efforts to prevent and combat corruption and protect human rights abroad.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO HON. TODD D. ROBINSON BY SENATOR MARCO RUBIO

##### *Guatemala*

*Question.* Given your extensive background and experience in Central America, most recently as United States Ambassador to Guatemala, you understand the threats these nations are facing—not just from violent transnational criminal organizations, but also from external malign actors like China and Russia, which are trying to gain a foothold in our hemisphere.

- Do you believe that the United States' approach should be to disengage from these governments and cut our assistance to them?

**Answer.** It is in the U.S. national interest for Central American countries to have strengthened democratic governance, expanded economic opportunity for their citizens, and the capacity to address the security challenges that cause many to flee the region and present direct harms to the United States. U.S. foreign assistance is an essential element of our regional strategy that includes strengthening civil society, promoting transparency and rule of law, combating corruption, and improving respect for human rights. If confirmed, I will work to ensure that our foreign assistance is accompanied by robust U.S. diplomatic engagement and appropriate oversight. President Biden is clear-eyed about the challenge and has insisted governments step up as true partners in creating the conditions for economic opportunity and security, which includes fighting corruption and impunity.

**Question.** During your time as United States Ambassador to Guatemala, please describe your knowledge, if any, of Russia's involvement in Guatemala's mining sector.

**Answer.** During my tenure, our embassy kept track of various issues affecting Guatemala's economy, including in the area of energy and mines. If confirmed, I will prioritize countering the malign influence of Russia and other actors in Guatemala and elsewhere as part of our efforts to bolster good governance and combat corruption.

**Question.** What is your knowledge of the legal issues related to the EXIMBAL nickel mine, owned by Russian interests, and the (then) Canadian-U.S.-owned San Rafael mine?

**Answer.** According to news reports, the Constitutional Court (CC) initially suspended operations of the EXIMBAL nickel mine in July 2019 for failure to conduct consultations with affected indigenous communities under International Labor Organization convention 169 (ILO 169), confirming the decision again in June 2020. However, the mine, owned by Switzerland-based Solway Investment Group, continued production until February, when the Ministry of Energy and Mining (MEM) suspended the mine's exploitation license to conform with the CC's July 2019 ruling, confirmed again by the CC on March 1.

Operations of the San Rafael mine have been suspended since 2017, also for failure to conduct community consultations in accordance with ILO 169. In 2018, the CC ordered the Guatemalan Government to conduct community consultations prior to reopening the mine.

**Question.** Can you provide the most recent update on the cases mentioned above?

**Answer.** I understand that in June, deputies from the political party Unidad Nacional de la Esperanza alleged to the MEM that Fenix mine continues to conduct some operations illegally, despite its ordered suspension. Pre-consultations with local indigenous groups under ILO 169 are scheduled to begin July 15 in Izabal. The pre-consultation process for the San Rafael mine began on May 21 in Santa Rosa. The next meeting is scheduled for June 20.

**Question.** Can you describe the role played by Gazprombank and VTB Bank, two entities sanctioned by Treasury, in the mining sector in Guatemala?

**Answer.** I do not have current information about the role played by Gazprombank and VTB in Guatemala's mining sector. On the issue of sanctions, if confirmed, I will prioritize working with colleagues across the interagency to pursue appropriate measures, including visa revocations and sanctions, to promote accountability for corruption.

**Question.** Are you aware of any evidence that Guatemalan authorities worked with VTB Bank through CICIG?

**Answer.** No. To my knowledge, CICIG was an independent, U.N.-backed commission that helped Guatemala build capacity and make progress in the fight against corruption during its tenure.

#### *Assistance with Law Enforcement Agencies*

**Question.** If confirmed, will you ensure strict oversight of U.S. support for security forces under the control of the Palestinian Authority and ensure any assistance complies with all U.S. legislative restrictions on these funds?

**Answer.** Yes, if confirmed, I will ensure strict oversight of U.S. support for security forces under the control of the Palestinian Authority (PA). I will ensure any assistance complies with all U.S. legislative restrictions on these funds. I understand INL provides its assistance through letters of agreement that ensure strict oversight, and conducts end-use monitoring of the materials it supplies to ensure it is accounted for and being used for the purposes it was provided. I understand INL

will implement a robust vetting process, including Leahy vetting and vetting through the Department's Risk Analysis and Management Office, to mitigate the risk that U.S. Government resources could benefit terrorist groups or their supporters. If confirmed, I will ensure INL also vets all recipients of PA assistance, including students enrolled in training programs, for suspected terrorist organization affiliation and human rights violations. If the vetting results show any level of doubt, INL will exclude them from the program.

*Question.* If confirmed, what actions do you intend to take in order to combat Hezbollah?

Answer. If confirmed, I commit to continuing our support to Lebanon and exploring ways to adapt our support to address the pressing needs of key partners in the security and judicial sectors such as targeted interventions to improve criminal information collection, analysis, and sharing; build on efforts to eliminate security vacuums that criminals and terrorists exploit by expanding police professionalization efforts; and solidify and sustain anti-crime gains through the delivery of specialized skills. Such support bolsters legitimate institutions in Lebanon and can help counter Hezbollah's malign influence.

*Question.* What is your position on reports of Hezbollah financing itself with networks involved in the drug trade in Latin America?

Answer. I am concerned about Hezbollah's purported role as a facilitator of the narcotics trade. Financial supporters, facilitators, and sympathizers of Hezbollah operate in the Western Hemisphere, raising funds in support of the organization through a variety of illicit activities, including narcotics trafficking and trade-based money laundering. As a part of INL's broader efforts to combat transnational crime, I understand INL will continue to prioritize anti-money laundering and counter-narcotics programming globally.

*Question.* What is your view on U.S. cooperation with law enforcement authorities in Ukraine?

Answer. I understand the United States has worked closely with Ukraine's Ministry of Internal Affairs to advance sweeping law enforcement reforms since 2014, starting with the creation of the Patrol Police. The Ministry continues to be a constructive partner on law enforcement reform, to include providing support and development of the Patrol Police in the major cities and rolling out the newly established Territorial Community Police Officer initiative in rural communities throughout Ukraine. The foundation of both reform efforts incorporates the respect for human rights and adopts international best policing practices to ensure officers are trained to be accountable, service-oriented, and transparent. If confirmed, I look forward to continuing this cooperation on advancing meaningful law enforcement reform in Ukraine.

*Question.* What actions will you take to work with the law enforcement agencies of our partners and allies to prevent the export of products produced with the forced labor of Uyghurs in China?

Answer. The Biden-Harris administration is committed to working with partners and allies to address the People's Republic of China (PRC) Government's ongoing atrocities in Xinjiang and will consider and support the use of all appropriate tools to promote accountability for those involved, including import restrictions for goods made with forced labor. If confirmed, I will support Secretary Blinken's call on other governments to take "concrete actions" to ensure no companies or governments provide the PRC with products or services that facilitate repression in Xinjiang or purchase goods from Xinjiang made with forced labor. If confirmed, I will also strengthen our law enforcement partnerships and coordination with allies to ensure we are taking a multilateral approach to stopping the genocide and crimes against humanity in Xinjiang, including by working with the interagency in its efforts to identify and block the import to the United States of goods produced through forced labor.

#### RESPONSES TO FOLLOW-UP QUESTIONS

*Question.* Please elaborate with specificity on the issues you kept track of with respect to energy and mines during your tenure.

- For example, did you discuss litigation involving the U.S.-based Tahoe Resources' El Esocabal silver mine (Minera San Rafael), owned by Canadian-U.S. interests, with anyone, and if so, with whom? Please detail what was discussed.
- Did you discuss the nickel mine owned by the Russian concern CGN, located in Izabal, known variously as EXIMBAL?

Answer. I had several discussions on this issue with various persons during my time in Guatemala. In fact, for the purposes of advocacy for U.S. business, Tahoe Resources was treated as an American company despite its ownership being largely Canadian. I believe we made this determination after consultation with the Department of Commerce. I know I had at least two (maybe more) meetings with representatives of Tahoe Resources in Guatemala and one in Washington, DC. I discussed the issue with Guatemalan congressional representatives. I discussed the issue with members of Guatemala's court system (both Supreme Court and Constitutional Court). I also discussed the issue with members of Guatemala's executive branch (both the President, the Vice President, and cabinet members). In addition, I discussed the issue with visiting U.S. congressional delegations.

Among the issues discussed were:

1. The possibility of clearing a path for the mine to open or reopen successfully;
2. The value of the mine to the community around the mine and the value of the mine to Guatemala to show it was open for foreign direct investment;
3. The obstacles to full functionality of the mine and the role of a consultative process between the mining company and the local community;
4. The mining company's journey through Guatemala's judicial process.

I do not recall that I ever discussed EXIMBAL. However, that is not to say it was not discussed by other U.S. officials at the embassy. These issues—San Rafael and/or EXIMBAL—would have been largely handled by the Economic Section and/or the Commercial office.

*Question.* Did you ever meet with any legal representative of either Gazprombank or VTB Bank?

- If so, what dates and how many times?
- Did you discuss Russia's involvement in the mining sector with them, or litigation involving EXIMBAL or Minera San Rafael? If so, please provide details.

Answer. I do not recall that I ever met with any representative of Gazprombank or VTB Bank.

*Question.* How frequently did you meet with the attorney general of Guatemala?

- In your meetings and conversations, did you discuss Russia's involvement in the mining sector with the attorney general?
- Did you discuss litigation involving Minera San Rafael? If so, when?

Answer. I met formally and informally with the attorney general of Guatemala on a fairly regular basis between 2014-2017. I do not believe the attorney general and I ever discussed Russia's involvement in the mining sector. I also do not believe we discussed litigation involving Minera San Rafael.

*Question.* How frequently did you meet with members of Guatemala's Constitutional Court?

- In your meetings and conversations, did you discuss Russia's involvement in the mining sector with them?
- Did you discuss litigation involving Minera San Rafael?

Answer. Over the course of my three years in Guatemala, I met with members of the Constitutional Court both formally and informally on a regular basis. Other embassy representatives did as well. Apart from the political upheaval that occurred during that time, we had technical programs with the supreme and constitutional courts involving case tracking systems and equipment to expand the ability of the courts to reach beyond the capital.

I do not believe I discussed Russia's involvement in the mining sector with any court members. The Minera San Rafael issue was discussed as the case wound its way through the Supreme and Constitutional Courts.

*Question.* Did you meet with any non-governmental organizations involved in court-ordered consultations with respect to the Minera San Rafael to discuss issues related to the mining sector?

Answer. Since I met with several NGOs on numerous topics during my time as Ambassador over four years ago, I do not recall specific conversations with respect to the Minera San Rafael issue. If this issue was discussed, it would have been to understand Tahoe Resources' concerns to see if any agreement could be brokered between the two sides.

*Question.* What past information did you have with regard to the role played by Gazprombank and VTB in Guatemala's mining sector dating back to your tenure

as U.S. Ambassador to Guatemala or as Senior Advisor for Central America in the Bureau of Western Hemisphere Affairs?

Answer. I do not recall that I had any prior knowledge of either Gazprombank or VTB in Guatemala's mining sector. It was not something I was tracking during my time in Guatemala or later in Washington.

*Question.* Did you meet with any agents of either Gazprombank or VTB bank? If so, how many times? Was CICIG discussed?

Answer. To the best of my recollection, I have never met with any representatives of either bank.

*Question.* According to testimony from Bill Browder before the CSCE in 2018, VTB Bank—an entity sanctioned by the U.S. Department of Treasury—gained legal status as an “interested party” in a legal case against the Bitkov family. In 2015, a criminal case was opened against the Bitkovs at CICIG's direction. Immediately after, officers raided the Bitkov's home and detained the family.

During your time as Ambassador to Guatemala, were you ever briefed on this issue? If so, when? If so, what was your takeaway when you were in this post?

Answer. To the best of my recollection, I was never briefed on this issue. Any knowledge I had of this issue came from open sources. There were some local newspaper articles on the Bitkovs and I also remember a long in-depth article about their case in either the Atlantic Monthly, Vanity Fair, or the New Yorker magazine. To my knowledge, while I was in Guatemala (2014-17), the State Department was not tracking the Bitkov case beyond the fact that they had been swept up in a larger probe of corruption within the Guatemalan Government.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO HON. TODD D. ROBINSON BY SENATOR TED CRUZ

*Question.* In recent months the Mexican Government has shifted to a confrontational and in some senses even adversarial approach to the United States, including by undermining the Drug Enforcement Agency's (DEA) capability to operate in Mexico, publishing sensitive information that had been shared by the Department of Justice (DOJ), and maneuvering to ensure the freedom of former Defense Minister Salvador Cienfuegos Zepeda from drug charges. To what degree are you concerned about the status of the U.S.-Mexican relationship in these dimensions?

