

NOMINATION OF JOHN F. KERRY TO BE SECRETARY OF STATE

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

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NOMINATION OF JOHN F. KERRY TO BE SECRETARY OF STATE

THURSDAY, JANUARY 24, 2013

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

Hon. John F. Kerry, of Massachusetts, to be Secretary of State

The committee met, pursuant to notice, at 10:07 a.m., in room SH-216, Hart Senate Office Building, Hon. Robert Menendez, presiding.

Present: Senators Menendez, Boxer, Cardin, Casey, Shaheen, Coons, Durbin, Udall, Murphy, Kaine, Corker, Risch, Rubio, Johnson, Flake, McCain, Barrasso, and Paul.

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

Senator MENENDEZ. Good morning. This hearing of the Senate Foreign Relations committee to consider the nominee for the Secretary of State will come to order.

Let me again ask as I did yesterday. Since the full Senate has not yet passed the committee resolution seating members, I ask unanimous consent of returning members to allow our prospective members to participate in today's hearing. And if there is no objection, it is so ordered.

Let me start with saying that you are not at the table yet, Senator, but we are going to have you there shortly. Let me say, Senator Kerry—or should I say “Mr. Chairman,” since you are still our committee's chair—that I am deeply humbled to preside over the committee today as we consider your nomination. We are honored to welcome you as the President's nominee for a position you have most deservedly earned from the first time you testified before Chairman Fulbright as a young returning Vietnam war hero in 1971 to the day the President nominated and announced your nomination as Secretary of State. You may not be aware of it, but you will be the first member of this panel to ascend directly to the position since Senator John Sherman of Ohio became President McKinley's Secretary of State more than 100 years ago. So you are clearly making history once again.

Yours is a big chair to fill and I will do my best today to live up to your example. I have watched your lead on the committee with an equally deep and abiding commitment to get to the heart of the

matter, always probative, always open to debate, always ready to mitigate disagreements, always looking for the truth, for answers, uncovering the facts, hearing all the evidence, and then publicly speaking truth to power based solely on what was the best interests of the Nation.

As a Senator, as a member of this committee, and as chairman, you have already built strong relationships with leaders around the world which will help you seamlessly into the role of Secretary of State. You will need no introduction to the world's political and military leaders and will begin on day one fully conversant not only with the intricacies of U.S. policy but with an understanding of the nuanced approach necessary to effectively interact on the multinational stage.

When Vice President Biden sat in this chair, he said on more than one occasion: "Good international relationships are always predicated on strong interpersonal relationships." I think we can all agree that you have set the highest standard for developing those relationships throughout your career, and as Secretary of State you will continue to strengthen those relationships on behalf of the President in the furtherance of American foreign policy.

I will have some questions later on policies and your views, including how you explain to world leaders how you could have been rooting for the Boston Red Sox instead of what the world knows is the New York Yankees as the team of the world. [Laughter.]

But let me say, Mr. Chairman, it has been a pleasure working with you. I am looking forward to continuing to work with you on the issues you have championed over the years: fighting global terrorism, preventing the spread of nuclear, biological, and chemical weapons, fighting for human rights and against HIV/AIDS around the world, fighting crime, corruption, drug trafficking, and standing up as you always have for the interests of the Foreign Service around the world.

In your new role, should you be confirmed—and I know you will—your portfolio will be greatly expanded. You will be center stage representing the interests of all of us from securing our embassies and protecting our overseas personnel to promoting commerce, enhancing cross-cultural ties, and keeping America secure through cooperation where possible and isolation where necessary as in the case of Iran.

And of course, it goes without saying that you have truly been a world leader on one of the most consequential issues of our time: climate change. And it heartens me to know that someone with your commitment to the issue will be our voice to the world.

The fact is whatever the challenges we will face, in my view the State Department could not be in better hands.

When it comes to America's role in world affairs, I know we agree that it is critical that the United States remains fully engaged, that we project not only the power of our military strength when necessary, but the wisdom of our democratic ideals as we adjust to the new threats and new demands we will inevitably face. And there is no doubt you will be tested in your new role as Secretary, nor is there any doubt that you will pass any test with honors as you always have.

Before I recognize Senator Corker, let me thank you on behalf of the committee for all you have done through your long and illustrious career here in the Senate and in the chairmanship of this committee. In anticipation of your confirmation by the full Senate, I wish you good luck and Godspeed on the many journeys that lie ahead, and we will look forward to having a close working relationship with you as the next Secretary of State.

Let me now recognize Senator Corker, the ranking member, for his comments.

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

Senator CORKER. Well, thank you, Mr. Chairman, and I thank our three distinguished guests who are going to introduce the chairman in just a moment.

I want to say to the chairman I want to thank you for your courtesy over the last 6 years I have served on this committee.

I look at you in being nominated for this as someone who has almost lived their entire life, if you will, for this moment of being able to serve in this capacity. There is no one in the U.S. Senate that has spent more time than you have on issues of importance to our country. The experience you developed while being on this committee and spending time abroad with world leaders with your wife, who is at your side today—there is almost no one who spent that kind of time and effort.

So I am happy for you. I know the many conversations we have had over the last 2 weeks—you are very anxious to serve. You are ready to go. My sense is your confirmation will go through very, very quickly.

I do look forward to your testimony today.

Secretary Clinton is here today after a day of hearings both here and in the House.

And I think you know you are inheriting a department that like many departments throughout Government has numbers of challenges. We saw systemic issues that need to be addressed and they are in the process of being addressed right now. Our Nation has budgetary constraints which means that in all of these departments creativity is going to have to be utilized to make sure that we make the most of what we have in making sure that our U.S. interests are put forth.

We have a world that is a dangerous world, and things continue to come over the transom sometimes at surprising times. And I know as Secretary of State, you are going to have to lead our country in addressing those as they come about.

I do hope that you will work closely with this committee, as you have worked very closely with this committee over the last many years, in helping us work with you to make sure that as we move ahead, we move ahead together and that it is seamless.

We have many challenges, and I know on Monday President Obama said that America will remain the anchor of strong challenges in every corner of the globe, and we will renew those institutions that extend our capacity to manage crises abroad, for no one has a greater stake in a peaceful world than its most powerful nation. I could not agree more.

I look forward to, again, hearing your testimony today about what you hope to do in your new capacity.

And I certainly welcome the three distinguished people who are here today to introduce you which I know is a tremendous honor for you.

Thank you for your service. I look forward to your testimony.

Senator MENENDEZ. Thank you, Senator.

We have a star-studded panel here to introduce the nominee, starting with—I will introduce you in the order of your presentation. But I just want to start off by welcoming back the Secretary again, and we appreciate you coming back to us so soon. And again, you know, the thanks of the committee and a grateful nation for an incredible service to our country.

My understanding, although I am being told differently, are you going, Senator Warren? Senator Warren, who is our new colleague from the great State of Massachusetts, is going to be part of introducing her senior Senator before the committee, then Secretary Clinton, and then our distinguished colleague, a member of this committee now as well, Senator McCain. With that, Senator Warren.

**STATEMENT OF HON. ELIZABETH WARREN,
U.S. SENATOR FROM MASSACHUSETTS**

Senator WARREN. Thank you. Thank you, Senator Menendez.

It is an honor to be here with Secretary Clinton and Senator McCain to introduce my senior Senator and my friend, Senator John Kerry. I have the privilege of speaking for a man I know will continue in the tradition of John Quincy Adams and Christian Herter as great Secretaries from the Commonwealth of Massachusetts.

Although John learned much about diplomacy overseas and in the Senate, he would be the first to tell you that Massachusetts is also a great teacher of diplomatic skills, whether it was negotiating his way to make the ballot as a long-shot underdog in a five-way heavily contested State convention back in 1982 or the way he brought labor and management to the table, locked the parties in his Senate office over a long weekend, brought in Dunkin' Donuts and negotiated an end to the 92-day-long Brockton nurses strike. If anyone wants to learn diplomacy, come try Massachusetts politics. John certainly has.

John's story is well known to many of us—from his youth as the son of a Foreign Service officer, seeing diplomacy up close and learning about foreign policy around the dinner table each night to his service in combat in Vietnam.

Less well known is the story of his foreign policy work inside the Senate: his 90 overseas trips that he made in 28 years on the Foreign Relations Committee, his work with Dick Lugar to ensure free elections in the Philippines, his work with Bill Frist on AIDS in Africa, his work as chairman on the New START Treaty, and his very public and successful diplomatic interventions in Afghanistan, Pakistan, and Sudan. I think one day historians will judge his Senate years in terms of his impact on foreign policy much the same way so many recognize Senator Ted Kennedy's impact on domestic policy.

From his many years in the U.S. Senate, John has developed a very personal understanding that we represent not just States or government, but also people. I once asked John why he loves the Senate. He said it is the pride that he feels in trying to get things done for people. For 3 years now, he has been working quietly to help a father from Newton, MA, Colin Bower. His two sons were kidnapped and taken to Egypt. John even called former President Mubarak and had a screaming match with him about it. Five times he has been to Egypt since then and every time Colin has been at the top of his list in every meeting.

Every Senator here has a Colin Bower. It is what we do. We fight for people back home. As Secretary, John will understand that and bend over backward to help us do that. He will be a terrific bridge from the Hill to the administration.

I know that John cares deeply about our country and our national security. I know he believes through and through in the good that America can do in the world because he has seen it and he has lived it all his life, from seeing the Marshall Plan in action with his father in post World War II Europe, to volunteering to serve in the military, and then traveling all these years as a Senator. John says America is not exceptional because we say we are; we are exceptional because we do exceptional things. When the airplane—the one that says on the side “United States of America”—lands anywhere in the world, I will be proud that it will be John Kerry representing us.

Thank you.

Senator MENENDEZ. Thank you, Senator.

Secretary Clinton.

STATEMENT OF HON. HILLARY RODHAM CLINTON, SECRETARY OF STATE, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Secretary CLINTON. Thank you, Mr. Chairman.

It is very good to be back and to have this opportunity to join with Senator Warren and Senator McCain in introducing President Obama’s nominee to be the next Secretary of State. I was very honored when John asked me to take part in this because John is the right choice to carry forward the Obama administration’s foreign policy, and I urge his speedy confirmation.

As we have heard from both the chairman and the ranking member and just now, Senator Warren, he will bring a record of leadership and service that is exemplary. He has a view of the world that he has acted on, first as that young returning veteran from Vietnam who appeared before this committee through the time that he served with such distinction as its chairman.

He has been a valued partner to this administration and to me personally. He has fought for our diplomats and development experts. He understands the value of investing in America’s global leadership. And as we work to implement the Accountability Review Board’s recommendations, he is committed to doing whatever it takes to prevent another attack and protect our people and posts around the world.

Now, working together, we have achieved a great deal, but the State Department and USAID have a lot of unfinished business

from Afghanistan to nonproliferation, to climate change, to so much. We need to sustain our renewed engagement in the Asia-Pacific, continue ramping up economics as a tool for advancing American interests and jobs, pressing forward with unleashing the potential of the world's women and girls, keep championing the kind of smart power that looks to innovation and partnerships with governments and people alike to promote peace and stability.