Answer. U.S.-Mexico security cooperation remains a top national security priority. If confirmed, I look forward to comprehensive conversations with the Mexican Government to deepen our security cooperation and ensure it works for the benefit of the United States and Mexico. I look forward to working to strengthen collaboration through the cabinet-level security dialogue committed to during Vice President Harris' June 8 meeting with Mexican President Lopez Obrador.

*Question.* What steps will you take to ensure that the Mexican Government understands their recent actions against the DEA are unacceptable and returns to a posture of cooperation?

Answer. Law enforcement cooperation between the United States and Mexico is vital to countering the shared threat of transnational crime. If confirmed, I look forward to working with the Mexican Government to strengthen this cooperation, including through the cabinet-level security dialogue committed to during Vice President Harris's June 8 meeting with Mexican President Lopez Obrador.

*Nicaragua*

*Question.* What role, if any, should INL play in regards to the situation in Nicaragua?

Answer. I condemn the Ortega regime's repression of its own people and the clear erosion of democratic norms in Nicaragua. Civil society must be supported to promote accountability for human rights abuses and corruption. INL engages with relevant elements of civil society in Nicaragua—including independent media, human rights, and anticorruption organizations—to address narcotics and criminal threats, improve civic education, and strengthen the rule of law through discreet programs aimed at minimizing the risk to individuals from government persecution. If confirmed, I look forward to continuing these efforts. Bolivia

*Question.* How do you plan to engage with the Government of Bolivia on drug production, trafficking, and interdiction?

Answer. I am concerned about drug production and trafficking in Bolivia. Should the Arce administration be interested in partnering with the United States to combat narcotics trafficking and associated criminality, if confirmed, I welcome the opportunity to enhance coordination with Bolivia.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO BRETT M. HOLMGREN BY SENATOR JAMES E. RISCH

*Directed Energy Attacks/Havana Syndrome*

*Question.* INR plays a role in supporting the U.S. Government's efforts to identify the perpetrator and means of the directed energy attacks against State Department personnel, as well as a key role in providing SFRC with up to date information on all USG investigations into these attacks.

- How is INR contributing to the investigation into these nefarious sonic attacks on our US diplomats?

Answer. My understanding is that INR has provided intelligence support to the Department on the anomalous health incidents since January 2017, and is facilitating the passage of available information and material between relevant elements of the Intelligence Community and the Department. If confirmed, I am committed to getting up to speed quickly on this matter, and I will have no higher priority than supporting the Department and the IC in ensuring the safety of U.S. personnel, their family members, and U.S. citizens overseas.

*Question.* Will you commit to keeping this committee fully informed as this investigation progresses?

Answer. Yes. Secretary Blinken has committed to working with Congress on this matter. If confirmed, I will also commit to working closely with Congress on this issue and will keep this committee fully informed of the Bureau of Intelligence and Research's assessment of these incidents.

*Question.* Will you commit to redoubling efforts to identify the culprit? And will you do a survey of the policy issues/regional focus the victims were working on?

Answer. My understanding is that INR is coordinating with multiple agencies to identify the cause and culprit of these incidents, to include understanding where the various incidents occurred. If confirmed, I will make sure INR continues to leverage its deep expertise to assist the Department, the Intelligence Community, and the interagency in protecting all U.S. personnel overseas.

*State Department and Membership in the Intelligence Community*

*Question.* INR also plays an important role in supporting the intelligence needs of the Secretary of State, but it also plays a role in the intelligence community (IC). It is imperative that INR maintain its analytical independence from policymakers within the State Department while also best supporting those same policymakers.

- How do you propose to ensure that INR remains in-step with the intelligence community while maintaining an autonomous analytical State Department point of view?

Answer. I believe that constant training and adherence to the Intelligence Community's analytic tradecraft standards, as well as a willingness of leadership to support analysts in speaking truth to power, are at the core of protecting the independence and integrity of INR analysts and Intelligence Community products. INR has a well-earned reputation for deep expertise and analytic independence while still supporting State Department policymakers. If confirmed, I commit to ensuring that INR maintains both its analytic objectivity and quality and timely support to policymakers.

*Question.* Do you feel that detailees from other IC components would be beneficial for INR? Will you commit to increasing the number of detailees at INR from other IC components to better plug into IC capabilities and improve the connection of intelligence to policy?

Answer. Having served as a detailee when I was in the Intelligence Community (IC), I believe strongly in the value of exposing IC analysts to other departments and agencies and believe that the receiving agencies receive an extraordinary benefit from bringing in outside expertise and perspectives. Such detail assignments can build bridges across the IC and provide useful points of view to both agencies. If confirmed, I am committed to reviewing the status of detailees to INR and will

look for ways to strengthen joint duty assignments to benefit both INR and the broader IC.

*Question.* If confirmed, will you make more resources available to ensure the Department employees have more access to the classified email systems used by other agencies to share and discuss intelligence relevant to policy makers?

*Answer.* I understand that INR allows appropriately cleared Department personnel to access intelligence reporting and analysis directly through a classified system, which includes an e-mail capability. I believe that we can balance the need to protect sensitive information with the need for access for appropriately cleared Department personnel. If I become aware of sensitive intelligence that Departmental personnel need to see in order to do their jobs, I would advocate for and seek to facilitate that access, consistent with appropriate clearances and the need to protect sensitive sources and methods.

*Question.* How do you propose to better distribute timely intelligence to regional bureaus? Is there more INR can do to improve communication between INR and the regional bureaus to improve collection guidance?

*Answer.* I believe INR has a responsibility to help facilitate access to intelligence and analysis by regional bureaus for appropriately cleared personnel. Customer feedback (including from regional bureaus) into collection guidance is also key to improving intelligence support to policy. If confirmed, I will review INR's existing processes for providing intelligence to regional bureaus and for receiving collection requirements and will make improvements, if necessary.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO BRETT M. HOLMGREN BY SENATOR MARCO RUBIO

*Question.* If confirmed, what steps will you take to fully uncover the origin of SARS-CoV-2? Do you commit to make this a priority?

*Answer.* It is vital that we understand the origins of SARS-CoV-2 in order to prevent or minimize the risk of another global pandemic in the future. On May 26, 2021, the President asked the Intelligence Community (IC) to redouble its efforts to collect and analyze information that could bring us closer to a definitive conclusion, and to report back to him in 90 days on the origins of SARS-CoV-2. If confirmed, I am committed to prioritizing INR's efforts to support the IC's work to understand the origins of SARS-CoV-2.

*Question.* What actions do you believe are important to take to prevent the next pandemic?

*Answer.* I believe the Intelligence Community, of which INR is a component, has an important warning function to play in evaluating all sources of information and providing assessments that could shed light on an emerging pandemic in the future. If confirmed, I commit to reviewing INR's analytic resources and expertise related to global health security and will ensure that INR provides accurate and timely intelligence to policymakers on such matters moving forward.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO BRETT M. HOLMGREN BY SENATOR TED CRUZ

*JCPOA Verification*

*Question.* Under a plan aimed at facilitating the Joint Comprehensive Plan of Action (JCPOA), the International Atomic Energy Agency (IAEA) prematurely closed its file on the Possible Military Dimensions (PMDs) of Iran's nuclear program. The decision rendered permanently opaque the scope and nature of Iran's weapons program, and was broadly criticized for foreclosing the possibility of baselining that program—a critical prerequisite to robust monitoring and verification. According to Bloomberg, the Obama administration provided Congress with a classified annex saying that the deal could still be verified if Iran fully complied and didn't cheat.

It has now been confirmed that under the deal, the IAEA failed to detect vast portions of Iran's nuclear weapons program. Between the implementation of the deal in January 2016 to May 2018, the IAEA was not aware that Iran was concealing a nuclear weapons archive. Nor was the IAEA aware that Iran was storing containers at an alleged nuclear warehouse reportedly called Turqzabad, where the

IAEA later reportedly discovered traces of man-altered uranium. The agency subsequently visited three other undisclosed sites and found nuclear material at two of them. According to public reports, the IAEA has never inspected any facility run by SPND, a military organization employing nuclear weapon scientists, which until last year was run by the founder of Iran's nuclear weapons program

- Do you support reentering the deal, in light of these failures?

Answer. I believe it is critically important that the Intelligence Community (IC) and the Bureau of Intelligence and Research (INR) focus on the range of threats posed by Iran—from its state sponsorship of terrorism and nuclear ambitions to its development of ballistic missiles. If confirmed in my role as the Assistant Secretary for Intelligence and Research, I will ensure that INR, which is a component of the IC, provides the Secretary of State and other policymakers with the best available intelligence and analysis on Iran to inform policymakers as they assess the best possible options to address Iran's nuclear ambitions.

*Question.* In your assessment what additional measures would be required to close the loopholes that allowed these failures?

Answer. If confirmed in my role as the Assistant Secretary for Intelligence and Research, I will ensure that the Bureau of Intelligence and Research (INR), which is a component of the Intelligence Community, provides the Secretary of State and other policymakers with the best available intelligence and analysis on Iran to inform policymakers as they assess the best possible options to address Iran's nuclear ambitions. I would also ensure that INR has the resources and expertise to address this threat.

#### *Iran/NPT*

*Question.* As traditionally understood, Article IV of the NPT entitles member states to the benefits of peaceful civil-nuclear technology to the extent that they are members in good standing with the NPT. In the last administration, Special Representative of the President for Nuclear Nonproliferation Jeffrey L. Eberhardt confirmed to the SFRC in writing that "Iran's standing as a non-nuclear-weapon State Party to the NPT cannot be described as 'good.'"

- Do you consider Iran's past possession of the Nuclear Archive seized by Israel, including the materials in the Archive relevant to the development of nuclear weapons, to constitute non-compliance by Iran of its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). If yes, please explain why. If no, please explain why.

Answer. nuclear activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

*Question.* Do you consider Iran's past concealment of the Nuclear Archive seized by Israel, including the materials in the Archive relevant to the development of nuclear weapons, to constitute non-compliance by Iran of its obligations under the NPT. If yes, please explain why. If no, please explain why.

Answer. If confirmed, I will ensure that the Bureau of Intelligence and Research (INR) prioritizes analysis focused on Iran's nuclear activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

*Question.* Do you consider Iran a member in good standing of the NPT? If yes, please explain why. If no, please explain why.

Answer. If confirmed, I will ensure that the Bureau of Intelligence and Research (INR) prioritizes analysis focused on Iran's nuclear activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

*Question.* Do you consider Iran to be entitled to benefit from nuclear technology pursuant to Article IV the NPT? If yes, please explain why. If no, please explain why.

Answer. If confirmed, I will ensure that the Bureau of Intelligence and Research (INR) prioritizes analysis focused on Iran's nuclear activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

*Question.* Do you consider Iran to be entitled to benefit from nuclear technology for any reason? If yes, please explain why. If no, please explain why.

Answer. If confirmed, I will ensure that the Bureau of Intelligence and Research (INR) prioritizes analysis focused on Iran's nuclear activities and will ensure that INR provides the best available intelligence and analysis with respect to its use of nuclear technologies.

*Iran/UNSCR 2231 snapback*

*Question.* UNSCR 2231 ended a long-standing international arms embargo against Iran, described across the previous six resolutions terminated by paragraph 7(a) of the resolution. After an effort to extend that embargo, the Trump administration took two measures. First, it invoked the "snapback mechanism" described in paragraphs 10-15 of UNSCR 2231, reversing the termination of those resolutions. You and others have publicly suggested that the U.S. was not entitled to invoke that mechanism. Second, the Trump administration implemented EO 13949, "Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran," which authorizes sanctions for transfers to and from Iran of arms or related material or military equipment. As a result, the U.S. established a baseline deterrent against major arms sales to Iran. Multi-billion dollar arms agreements publicly described and anticipated by Russia, China, and Iran did not occur.

However, in February 2021, the Biden administration rescinded that decision. In June, it was revealed that Iran had dispatched two warships believed to be carrying arms intended for transfer to Caracas. The Biden administration declared it would take "appropriate measures" to counter this "threat."

- What measures does the administration believe it has to counter the reported shipment of arms to Venezuela by Iranian warships?

Answer. I have never publicly suggested that the United States was not entitled to invoke the "snapback mechanism." If confirmed in my role as the Assistant Secretary for Intelligence and Research, I will ensure that the Bureau of Intelligence and Research (INR), which is a component of the Intelligence Community, provides the Secretary of State and other policymakers with the best available intelligence and analysis on Iran to inform policymakers as they assess the best possible options to address Iran's nuclear ambitions. I would also ensure that INR has the resources and expertise to address this threat.

According to press reports on June 17, 2021, the Iranian ships believed to be headed towards Venezuela recently changed course and are currently headed towards the coast of Africa.

*Question.* Do you agree with the decision to rescind invoking the snapback mechanism?

Answer. If confirmed in my role as the Assistant Secretary for Intelligence and Research, I will ensure that the Bureau of Intelligence and Research (INR), which is a component of the Intelligence Community, provides the Secretary of State and other policymakers with the best available intelligence and analysis on Iran to inform policymakers as they assess the best possible options to address Iran's nuclear ambitions. I would also ensure that INR has the resources and expertise to address this threat.

*Question.* Do you believe that Russia would be in violation of any UNSCR if Russia sold advanced weapons to Iran? If so, which ones?

Answer. I believe it is vitally important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on destabilizing activities and cooperation between Iran and Russia. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's destabilizing activities and cooperation with Russia and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran and Russia to help inform treaty compliance verification.

*Question.* Do you believe that Russia would be in violation of any UNSCR if Russia purchased advanced weapons from Iran? If so, which ones?

Answer. I believe it is vitally important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on destabilizing activities and cooperation between Iran and Russia. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's destabilizing activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran and Russia to help inform treaty compliance verification.

*Question.* Do you believe that China would be in violation of any UNSCR if China sold advanced weapons to Iran? If so, which ones?

Answer. I believe it is vitally important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on destabilizing activities and cooperation between Iran and China. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's destabilizing activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran and China to help inform treaty compliance verification.

*Question.* Do you believe that China would be in violation of any UNSCR if China purchased advanced weapons from Iran? If so, which ones?

Answer. I believe it is vitally important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on destabilizing activities and cooperation between Iran and China. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's destabilizing activities and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran and China to help inform treaty compliance verification.

*Question.* Do you believe that Iran would be in violation of any UNSCR if Iran conducted any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology?

Answer. I believe it is critically important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on Iran's ballistic missile program and nuclear ambitions. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's ballistic missile program and nuclear ambitions and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

*Question.* Do you believe that Iran would be in violation of any UNSCR if Iran conducted any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using such ballistic missile technology?

Answer. I believe it is critically important for the Intelligence Community and the Bureau of Intelligence and Research (INR) to focus on Iran's ballistic missile program and nuclear ambitions. If confirmed, I will ensure that INR prioritizes analysis focused on Iran's ballistic missile program and nuclear ambitions and will ensure that INR provides the best available intelligence and analysis that describes the actions and intentions of Iran to help inform treaty compliance verification.

#### *EO 14034*

*Question.* On June 11, the Biden Administration published in the Federal Register Executive Order 14034, which revoked Executive Order 13942 of August 6, 2020 (Addressing the Threat Posed by TikTok, and Taking Additional Steps To Address the National Emergency With Respect to the Information and Communications Technology and Services Supply Chain), Executive Order 13943 of August 6, 2020 (Addressing the Threat Posed by WeChat, and Taking Additional Steps To Address the National Emergency With Respect to the Information and Communications Technology and Services Supply Chain), and Executive Order 13971 of January 5, 2021 (Addressing the Threat Posed by Applications and Other Software Developed or Controlled by Chinese Companies). Those three EOs had restricted applications controlled by Chinese companies. According to EO 13971, “[b]y accessing personal electronic devices such as smartphones, tablets, and computers, Chinese connected software applications can access and capture vast swaths of information from users, including sensitive personally identifiable information and private information. This data collection threatens to provide the Government of the People’s Republic of China (PRC) and the Chinese Communist Party (CCP) with access to Americans’ personal and proprietary information—which would permit China to track the locations of Federal employees and contractors, and build dossiers of personal information.”

- Please assess the potential intelligence risks associated with these applications including the risk to State Department personnel and their families overseas.

Answer. Since I have not been in government for the last five years, I am not privy to any classified assessments or intelligence that has informed this administration's or the last administration's executive orders. However, I take seriously the threat posed by the use of Chinese-developed software, hardware, firmware or Chinese-operated communication networks, and I believe it is vitally important that U.S. departments and agencies conduct threat and risk assessments of any and all foreign-owned—especially Chinese—software, firmware and hardware to minimize the risk posed to U.S. government employees and their family members.

If confirmed, I will ensure that INR provides the best available intelligence and analysis to help inform policy decisions about what steps to take to minimize the Chinese counterintelligence risk to State Department personnel and their families.

*State Department*

*Question.* The Obama administration was broadly criticized, especially in the context of its Middle East policy, for co-mingling unclassified documents with classified documents. This practice requires that documents be placed in a secure location, unnecessarily limiting access to unclassified documents and stifling public debate. The Biden administration already seems to be repeating such practices: according to an exchange during the State Department press briefing on February 11, a notification describing the lifting of terrorism sanctions on Iran-controlled terrorists in Yemen was unnecessarily transmitted to a Congressional SCIF.

- Can you commit to ensuring that unclassified information is not unnecessarily comingled with classified information in notifications provided by the State Department to Congress? If not, why not?

*Answer.* I have a deep and sincere commitment to transparency and Congressional oversight of intelligence activities. If confirmed, I am committed to working to ensure that information provided to Congress is, to the fullest extent possible, in a format that facilitates its access by authorized personnel, while complying with Executive Order 13526, the Department of State classification guide, and the executive branch rules on the handling and storage of classified information.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED  
TO HON. DANIEL J. KRITENBRINK BY SENATOR ROBERT MENENDEZ

*North Korea*

*Question.* If confirmed, how would you recommend that the Biden administration approach North Korea?

*Answer.* Our goal remains the complete denuclearization of the Korean Peninsula. Our policy toward the DPRK will not focus on achieving a grand bargain, nor will it rely on strategic patience. Instead, the United States will take a calibrated, practical approach that is open to, and seeks to establish diplomacy with, the DPRK to make progress that increases the security of the United States, our allies, and our deployed forces. At the same time, the United States will continue to implement sanctions and work with our partners and allies to promote the full implementation of U.N. Security Council resolutions. The United States will continue to consult closely with the Republic of Korea, Japan, and other allies and partners at every step of the way. If confirmed, I will work to support the administration's approach as we work toward this goal.

*Question.* What is the pathway to denuclearization and a stable, peaceful and prosperous Korean Peninsula?

*Answer.* The United States will pursue diplomacy and dialogue, based on previous commitments such as those in the 2018 Panmunjom Declaration and Singapore Joint Statement, while continuing to implement U.S. sanctions and working with partners and allies to promote implementation of U.N. Security Council resolutions. This will be essential to achieve the complete denuclearization of and a permanent peace on the Korean Peninsula. The United States will take a calibrated, practical approach to make progress that increases the security of the United States, our allies and our deployed forces. The United States has and will continue to consult closely with the Republic of Korea, Japan, and other partners as we pursue complete denuclearization and a stable, peaceful and prosperous Korean Peninsula. If confirmed, I will work to support that objective and advance our diplomacy to that end.

*Question.* What does success with North Korea look like?

*Answer.* Our goal remains the complete denuclearization of the Korean Peninsula. The United States will take a calibrated, practical approach that is open to and seeks to establish diplomacy with the DPRK to make progress that increases the security of the United States, our allies and our deployed forces. This will be essential to achieve the complete denuclearization of and a permanent peace on the Korean Peninsula. If confirmed, I will work to achieve that goal.

*Burma*

*Question.* If confirmed, what are the first three steps that you would recommend to the Secretary to reset our policy towards Burma?

*Answer.* If confirmed, first, I will continue to use all tools available to exert pressure on the junta and deny the regime international credibility. I will encourage the international community to do the same in order to restrict the junta's access to financial institutions and enhance scrutiny of any financial ties to or transactions with the military. I will further strengthen our robust engagement within the U.S. interagency to identify ways to exert pressure on the military regime, including financial pressure applied both bilaterally and multilaterally. Second, if confirmed, I would work to continue to support Burma's pro-democracy movement, including the "National Unity Government" (NUG), various ethnic and religious groups, and others working peacefully to restore Burma's democratic transition. The United States will continue to encourage our partners, allies, and other members of the international community to engage representatives of the pro-democracy movement, including in international organizations and major international events. Third, if confirmed, I will continue to promote human rights, justice, and protections for members of Burmese civil society and all people from Burma, and encourage other countries to adopt programs similar to the Temporary Protective Status (TPS) extended to people from Burma in the United States in March for 18 months. In sum, if confirmed, I will utilize every tool and opportunity available to the United States and the international community to expose the junta's horrific brutality, deny the junta credibility, promote accountability, and support the human rights and aspirations of the people of Burma, who yearn for democracy and do not want to live another day under military rule.

*South China Sea*

*Question.* I welcomed the Trump administration's clarification of our legal position on China's unlawful claims in the South China Sea. But, as you know, international law is not self-enforcing, and having now taken this position, it is critical that we make our legal position a reality, not just rhetoric.

- What does the Biden administration intend to do to implement this new approach? What consultations are you planning with partners and allies on how to forge a unified approach to the South China Sea?

*Answer.* The Biden-Harris administration has reaffirmed the July 2020 policy statement on the U.S. position on maritime claims in the South China Sea and regularly consults with partners and allies to support international law in this crucial waterway. The United States has made clear that we stand with Southeast Asian claimant states in resisting Chinese intimidation. The administration is committed to using all of the tools at its disposal—diplomatic, military, economic, and informational—to uphold a free and open South China Sea. If confirmed, I would support U.S. efforts across each of these domains.

Freedom of navigation and adherence to international law in the South China Sea are vital interests for the entire international community. As a result of U.S. diplomatic efforts with allies and partners in Asia and beyond, we have seen a greater willingness by countries to underscore the importance of making and pursuing maritime claims in accordance with international law. Ten nations, including the United States, have formally protested China's unlawful maritime claims through the United Nations. An increasing number of countries are also demonstrating their commitment to freedom of navigation through transits, presence operations, and working with Southeast Asian claimants to strengthen their maritime domain awareness and law enforcement capacity. If confirmed, I would support the many U.S. programs designed to build our partners' maritime capacity. Moreover, if confirmed, I would also support the activities of the U.S. military, including freedom of navigation operations and presence operations, designed to demonstrate that U.S. forces will fly, sail, and operate anywhere that international law allows.

*Hong Kong*

*Question.* How can the United States—working with our partners in the international community—be effective in exercising leverage to support the people of Hong Kong?

*Answer.* If confirmed, I will stand united with our allies and partners in speaking out for human rights and fundamental freedoms, promoting accountability for the PRC's assault on Hong Kong's autonomy, and seeking to support people in Hong Kong. I will strengthen coordination with allies and partners on joint actions and messaging, recognizing that a multilateral approach will have the greatest effect in promoting accountability and stopping Beijing's erosion of Hong Kong's autonomy.

Together with partners and allies, I will continue to demonstrate the depth of international concern about Hong Kong and the strength of international support for Hong Kongers.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED  
TO HON. DANIEL J. KRITENBRINK BY SENATOR JAMES E. RISCH

INDO-PACIFIC

*Indo-Pacific Strategy*

*Question.* What should our main goals be in the short-, medium-, and long-term be in the Indo-Pacific? What are the areas in which the State Department can strengthen its role in pursuing these goals?

*Answer.* The Biden-Harris administration is committed to a free and open Indo-Pacific region. If confirmed, to achieve this, I will work to revitalize ties with our allies and partners; prevail in our strategic competition with China; reduce the threat posed by North Korea's nuclear and missile programs; support inclusive economic policies that benefit all Americans; promote democratic resilience and respect for human rights; and address global priorities, particularly combating COVID-19 and the climate crisis. Investing in our capabilities and working with allies and partners, including in regional organizations, will be critically important to prevailing in our strategic competition with China and in defending the international rules-based order, its foundational values, and international law. If confirmed, I pledge to work closely with Congress in advancing these priorities.

*Question.* In terms of specific regional initiatives, what aspects of the Trump administration's Indo-Pacific strategy will be retained; what will be changed; and what will be discarded?