John has built strong relationships with leaders in governments here and around the world, and he has experience in representing our country in fragile and unpredictable circumstances. He was in Pakistan and Afghanistan a few years ago, and we were consulting over the phone. He played an instrumental role in working with President Karzai at that time to accept the results of the election and to move forward. I had to call Harry Reid and ask Harry not to schedule any votes so that John could continue to stay there to see that mission through. But that is what he does. He is a determined and effective representative of the United States, has been as a Senator, will be as Secretary.

Let me close by saying that leading our diplomats and development experts is a great honor, and every day, as I testified yesterday, I have seen firsthand their skill, their bravery, their unwavering commitment to our country. I have been proud to call them colleagues and to serve as Secretary of State, and I am very pleased that John will be given the chance, subject to confirmation, to continue the work of a lifetime on behalf of our country.

Thank you.

Senator MENENDEZ. Thank you, Madam Secretary.

Senator McCain.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator McCAIN. Thank you, Mr. Chairman.

I am pleased to be here with Senator Warren and Secretary Clinton to introduce and speak, say a few words about my friend, Senator Kerry, to the committee.

Obviously, the nominee does not need to be introduced to the committee on which he has served for over a quarter of a century and as its chairman for the last 4 years. So I can dispense with the customary summary of the nominee's record of public service and qualifications for the office for which he has been nominated. They are well known to you and to all of our colleagues.

But I would like to take a few moments to attest to the personal qualities that Senator Kerry would bring to the office of Secretary of State which I think are well suited to the position.

He and I have been friends for quite a long time now. We have had our disagreements, which is unsurprising given our political differences. As is often the case in our business, our friendship has been affected from time to time by our enthusiasm for our differing views and by the competitive nature of politics, but the friendship has endured. I believe it is based in mutual respect. Some observers have attributed that respect to the fact that when we were much younger, nicer, and better looking men than we are now, Senator Kerry and I spent some time at the Navy's behest in a

certain Southeast Asian country in less pleasant circumstances than we are accustomed to in the U.S. Senate.

While I have always respected and honored Senator Kerry's service in Vietnam, my respect for John as a Senator and my support for his nomination today originated in a very different experience. Although that experience, too, concerned the country and the war he and I were privileged to serve in, it did not require marshal valor. On the contrary, it required, at least on Senator Kerry's part and considerably less so on mine, extraordinary diplomatic skills.

The administrations of President Reagan and George Herbert Walker Bush had pursued limited engagement with the Government of Vietnam for the purpose of encouraging Vietnam to provide answers to the fates of many Americans who were still listed as POW/MIAs. That effort was led by a man both John and I respect enormously, Gen. John Vesey, former Chairman of the Joint Chiefs, who continued as the President's Special Emissary to Vietnam in President Clinton's administration.

By the early 1990s, I think both John and I had come to the view that it would be better for our country to have a relationship with Vietnam that served our current and future interests than one that continued to nurse the hostilities of our recent tragic past. But we both understood that could never be the case unless we knew American soldiers were not still kept against their will in Vietnam and until Vietnam fully cooperated in helping us account for Americans who did not return home from the war.

To help find answers to their fates, in 1991 then-Senate Majority Leader Mitchell and Minority Leader Dole appointed a select committee which John and Senator Bob Smith chaired and I was appointed as a member as well. Members of that committee had passionate and conflicting views on the subject of whether or not Vietnam still kept American POWs. The subject was controversial and provoked the strong passions of many Americans, not the least of which were the families of the missing. Most Americans who cared about this issue were people of sincere good will and honesty.

But there were also a few charlatans and con artists involved in the activist community who, for various reasons, promoted all kinds of conspiracy theories and implausible scenarios. On many occasions, our public hearings became a circus. Behind the scenes, arguments between members often became as heated and as personal as any I have ever experienced.

Getting information about POW/MIAs from the intelligence community was fraught with the usual objections and difficulties and getting information from the Vietnamese even more so. It was not a pleasant experience, to say the least, but through it all, John led the committee with fairness to all sides, with persistence in the pursuit of the truth, and with an absolute unshakeable resolve to get a result that all members could accept. Really, no matter how contentious and at times crazy things got, John always believed he would eventually get all the committee to see reason and provide an answer that would be accepted by most veterans and most, if not all, Americans who cared so much about the issue. And he did. He got all the members to agree to an exhaustive investigative report that concluded there was not credible evidence

that Americans remained in captivity in Vietnam. It was a masterful accomplishment.

After that experience, John and I worked together to encourage the Clinton administration and the Government of Vietnam to begin normalizing relations. I witnessed John's diplomatic skills in practice again, his patience, his persistence, his persuasiveness, his tact, and his singular focus on getting the best result possible in negotiations with a diverse array of government officials in both countries, convincing a reluctant administration to make what the President's advisers considered a politically perilous decision and reluctant fellow Senators to vote for a resolution recommending normalization. It was an impressive performance to say the least.

Helping to establish a relationship with Vietnam that serves American interests and values, rather than one that remained mired in mutual resentment and bitterness is one of my proudest accomplishments as a Senator, and I expect it is one of John's as well. Working toward that end with John and witnessing almost daily his exemplary statesmanship is one of the highest privileges I have had here.

Should he be confirmed—and I am confident he will be—to become our next Secretary of State, I am sure we will have our disagreements which I know neither of us will hesitate to bring to the other's attention. But I know he will acquit himself in that office with distinction and use as many talents and his indefatigable persistence to advance our country's interests. And I commend his nomination to you without reservation.

Senator MENENDEZ. Wow. You might want to rest your case there, Mr. Chairman. [Laughter.]

Senator MENENDEZ. With our thanks to this distinguished panel, we thank you very much, Madam Secretary. Thank you again to our colleagues.

And now we call up Chairman Kerry. Mr. Chairman, we welcome you to the other side of the committee and look forward to your testimony and any introductions you may want to make.

**STATEMENT OF HON. JOHN F. KERRY, OF MASSACHUSETTS,
TO BE SECRETARY OF STATE**

Senator KERRY. Mr. Chairman, Ranking Member Corker, and members of the committee, thank you very, very much.

I am in awe of the wonderful comments that were just made and I appreciate them, and I will say a little bit more about them.

Before I begin, I would like to have the privilege of just introducing very quickly. I think most of you know my wonderful wife, Teresa, who has been part of this great journey for a long time. My brother, Cam, who is serving over in the Commerce Department as counsel there, and I trust that they know he is here and have given him time off. And my daughter, Vanessa, and her husband, Brian, both of whom are working as physicians at Mass General in Boston, and another daughter who is not here, Alexandra, and three stepsons who likewise are spread around the world. But we are thinking about them as we embark on this wonderful journey.

For 29 years, I have sat up on the dais where you all are and I have kind of looked down at the witnesses and wondered what they are thinking sometimes as we questioned them. And I do not

want this to affect your opening questions, but let me say I have never seen a more distinguished and better looking group of public officials in my life. [Laughter.]

Suddenly I am feeling a lot of sympathy for the folks who sit down here.

I want you to know that a couple nights ago I was watching "Godfather II." So be forewarned. If someone suddenly shows up with my long lost brother back in the audience, all bets are off, folks.

And I am enormously grateful for the generous comments of the chair and the ranking member. Thank you very, very much. Thank you also for your tremendous cooperation over the course of the last years, and providing that you get me out of here quickly, I will be able to congratulate you more fully when you officially assume your responsibilities.

I will tell you, all of you on this committee, the new members particularly, that I have enjoyed chairing this committee and working with you as much as anything that I have done or been privileged to do in all of my career. I think this is one of the great committees of the U.S. Senate, and it is the only major committee that I have served on since day one when I arrived in the Senate in 1985. As you know, the committee carries special, consequential responsibilities with respect to the security of our Nation, and I thank each and every one of you for the serious consideration that you give and have given to the challenging issues and for the remarkable cooperation that I have had as chairman of the committee. If confirmed, I look forward to continuing to work particularly closely with all of you as we tackle some of the toughest issues and challenges that I have seen in the entire time I have served on this committee. And I particularly welcome the new members in that regard.

I am very grateful to President Obama for nominating me and entrusting me with this important responsibility, and I am particularly grateful to Secretary Clinton, Senator McCain, and Senator Warren for their introductions of me just now. I will not take it personally that this may be the one item in Washington that seems to unite Democrats and Republicans to get me out of the Senate quickly. [Laughter.]

Secretary Clinton particularly has served above and beyond the call of duty. I think everybody on this committee would agree her service has been superb and we all thank her for a job well done, for her tireless efforts on behalf of our Nation. She has set a very high mark for the stewardship of the State Department and her commitment to country. And I can pledge to you that with the consent of the Senate I will do everything in my power to summon every energy and all of my focus to build on her record and on the President's vision.

Senator McCain, as he mentioned, is a longtime friend. We met here in the Senate, coming from very different political positions and perspectives, but you know, we found common ground. I will never forget standing with him in Hanoi in the cell in the Hanoi Hilton in which he spent a number of years of his life, just the two of us, listening to him talk about that experience. I will always be grateful for his partnership in helping to make real peace with

Vietnam by establishing the most significant process in the history of our country or of any country for the accounting of missing and dead in any war and then for working to lift the embargo and ultimately normalize relations with an old enemy. John had every reason to hate, but he did not. And instead, we were able to help heal deep wounds and end a war that had divided too many people for much too long.

And as we talk about war and peace and foreign policy, I want all of us to keep in our minds, as I think we do, the extraordinary men and women in uniform who are on the front lines even as we meet here today, the troops at war who help protect America. I can pledge to you that as a veteran of war, I will always carry the consequences of our decisions in my mind and be grateful that we have such extraordinary people to back us up.

I also thank my new colleague, Senator Warren, for her generous comments. She is a longtime, fierce fighter for what is just and fair. And if her testimony has had effect today and helps win votes for my confirmation, she will become the senior Senator of our State in a record few legislative days. I spent 29 years. [Laughter.]

It is humbling to appear before you in this new role as President Obama's nominee for Secretary of State. But my approach to this role, if confirmed, is also deeply informed by the 28-plus years that I have been privileged to spend in the Senate. That perspective will remain with me if confirmed as Secretary. And I am already excited by the many ways that we can work together and in which we must work together in order to advance America's security interests in a complicated and ever more dangerous world.

I would add that I am particularly aware that in many ways the greatest challenge to America's foreign policy will be in your hands, not mine, because while it is often said that we cannot be strong at home if we are not strong in the world, in these days of fiscal crisis and as a recovering member of the Super Committee, I am especially cognizant of the fact that we cannot be strong in the world unless we are strong at home. And the first priority of business which will affect my credibility as a diplomat and our credibility as a nation, as we work to help other countries create order—the first priority will be that America at last puts its own fiscal house in order.