*Answer.* The Trump administration recognized that the United States has deep and enduring interests in the Indo-Pacific. The Indo-Pacific region accounts for half the world's population and two-thirds of global economic growth, and it sits on the front lines of our strategic competition with China. To protect U.S. interests in this important region, if confirmed, I will deepen ties with our allies and partners, including regional organizations, and promote the values we share, including the rules-based international order and freedom of the seas and skies, prosperity, good governance, and human rights. I will work to prevail in our strategic competition with China while countering PRC attempts to erode the international rules-based order. The United States will remain focused on enhancing U.S. economic engagement in the region, including on infrastructure, clean energy, and the digital economy. If confirmed, I will also work together with partners to address shared challenges such as transnational crime, climate change, pandemic recovery, global health security, and the threat posed by the DPRK's nuclear program.

*Vaccines for the Indo-Pacific*

*Question.* Several Indo-Pacific countries, such as the Philippines—a U.S. treaty ally—have purchased U.S. vaccines directly from U.S. companies. Do you believe the United States should lift export controls on its vaccines so that these countries can secure the supplies they have purchased? Do you believe U.S. allies and partners should receive priority for delivery of vaccines purchased?

*Answer.* The administration's top priority is saving lives and ending the pandemic. The COVID-19 pandemic is a global challenge that requires a global response, and we have not imposed any bans on the export of vaccines or vaccine inputs. If confirmed, I will work with the rest of the U.S. Government to facilitate access to vaccines to countries in need. We are working with partners to increase vaccine manufacturing and distribution, as well as to respond to country requests. Our principles for sharing U.S. vaccines include achieving broad global coverage and responding to surges and other urgent situations and public health needs, while being responsive to country requests. The administration considered public health criteria, including the potential impact of the donated doses in reducing the global burden, incidence, and severity of COVID-19 and limiting the emergence and spread of SARS-CoV-2 variants of concern. We also considered factors such as the effect on U.S. national and economic security and recipient countries' access to other sources of vaccines.

*Question.* Which countries would you consider to be priority countries for U.S. vaccines in the Indo-Pacific? What is the country-by-country breakdown of the vaccine

donations that the Biden administration has already announced in the Indo-Pacific, whether through COVAX or through bilateral donations?

Answer. On June 3, the administration announced that the United States will share at least three-quarters of its first 25 million donated vaccine doses (approximately 19 million) through COVAX. Of these doses, approximately seven million will go to the Indo-Pacific: India, Nepal, Bangladesh, Pakistan, Sri Lanka, Afghanistan, Maldives, Malaysia, Philippines, Vietnam, Indonesia, Thailand, Laos, Papua New Guinea, Taiwan, and the Pacific Islands. Of the remaining 25 percent of the 25 million vaccine doses (approximately six million) to be shared directly, the Republic of Korea has received one million Johnson & Johnson doses. Our principles for sharing U.S. vaccines include achieving broad global coverage and responding to surges and other urgent situations and public health needs, while responding to country requests. We also considered factors such as the effect on U.S. national and economic security and recipient countries' access to other sources of vaccines. If confirmed, I commit to making combating the COVID-19 pandemic and strengthening global health security in the region a top priority.

#### *COVID Origins*

*Question.* Do you support a thorough investigation by the U.S. Government into the origins of COVID-19? Do you commit, if confirmed, that EAP will prioritize this issue and contribute to any State Department or interagency processes? Will you commit that EAP will not prevent the release of findings or outcomes of the investigation that could potentially strain our relationship with China?

Answer. The Biden-Harris administration has made clear it supports a robust and transparent investigation into the origins of the COVID-19 pandemic. The administration has called for a second phase of the World Health Organization's investigation into COVID-19 that must take place in China and have full access to all information on the origins of the virus. An impartial public health investigation into the origins and early spread of any novel outbreak is vital to protecting against future health security threats. It is imperative to have transparency on the early events of the pandemic and determine how COVID-19 spread so future emergence events with pandemic potential can be averted. The Biden-Harris administration has committed to continuing to review all available information about the origins of COVID-19, and President Biden has requested the U.S. intelligence community redouble their efforts to collect and analyze information relevant to the origins of the virus, report back on their analysis and their recommendations for areas of further inquiry that may be required, including specific questions for the PRC. If confirmed, I commit to ensuring EAP continues supporting these efforts to identify the origins of the pandemic and will share relevant information with Congress as appropriate.

#### *Biosecurity Issues*

*Question.* Do you believe that the U.S. Department of State has a role to play in determining whether the United States conducts, funds, or engages in research and development or other cooperation on gain-of-function research or other potentially high-risk research related to pathogens, viruses, or toxins? From your perspective, what role should EAP play in cases where these concerns relate to Indo-Pacific countries within EAP's purview?

Answer. The Department of State participates in the interagency processes, led by the National Security Council and the White House Office of Science and Technology Policy, that address oversight policies for research that might pose particular concerns. These policies require careful consideration of risks and benefits, and where appropriate, measures to mitigate risks. Subject to these policies, decisions about the funding of specific research proposals are made by the responsible funding agency. If confirmed, I will work with other State Department bureaus and the interagency to make sure that EAP provides any necessary information in a timely manner to make informed decisions in the best interest of the United States.

*Question.* Should the United States conduct, fund, or engage in research and development or other cooperation on gain-of-function research or other potentially risky research related to pathogens, viruses, or toxins with countries where we have concerns about any or all of the following: (1) biosecurity standards, (2) violations of the International Health Regulations, (3) intellectual property theft of vaccines or health-related technology, or (4) compliance with the Biological Weapons Convention?

Answer. Factors that bear on the risk of accident, misuse, or misappropriation should be taken fully into consideration in considering whether to conduct, fund, or engage in such research. Federal funding and oversight policies help guide these de-

cisions for research that might pose particular concerns. These policies require careful consideration of risks and benefits, and where appropriate, measures to mitigate risks. If confirmed, I will work with other State Department bureaus and the inter-agency to make sure that EAP provides any necessary information in a timely manner to make informed decisions in the best interest of the United States.

*Question.* What is the benefit to the United States and to global health more broadly of providing to China innovative intellectual property related to vaccines?

*Answer.* Incentives for innovation, including the protection of intellectual property (IP), are crucial to support innovative new treatments against COVID-19 and other devastating diseases. The United States supports voluntary licensing agreements on mutually agreed terms and opposes forced technology transfer. The administration believes strongly in IP protections and the importance of safeguarding U.S. innovation from illicit acquisition. The decision to support a waiver of IP protections for COVID-19 vaccines reflects the extraordinary circumstances of this pandemic. We are committed to working with other WTO members and will be clear-eyed about potential risks as we enter text-based negotiations. These negotiations will take time given the consensus-based nature of the WTO and the complexity of the issues involved. If confirmed, I will make it a priority to support efforts to combat the COVID-19 pandemic and strengthen global health security in the region.

#### *Defense Issues*

*Question.* Do you believe that extended deterrence is foundational to U.S. strategy in the Indo-Pacific region? Will you commit that you will advocate against policies, whether declaratory policy or otherwise, that erode or dilute U.S. extended deterrence commitments?

*Answer.* Yes. Extended deterrence is foundational to U.S. strategy in the Indo-Pacific region. If confirmed, I commit to advance policies that strengthen our extended deterrence commitments to our allies and partners.

*Question.* In your experience, how would U.S. treaty allies react to major change in U.S. declaratory policy with respect to nuclear weapons, such as the declaration of a sole purpose doctrine? What impact would declaration of a sole-purpose doctrine have on U.S. extended deterrence commitments in the region, and therefore overall stability and security in the region?

*Answer.* The United States is committed to maintaining a strong, credible deterrent to defend the United States and our allies, while also taking steps to reduce the role of nuclear weapons. Extended deterrence in the Indo-Pacific region plays a critical role in advancing U.S. national security interests, including providing assurance to allies and promoting nonproliferation. If confirmed, I commit to advance policies that strengthen our extended deterrence commitments to our allies and partners. If confirmed, I will also consult closely with our allies and with Congress as we review the vital role the U.S. nuclear arsenal plays in extended deterrence.

*Question.* Will you prioritize the issue of overseas basing by the People's Liberation Army, as raised by Deputy Secretary Sherman on her recent trip to Cambodia?

*Answer.* I have serious concerns about the PRC's military presence and construction of facilities at Ream Naval Base on the Gulf of Thailand. During her recent trip to Cambodia, Deputy Secretary Sherman sought clarifications on the demolition of two U.S.-funded buildings at Ream without notification or explanation and observed that a PRC military base in Cambodia would undermine its sovereignty, threaten regional security, and negatively impact U.S.-Cambodia relations. Maintaining an independent and balanced foreign policy is in the best interests of the Cambodian people. If confirmed, I will make this a priority issue.

*Question.* Is the status of the Philippines and Thailand as States Parties to the Treaty for the Prohibition of Nuclear Weapons consistent with their treaty alliances with the United States?

*Answer.* U.S. alliances with the Philippines and Thailand are forged in common experiences and shared values, and they serve as an anchor for peace and security across the Indo-Pacific region. The United States remains fully committed to these deep and abiding alliances. If confirmed, I will consistently convey current U.S. policy to oppose the Treaty for the Prohibition of Nuclear Weapons, which does nothing to address pressing proliferation and security challenges.

*Question.* How can the United States expedite providing advanced and critical capabilities to Indo-Pacific treaty allies and other key partners? Do you commit to prioritizing expediting such capabilities to regional allies and partners?

Answer. If confirmed, I commit to working closely with the Bureau of Political-Military Affairs and Congress to ensure Indo-Pacific treaty allies and key partners are receiving the advanced and critical defense and security capabilities necessary for their national security and to advance the U.S. national interest in peace and stability of the region.

Each year, the United States provides hundreds of millions of dollars in security assistance and cooperation to critical allies and partners to advance our foreign and national security goals for the region. This assistance provides training, equipment, and assets to security partners across the Indo-Pacific region.

The United States arms export regime ensures close allies and partners have access to advanced capabilities, provided they have a track record of protecting the technology, respecting human rights, and using the equipment for its intended purpose. The State Department Bureau of Political-Military Affairs continually reviews exports available for important Indo-Pacific allies.

#### *Economic Engagement*

*Question.* What role can the State Department play in expanding U.S. economic engagement in Southeast Asia? What are the current obstacles to U.S. commercial activity in that part of the region?

Answer. If confirmed, I will work with partners and allies to address Southeast Asia's most pressing economic needs: access to expertise and capital to help build the infrastructure, energy, and digital foundation to allow these countries to grow their economies. Through major economic initiatives like the Infrastructure Transaction and Assistance Network, Asia Enhancing Development and Growth through Energy, and the Digital Connectivity and Cybersecurity Partnership, the State Department and our interagency partners are providing technical assistance, commercial advocacy, and financing for projects. We will also continue to engage through APEC, ASEAN's economic track, and further deepen our commercial engagement through events like the annual Indo-Pacific Business Forum to underscore the U.S. commitment to the region's economic growth. If confirmed, I will also ensure that our diplomats in the region fight for every job and the interests of American workers by insisting on market access and fair treatment, stopping intellectual property theft and currency manipulation, and combating corruption.

*Question.* Do you commit to robust support of the Infrastructure Transaction and Assistance Network? Will you prioritize coordination and cooperation with the interagency on deployment of U.S. Government tools to support infrastructure abroad?

Answer. Yes. If confirmed, I commit to prioritizing coordination and cooperation with the interagency to promote quality infrastructure development in the Indo-Pacific region. The Infrastructure Transaction and Assistance Network plays a key role in providing the technical assistance, advocacy, and financing tools necessary for the region's growth. I commit to continuing the program's efforts to promote transparent, private-sector infrastructure investments in the region.

#### *Energy Policy*

*Question.* The Biden administration has taken multiple steps to prevent the United States from engaging with other countries on coal, oil, and natural gas. This includes disallowing the U.S. International Development Finance Corporation from financing fossil fuel development projects. In the Indo-Pacific, nations like Vietnam and Indonesia are still heavily reliant on coal and gas and are not in an economic position to switch to other alternative fuels quickly. In the absence of U.S. engagement or engagement from other partners like Japan, what alternatives will Southeast Asian countries have in satisfying growing energy demands? Is it in the U.S. interest, for example, for these countries to become reliant on coal from China, which is building and financing coal plants all over the world?

Answer. The Indo-Pacific presents concurrent challenges of rapidly growing energy demand coupled with reliance on unsustainable fossil fuels, aging infrastructure, and outdated market mechanisms to deliver energy requirements. U.S. engagement to address these challenges, while simultaneously reducing greenhouse gas emissions, will focus on bolstering partners' energy security, supporting sustainable development goals, and implementing decarbonization strategies.

If confirmed, I will work with other State Department bureaus as well as with the U.S. International Development Finance Corporation—and through the Asia Enhancing Development and Growth through Energy (EDGE) program and the Infrastructure Transaction and Assistance Network (ITAN)—to support countries' improved energy efficiency, the deployment of renewable energy infrastructure and technologies, and financing for projects in the Indo-Pacific region.

#### *Counter PRC Malign Influence Fund*

*Question.* If confirmed, do you commit to conduct oversight of how funds are appropriated to the Countering PRC Malign Influence Fund (originally called the Countering Chinese Influence Fund) and how they are used by the Department? Do you commit that these funds will only be directed to projects and initiatives that have a direct nexus to malign influence from China? Do you commit that you will take steps to ensure this fund will not be pulled from to support efforts unrelated or tangentially related to China that the Department wants to fund for advancing other priorities?

*Answer.* If confirmed, I look forward to working with the Deputy Secretary and other senior leaders in the Department and at USAID to engage in a full review of the CCIF to ensure the funds are used strategically in a manner that advances U.S. economic, diplomatic, military, and technological leadership in our strategic competition with China and in support of a stable and open international system. The PRC's use of coercive and corrupting tools of influence to undermine and interfere in countries are a major concern for the United States and our partners around the world. I support the CCIF's overall goals and objectives, including efforts to increase transparency and accountability associated with the Belt and Road Initiative.

#### International Organizations and Human Rights

*Question.* If confirmed, how will you work to ensure that the Government of Thailand respects freedom of expression and internet freedom?

*Answer.* If confirmed, I will continue to prioritize human rights in our relationship with Thailand, including on freedom of expression and Internet freedom. I believe that free and open access to, and the free exchange of, information and ideas, including through the Internet, is fundamental to democracy and important to all people. I will urge the Royal Thai Government to respect the rights of those who exercise their freedom of expression and to protect human rights across the board, consistent with Thailand's international obligations and commitments.

#### *China Human Rights*

*Question.* If confirmed, how will you work to pressure the Government of China to respect the rights of minority groups, in particular the Uyghurs, Turkic Muslims, Tibetans?

*Answer.* The Biden-Harris administration is committed to putting democratic values at the center of our foreign policy and to standing up for democracy, human rights, and human dignity. If confirmed, I will work with partner and allies to address our shared concerns regarding the human rights situation in the People's Republic of China, and will consider all appropriate tools to promote accountability for those responsible for abuses.

#### *Hong Kong*

*Question.* As the Chinese Communist Party has increased its repression of the people of Hong Kong, how will you work to promote freedom of speech and expression?

*Answer.* The State Department will consider all available tools to promote freedom of speech and expression, including public diplomacy and statements, joint messaging with like-minded partners, the imposition of sanctions and visa restrictions, and the use of the Hong Kong Policy Act to underscore that Hong Kong is no longer autonomous. If confirmed, I will proactively support these efforts.

#### *Trafficking in Persons*

*Question.* In last year's State Department Trafficking in Persons Report, Singapore was ranked as a Tier 1 country after spending 10 years on Tier 2. Singapore has made significant strides in identification and protection of victims, partnering with NGOs and foreign governments to develop trainings for police and civil society, as well as building trafficking shelters.

In last year's State Department Trafficking in Persons Report, Singapore was ranked as a Tier 1 country after spending 10 years on Tier 2. Singapore has made significant strides in identification and protection of victims, partnering with NGOs and foreign governments to develop trainings for police and civil society, as well as building trafficking shelters.

- If confirmed, what steps will you take to work with Singapore and like-minded stakeholders to capitalize on this success?

Answer. Singapore has taken steps to curb human trafficking, including through adoption of the 2014 Prevention of Human Trafficking Act, which criminalizes all forms of human trafficking. The State Department works closely with the Singapore Interagency Task Force on Trafficking in Persons and Singaporean civil society to address this challenge. If confirmed, I pledge to continue working closely with Singapore on anti-trafficking efforts.

*Question.* How can we use Singapore as a model for the region to support victims and eventually eradicate human trafficking?

Answer. The State Department believes Singapore's efforts can offer a positive example in combating trafficking in persons for other countries in the region. After spending ten years as a Tier 2 country, Singapore ranked Tier 1 in the 2020 Trafficking in Persons Report for the first time since 2006. Singapore has demonstrated serious efforts in prosecuting labor trafficking, as well as with the identification and protection of victims. Singapore has also partnered with foreign governments to offer victim identification trainings for its officials. The Government is also taking steps to prevent trafficking within its large migrant worker population by introducing new measures to decrease the risk of indebtedness for foreign workers. If confirmed, I will make combating trafficking in persons a priority, and will look for ways to use the Singapore experience as an example for other countries to study in making progress on these issues.

#### *Human Rights Regionally*

*Question.* The ongoing COVID-19 pandemic has exacerbated an already precarious human rights situation across Southeast Asia. Authoritarian governments have used COVID-19 restrictions as a facade to further squash dissent, protestors, online expression and discussion, as well as other practices of human rights. If confirmed, what are your priorities for protection of human rights regionally?

Answer. If confirmed, I will work across the interagency to promote human rights in the region and hold accountable perpetrators of violations and abuse. At the center of our whole-of-government efforts for a free and open Indo-Pacific is building the capacity of our partners to promote civil society, rule of law, transparency, and good governance across the region. I will prioritize addressing systemic challenges that enable malign influence, including the atrocities against Uyghurs and other minority groups in Xinjiang, as well as repression in Tibet; a further crackdown on freedom online; attacks against Burmese protesters; the assault on freedoms in Hong Kong; and the targeting of activists and journalists in places like Cambodia and Malaysia.

*Question.* How will you work with other stakeholders at the department, interagency, and on the ground regionally to combat the growing encroachment on human rights by authoritarian governments?

Answer. If confirmed, I will work with our partners within the State Department, including the Bureau of Democracy, Human Rights, and Labor, as well as interagency partners such as USAID, Treasury, and DoJ, to promote anti-corruption and fiscal transparency, democracy assistance, youth and emerging leader development, media and internet freedom, and to protect fundamental freedoms and human rights for all in the region. I will also work with likeminded governments, civil society, and private sector partners to support and empower human rights defenders and civil society organizations.

#### *Burma*

*Question.* It has been roughly four and a half months since the violent military coup in Burma, endangering thousands and threatening ending democracy in country. Since the coup, we have seen thousands of arbitrary arrests, detentions, and a severe crackdown on human rights. If confirmed, how will you engage with the relevant stakeholders to support human rights defenders in country and work to return Burma to a civilian-led rule?

Answer. If confirmed, I will utilize every tool and opportunity to expose the junta's horrific brutality, promote accountability, and support the aspirations of the people of Burma, including ethnic and religious communities, who yearn for democracy and do not want to live another day under military rule. The United States will continue to support Burma's pro-democracy movement, including the "National Unity Government" (NUG), various ethnic and religious communities, and others working peacefully to restore Burma's democratic transition. In addition, the United States will continue to encourage our partners, allies, and other members of the international community to engage representatives of the pro-democracy movement, including in international organizations and major international events.

The United States has also engaged the pro-democracy movement, including the NUG, at high levels, and has encouraged other countries to do so as well, which has served to further empower and support human rights defenders in the country. If confirmed, I will make it a top priority to support the Burmese people and work to return Burma to the democratic path chosen by its people.

*Question.* The plight of the Rohingya must also not be forgotten. I am deeply concerned about the potential forced return of Rohingya refugees from Bangladesh to Burma, which constitutes a violation of international law. What steps will you take alongside the bureaus of Population, Refugees, and Migration (PRM) and Democracy, Human Rights, and Labor (DRL), and alongside our international partners to support the already robust United States Government (USG) response to the Rohingya refugee crisis?

*Answer.* If confirmed, I will work to promote justice and accountability for the atrocities and other abuses the military has committed against the people of Burma, and humanitarian assistance for all vulnerable communities in and from Burma, including Rohingya. The United States will continue providing this life-saving humanitarian assistance, including through ongoing coordination with international partners.

In addition to urging the military to restore the democratically elected government, release all those unjustly detained, and end violence, I will ensure achieving justice and accountability for atrocities against Rohingya remains pivotal to our policy. The United States continues to support the voluntary, safe, dignified, and sustainable return of Rohingya refugees and internally displaced persons, when conditions allow.

During his confirmation hearing, Secretary Blinken promised a comprehensive review of military atrocities against Rohingya. If confirmed, I intend to support that process and secure international support for any determination made by the Secretary.

#### *Vietnam*

*Question.* The Communist Party of Vietnam (CPV) bore witness or committed significant human rights abuses during the reporting period for the State Department's 2020 Human Rights Report, including torture, arbitrary killings, serious restrictions on free expression, the press, and the internet, significant corruption, trafficking in persons, as well as substantial interference with the freedom of assembly and association. If confirmed, please describe your action plan for engaging with the CPV regarding the improvement of human rights in country.

*Answer.* I am concerned about the human rights situation in Vietnam, and if confirmed, I would be committed to pushing for improvements. Despite progress in some areas, including labor rights, the trend of escalating harassment, unjust arrests and convictions, and increasingly harsh prison sentences of journalists and activists for peacefully exercising their right to express their opinions is deeply troubling. Vietnam is an extremely important partner in the Indo-Pacific region, but that partnership will reach its fullest potential only when the Vietnamese Government improves its human rights record.

If confirmed, I will work with the Government of Vietnam to improve its implementation of its human rights obligations and commitments. I will urge the Government of Vietnam to encourage law enforcement and the judicial system to effectively and fairly enforce existing constitutional guarantees and laws protecting human rights, including freedom of religion or belief. I will continue to raise our concerns with the Government of Vietnam, including during the annual U.S.-Vietnam Human Rights Dialogue, and call on Vietnam to respect and protect human rights and fundamental freedoms, consistent with its international obligations and commitments.

#### *Repatriation of Foreign Terrorist Fighters*

*Question.* There are around 10,000 ISIS fighters housed at various detention facilities around the world. This includes at least 2,000 foreign fighters (FTF) that U.S. Central Command (CENTCOM) characterizes as "hardcore foreign terrorist fighters." Many of these FTFs are housed at Internally Displaced Persons (IDP) camps, like al Hol in northeastern Syria. The al-Hol IDP camp has become fertile ground for ISIS recruitment of vulnerable populations, posing a serious risk to global security. Despite this risk, countries with foreign terrorist fighters have failed to make any progress to date towards repatriating their nationals.

- Can you commit to working with countries in the East Asia Pacific region to help mitigate the threat posed by FTFs including through increased support to humanitarian agencies providing assistance to vulnerable IDP populations?

Answer. If confirmed, I commit to working with countries in the East Asia Pacific region to help mitigate the threat posed by FTFs, including through encouraging increased support to humanitarian agencies providing assistance to vulnerable IDP populations. I will also urge partners to provide additional support to vulnerable IDP populations within Syria. The U.S. Government strongly believes that repatriations—followed by appropriate prosecution of the FTFs in domestic courts of law—is the best way to keep these fighters off the battlefield and hold them accountable for their crimes. The United States regularly engages in diplomatic discussions with our local partners (including the Syrian Democratic Forces) and foreign allies on this dire issue. We have and will continue to work through ASEAN fora to address FTF issues and capacity building for the ASEAN Humanitarian Centre for disaster management.

*Question.* How do you plan to engage with EAP countries to advance repatriation efforts of their nationals, which remains a critical to ensure the enduring defeat of ISIS?

Answer. The U.N. has expressed serious concern at the deteriorating security and humanitarian situation at al-Hol and Roj camps in northeast Syria, and is urging all member states to repatriate their citizens without delay. If confirmed, I will urge partner nations to repatriate their citizens without delay. We continue to strongly encourage countries to take back their citizens from Syria and Iraq. The United States believes that repatriations, followed by a.) prosecution of FTFs would be the best way to keep fighters off the battlefield and address security threats; and b.) rehabilitation and reintegration of associated family members are the best ways to end the humanitarian crisis in al-Hol and Roj IDP camps.

#### RESPONSES TO FOLLOW-UP QUESTIONS

Answer. With regard to U.S.-purchased vaccines: Your answer indicates that the United States has not imposed any sort of export restrictions with respect to U.S. manufactured COVID-19 vaccines. Does this mean the administration has no restrictions—including de facto restrictions—on U.S. companies delivering vaccines purchased via a commercial contract? Please explain.