I really cannot emphasize to you enough how imperative this is. People all over the world are looking to the United States for leadership. We are known as the indispensable nation for good reason. No nation has more opportunity to advance the cause of democracy. No nation is as committed to the cause of human rights as we are. But to protect our Nation and make good on our promises, as well as to live up to our ideals and meet the crisis of this moment, it is urgent that we show people in the rest of the world that we can get our business done in an effective and timely way. It is difficult enough to solve some of the problems that we face, but I will tell you it becomes impossible, or near impossible, if we ourselves replace our credibility and leverage with gridlock and dysfunction. I have heard it in my trips and Secretary Clinton has heard it in her trips. And any of you who travel will begin to hear questions about whether or not the United States can, or will, deliver.

Moreover, more than ever foreign policy is economic policy. The world is competing for resources in global markets. Every day that goes by where America is uncertain about engaging in that arena or unwilling to put our best foot forward and win, unwilling to demonstrate our resolve to lead is a day in which we weaken our Nation itself. My plea is that we can summon across party lines, without partisan diversions, an economic patriotism which recognizes that American strength and prospects abroad depend on American strength and results at home. It is hard to tell the leadership of a number of countries that they have to deal with the IMF, balance their budget, create economic order where there is none if we do not provide it for ourselves.

It is also imperative that in implementing President Obama's vision for the world, as he ends more than a decade of war, that we join together to augment our message to the world. President Obama and every one of us here knows that American foreign policy is not defined by drones and deployments alone. We cannot allow the extraordinary good that we do to save and change lives to be eclipsed entirely by the role that we have had to play since September 11, a role that was thrust upon us.

American foreign policy is also defined by food security, energy security, humanitarian assistance, the fight against disease and the push for development as much as it is by any single counter-terrorism initiative, and it must be. It is defined by leadership on life-threatening issues like climate change or fighting to lift up millions of lives by promoting freedom and democracy from Africa to the Americas or speaking out for the prisoners of gulags in North Korea or millions of refugees and displaced persons or victims of human trafficking. It is defined by keeping faith with all that our troops have sacrificed to secure for Afghanistan. America lives up to her values when we give voice to the voiceless.

I share with the President the conviction that it is equally imperative that we assert a new role in the world of increasing failed and failing states. Burgeoning populations of young people hungry for jobs, opportunity, individual rights, and freedom are rebelling against years of disenfranchisement and humiliation. A fruit vendor in Tunisia who ignited the Arab Awakening wanted dignity and respect. He wanted to sell his fruit without corruption and abuse. That is what led him to self-immolate. The youth of Tahrir Square who brought Egypt its revolution represented a generational thirst for opportunity and individual participatory rights of governance, not a religious movement. The developed world can do more to meet the challenge and responsibility of these aspirations. With the help of all the members of this committee, I am determined to help President Obama meet this moment. It is vital for our Nation that we do so.

The world is well aware that we face a number of immediate dangerous challenges, particularly in the Middle East and south and central Asia. Given our extraordinary interest in nonproliferation, we must resolve the questions surrounding Iran's nuclear program. The President has made it definitive. We will do what we must do to prevent Iran from obtaining a nuclear weapon. And I repeat here today our policy is not containment; it is prevention. And the clock is ticking on our efforts to secure responsible compli-

ance. This administration working with Congress and an unprecedented international coalition has put into place crippling sanctions on Iran. Mr. Chairman, you have been a leader in that effort and I know will continue to be. President Obama has stated again and again—and I want to emphasize this. He and I prefer a diplomatic resolution to this challenge, and I will work to give diplomacy every effort to succeed. But no one should mistake our resolve to reduce the nuclear threat.

Nearly 42 years ago, Chairman Fulbright first gave me the opportunity to testify before this committee during a difficult and divided time for our country. Today I cannot help but recognize that the world itself then was in many ways simpler, divided as it was along bipolar cold war antagonisms. Today's world is more complicated than anything we have experienced, from the emergence of China to the Arab Awakening, inextricably linked economic, health, environmental, and demographic issues, proliferation, poverty, pandemic disease, refugees, conflict ongoing in Afghanistan, entire populations and faiths struggling with the demands of modernity and the accelerating pace of technological innovation invading all of that, shifting power from nation states to individuals.

With the end of the cold war, Henry Kissinger pointed out in his superb book on diplomacy—he said: “None of the most important countries which must build a new world order have had any experience with the multistate system that is emerging. Never before has a new world order had to be assembled from so many different perceptions or on so global a scale. Nor has any previous order had to combine the attributes of the historic balance of power system with global democratic opinion and the exploding technology of the contemporary period.” That was written in 1994 and it may be even more relevant today.

So this really is a time for American leadership, a time for fresh thinking, a time to cross party lines and divide and come together in the interests of our Nation, a time to find ways to work together to maximize the impact of all of America's resources, including the great resource of this committee and of the U.S. Senate.

If I am confirmed, one of the first things that I intend to do is sit down with Senator Menendez and Senator Corker and invite all the members of this committee to come together, hopefully at a time when there is no interruption and we can actually really dig in and talk about how we can have a constructive dialogue and a collegial relationship because, even as we pride ourselves on the separation of powers and the unique oversight role that the committee plays, the challenges in the world are so enormous that we would do our country a disservice if we did not identify the ways that we can help each other to confront a unique set of questions globally.

If you confirm me, I would take office as Secretary proud that the Senate is in my blood but equally proud that so, too, is the Foreign Service. My father's work under Presidents, both Democrat and Republican, took me and my siblings around the world for a personal journey that brought home the sacrifices and the commitment the men and women of the Foreign Service make every day on behalf of America. I wish everyone in the country could see and

understand firsthand the devotion, loyalty, amazingly hard and often dangerous work that the diplomats on the front lines do for our Nation. Theirs is a service which earns our country an enormous return on investment. I will be proud and honored to represent them and I will work hard to augment our public diplomacy so that the story is told at home and abroad.

Everyone on this committee knows well that the road ahead is tough, but I believe just as deeply that global leadership is a strategic imperative for America. It is not a favor that we do for other countries. It amplifies our voice. It extends our reach. It is the key to jobs, the fulcrum of our influence. And it matters. It really matters to the daily lives of Americans. It matters that we get this moment right for America, and it matters that we get it right for the world.

One discussion that I particularly look forward to beginning with you, my colleagues, and with our country is about the commitment that we make in our foreign affairs budget, less than 1 percent of the entire budget of Government at a time that the world is getting smaller, that our economy depends on its relationship with every other country in the world, that we face a more global market than anytime in our history. So not just in my briefings at the State Department but in my conversations with business leaders, in my trips to crisis areas, to war zones, to refugee camps, and in some of the poorest countries on earth, I have been reminded of the importance of the work that our State Department does to protect and advance America's interests and do the job of diplomacy in a dangerous world and particularly I think there is more that can be done to advance our economic capacity and interests.

In this debate and in every endeavor, I pledge to work very closely with this committee, Mr. Chairman and Mr. Ranking Member, not just because it will be my responsibility but because I will not be able to do this job effectively, nor will our country get what it needs to out of these initiatives without your involvement and your ideas going forward.

So thank you, Mr. Chairman and members of the committee. I know there is a lot of ground to cover.

Senator MENENDEZ. The committee will be in order. The committee will stand in recess until the police can restore order.

[Recess.]

Senator MENENDEZ. Welcome, Mr. Chairman. [Laughter.]

Senator KERRY. Well, you know, I will tell you, Mr. Chairman, when I first came to Washington and testified, I obviously was testifying as part of a group of people who came here to have their voices heard. And that is above all what this place is about. So I respect, I think, the woman who was voicing her concerns about that part of the world. And every one of you have traveled there. Some of you were there recently. Senator McCain, you were just there. You were in a refugee camp, but I know you heard this kind of thing. People measure what we do. And in a way that is a good exclamation point to my testimony.

So, Mr. Chairman, I know there is a lot of ground to cover, and as a veteran of the committee, I know we do better when we are having a good dialogue. So I look forward to having that dialogue. Thank you.

[The prepared statement of Senator Kerry follows:]

PREPARED STATEMENT OF SENATOR JOHN F. KERRY,
NOMINEE FOR SECRETARY OF STATE

Mr. Chairman, Ranking Member Corker, Members of the Committee, I am enormously appreciative for the very generous comments of the Chair and Ranking Member.

I will tell you that I have enjoyed chairing this committee and working with all of you as much as anything I have been privileged to do in my career. I think this is one of the great committees of the Senate and it is the only major committee I have served on every single day since I arrived here in 1985. As you know, the committee carries special responsibilities for the security of our Nation and I thank each and everyone of you for the serious consideration you have brought to challenging issues and for the incredible cooperation I have received as chairman. If confirmed, I look forward to continuing to work closely with all of you as we tackle some very tough problems. And I particularly welcome the new members in that regard.

I am very grateful to Secretary Clinton, Senator McCain, and Senator Warren for their introductions. Secretary Clinton has been superb and we all thank her for a job well done and for her tireless efforts on behalf of the Nation. She has set a high mark for her stewardship of the State Department and her commitment to country. I can pledge that, with the consent of the Senate, I will do everything in my power to build on her record and the President's vision.

Senator McCain is a longtime friend. We met here in the Senate coming from very different political positions and perspectives but we found common ground. I will always be grateful for his partnership in helping to make real peace with Vietnam by establishing the most significant process in the history of our country for accounting for the missing and dead of any war, and then for lifting the embargo and ultimately normalizing relations with an old enemy. John had every reason to hate but he didn't. Instead, we were able to help heal deep wounds and end a war that divided too many for too long.

And as we talk about war and peace and foreign policy, I want us all to keep in our minds the extraordinary men and women in uniform who are on the front lines, the troops at war who help protect America. As a veteran, I will always carry the consequences of our decisions in my mind and be grateful that we have such extraordinary people to back us up.

And I thank my new colleague, Senator Warren, for her generous comments. She is a long time, fierce fighter for what is just and fair and if her testimony has an effect today and helps win votes for my confirmation, she will become the Senior Senator of our State in a record few legislative days!

It is humbling to appear before you in a new role as President Obama's nominee for Secretary of State. But my approach to this role, if confirmed, is also deeply informed by the 28-plus years that I've spent serving here on this committee and in the Senate. That perspective will remain with me if confirmed as Secretary, and I'm already excited by the many ways in which we can work together and in which we must work together to advance America's security interests in a complicated and even dangerous world.

I would add that I'm particularly aware that in many ways the greatest challenge to America's foreign policy will be in your hands, not mine—because while it's often said that we can't be strong at home if we're not strong in the world, in these days of fiscal crisis, and as a recovering member of the Super-Committee, I am especially cognizant of the fact that we can't be strong in the world unless we are strong at home—and the first priority of business which will affect my credibility as a diplomat working to help other countries create order, is whether America at last puts its own fiscal house in order.

I can't emphasize enough how critical this imperative is. People all over the world are looking to the United States for leadership. We are known as the indispensable nation for good reason. No nation has more opportunity to advance the cause of democracy and no nation is as committed to the cause of human rights as we are. But to protect our Nation and make good on all our promises, as well as to live up to our ideals and meet the crisis of this moment, it is urgent that we show people we can get our business done in an effective and timely way. It is difficult enough to solve some of the problems we face, but it becomes near impossible if we ourselves replace our credibility and leverage with gridlock and dysfunction.

More than ever, foreign policy is economic policy. The world is competing for resources and global markets. Every day that goes by where America is uncertain about engaging in that arena, unwilling to put our best foot forward and win, unwilling to demonstrate our resolve to lead, is a day in which we weaken our

Nation itself. My plea is that we can summon across party lines, without partisan diversions, an economic patriotism which recognizes that American strength and prospects abroad, depend on American strength and results at home. It is hard to tell the leadership of any number of countries they must get their economic issues resolved if we don't resolve our own.

It is also imperative that in implementing President Obama's vision for the world as he ends more than a decade of war, we join together to augment our message to the world. President Obama and every one of us here knows that American foreign policy is not defined by drones and deployments alone. We cannot allow the extraordinary good we do to save and change lives to be eclipsed entirely by the role we have had to play since September 11, a role that was thrust upon us.

American foreign policy is also defined by food security and energy security, humanitarian assistance, the fight against disease and the push for development, as much as it is by any single counterterrorism initiative. It is defined by leadership on life threatening issues like climate change, or fighting to lift up millions of lives by promoting freedom and democracy from Africa to the Americas or speaking out for the prisoners of gulags in North Korea or millions of refugees and displaced persons and victims of human trafficking. It is defined by keeping faith with all that our troops have sacrificed to secure for Afghanistan. America lives up to her values when we give voice to the voiceless.

I share with the President the conviction it is equally imperative we assert a new role in a world of increasing failed and failing states. Burgeoning populations of young people, hungry for jobs, opportunity, individual rights and freedom, are rebelling against years of disenfranchisement and humiliation. A fruit vendor in Tunisia who ignited the Arab Awakening wanted dignity and respect. He wanted to sell his fruit without corruption and abuse. The youth of Tahrir Square who brought Egypt its revolution represented a generational thirst for opportunity and individual participatory rights of governance—not a religious movement. The developed world can do more to meet the challenge and responsibility of these aspirations. With the help of all the members of this committee, I am determined to help President Obama meet this moment.

The world is well aware we face a number of immediate, dangerous challenges, particularly in the Middle East and South and Central Asia. Given our extraordinary interest in nonproliferation, we must resolve the questions surrounding Iran's nuclear program. The President has made it definitive—we will do what we must to prevent Iran from obtaining a nuclear weapon. I repeat here today: our policy is not containment. It is prevention and the clock is ticking on our efforts to secure responsible compliance. This administration, working with Congress and an unprecedented international coalition, has put into place crippling sanctions on Iran. President Obama has stated again and again, he prefers a diplomatic resolution to this challenge, and I will work to give diplomacy every effort to succeed. But no one should mistake our resolve to reduce the nuclear threat.

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So this really is a time for American leadership, a time for fresh thinking, and a time to find ways to work together to maximize the impact of all America's resources, including the United States Senate.

If I am confirmed, one of the first things I intend to do is to sit down with Senator Menendez and Senator Corker and all the members of the committee to talk about how we can have a constructive dialogue and a collegial relationship because, even as we pride ourselves on the separation of powers and the unique oversight role the committee plays, the challenges in the world are so enormous that we would do our

country a disservice if we did not identify the ways we can help each other confront a unique set of questions globally.

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Everyone on this committee knows well the road ahead is tough. But I believe just as deeply that global leadership is a strategic imperative for America, not a favor we do for other countries. It amplifies our voice and extends our reach. It's the key to jobs, the fulcrum of our influence, and it matters—it really matters to the daily lives of Americans. It matters that we get this moment right for America and it matters that we get it right for the world.

One discussion that I particularly look forward to beginning with you, my colleagues, and with our country, is about the commitment we make in our foreign affairs budget—less than 1 percent of the entire budget of the government. Not just in my briefings at the State Department but in my conversations with business leaders and in my trips to crisis areas, war zones, and refugee camps in some of the poorest countries on earth, I have been reminded of the importance of the work our State Department does to protect and advance America's interests and do the job of diplomacy in a dangerous world.

In this debate, and in every endeavor, I pledge to work closely with this committee and the Congress—not just because it will be my responsibility, but because I will not be able to do this job effectively without your involvement and ideas going forward.

Thank you, Mr. Chairman and Members of the Committee. I know there's a lot of ground to cover and, as a veteran of this committee, I know we do best when we are engaging in a dialogue. I look forward to doing that now.

Senator MENENDEZ. Thank you, Mr. Chairman, for your very thoughtful presentation.

On behalf of the committee, we welcome Teresa and all of the family. And we thank you for your commitment as well because, obviously, it is a commitment of family as well to the service that Senator Kerry will provide as Secretary of State and there are sacrifices in that. So we appreciate it very much.

Let me start off with a round of questioning. The Chair recognizes himself.

And let me say that I think we all appreciate and embrace your offer of engagement with this committee. We look forward to that, and having come from the Senate, I know that we will particularly appreciate your understanding of this institution and its importance and of the committee. And so we really embrace that offer and look forward to that moment.

Let me start off with Iran. In the last 13 months, Congress has passed and the President signed three major sets of sanctions against Iran. They have been tremendously effective in reducing Iran's oil revenues and at least nominally bringing Iran to a negotiating table.

However, Iran remains defiant, entrenched in its nuclear weapons ambition. It has not slowed its enrichment activities. The IAEA believes that Iran has conducted live tests of conventional explosives that could be used to detonate a nuclear weapon at the Parchin military base, to which it denies IAEA entry. And between May and August of this year, Iran has more than doubled the num-

ber of centrifuges at its fortified Fordo facility which is buried deep inside a mountain to protect it against strikes.

Now, Iran claims it needs higher grade uranium for the purposes of peaceful nuclear programs, but a country with peaceful ambitions does not enrich uranium in defiance of U.N. Security Council resolutions. It does not fail to disclose its operations or hide them inside a mountain. And a peaceful nation does not breach the international inspections regime compelled by the Nuclear Nonproliferation Treaty.

So, Mr. Secretary—Mr. Senator, in this respect—
[Laughter.]

Senator KERRY. I thought this could be quick. [Laughter.]

Senator MENENDEZ. I have a sense of clairvoyance.

In this respect, many of the sanctions are overseen by the Department of State in terms of enforcement, and it is crucial that that enforcement can bring a verifiable agreement hopefully with Iran. Under your leadership, will the Department be committed to the full enforcement of the sanctions passed by the Congress and to multilateral efforts to ensure the adherence of other nations to these sanctions?

Senator KERRY. Yes, totally. I might just quickly add and very quickly. The rial has dropped by about 80 percent. Other nations have been extraordinarily cooperative in reducing their dependence on Iranian oil. There is a clear indicator of the impact these are having, and I think the Congress deserves credit, together with the administration, for having put the toughest sanctions and the biggest coalition together in history.

Senator MENENDEZ. In that respect, as we hope that—while the President said all options are on the table, we hope that the sanctions, which are a peaceful diplomacy tool, ultimately drive us to a successful conclusion. What would be the basic parameters in the P5+1 effort in terms of enrichment capacity, retention of enriched uranium, the Fordo facility inspections? What would you see as part of any agreement?

Senator KERRY. Well, we would seek compliance with the requirements of the IAEA and the requirements of the U.N. resolutions that have been passed with respect to it and compliance with the NPT itself.

Now, I am not going to—it would be totally inappropriate for me here to begin to negotiate with myself and the committee with respect to how they would come into compliance or what would be required.

I can tell you this. It is going to be imperative that they come into full compliance, and there are several ways in which we might be able to get there, most prominently obviously the P5+1. But the President has made it clear that he is prepared to engage, if that is what it takes, in bilateral efforts, and hopefully there is a negotiation going on right now for the next meeting of the P5+1. I think everybody is very hopeful that we can make some progress on the diplomatic front now.

And so I simply say, Mr. Chairman, that Iran—I would say this to the Iranians. I hope they listen. They have continually professed the peacefulness of their program. It is not hard to prove a peaceful program. Other nations have done that and do it every day. And

it takes intrusive inspections. It takes living up to publicly arrived at standards. Everybody understands what they are. The allies in the P5+1 have made it clear, and that includes very powerful entities, obviously, people who have been supportive of Iran in other ways at times, China, Russia. They have made it clear that we are all united in this standard and that we are looking for the full compliance with the NPT. So I think the process itself has to flesh out the details, but the Iranians need to understand that there is no other agenda here. If their program is peaceful, they can prove it and that is what we are seeking.

Senator MENENDEZ. Let me move to Afghanistan. President Karzai was here with President Obama. In essence, they announced a series of agreements that would ultimately—as we move in that transition, we would have the largest civilian mission in the world in Afghanistan. Can you articulate what you believe the administration's end goals are in Afghanistan, and what metrics would you use to guide our continued presence? Is it our intention to focus, for example, on strengthening institutions, supporting civil society, achieving development goals, or will the mission be guided by success in counterterrorism?

Senator KERRY. Well, the mission is really a twofold mission, Mr. Chairman. It is to, No. 1, turn over responsibility to the Afghan Forces for them to be able to assume responsibility for security, which is slated to begin in earnest—I mean, it has begun already, but a milestone will take place in the spring. President Karzai in his visit here moved that date up himself and has asked for it to be accelerated. It is the judgment of General Allen and others that we are on target to be able to meet a more rapid rate of turnover, and that will mean our troops, in the near term at some point this year, will not be in the lead and will not be the ones principally taking the brunt of any kind of activities; offensive activities.

The second purpose is to maintain a capacity to prevent the kind of basing for terrorism which took us there in the first place. So there will be a counterterrorism mission that will continue. President Obama has been very clear about the fact that that counterterrorism mission will continue beyond 2014 and that the training will probably continue beyond 2014. So there is going to be, according to the President's own statement, some measure of engagement, but the effort is to have the Afghans in the lead, the continued training of the forces, build an enduring partnership with Afghanistan, and support an Afghan-led reconciliation, not a United States-led but Afghan-led reconciliation, if it is possible. And obviously, the strategy is to have a sufficient capacity within the ANSF that if it is not possible to have that, the Government of Afghanistan is still sustained.

Senator MENENDEZ. Finally, the Western Hemisphere; 2013 will be a year of great change in the Western Hemisphere, particularly in Latin America. The impending change of leadership in Venezuela will have a profound internal impact but also ripple effects on the political and economic relations throughout the hemisphere. The newly elected President of Mexico is talking about refocusing his bilateral relationship emphasizing economic cooperation while continuing to prioritize security concerns. The Colombian Government's peace talks with the FARC have the potential to turn the

page in a long-running conflict. Public security questions throughout the region, the desire of the region to engage in more critical ways on a broader-based agenda.