Answer. The United States has not imposed any bans on the export of vaccines or vaccine inputs. The United States is committed to using all available tools, including the Defense Production Act (DPA), to expand domestic vaccine manufacturing and ensure that all Americans can be vaccinated quickly, effectively, and equitably. But these actions are not export prohibitions, and manufacturers in the United States are free to export such products so long as they first fulfill the terms of their contracts with the U.S. Government. What we're all dealing with here is a global shortage of materials—that's a very different issue and separate from the DPA. Pfizer and Moderna are now exporting doses abroad and we have already lifted the DPA priority ratings for AstraZeneca, Novavax, and Sanofi.

*Question.* With regard to U.S.-donated vaccines: The United States is also buying up vaccine stocks and donating them to other nations. Are our donations being prioritized over commercial orders? If so, how are we prioritizing those donations (including for countries seeking vaccines commercially AND through COVAX simultaneously)?

Answer. On the 500 million Pfizer doses, thanks to our work scaling up Pfizer's manufacturing, they will be able to deliver on these 500 million doses without relying on the Defense Production Act. The world is embarking on an unprecedented vaccine production effort and there is more production demand than can be supplied at this time. At the same time, the United States Government orders make up a small part of the demand on supply, and the manufacturing companies are making the allocation decisions.

Our work on a vaccine supply strategy is guided by a three-part approach. First, having successfully secured enough vaccine supply for Americans, we are donating surplus U.S. vaccine supply and encouraging other countries with surplus supplies to do the same. We will continue to donate additional vaccine doses across the coming months as supply becomes available—but we know that won't be sufficient. So, second, we are working with U.S. vaccine manufacturers to significantly increase vaccine supply for the rest of the world. And third, we are working with our partners, investment entities, pharmaceutical companies and other manufacturers to create the kind of global vaccine production and manufacturing capacity and capabilities that can not only help the world beat this pandemic, but also help prepare the world to respond to potential future threats.

*Question.* Please update the response to provide a country-by-country breakdown of vaccine donations to the Indo-Pacific as stated in the question. Of all the donations announced, how many doses will each country receive (and when)?

*Answer.* On June 4, 1.1 million doses of the J&J vaccine arrived in the Republic of Korea. On June 20, 2.5 million doses of the Moderna vaccine arrived in Taiwan. We are in active conversations with potential recipient countries about needs, absorptive capacity, and national vaccine plans, as well as logistics and legal considerations, and that will in part determine allocation and distribution plans. As we do so, we will work through logistics like coordinating with country health ministries and organizations like UNICEF and the World Health Organization, as appropriate. Our immediate goal is to get doses on the ground as quickly as possible—but again, this is a complex logistics operation. We will continue to work to keep you all updated as these doses land in country.

On June 21, the Biden-Harris administration announced plans to allocate the remaining 55 million doses towards the commitment to donate 80 million doses by the end of June, including: Afghanistan, Bangladesh, Bhutan, Cambodia, India, Indonesia, Laos, Malaysia, Maldives, Nepal, Pakistan, Papua New Guinea, Philippines, Sri Lanka, Taiwan, Thailand, Vietnam, and the Pacific Islands. We continue to work with the White House and the interagency to facilitate access to these doses.

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

*Question.* In your engagements with Beijing, will you require meaningful progress as a precondition for further rounds of dialogue?

*Answer.* If confirmed, I will support the administration's approach to work with China when it is in our national interest to do, conducting practical, results-oriented diplomacy that will require meaningful progress from Beijing.

*Question.* Do you commit to raise issues that Beijing deems "sensitive"—such as human rights, Taiwan, Hong Kong, Tibet, and the Uyghurs—regardless of whether doing so may affect the CCP's willingness to engage in further dialogue?

*Answer.* Yes. The Biden-Harris administration is committed to putting democratic values at the center of our foreign policy and to standing up for democracy, human rights, and human dignity. If confirmed, I will always be willing to speak out on behalf of our values.

*Question.* As you know, the CCP has failed to uphold many of its agreements with the United States. Xi Jinping told President Obama that Beijing would not use its intelligence services to steal intellectual property for commercial gain. Xi made the same promise to President Trump in 2017 and 2018, but this theft has not stopped. Xi promised President Obama that China would not militarize the South China Sea. And in Hong Kong, Beijing has violated its commitments under the Sino-British Joint Declaration and the Basic Law.

- Can you name a single bilateral agreement between the United States and the PRC that Beijing has honored in full and without later renegeing?

*Answer.* China's failure to uphold past international commitments is a significant factor in how we will develop our approach to China. If confirmed, I will support the administration's approach of remaining clear-eyed and keeping these past shortcomings in mind as we deal with Beijing.

*Question.* Do you believe that the CCP can be trusted to uphold any of its commitments, including those pertaining to climate change?

*Answer.* I believe the United States must judge Beijing by its actions, not its words, and work with allies and partners to impose costs on China when it violates international norms and agreements. We know that addressing the climate crisis will require significant additional action by China. As such, we will continue to press Beijing to raise its climate ambition significantly during this critical decade. At the end of the day, we will consider what Beijing actually does—not what it says it will or won't do—to determine whether the PRC is serious about climate action.

*Question.* How will you ensure that Beijing fulfills its climate change commitments given its record of broken promises?

*Answer.* We know the climate crisis will not get addressed successfully without significant additional action by China. The Paris Agreement sets forth a robust transparency framework, under which Parties, including China, will need to report

and be reviewed with respect to their greenhouse gas emissions and the extent to which they implement and achieve their respective nationally determined contributions. The United States will continue to press Beijing to raise its climate ambition significantly, including to update and implement existing Paris Agreement targets as ambitiously as possible. If confirmed, I would consider what Beijing actually does—not what it says it will or won't do—to determine whether the PRC is serious about climate action.

*Question.* Do you believe that the Chinese Communist Party's united front and intelligence activities inside the borders of the United States, and those of our allies and partners, challenge the integrity of our policymaking? Why and how should we address this problem?

*Answer.* It is important that we bring greater transparency to bear on PRC influence activities in the United States and abroad. China's use of information operations and other coercive and corrupting efforts to undermine and interfere in democracies poses a threat to the United States and our allies and partners. If confirmed, I will push back on Beijing's attempts to write the rules of the information age by working with allies and likeminded partners to support an affirmative, democratic vision for the global information space, while building resilience against these threats and exposing China's influence activity. I would also work to educate important U.S. constituencies, including state and local governments, on these threats.

*Question.* If confirmed, will you maintain the requirements that PRC diplomats report certain categories of meetings to the U.S. Government, including meetings with educational institutions and Chinese community groups?

*Answer.* It is important that there is transparency in China's influence activities in the United States. If confirmed, I commit to review this policy carefully.

*Question.* If confirmed, will you maintain the prior administration's designation of multiple Chinese media outlets as foreign missions, as well as its visa restrictions on PRC reporters (who frequently act as intelligence gatherers as much as reporters)? Are you prepared to explain and defend the difference between these PRC media outlets and a genuine free press?

*Answer.* It is important that there is transparency in China's influence activities in the United States. If confirmed, I will always be prepared to explain and defend the difference between China's state-run media outlets and a genuine free press.

*Question.* If confirmed, will you maintain the prior administration's policy of denying visas to certain classes of PRC-national researchers, including those who have concealed their affiliation with the People's Liberation Army?

*Answer.* National security is the State Department's top priority when adjudicating visa applications. It is a critical U.S. interest to make sure that we protect the technology and intellectual property that is produced in this country and that, if used to advance the PRC's military modernization, could undermine our security. We must likewise guard against efforts by visa applicants to unlawfully conceal information in the course of the visa application process and, where appropriate, take legal action. If confirmed, I will review the tools available to address these challenges, including visa policy.

#### *Chinese Influence Operations*

*Question.* If confirmed, how do you plan to support Australia, and other victims of PRC economic coercion and United Front activities, to build resistance to the CCP's political influence inside their countries?

*Answer.* If confirmed, I would not leave Australia and other allies and partners alone in the face of PRC economic coercion and United Front activities. We will face down these threats from a position of collective strength. I will work with the Global Engagement Center (GEC) to counter PRC propaganda and disinformation, including through programs that identify and expose the PRC's malign influence tactics and techniques and puncture Beijing's false narratives. I will also support continued coordination and cooperation through the counter disinformation working group with Australia, announced at Australia-United States Ministerial Consultations (AUSMIN) last year. U.S. and other foreign firms have also faced economic coercion such as boycotts and other pressure tactics for challenging PRC preferred narratives. If confirmed, I will work to align our actions with those of democratic and like-minded partners to counter these threats and to advance bilateral and multilateral efforts that build resilience abroad to PRC covert, coercive, and corrupt activities. Efforts to diversify supply chains, support increased trade between like-minded partners, and encourage best practices to screen potentially threatening investments will help to build resilience and reduce the impact of PRC coercion.

*Question.* If confirmed, do you commit to ensuring that human rights concerns are integrated into every senior bilateral engagement, and that specific prisoner cases are raised at the highest levels, both publicly and privately?

*Answer.* The Biden-Harris administration is committed to putting democratic values at the center of our foreign policy and to standing up for democracy, human rights, and human dignity. If confirmed, I will work to ensure that human rights issues are integrated into bilateral engagements with the People's Republic of China at all levels. This requires not only general statements but also raising specific cases, both publicly and privately, as appropriate.

*Question.* Do you see the link between China's pervasive, egregious human rights abuses, and its failure on so many other fronts to be a responsible global actor?

*Answer.* I am alarmed by human rights violations and abuses in China and call on PRC authorities to respect the human rights and fundamental freedoms to which their citizens are entitled, consistent with China's international obligations and commitments. If confirmed, I will work to continue holding accountable PRC authorities responsible for abuse, while also countering PRC attempts to erode the international rules-based order.

*Question.* What are the appropriate tools for holding the PRC and its officials accountable for its atrocities against Uyghurs and other Muslims in Xinjiang? If confirmed, do you commit to using such tools in a timely fashion?

*Answer.* The People's Republic of China (PRC) is committing crimes against humanity and genocide in Xinjiang against Uyghurs, who are predominantly Muslim, and members of other ethnic and religious minority groups. If confirmed, I will consider all appropriate tools to promote accountability for those responsible and deter future abuses, to include but not limited to, actions already implemented by the U.S. Government: visa restrictions, import restrictions, export restrictions, and financial sanctions.

*Question.* What actions can the U.S. take to address the issue of forced labor in Xinjiang, including to protect against retaliatory actions from China?

*Answer.* The U.S. Government has condemned the People's Republic of China (PRC) Government's retaliatory actions against individuals, businesses, and organizations that stand up for human rights. If confirmed, I will consider all appropriate tools to promote accountability for PRC Government actors and entities responsible for the atrocities and human rights abuses in Xinjiang, including forced labor, and work with interagency partners to address PRC actions. I also commit to working with the like-minded countries and the private sector to counter economic retaliation against companies when they take actions to avoid complicity in PRC human rights and forced labor abuses.

*Question.* How can the U.S. best provide support to civil society actors in Muslim-majority countries who are conducting advocacy on this issue?

*Answer.* If confirmed, I will commit to working with partners and allies, civil society, advocates, and other groups around the world to address our shared concerns over the PRC Government's atrocities in Xinjiang.

*Question.* Will you work to ensure that discussions over arbitrary mass detention and forced labor in Xinjiang are integrated into trade discussions?

*Answer.* The Biden-Harris administration is committed to putting democratic values at the center of our foreign policy and to standing up for democracy, human rights, and human dignity. If confirmed, I will work to ensure we continue integrating our Xinjiang concerns into bilateral engagements with the People's Republic of China at all levels.

*Question.* If confirmed, what actions will you take to work with countries hosting Uyghur communities to ensure they do not summarily deport Uyghurs to China?

*Answer.* The PRC Government's atrocities in Xinjiang raise serious refoulement concerns. If confirmed, I will work with other governments to ensure that Uyghurs, who are predominantly Muslim, and members of other ethnic and religious minority groups that have escaped repression in Xinjiang are not forcibly returned to China.

*Question.* Do you believe the United States can and should use its diplomatic and economic leverage to protect Uyghurs from unjust deportation from other countries back to China?

*Answer.* If confirmed, I will consider all available tools to ensure that Uyghurs and other vulnerable individuals are not forcibly returned to China.

*Question.* Do you believe that the CCP is engaged in a deliberate campaign of cultural erasure against Tibetans, whose civilization is distinct from that of China and boasts its own rich language, literature, religion, and culture?

*Answer.* The PRC Government has deliberately suppressed the distinct cultural, linguistic, and religious identity of Tibetans. If confirmed, I will make addressing these abuses a priority.