It would be my hope that upon your confirmation, Mr. Secretary, that your leadership would consider more strategic level approaches to the region, taking advantage of changing political tides and opportunities to enhance multilateral efforts on counterterrorism, narcotics trafficking, transnational crime organizations, opening up new markets, and of course a commitment to our democracy programs throughout the region and, for that fact, throughout the world.

So can you briefly talk to me about your views and vision as it relates to what I think is a new and momentous opportunity in the hemisphere?

Senator KERRY. Well, I agree with you, Mr. Chairman. It is an opportunity that is staring at us, and I hope that we can build on what Secretary Clinton has done and the Obama administration has already done in order to augment our efforts in that region. You have had the Merida Initiative working with Mexico. There has been increased effort on antinarcotics, antiviolence. There has been the Central American Regional Security Initiative. There has been development assistance in Guatemala, Honduras. Energy initiatives with Brazil. And energy and climate initiatives, I should say, with Brazil. There is increasing economic integration.

But as we all know, there have been some outlier states that have not been as much a part of—not been as cooperative or in a position to be as cooperative, and we all know who they are. And I think depending on what happens in Venezuela, there may really be an opportunity for a transition there. Likewise, I would hope that in Bolivia, Ecuador, we could make progress.

One of the great stories of Latin America is Colombia. I can remember when I was working on the Western Hemisphere Subcommittee and Senator Dodd was here and others, and we were very engaged at that period of time. There had recently been an assassination of 13 members of the Supreme Court in one room in Colombia. The Presidential candidates were assassinated. You could not run for office, and frankly President Uribe stepped up at a critical moment and began the process of rescuing that nation. And President Santos now is doing an amazing job. We have created our greater economic relationship by passing the trade agreement. We have to build on that, and I think that is an example really for the rest of Latin America as to what awaits them if we can induce people to make a better set of choices, frankly.

I think there are some other things that have contributed to the gap in our relationship with some of those other countries. I hope to perhaps be able to try to see if there is a way to bridge some of that, and I would do it in close consultation with you, Mr. Chairman, and the members of the committee. But I think there are some ways to improve and augment our efforts in Latin America.

Senator MENENDEZ. Thank you.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

And, Mr. Chairman, I really was touched by your opening comments. As I mentioned, I think you have led a life that has brought

you to this moment. I am happy for you that you are going to be able to express yourself in this way as Secretary of State and for your family. So I really am thrilled that you are in a position that I know you have longed for and think you can make a major difference in.

I also want to say that I asked you 73 questions in advance, and I appreciate the responses that we received this morning. And I know we will have a few more. But thank you for your diligence. I know it took a lot of time, and many of the detailed questions we have already spoken about.

The President has nominated someone for Secretary of Defense, and we all will be meeting with him and his hearing will be next week. He was part of a group called Global Zero. And for those of us who care deeply about our nuclear arsenal and modernization and that type of thing, some of the things that were authored in this report candidly are just concerning. Typically there is a tension. The Defense Department presses for weaponry and making sure that our country is safe. The State Department presses for nuclear arms agreements and reductions. And so in the event this person is confirmed, that balance is not going to be there.

You and I spent a lot of time on the START Treaty. I helped you in that effort. You let me be involved in the ratification. Modernization was to take place at a pace that is not occurring.

And I am just wondering if there is something you might say to me that sees our future in a way that—with the combination of possibly these two people, one leading the State Department, but one leading the Defense Department in a role that has been very different than previous defense leaders. Is there something you can say to assure me about our nuclear posture in the future and the role that you are going to play in that regard?

Senator KERRY. Absolutely. Not a question I was anticipating, but I am really happy to be able to speak to it.

First of all, again, not requested, but I will say this. I know Chuck Hagel, and I think he is a strong, patriotic former Senator and he will be a strong Secretary of Defense. And I have dealt with him in any number of fora. He has been the head of the Atlantic Council. That is a mainstream, thoughtful foreign policy/security engagement. And I think some of the things that have been—sort of some of the efforts to color Senator Hagel's approach on some of these things do not do justice.

Senator CORKER. But on Global Zero—

Senator KERRY. Well, let me come to it. I am going to come to it.

Senator CORKER. OK.

Senator KERRY. I absolutely intend to come to it because I think it is very important to think about it.

Senator CORKER. Yes.

Senator KERRY. When that initiative sort of first came out and we began to hear about the potential of people who said let us get no nuclear weapons, I sort of scratched my head. I said what. How is that going to work? Because I believe in deterrence and I find it very hard to think how you can get down to a number in today's world. But the whole point is they are not talking about today's world.

Henry Kissinger, Jim Baker, I think Jim Schlesinger, former Secretaries of Defense, many others have all agreed with that as a goal for the world. It is a goal. It is an aspiration, and we should always be aspirational. But it is not something that could happen in today's world, and nor could any leader today sit here or in any other chair and promote to you the notion that we ought to be cutting down our deterrent level below an adequate level to maintain deterrence.

Now, the military has very strong views about what that is. We have cut down to some 1,500 now. There is talk of going down to a lower number. I think personally it is possible to get there if you have commensurate levels of inspections, verification, guarantees about the capacity of your nuclear stockpile program, et cetera.

Now, Senator, I know you are deeply invested in that component of it, the nuclear stockpile proposal. We can come to some of that maybe later in the hearing here. But I believe we have to maintain that because that is the only way you maintain an effective level of deterrence. And the Russians certainly are thinking in terms of their adequacy of deterrence, which is one of the reasons why they have missile defense concerns.

So I do not think Senator Hagel is sitting there or he is going to go over to the Defense Department and be a proponent. You know, this is talking about conflict resolution, changes that have to take place in societies. You know, it is worth aspiring to, but we will be lucky if we get there in however many centuries the way we are going. And so I think we have to be realistic about it, and I think Senator Hagel is realistic about it.

Senator CORKER. I especially appreciated your opening comments about the fiscal issues we face. For a moment, I was wishing you had been nominated for Secretary of the Treasury. But I do appreciate both those comments and the ones you just made.

You have been a Senator for 29 years. You have got vast amount of experience. The President was actually under your tutelage when he came in as a junior member of this committee, like we all are when we first come up.

Senator KERRY. I distinctly think he would object to the concept of being under anybody's tutelage. [Laughter.]

Senator CORKER. I will let him call and object.

I would just say that you have strong opinions, heartfelt feelings about what we ought to be doing as a nation in foreign relations.

Senator KERRY. That is right.

Senator CORKER. And I am just wondering in the meetings that you all had together—yesterday Secretary Clinton alluded to differences that she had as it relates to north Africa and how we deal with al-Qaeda. Have you all been able to talk through some of those issues, and what has been the relationship? Do you see any major differences in your view of the world and the ones that the President has laid out?

Senator KERRY. The President has purposefully, and I have purposefully, kept away from any deep-dive discussions during the nominating process partly because he has not had time and I have not had time. We do intend to sit down next week, and I look forward to having that conversation with him.

Senator CORKER. You spent a lot of time with Assad in Syria, as many of us have from time to time. And I know you spent a lot of time really trying to move him more toward a Western alliance. You know, he saw himself as that bridge between Iran and us, and I know you spent a lot of time with him in that regard. Obviously, things have taken a different turn since that time.

Was there anything about those negotiations or discussions that you have taken away and that has, if you will, informed you as you move ahead?

Senator KERRY. Well, the answer is, "Yes." It sort of reinforces the notion that sometimes there are moments where you may be able to get something done in foreign policy, and if the moment somehow does not ripen correctly or get seized, you miss major opportunities.

I think that there was a moment where Syria had an interest because of its burgeoning youthful population, young people. I remember President Assad said to me I have 500,000 kids who turn 18 every year, and I do not have a place to put them. I do not have jobs for them. I need to be able to change what is happening here. Clearly, thinking down the road, he wanted to try to find some way to reach out to the West and see if there was some kind of an accommodation.

History caught up to us. That never happened and it is now moot because he has made a set of judgments that are inexcusable, that are reprehensible, and I think is not long for remaining as the head of state in Syria. I think the time is ticking. And I think you saw the comments recently of Special Envoy of Russia Mikhail Bogdanovich who said that it seemed as if the opposition was moving now and winning, and we have seen the exodus of a certain number of Russians who were lifted out of Syria. So I think the process is moving in a way that now makes that ancient history, but it does underscore how if you get the right pieces together at the right moment, things might conceivably be different some day.

Senator CORKER. I thank you for your opening comments, for your answers here, your answers in advance. I do know that your confirmation is going to be speedy, and I look forward to having the same relationship we have had in the past. I may call you "sir" in the future, but thank you so much for being here today and for taking this responsibility on.

Senator KERRY. Well, Senator, thank you very much. You have been a gentleman in all of our dealings and candid, and I appreciate that. I look forward to continuing that with every member of the committee.

Senator MENENDEZ. Senator Boxer.

Senator BOXER. Thank you.

Senator Kerry, thanks for stepping up to this challenge. It is a daunting challenge, and I think there is maybe a handful of people in the Nation who could do it and you are one of those.

I have sat very near you in a couple of committees, this one, many, many, many years; Commerce Committee, many years. I have worked with you on climate issues. I have worked with you on women's issues. And again, I just feel you are the right person for this moment.

Many foreign policy experts and historians have written that the low and sad status of women around the world is hurting entire regions of the world to achieving democracy and economic growth. And you covered a lot of ground in your opening statement, but you did not get into this area which is of concern to a number of us here. So I have a couple of questions on that.

Under Secretary Clinton's leadership, the State Department has fought to protect the rights of women and girls in Afghanistan, to end the use of rape as a weapon of war in the Congo, to promote women's economic empowerment in places like Asia, Africa, and Latin America, and to ensure that women play a meaningful role as new governments and political structures take shape in the Middle East and north Africa.

If confirmed, will you ensure that the position of Ambassador at Large for Global Women's Issues is retained and that the office is effectively resourced?

Senator KERRY. Yes.

Senator BOXER. Senator Landrieu and I wrote a bill to expand scholarship opportunities for women in Pakistan, and we wrote it after the—well, the heart-wrenching attack on Malala Yousafzai. And we dedicated this bill to her. And we do not create anything new, but we called for an expanded scholarship program in Pakistan for disadvantaged young women. I know you have not seen the legislation. Would you commit to me to see the legislation and work with us, and if you think it is well done and if it meets your standard, would you help us in getting it through here?

Senator KERRY. Absolutely. Senator, let me just say that Secretary Clinton and Melanne Verveer, who was her appointee, special ambassador with respect to global women's affairs, have done an outstanding job. And obviously, Secretary Clinton has made this a high priority.

Senator BOXER. She has.

Senator KERRY. I think, as you know, I made it a priority on the committee—

Senator BOXER. You did.

Senator KERRY [continuing]. Because you chair the subcommittee that I included women's and girls' and all women's issues under that aegis. And you have been the chair of that and have done a terrific job on it. We had a trafficking hearing here—

Senator BOXER. Yes.

Senator KERRY [continuing]. Which I thought broke new ground. Secretary Clinton has put a serious focus in the State Department on human trafficking. I intend to continue that. I think it is critical.

But more importantly, what you are talking about with respect to women and girls, in South Africa, in Guatemala, in other parts of the world, in Africa, women have stepped up as peacemakers. Women have made the difference in many of these instances with respect to the security of communities, the attitude of a state, its willingness to reach out and be inclusive. As we all know in Afghanistan, when we went into Afghanistan, I think there were about 800,000 kids in school and no girls. Today there are close to 9 million kids in school and almost 50 percent are girls. It is an

extraordinary story, and I think everyone in the Congress should be proud of it. I think we need to continue that and I intend to.

Senator BOXER. Well, I am very glad. And the reason I press you on specifics is to send a message from this hearing to these women and girls around the world that they will not be forgotten, that in fact you will continue, that you have been a champion of this.

There was a national action plan. It was announced by the White House. It is being implemented by Executive order. It ensures that the United States makes sure that women are included in all conflict prevention and resolution efforts such as ensuring that women are at the table during the peace processes. And it sounds so simple, but I have met with many women from Afghanistan who are just devastated that there are not enough women sitting at the table. And you have made the point that women in many of these places are the peacemakers. They do come forward with the right attitude.

So I am asking you if you intend to commit to the continued implementation of the National Action Plan on Women, Peace, and Security.

Senator KERRY. I do and I actually was reading it last night. President Obama issued that and I think it is really important.

With respect to Afghanistan, we have made it clear—the administration has made it clear and I will support that if and when I become Secretary of State—and that is the commitment that if there is a negotiation with the Taliban, one of the conditions is they have to give up any association with al-Qaeda. They have to commit to nonviolence, but most importantly with respect to this issue, they must commit to respect the Constitution of Afghanistan and the current status of women and girls within their society.

Senator BOXER. I have two more questions.

You have been a supporter of CEDAW before, the Convention to Eliminate All Forms of Discrimination against Women. I know it is a tough issue here. I do not think it should be, but it is. I just want to make sure you continue to support the ratification.

And then I have one quick question on another subject.

Senator KERRY. The answer is, “Yes.” And let me just say on that, I look forward to meeting with the committee privately sometime hopefully down at the State Department and we can talk about treaties and America’s interests, and I look forward to that.

Senator BOXER. Good, because I think there could be some reservations that we could agree on that could resolve some of the underlying current of disagreement here, which I think we should move forward it.

The last question is about the Keystone XL pipeline. How will you ensure that any administration decision regarding the Presidential permit for Keystone takes into consideration the potential impacts of the pipeline on water and air quality and mitigates any increases in the carbon pollution issue?

Senator KERRY. Well, Senator Boxer, as I think you know, there is a statutory process with respect to the review that falls to the State Department and elsewhere, and that is currently ongoing. And I have already checked into it. It is underway. It will not be long before that comes across my desk, and at that time I will make the appropriate judgments about it. But it does require we

are responsible for the environmental review, and there are specific standards that have to be met with respect to that review. I am going to review those standards to make sure they are complete obviously and my own judgments about it, but work with the Legal Department at the State Department which, incidentally, is a superb, unbelievable group of lawyers with great skill and we will analyze it and make a judgment.

Senator BOXER. Thank you. I want to just say thank you so much, Mr. Chairman—I still call you that—and just say how much I look forward to voting for you. Casting that “aye” vote will be a great honor and privilege for me.

Senator KERRY. Thank you, Senator.

Senator MENENDEZ. Senator Risch.

Senator RISCH. Thank you. Senator, while you and Teresa are out globetrotting, I want you to be assured that Vicky and I will look carefully after your Idaho property. I know you dream about retiring there some day.

I want to talk about—

Senator KERRY. Will you come with the property? [Laughter.]

Senator RISCH. Like my dad said, we will see.

Senator, I want to talk about the relationship with Russia and the arms control agreements that we have had. You had made a statement previously that you would not be able to come before this committee and recommend new arms control measures until compliance and verification issues regarding existing agreements were fully settled. You and I have sat through some classified briefings, and I do not want to get into details that we should not get into. But I would like your thoughts on where we are at the present time regarding compliance and verification in a general fashion.

Senator KERRY. Well, Senator, I appreciate your concern about this. And we have had a lot of conversations especially with the ranking member and previously with Senator Kyl. And I think it is fair to say this, that we have made significant progress toward a full funding of the amount of money that was committed. As Senator Corker remembers, I think it was about \$85 billion over 10 years. I went and reviewed the amount of money that is now scheduled over the 10 years. It is slightly below that, but it is not way below it. There is no sort of undermining, if you will, of the fundamentals of the commitment. There is an increase. In fact, there was a 5-percent increase this year over last year, and it is probably one of the few—I am not going to say only, but one of the very few parts of the budget that has grown and that has increased. I think it was about \$7.6 billion or \$8 billion last year, and in the first year, it had the full amount of funding that it was supposed to have and the next year it fell off by about \$.2 billion or something to that effect. In the outgoing years, it is slightly below where it was, but the laboratories and the folks involved in it say this is in no way diminishing our stockpile efficiency. So I think we are on track.

And what we need to do is sit down, Senator Corker, you, myself, Senator Risch, others who are interested, with the budget folks, with the administration, and kind of work through what is going to happen here.

But what I want to emphasize to you, because I made the commitment in a serious way, it is important for any administration to keep faith with the commitments it makes to Senators and particularly in the course of an agreement to a treaty, and if people's votes depend on that, there is an even higher obligation in a sense. So I recognize that and I respect it.

I do not think we are so far off that any Senator ought to sit there and say somebody has not kept faith. That is No. 1.

No. 2, there was also an agreement that there should begin negotiations with respect to the reduction of tactical nuclear weapons. That dialogue is taking place. I am not going to sit here and tell you it is a formal negotiation, but there is a dialogue ongoing in keeping with that provision. And hopefully we can get the relationship with Russia back to a place. I think it would be disingenuous and naive of me to sit here and not acknowledge to my colleagues, you know, that slid backward a little bit in the last couple of years, and with the most recent decision of Russia with respect to adoptions, we have some ground to try to make up. What I do not want to do is prejudice that possibility here today or in the next days. I would like to see if we can find some way to cooperate. We need their help and cooperation with respect to Syria.

I would also say that with respect to Russia, Russia has helped on a number of different things that are critical to us and people should not overlook them. They did cooperate on the START Treaty itself. They did cooperate on the P5+1 and are cooperating today in that initiative.

They have cooperated on the sanctions. They have cooperated with respect to the PNTR and trade and WTO accession.

And I think it is fair to say that everybody here knows that they warned us and said if you do X, Y, or Z on such and such a thing, we may respond and we have gotten into that little sort of back and forth. So we are going to have to work our way through it. I am confident we can, and I look forward to working with you.

Senator RISCH. Senator, I appreciate your candor on the acknowledgment of the slippage.

Having been a member of this committee as long as you have and I know you have a deep appreciation for the constitutional process regarding foreign relations matters, there are a lot of us that are becoming increasingly concerned about all this talk regarding executive agreements as opposed to treaties that are negotiated by the executive branch, as contemplated by the Founding Fathers, and ratified, if appreciate, by this committee and eventually by the full Senate.

Can you give us your view on matters regarding executive agreements? How do you feel about that and the bypassing of the committee?

Senator KERRY. Well, every administration in history, Republican and Democrat alike, have entered into executive agreements.

Senator RISCH. You agree the better process would be to submit it to this committee.

Senator KERRY. Well, it would depend. I would say to you, Senator, that it would depend on what the subject matter is and what the sort of scope is and whether or not it falls under a traditional treaty purview or it falls under executive agreement purview. I do

not want to be commenting in some prophylactic way one side or the other without the specific situation in front of me, but I am confident the President is committed to upholding the Constitution.

I will say this to all of you. There is no better way to guarantee that whatever concerns you have about the President's desire to move on an executive agreement would be greatly nullified or mollified if we could find the way to cooperate on a treaty or on the broader issues that face the Nation. But you know, I think there is a lot of frustration out there that some of the automatic ideological restraint here that prevents the majority from being able to express their voice has restrained people and pushed people in a way where they have got to consider some other ways of getting things done.

Senator RISCH. Well, and that is exactly what concerns us, Senator Kerry, the fact that it is OK to do this through the regular order if it gets done, but if it is not going to get done, then the ends justify the means. It is OK to end run around the Congress. And I got to tell you that I feel strongly that that is not the appropriate way to do it. The Founding Fathers did not say do this if it is convenient and it is OK to not do it if it is not convenient. So I have real difficulties with it.

Senator KERRY. I would agree with you, and I am not suggesting that that is the standard, but I am suggesting to you—and I think you know exactly what I am talking about—that there are times around here when in recent days only—and I do not want to get deeply into it—where certain arguments that are not necessarily based either on fact or science or anything except a point of view of some outside entity have prevented certain things from being able to be done. And I think what we ought to do is sit down, all of us on this committee—and I look forward to doing this—and let us have a discussion about what the facts tell us. Let us have a discussion and see if we could arrive mutually at agreeing that there is actually some truth about something. And if there is some truth about it, maybe there is a way for us politically to be able to do it in keeping with what you would call the “regular order.” And so I am not saying that we ought to do it. I am just saying I understand the frustration that leads people to think about it. And as I say to you, I will comment on it on any particular instance when it is relevant.

Senator RISCH. Thank you.

Senator MENENDEZ. Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman.

Senator Kerry, it has been a real pleasure to serve with you in the U.S. Senate. I thank you for your extraordinary record of public service from your military days to your service here in the Senate. People have talked about your service on different committees. I remember your chairmanship of the Small Business Committee and your advocacy for small business. The same energy you brought to the chairmanship of this committee you brought to helping small businesses in our country. So I applaud you and thank you for your willingness to continue to serve our Nation and I look forward to you serving as Secretary of State. It is going to be great for our country.

I must admit I had prepared two sets of questions, one much more difficult than the other depending on the outcome of this weekend. [Laughter.]

It worked out well.

Senator KERRY. I am taking it for the Red Sox. I am taking it for the Patriots. If the standard here is which team you root for, I am screwed. [Laughter.]

Senator CARDIN. As long as the outcome is OK, we will forgive you. But you will have to show some of your diplomacy here.

But Secretary Clinton really advanced the integration of our national security baskets working with the Secretary of Defense on the use of our traditional military and the use of diplomacy in international development assistance, recognizing that all three are interrelated into our national security needs, that if we are going to have a country that is reliable, we need to have a sustainable economy in that country. The country needs to respect the human rights of its citizens. That has been certainly, I think, the hallmark of what we have tried to move forward.

We have also learned that American interests are not served by giving aid to a country where that money is used to funnel corrupt leaders. As you know, I serve as the Senate chair of the Helsinki Commission. You are a former member of the Helsinki Commission. Secretary Clinton was a former member of the Helsinki Commission. We recognize the importance of advancements on human rights issues. And I appreciate the comments that you made in your opening statements concerning this.

You mentioned trafficking. Trafficking actually started with the work of the Helsinki Commission where we advanced that not just in the United States but globally.