*Question.* If confirmed, do you commit to convey clearly to Beijing the United States position that we will not accept a Chinese-controlled process to select the next Dalai Lama?

*Answer.* The PRC Government should have no role in the succession process of the Dalai Lama or any other Tibetan Buddhist lama. If confirmed, I will call on the PRC to respect the religious freedom of Tibetans, including by ending its interference in the selection, education, and veneration of Tibetan Buddhist religious leaders.

*Question.* If the Chinese authorities attempt to force a politically chosen successor on the Tibetan people, will you commit to impose serious sanctions in response?

*Answer.* If confirmed, I will consider the use of all appropriate tools, including financial sanctions and visa restrictions, to promote accountability for PRC officials responsible for abusing the religious freedom of Tibetans, including by interfering in the succession process of the Dalai Lama, consistent with the Tibetan Policy and Support Act of 2020.

*Question.* Would you, if confirmed, personally commit to pressing the PRC leadership to address Tibetan concerns through the resumption of dialogue with the Dalai Lama, or his representatives, without preconditions?

*Answer.* If confirmed, I will work with our allies and partners to press Beijing to return to direct dialogue with the Dalai Lama or his representatives, without preconditions, to achieve meaningful autonomy for Tibetans.

*Question.* Will you commit to regularly raise the case of the Panchen Lama and press for his release?

*Answer.* If confirmed, I commit to engaging the PRC Government on the case of the Panchen Lama.

*Question.* Will you ensure that no U.S. official meets with, or provides a public platform to, the individual that Beijing appointed in his place?

*Answer.* The PRC Government should have absolutely no role in the succession process of the Dalai Lama. If confirmed, I will work to ensure all U.S. engagements reflect this position.

*Question.* If confirmed, do you commit to direct our diplomatic missions in the region, including in Hong Kong, to do their utmost to assist Hong Kongers who fear political persecution under the National Security Law, and use all consular options, including Special Public Benefit Parole, to provide safe harbor?

*Answer.* If confirmed, I will ensure that our diplomatic missions in the region, including Hong Kong, will continue to do their utmost to assist Hong Kongers who fear persecution, to include working to pursue all options, as appropriate, to provide avenues for those who seek to depart.

*Question.* If confirmed, do you commit to ensuring that the State Department maintains a high degree of pressure on Beijing for its violations of Hong Kong's autonomy and prioritizes this issue above all other competing interests in Hong Kong?

*Answer.* If confirmed, I will work to ensure the State Department will continue to put pressure on PRC and Hong Kong officials responsible for undermining Hong Kong's high degree of autonomy as promised in the Sino-British Joint Declaration and Basic Law. Maintaining Hong Kong's high degree of autonomy is a central focus of our policy toward Hong Kong.

*Question.* If confirmed, will you commit to appoint only senior officers as Consul General who are strongly committed to the democratization of Hong Kong?

*Answer.* If confirmed, I will work with State Department leadership and human resources to identify suitable candidates for Consul General who will carry out the Department's policy of advocating for Hong Kong's high degree of autonomy, promote fundamental freedoms and human rights, and build support for international pressure on the PRC to meet its obligations under the Sino-British Joint Declaration.

*Question.* If confirmed, will you commit to advocate on behalf of Hong Kong protesters who are imprisoned for violations of the so-called National Security Law, or for similar politically motivated charges, both in your private conversations with Hong Kong and PRC central government officials, as well as in public diplomacy?

*Answer.* If confirmed, I will advocate by any available means on behalf of Hong Kong people imprisoned on politically motivated charges. We continue to stand with the people of Hong Kong and for their human rights, and fundamental freedoms. I will ensure that we continue to support the aspirations of people in Hong Kong and for the system and rights that the PRC promised them.

*Question.* Did you agree with former Secretary Pompeo's decision to decertify Hong Kong as sufficiently autonomous to warrant special treatment under U.S. law?

*Answer.* On March 31, in conjunction with the Hong Kong Policy Act Report, Secretary Blinken again certified to Congress that Hong Kong does not warrant differential treatment under U.S. law in the same manner as U.S. laws were applied to Hong Kong before July 1, 1997. If confirmed, I am committed to continuing to work with Congress and our allies and partners around the world to stand with people in Hong Kong against the PRC's egregious policies and actions that undermine the autonomy and freedoms promised in the Sino-British Joint Declaration and Hong Kong's own Basic Law.

*Question.* If confirmed, will you use decertification and all other available means to deny legitimacy to the government of the Hong Kong Special Administration Region until the fundamental freedoms guaranteed under Basic Law are restored?

*Answer.* The State Department has a variety of policy tools available to deny credibility to the government of Hong Kong, including the Hong Kong Policy Act, under which we certified again this year that Hong Kong is no longer autonomous. In addition, under Executive Order 13936, the Department has authority to impose sanctions on Hong Kong and People's Republic of China (PRC) officials in connection with efforts to undermine Hong Kong's autonomy. The Hong Kong Autonomy Act also authorizes sanctions on foreign persons that materially contribute to the failure of the PRC to meet its obligations under the Sino-British Joint Declaration or Hong Kong's Basic Law, as well as on foreign financial institutions that knowingly engage in significant transactions with such persons. If confirmed, I will continue to evaluate all available tools and use them as necessary to pressure the Government.

*Question.* If confirmed, will you commit to robust efforts to increase Taiwan's international space and to counter Beijing's attempts to isolate Taiwan in international organizations and beyond?

*Answer.* Yes. The Biden-Harris administration's support for Taiwan is rock-solid. If confirmed, I plan to continue to deepen our ties with Taiwan in the face of PRC efforts to constrain its international space and to support Taiwan's membership or meaningful participation in international organizations.

*Question.* If President Biden follows through with his campaign promise to assemble a summit of democracies, will you ensure that Taiwan is invited to participate and at the same level as other participants?

*Answer.* If confirmed, I will support President Biden's commitment to host a Summit for Democracy. I believe the global community of democracies would benefit from Taiwan's participation in such events and could learn from Taiwan's experience of democracy under pressure due to foreign malign influence, including disinformation campaigns that seek to undermine its democratic processes.

*Question.* Do you agree with former Vice President Pence's statement that "America will always believe that Taiwan's embrace of democracy shows a better path for all the Chinese people?"

*Answer.* Yes. Taiwan is a leading democracy and a critical economic and security partner. If confirmed, I will continue to strengthen U.S. ties with Taiwan as an important priority.

*Question.* If confirmed, will you commit to use your position as Assistant Secretary to promote Taiwan as a model of democratic success that China and others should emulate?

*Answer.* Yes. If confirmed, I will continue to work with allies and partners to highlight the positive role that Taiwan plays in addressing global challenges and encourage them to stand with Taiwan in defending against threats to its democratic values.

*Question.* If confirmed, do you commit to do your utmost to ensure that Taiwan's requests for the sale of military equipment will be processed as quickly as possible?

*Answer.* Yes. If confirmed, I will support making available to Taiwan the defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability, consistent with the Taiwan Relations Act and our “one China” policy.

*Question.* Will maintaining Taiwan’s defense capabilities be a top priority for EAP under your leadership?

*Answer.* Yes. If confirmed, in response to the growing PRC threat, I will continue deepening our unofficial security relationship with Taiwan to ensure it has sufficient capabilities to defend itself, consistent with the Taiwan Relations Act.

The United States notified more than \$32 billion worth of arms to Taiwan since 2009, but arms sales alone cannot ensure Taiwan’s ability to defend itself, nor should the impact of arms sales be judged on total value alone. Our expanding security cooperation seeks to encourage Taiwan to prioritize cost-effective, resilient, distributed, and sufficient capabilities. We are also encouraging Taiwan to prioritize reserve force reform, civilian defense capabilities, and cybersecurity and critical infrastructure resilience.

U.S. security cooperation with Taiwan is calibrated to meet the threat from the PRC and is consistent with the U.S. “one China” policy, which is guided by the Taiwan Relations Act, the Three Communiques, and the Six Assurances. If confirmed, as part of that cooperation, I also will encourage Taiwan to spend on defense an amount commensurate with the growing threat it faces.

*Question.* Do you commit to wholeheartedly support the full scope of bilateral defense cooperation, including joint trainings and exercises and any other substantive exchanges that will enhance Taiwan’s security posture?

*Answer.* Yes. If confirmed, I will support engagement that would advance U.S. interests and foreign policy objectives. The United States has long maintained our abiding interest in peace and stability in the Taiwan Strait.

In response to the growing PRC threat, we will continue deepening our unofficial security relationship with Taiwan to ensure it has sufficient capabilities to defend itself.

*Question.* If confirmed, will you work with our U.N. Ambassador to look for bold and creative ways to promote Japan’s candidacy for permanent membership on the U.N. Security Council?

*Answer.* A reformed Security Council that is representative, effective, and relevant is in the best interest of the United States and all U.N. member states. If confirmed, I would support a modest enlargement of the Security Council for both permanent and non-permanent members, provided doing so does not diminish its effectiveness or its efficiency, and does not alter or expand the veto. Regarding member state suitability, we remain principally focused on a country’s ability and willingness to contribute to international peace and security.

*Question.* If confirmed, will you work with your counterpart in Tokyo, and at the Department of Defense, to ensure that U.S. forces and Japanese forces are planning for possible Taiwan contingencies?

*Answer.* Yes. If confirmed, I will work to ensure that the United States and our allies and partners pool our collective strength to advance shared interests and deter common threats. We will underscore the importance of peace and stability across the Taiwan Strait.

*Question.* Will you encourage Tokyo to engage in security cooperation with Taiwan to complement existing U.S. cooperation with Taiwan?

*Answer.* Yes. If confirmed, I will encourage our allies and partners to continue to work together to advance our shared prosperity, security, and values in the Indo-Pacific region. Japan is a capable, thoughtful, and dynamic ally that has helped us to secure our interests and values in Asia more effectively than we could have done alone.

*Question.* If confirmed, do you commit to strengthen U.S. relations with Mongolia and protect its sovereignty against potential encroachment by the People’s Republic of China?

*Answer.* Yes. Mongolia is a democracy and our strategic partner, and if confirmed, I will work to continue strengthening our bilateral relationship and supporting Mongolia’s sovereignty.

*Question.* If President Biden follows through with his campaign promise to assemble a summit of democracies, will you ensure that Mongolia is invited to participate?

Answer. If confirmed, I will support President Biden's commitment to host a Summit for Democracy. Participating governments will be expected to deliver on both domestic and international commitments that advance democracy, fight corruption, and protect human rights. As a vibrant democracy, I expect Mongolia will be favorably considered for participation.

- Will you, as a matter of policy, seek to increase U.S. investment in Mongolia and bilateral trade ties?

Answer. Yes. As Mongolia's strategic partner and proud "third neighbor," the United States will continue to seek opportunities to increase both bilateral trade and U.S. investment in Mongolia.

*Question.* If confirmed, will you work with your counterpart in Ulaanbaatar to promote programs to protect the Mongolian language, culture, and Buddhism, and wherever possible, to extend such promotion to Mongolians in the PRC?

Answer. Yes. Mongolia holds a unique place in world history and possesses a rich culture stretching back centuries. If confirmed, I will work to promote programs that protect Mongolian language, script, culture, and Buddhism, wherever they are found.

*Question.* Mongolia's presidential election on June 9, 2021 was conducted in a manner that was free and fair, but the incumbent president was blocked from running for reelection in a manner that many Mongolians found troubling. The Mongolian People's Party (MPP) now controls the presidency in addition to holding a supermajority in the parliament and yielding significant influence over the judiciary. If confirmed, do you commit to efforts to guard against democratic backsliding in Mongolia and to ensure that the MPP does not revert to its authoritarian past under the influence of its authoritarian neighbor?

Answer. Mongolia recently conducted a free and fair presidential election, its eighth since the country's peaceful transition to democracy in 1990. As strategic partners, Mongolia and the United States share a common commitment to democratic values and the strengthening of democratic institutions. The U.S. has a strong strategic interest in ensuring Mongolia remains a stable and viable democracy. If confirmed, I will continue the U.S. tradition of working closely with our Mongolian counterparts to deepen their democracy and to strengthen good governance and civil society in Mongolia.

#### *Korea*

*Question.* If confirmed, what will you do to expand U.S.-ROK trade and investment ties, and encourage Seoul to diversify its trade and investment away from China in order to reduce its vulnerability to Chinese economic coercion?