Working with Senator Lugar, we advanced in the last Congress the transparency for resources being used to help the country rather than again financing corruption by having more transparency.

Senator Boxer has mentioned the gender equity issues, which is critically important for sustainable governments.

So I just want to give you a chance to expand a little bit on your commitment to make the highest priority working with us, working with the Helsinki Commission to advance American values on human rights in countries that we deal with on a bilateral and multilateral basis whether, again, it is to fight corruption, to protect children who are trafficked, to deal with gender equity issues. These are American values. These are important for our national security. And I would like to give you an opportunity to express your priorities for these issues.

Senator KERRY. Well, let me begin, Senator Cardin, by expressing my admiration and respect for your leadership on the Helsinki Commission. You have done as much, if not more, than any chairman that I can remember or any representative on our committee, and I really think you have been just superb in your perseverance and vision. And I appreciate it and I thank you for it.

As I said in my opening, I mean, we are the indispensable nation with respect to this. The levels of corruption in some places has grown beyond anything that I have seen in the 29 years—now in my 29th year on this committee. I am deeply disturbed by it and

troubled by it in terms of what it means for people's rights and abilities in countries. There is not any continent that does not see some kind of issue with respect to that.

So we have huge challenges, and I think the United States has a fundamental obligation that comes from the definition of who we are as a nation. It comes from our Declaration of Independence. It comes from our own struggles here in our own country to keep faith with those who are struggling in various parts of the world. And we do it in many ways. The State Department gives awards of different kinds to women particularly who have stood out and stood up. There are other entities within the United States where we choose to do this. We are funding many different efforts in many parts of the world right now to help develop whether it is global health or whether it is education. We are doing things that are making a difference in people's lives with respect to those rights.

I am absolutely committed. USAID gets criticized, and there have been some obvious problems with our contractor/aid relationships in the past. The committee did, I think, some superb work in putting out a report last year with respect to some of that. But I think we can do more even than we are doing today and more effectively.

Senator CARDIN. I appreciate that.

You just had a discussion with Senator Risch on Russia.

We have seen some slippage since the breakup of the cold war ending. You mentioned Secretary Kissinger's comments in 1994. The complexity of this arrangement. We have seen slippage. We have seen slippage in Russia with their human rights attentions. There has been slippage among our allies and friends, what has happened in Hungary with recent elections and the government trying to change the constitutional protections and slippage in the Ukraine with imprisoning their opposition.

So our relationships with other countries can be mature enough where we can build strong alliances but still raise critical concerns when particularly they violate commitments they have made. The Helsinki Final Act applies in all three of those countries, and we have seen their violations.

So I just want to underscore your commitment to be able to raise these issues of concern to countries that we need to have good relations with on other issues that we will make a high priority their commitment to live up to the basic human rights of their citizens.

Senator KERRY. Senator, let me just say to you. I have occasionally wrestled with that when I have made a visit to one country or another and we have a primary objective and we are trying to get it done. But I have never hesitated in any visit to raise human rights concerns usually in the context of particular individuals where we are trying to get them out of a jail or trying to get them out of the country. And I obviously will continue to do that, as I know Secretary Clinton has. She has been diligent about it and I intend to continue.

Senator CARDIN. And let me just lastly mention you mentioned Darfur, I think, in your opening comments where the humanitarian crisis was so severe. We still have concerns in the southern Kordofan and in the Blue Nile. South Sudan still has problems.

Burma, where had hope in November—there has not been any progress made. I hope that you will make these areas where there are humanitarian crises a highest priority to try to protect the safety of the people that live in these areas.

Senator KERRY. Well, I will and I intend to do that. First of all, the President, I think, will continue with an appointment of a special envoy to the Sudan. We have just had Princeton Lyman there, Ambassador Lyman, who has done a superb job under tough circumstances. I was there, myself, during the course of their referendum on the independence. I have met with President Kiir many times. I met with—obviously not with Bashir, but with people underneath him in the north. And my hope is that we can get the status of a number of components of the CPA that were not fulfilled finally fulfilled.

Blue Nile, South Kordofan are a human tragedy. The bombings are continuing. There is starvation taking place, displacement, and in some ways Darfur has slipped backward.

So the NCP, which governs the north, needs to be held accountable and we will, but the south also needs to show greater determination and better governance. And so we have got our work cut out for us with respect to both, but I promise you it is going to remain a focus.

Senator CARDIN. You have a full agenda.

Thank you, Mr. Chairman.

Senator MENENDEZ. Senator Rubio.

Senator RUBIO. Thank you, Mr. Chairman.

Senator Kerry, congratulations on your nomination. You have been nominated at an interesting time in American foreign policy. We are having this debate in this country. We are well aware of it because we have had it on this committee as well. On one hand, we cannot solve every problem in the world. We never have been able to do that, but we certainly cannot do it now. We cannot afford it. No single nation can.

On the other hand, America is indispensable in the world. The world is a dangerous place when America is not leading. And in fact, the fundamental issues that confront the world today require coalitions of nations to confront it. The only nation on earth that can form these coalitions and lead them is us. It is not the United Nations. It is not the Organization of American States or any of these other multilateral organizations. It is the United States of America that can help form these coalitions to confront global challenges and help to lead them.

And so the central issue of foreign policy today is this balance between making sure that we are not trying to do more than we can and ensuring that we are not doing less than we should. And where that really comes to play, for example, is this debate on foreign aid where, on the one hand, there has been this perception created in this country that foreign aid is 20 percent of our budget when in, fact it, is a very small percentage. On the other hand, our foreign aid has to make sense. You touched upon it a moment ago about foreign aid going to countries that are corruptly using it, and so we ought to make sure that our foreign aid is furthering our national interests.

So what I hope you would help me with—because in your testimony you alluded to President Obama’s vision for the world. In the 2 years I have been here, I have struggled to fully understand what that vision is. If you go through the different countries, Russia has been mentioned. The situation there has deteriorated as Russia and its leadership have made the decision that they want to recapture some of the cold war stature that they had and the best way to do that is to be confrontational with us.

We had a hearing yesterday on Libya. What we did not get a chance to talk about is how United States policy toward Libya in the Qaddafi conflict created many of the conditions that led to the attack on the consulate. A weak government, the forming of these militias is all the product of an extended, protracted conflict where the United States, once it made its decision to get involved—and we can debate whether we should have gotten involved or not. But once it made their decision to get involved, got involved in the early stages and then turned the rest of it over to our allies who simply did not have the capability to bring that conflict to a quick conclusion, and as a result, created the weak government and the situation that we faced there.

We have repeated that in Syria where again we can debate whether it was in our national interest or not to get involved. As Iran’s best friend, as the grand central station for terrorists all over the world, I think it was in our national interest to help an opposition form and organize itself. We have been so disorganized in our involvement in Syria that now we are at a point where the opposition in Syria, when they win—and they will win—are just as angry at us as they are at Russia and China and the other nations, and Iran and other nations that stood with Assad.

We go to Latin America where, on the one hand, in 2009 the administration condemned what happened in Honduras, which is debatable whether that was a coup or not. On the other hand, they stole an election in Nicaragua. I had to hold up a nomination here just to get a strongly worded statement out of the administration.

We move over to the Middle East where Israel quite frankly has been concerned, whether they admit it publicly or not, that for the early years of the administration, they were more focused on the Palestinian question as the biggest issue in the Middle East when, in fact, the biggest issue in the Middle East is that Iran wants a nuclear weapon so they can attack Israel and potentially other nations.

You talked about Iran. In 2009, the people of Iran took to the streets in defense of the principles that we say we stand for, and the President of the United States says we are not going to interfere in their sovereignty. That totally demoralized the opposition.

North Korea today announced that they are developing a weapon that can reach the United States of America. And lest anybody accuse me of being overly partisan here, I think the Bush administration was wrong to remove North Korea from the list of state sponsors of terrorism, and I hope we will reverse that.

And finally, China and the territorial conflicts that are going on in Southeast Asia and throughout the region. China is being increasingly aggressive about their territorial claims, and their neighbors are looking to the United States and U.S. leadership

as a counter balance. We talked about it, and I congratulate the President for talking about pivoting to Asia, but if this sequester goes through, what are we going to pivot with?

And so these are the fundamental issues that we face. And my question to you is, As you sit with the President and as part of his Cabinet help him form a vision for the world and for the U.S.'s role in the world over the next few years, what advice are you going to give him in terms of what the U.S.'s role should be and how that should be reflected in our foreign policy?

Senator KERRY. Well, Senator, that is obviously a very broad and comprehensive question, and I appreciate—

Senator RUBIO. You have two minutes to answer it.

Senator KERRY. Well, you know, I mean, I could say to you, look, let us sit down and talk about it and we will get together and go through it. But let me just give you—I want to do that, but let me say a few things to you about this.

As you know, there was a debate as it was in Congress about whether or not anything should have been done in Libya. And the President moved and the President decided that he was going to become engaged through NATO in ways that our interests, I think, at the time and got the job done. I thought it was smart. I thought the way he approached that was, in fact, very effective, and the results obviously were exactly what we wanted to achieve.

We could tell that if we did this, and, Senator McCain, you were deeply involved in that. We recommended the no-fly. We pushed for certain things, and those things were put into place. And it was affected without American boots being put on the ground at a time when we had just come out of Iraq and we have American soldiers, the largest number, in Afghanistan. And so I think the American people approved of the way in which that was handled.

Now, the aftermath of all of these places—I asked every member of the committee, we need to spend some time on this, all of us. There is a monumental transformation taking place. This is the biggest upheaval in that part of the world since the Ottoman Empire, since it came apart. And as all of us know, many of the countries—lines drawn were drawn in relatively arbitrary fashion, and people were put in places of power as the sort of vestige of the period of colonial enterprise and of that war.

It is a highly sectarian, divided, tribal part of the world. And I am not sure that every policy has always been as sensitive or thoughtful about that as it perhaps ought to be.

Senator RUBIO I know my time is up—I just want to clarify. On my statement about Libya, I was not suggesting that the United States should have invaded or put soldiers on the ground. We did certain things in the first 48 to 72 hours of that conflict. Had we extended that for a couple of weeks, that conflict would have ended a lot sooner. And I think in hindsight, a shorter conflict there would have certainly led to a government that would have been stronger and less instability than what exists today.

Senator KERRY. Well, Senator, honestly it might have or it might not have. There is no way—you know, Gadhafi had patched together a remarkable set of, you know, mixture of various tribes, and he had cut deals over time with all those tribes. And those tribes had created their sort of tiers of power structure, which was

the reason that you had a revolution, and the revolution sought to, you know, give more people more opportunity and change.

It is going to take time. It took us a while. You know, we went from Articles of Confederation to a Constitution. And finally through the Constitution, we went through a lot of upheaval, including a Civil War because of the things that were written into the Constitution before they were written out.

So we need to be sort of thoughtful about the history and the culture and the nature of the places that we are dealing with, and you cannot just take an American concept and plunk it down or a Western concept and plunk it down and say this is going to work.