Answer. The U.S.-ROK Alliance is bolstered by our strong and growing economic relationship and grounded in our shared democratic values. If confirmed, I will support the full and faithful implementation of the U.S.-Korea Free Trade Agreement, which remains the foundation of our bilateral trade and investment relationship and an important pillar of our bilateral relationship. I will work, in cooperation with my U.S. Government colleagues, to continue to expand robust U.S.-ROK economic ties, promote Korean investment in the United States, and enhance our mutual prosperity and security through close collaboration on supply chain diversification, regular coordination on economic security matters, and enhanced cooperation between our two countries to advance our common vision of a free and open Indo-Pacific and world.

*Question.* What is your opinion of the South Korean Government's decision to ban the distribution of leaflets and other materials into North Korea by North Korean human rights organizations?

Answer. As a global policy, the United States advocates for the protection of human rights and fundamental freedoms around the world. With regards to the DPRK, if confirmed, I will continue to promote the free flow of information into, out of, and within the DPRK. It is critical for the North Korean people to have access to fact-based information not controlled by the North Korean regime. The United States promotes and supports freedom of expression around the world, including with valued allies like the Republic of Korea.

The United States has been in close contact with the ROKG to express our strong views about the importance of the free flow of information into the DPRK and freedom of expression.

We respect the fact that the ROK, as a democracy with an independent and strong judiciary, has tools in place to allow for review of the law.

If confirmed, I will continue to work with our partners in the NGO and North Korean escapee community to promote human rights in North Korea and North Koreans' access to information.

*Question.* If confirmed, how would you respond to a resurgence of the protest movement in Thailand?

*Answer.* The United States supports freedom of expression and the right to peaceful assembly as essential to Thailand's democracy. The United States does not support any political party or position in Thailand; we support the democratic process, human rights, and the rule of law. If confirmed, I will continue to urge the Royal Thai Government to respect the human rights of those who exercise their freedom of expression. I will also call on the Royal Thai Government to respect the human rights of those who have been arrested or detained, including adequate access to medical care and the legal counsel of their choosing. Thailand is a valued U.S. ally and partner, and the strong relations we have built up over time allow the United States to engage constructively with the Royal Thai Government.

Our shared history, shared interests, and the common values that unite our peoples make me confident that we can continue to navigate these challenges for the good of both countries.

*Question.* How will U.S. policy promote human rights and democracy in Thailand going forward?

*Answer.* The United States strongly supports human rights and democracy in Thailand, the Indo-Pacific, and around the world. We are committed to a long-term partnership with Thailand, and the promotion of democracy, human rights, and fundamental freedoms has been a major part of U.S. engagement with Thailand for many years. If confirmed, I will continue to support our robust diplomatic engagement to advance democracy and the protection of human rights in Thailand. I will call on the Royal Thai Government to respect human rights and fundamental freedoms and to act in a manner consistent with its international obligations and commitments.

*Question.* If confirmed, how will you work to counter PRC influence in Thailand and increase awareness of the risks of dependency on trade and investment from China?

*Answer.* If confirmed, I will work to strengthen our alliance with Thailand and our partnerships in Southeast Asia, while also working to counter the PRC's malign influence in the region. I will review our approach to enhancing economic engagement with Thailand and regional partners. I will encourage internationally accepted best practices in trade and investment and an open and inclusive approach to economic development. Furthermore, if confirmed, I am committed to working with Thailand to combat COVID-19 and climate change; to strengthen our defenses, including in cyberspace; and to produce and secure the technologies of the future. Additionally, I will support Thailand as a regional leader in the Mekong region and key partner in the Mekong-U.S. Partnership.

*Question.* If confirmed, what would you do to deny legitimacy to the junta that seized power in February?

*Answer.* If confirmed, I will continue to use all tools available to exert pressure on the junta and deny the regime international credibility. In the immediate aftermath of the coup, we worked quickly to impose sanctions on those responsible for the coup, as well as state-owned enterprises and military-affiliated companies that are providing financial resources to the military regime. The United States has worked with our international partners to deny the regime access to hundreds of millions of dollars in resources in international financial institutions, as well as pushed for an arms embargo and restriction on the export of dual use technology. We have encouraged the international community to use all levers available to restrict the junta's access to financial institutions and enhance scrutiny of any financial ties to the military.

In addition, the United States has engaged the pro-democracy movement, including the "National Unity Government" (NUG), at high levels, which has served to further deny international credibility to the regime. If confirmed, I will utilize every tool and opportunity to expose the junta's horrific brutality, promote accountability, and support the democratic aspirations of the people of Burma, including ethnic and religious communities, who yearn for true democracy and do not want to live another day under military rule.

*Question.* Do you commit to block the junta's efforts to replace the legitimate representatives of Myanmar at international organizations?

Answer. If confirmed, I will make it a top priority to support the Burmese people and work to return Burma to the democratic path chosen by its people. The United States has strongly condemned the military's actions to overturn the will of the people of Burma as freely expressed in elections in November 2020. The United States has also engaged the pro-democracy movement, including the "National Unity Government" (NUG), at high levels, which has helped deny international credibility to the regime. The United States will continue to support Burma's pro-democracy movement, including the NUG, various ethnic and religious groups, and others working peacefully to restore Burma's democratic transition. If confirmed, I will support U.S. efforts to continue encouraging our partners, allies, and other members of the international community to engage representatives of the pro-democracy movement, including in international organizations and major international events, and push for dialogue among all relevant stakeholders to secure a peaceful resolution to the crisis in Burma.

*Question.* If confirmed, will you work with the Treasury Department to impose punishing sanctions on all industries that fund the Tatmadaw, including the oil and gas industry and the mining industry?

Answer. If confirmed, I will continue our robust engagement within the U.S. interagency, including the Treasury Department, to identify ways to exert additional pressure on the military regime, including financial pressure. The United States has already sanctioned over 30 military leaders, adult family members, commanders, and military units responsible for the coup and the horrific violence. We have sanctioned top revenue generators for the military, including the largest military conglomerates, the Myanmar Economic Corporation (MEC) and Myanmar Economic Holdings Limited (MEHL). We have designated the largest state-owned enterprises in the gems, timber, and other sectors that the military has used to enrich itself at the expense of the people of Burma. In addition, we have successfully led an international effort with partners and allies, including the UK, Canada, and EU, to sanction the same individuals and entities, further denying the military international credibility and access to revenue.

While we have sought to impose significant sanctions on the regime, the United States has also been careful to avoid steps that could hurt the interests of the people of Burma and deepen the humanitarian suffering caused by the coup, and negatively impact our partners in the region. If confirmed, I will work to ensure that, in identifying potential additional targets designed to exert pressure on the military regime, including the oil and gas industry and the mining industry, we also continue to study and take into account the impact on the people of Burma.

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RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD  
SUBMITTED TO HON. DANIEL J. KRITENBRINK BY SENATOR TED CRUZ

*Taiwan*

*Question.* If confirmed, will you restore the Trump administration's policy allowing our Taiwanese allies to display symbols of their sovereignty? If not, why not?

Answer. In keeping with longstanding U.S. policy across Democratic and Republican administrations, the United States Government does not permit displays of Taiwan sovereignty, including flags, on United States Government premises. Though the United States does not maintain diplomatic relations with Taiwan, U.S. support for Taiwan has never been stronger, as demonstrated by, for example, ongoing arms sales designed to enable Taiwan to maintain a sufficient self-defense capability, the provision of vaccines announced by three U.S. Senators during their visit to Taipei on June 6, and the repeated and unprecedented public mentions of Taiwan in the recent U.S.-Japan joint statement, U.S.-ROK joint statement, U.S.-EU joint statement, and G7 leaders' communiqué.

To deepen and broaden our unofficial relationship with Taiwan, the Biden-Harris administration also issued new Guidelines for Interacting with Taiwan ("contact guidance"), which are more permissive than any previous iterations. Taiwan has welcomed the new contact guidance, including through statements by President Tsai, Foreign Minister Wu, and TECRO Representative Hsiao. If confirmed, I will work to further develop our robust ties with our democratic partner Taiwan and ensure we fulfill our commitments under the Taiwan Relations Act.

*EO 14034*

*Question.* On June 11, the Biden administration published in the Federal Register Executive Order 14034, which revoked Executive Order 13942 of August 6, 2020

(Addressing the Threat Posed by TikTok, and Taking Additional Steps To Address the National Emergency With Respect to the Information and Communications Technology and Services Supply Chain), Executive Order 13943 of August 6, 2020 (Addressing the Threat Posed by WeChat, and Taking Additional Steps To Address the National Emergency With Respect to the Information and Communications Technology and Services Supply Chain), and Executive Order 13971 of January 5, 2021 (Addressing the Threat Posed by Applications and Other Software Developed or Controlled by Chinese Companies). Those three EOs had restricted applications controlled by Chinese companies. According to EO 13971, “[b]y accessing personal electronic devices such as smartphones, tablets, and computers, Chinese connected software applications can access and capture vast swaths of information from users, including sensitive personally identifiable information and private information. This data collection threatens to provide the Government of the People’s Republic of China (PRC) and the Chinese Communist Party (CCP) with access to Americans’ personal and proprietary information—which would permit China to track the locations of Federal employees and contractors, and build dossiers of personal information.”

- Please assess the potential intelligence risks associated with these applications including the risk to State Department personnel and their families overseas.

Answer. Under Executive Order (E.O.) 13873, Securing the Information and Communications Technology and Services Supply Chain, the Secretary of Commerce evaluates potential threats to the United States presented by information and communications technology or services designed, developed, manufactured, or supplied by persons owned or controlled by, or subject to the jurisdiction or direction of the People’s Republic of China and other designated foreign adversaries.

To enhance this effort, on June 9 President Biden issued E.O. 14034, which instructs the Secretary of Commerce to evaluate transactions involving foreign adversary-connected software applications that may pose a risk to Americans’ data, utilizing clear criteria that may indicate a heightened risk, including software applications that are owned, controlled, or managed by persons that support foreign adversary military or intelligence activities, or are involved in malicious cyber activities, or involve applications that collect sensitive personal data. If confirmed, I will work with colleagues at the Department of Commerce in assessing these risks, as well as the risk to State Department personnel and their families overseas.

#### *State Department*

*Question.* The Obama administration was broadly criticized, especially in the context of its Middle East policy, for co-mingling unclassified documents with classified documents. This practice requires that documents be placed in a secure location, unnecessarily limiting access to unclassified documents and stifling public debate. The Biden administration already seems to be repeating such practices: according to an exchange during the State Department press briefing on February 11, a notification describing the lifting of terrorism sanctions on Iran-controlled terrorists in Yemen was unnecessarily transmitted to a Congressional SCIF. Can you commit to ensuring that unclassified information is not unnecessarily comingled with classified information in notifications provided by the State Department to Congress? If not, why not?

Answer. If confirmed, I am committed to working to ensure that information provided to Congress is, to the fullest extent possible, in a format that facilitates its access by authorized personnel, while complying with Executive Order 13526, the Department of State classification guide, and the executive branch rules on the handling and storage of classified information.

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#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO HON. DANIEL J. KRITENBRINKJ BY SENATOR BILL HAGERTY

*Question.* Ambassador Kritenbrink, I would like to bring to your attention the case of Greg Kelly, a Tennessee constituent who, in my view, has been wrongly detained for nearly three years in Japan. I’m deeply concerned about Mr. Kelly’s treatment by the Japanese legal system.

After being taken into custody in November 2018, Mr. Kelly—who maintains his innocence—was forced to wait for nearly two years for his trial in Japan even to begin in September 2020. News media now report that it has been proven at trial that the entire case against Greg Kelly was fabricated for the sole purpose of preventing Renault from taking over Nissan. There is no deadline by which the court

in Japan must deliver a verdict in Mr. Kelly's case, and he likely faces the prospect of no decision until well into next year.

- If confirmed, do you commit to working with me and to using every tool at your disposal to get Greg Kelly back to the United States and home with his family?

Answer. One of the most important tasks of the Department of State and U.S. embassies and consulates is to provide assistance to U.S. citizens who are incarcerated or detained abroad. We take this obligation to assist U.S. citizens arrested or detained abroad seriously. Mr. Kelly's case is a high priority for the Bureau of Consular Affairs and the Bureau of East Asian and Pacific Affairs. The Department is actively monitoring Mr. Kelly's case and Embassy Tokyo's American Citizens Services unit has been in frequent, regular contact with Mr. Kelly and his legal teams. While the Department cannot intercede on the merits of his case, the Department monitors developments in his case very closely. The Department continue to urge the Japanese authorities to ensure Mr. Kelly's trial and verdict are concluded as expeditiously as possible. If confirmed, I will make Mr. Kelly's case a priority, and I look forward to working closely with you and your office on his case.

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