So all I am advocating for is to be thoughtful about this. I think there is a struggle that is going to go on while we are here, while I am Secretary and you are Senators. There is a struggle going on for the minds of people in many parts of the world. I believe we can do a better job frankly of galvanizing people around the values and ideas that we have organized ourselves around, but we have to do it, I think, in a lot of different ways.

And one of the things—and I do not have all the answers to this as I sit here today—but there is a new media. There is a new—you know, there are alternative means of communication, bringing people together. There are other avenues.

I will give you one. Prince Ghazi of Jordan and King Abdullah of Saudi Arabia have been engaged in an interfaith initiative. I was privileged to speak at a meeting of an offshoot of it at Yale University a couple of years ago where there were 68 mullahs, imams, grand mufti, ayatollahs, who came, and there were 68 evangelicals who were there. And this meeting, you know, sought to try to find some of the commonality of the Abrahamic faiths, which is there.

I think those are the kinds of things that we need to explore so that, as I said in my opening, we cannot afford a diplomacy that is defined by troops, or drones, or confrontation. We have to find a diplomacy that achieves understanding, rapprochement, whatever you want to call it, through other kinds of fora and initiatives.

Now, specifically, and we are all going to have to face this, Egypt is a quarter of the Arab world. It is critical to everything that we aspire to see happen in the Middle East—peace with Israel, protection of the Sinai security, the development of that part of the world with respect to an economy that is open, and competitive, and based on rule of law and rules of the road.

How are we going to do that when you have 60 percent of the population of the region is almost under 30, 50 percent is under the age of 21, and 40 percent is under the age of 18, and it is growing. And if they do not find jobs, if they do not get educated, and if we do not do something, all of us, in the developed world, and I am including China in the near developed at least, and I would say developed, Russia, South Korea, Brazil, Mexico. Those developed countries that have the capacity are going to have to come together and think about this because everybody is affected.

And I think that is the challenge for all of us.

And so, you know, Senator, that is sort of my response to a very big question that is a very legitimate question, and we ought to really sit down, as we will, I know, and work through this in the days ahead.

Senator RUBIO. Thank you.

Senator MENENDEZ. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman. And, Senator Kerry, I am thrilled to be here with you on the other side of that desk as the nominee for Secretary of State. I cannot think of anyone better to continue the efforts of the current administration at this challenging time for the United States and the world. So thank you for being willing to take on this task.

And let me welcome your family, Teresa and Cam and Vanessa and her husband here. We are delighted that you are able to be here with us this morning, too.

And let me just say I look forward to casting my vote in support of you as Secretary of State. And I am also happy to join you in defending the Red Sox and the Patriots. [Laughter.]

Senator KERRY. Finally. Thank you.

Senator SHAHEEN. I want to begin by echoing Senator Boxer's concern about continuing to support an agenda that urges equal rights and opportunities for women around the world. I think about if we had a situation in many of the conflict areas that we are facing now where women share the same equality and opportunity that the men do in those areas, that we would be facing a very different challenge.

I also want to go back—you mentioned Syria and being in what appears to be the final period of the Assad rule in Syria. One of the real issues that we are facing there is what happens to the chemical weapons should Assad fall.

Yesterday at the hearing on Benghazi, there were several references to the weapons in Libya that have now fallen into the hands of terrorists in Africa and Algeria. We saw some of those weapons on the recent terrorist attack there.

So when I asked General Mattis, who is the CENTCOM commander, about this issue, he suggested that it is going to require an international effort to secure these weapons when Assad falls. I wonder if you could talk a little bit about how you view that international effort coming together, and what role the Secretary of State should play in that.

Senator KERRY. Senator Shaheen, it is an important question. The President's policy, he has made very clear, is that if we have evidence that they are using them or about to use them, if they lose them, i.e., lose control over them, or if they move them in any significant way, that would change the calculation.

Now, the administration is drawing up contingency plans and working with neighbors in the region, NATO and others, in order to do that. I cannot go into those today because I am not read in on them yet. I am not briefed in on exactly what those contingencies are. I just know that they are making them, and they are deeply concerned about it.

Senator SHAHEEN. And should we feel some confidence that Russia and China might join into an international effort on chemical weapons should there be concerns about what happens to those weapons?

Senator KERRY. I cannot tell you whether or not. Again, I just do not know about the details of the plans. I do know that they have expressed public concerns about that.

And, in fact, I do know there were conversations with the Russians when the first indicators took place about the potential of movement, and the Russians apparently were deeply concerned and they also weighed in at that time. So I think there is a serious concern everywhere that those weapons not fall into the wrong hands.

Senator SHAHEEN. Thank you. Senator Cardin mentioned the good work that you did as chair of the Small Business Committee, something that is very important as we think about the economy of the United States, and, as you pointed out, of the other developing countries around the world.

One of the efforts of this administration has been to promote business advocacy abroad for domestic businesses at home. I led a trade mission to India about a year and a half ago with a number of businesses from New Hampshire. And they talked about how important it was to have that support from the state officials in India as they were looking to try and establish those business relationships.

Can you talk about how you might continue that and commit that this is something that you would be focused on, and willing to continue to support?

Senator KERRY. Well, as I said in my opening, I think foreign policy is increasingly economic policy. And we have an Under Secretary for economic affairs, economics energy, et cetera.

I think that the State Department historically used to have the Foreign Commercial Service in it back in 1979. It slipped away I think under Secretary Muskie at the time. I think that is something we ought to be doing in a very significant way, obviously working with Treasury, with Agriculture. Ag has an enormous amount of interest abroad and engagement abroad. Commerce Department obviously does. Treasury Department does.

I think there is much more we can do to augment our engagement with the private sector and their desires and needs abroad.

I'll give you an example. When I was in Hong Kong a number of years ago, I was struck. I met with our Foreign Commercial Service people there. We had three of them, three people in Hong Kong. And they said they were overwhelmed. They had no ability to be able to marry RFPs from China to companies commensurate with much smaller countries. France was there. Germany was there. England, others were much more aggressive in their promotion of their companies. And that is the world we are living in today.

So I think we have to be much more aggressive in that respect. It is not an expenditure. I do not view it as spending. I view it as investing, and it returns on investment many, many times over. So I intend to focus on that I want to get in and feel it a little more and, you know, get to know the folks who are working on all of that and see what they think about it. But I think there is a lot we can do.

Senator SHAHEEN. Thank you. My time is almost over, but I wanted to raise a final point about the Western Balkans. With so much conflict going on across the Middle East and northern Africa, we forget that not too long ago we were involved in conflict in the Western Balkans. And there has been tremendous progress that

has been made in that area, but we still have a stalemate in Macedonia over the name issue. We still have the Serbia-Kosovo dialogue that has not been completed. We still have those countries that aspire to ascendancy into the EU.

And I would just urge you that further progress in that area is going to continue to require American leadership. And I hope that we will continue to work in the region to ensure that they continue to make progress.

Senator KERRY. We will, Senator, and I just want to thank you for your leadership of the European Affairs Subcommittee. You have been absolutely terrific on it, and I will look forward to working with you. Thanks.

Senator SHAHEEN. Thanks.

Senator MENENDEZ. Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman. Senator Kerry, I really appreciate your thoughtful opening statement. I appreciate your thoughtful response to these questions. I have a great deal of respect for your level of experience, your depth of knowledge in these areas, and I would have enjoyed working with you as a member of the committee. I am going to enjoy working with you as Secretary of State, and I mean that in all sincerity.

Senator KERRY. Thank you.

Senator JOHNSON. I want to have a very close working relationship. As you said in your opening statement, these are complex issues. These are dangerous times.

You know, I certainly grew up hoping with that maxim of politics ends at the water's edge was actually true. I am not sure it ever was, but I think it is something we can aspire to. I truly believe we share the same goals. You know, we want a secure America. We want a prosperous America.

Now, I think that starts being open and honest with each other, so I hate to go back to yesterday's news, but I think this is important. Yesterday when I was asking I thought a relatively simple question, I realize being persistent, Secretary Clinton's reaction was, "What difference at this point does it make," trying to get to the truth of the matter in Benghazi. And I had run out of time, so I did not really have a chance to answer the question.

Let me quickly answer it, and I would like to get your reaction. I think it makes a big difference. I think it matters a great deal that the American people get the truth.

I think they have the right to be told the truth. I think they have the right to know what happens. And I think it makes a big difference whether or not the American people have the confidence that the President and the administration is being truthful with them.

So I guess my question is, Do you agree with that, and are you willing to work with me, or do you basically kind of agree with Hillary Clinton that is kind of yesterday's news, and let us move on?

Senator KERRY. Well, Senator, if you are trying to get some daylight between me and Secretary Clinton, that is not going to happen here today on that score. But I think you are not—I think you are talking past each other.

Senator JOHNSON. We could be.

Senator KERRY. I do not think that was the question. I think that if your question is, Should the American people get the truth and does it matter? Hillary Clinton would say, "Yes," and I say "Yes." But that is not what I think she was referring to. I think what she was referring to was sort of the question of, you know, the sequencing and the timing of how particular information came in with respect to the talking points and the public statements that were made. And there was a difference of opinion, in my judgment, as to how you saw that versus how she saw it.

Senator JOHNSON. But the point I was making is we could have avoided all this controversy, you know, this doubt for a couple of weeks by just making a couple of phone calls.

Let me ask you, as chairman of the Foreign Relations Committee, did you make any phone calls to those evacuees? Did you ascertain whether there was a protest or not early on?

Senator KERRY. Again, I do not want to go back and relitigate some of the events that took place. Yes, I made phone calls. I was in constant touch with the State Department. I was talking to Under Secretary Nides and others immediately, and we were involved in what was happening.

Senator JOHNSON. How soon did you know there were no protests, I mean, because it is pretty obvious by the Accountability Review Board report that there were no protests. I mean, did you know that pretty immediately?

Senator KERRY. Senator, the intel that I got and that I was told by people was that there were no protests in Benghazi, but that there had been protests in Cairo.

Senator JOHNSON. And we understood that. But that was not the issue. It was really were there protests in Benghazi.

Senator KERRY. But I do not think—

Senator JOHNSON. Is there a reason that we would not have those Department of State officials, those security people, testifying before us so we can find out who knew what when, I mean, to actually get to the bottom of that?

Senator KERRY. There is no reason down the road, I would assume, but for the moment I know that there is an FBI investigation going on because I personally called the FBI director and was debriefed by him, and was told that they are making progress, and that some things, you know, may or may not be ripe to take place in the not too distant future, because I was anxious to know that.

Senator JOHNSON. OK. Well, will you work with me then on an ongoing basis then just so we can get that behind us so we can find out what actually happened, and then we can move beyond that. I mean, can you just make that commitment to me?

Senator KERRY. Well, I think, Senator, in all fairness, I think we do know what happened. I think that it is very clear—were you at the briefing with the tapes?

Senator JOHNSON. No.

Senator KERRY. Well, there was a briefing with tapes which we all saw, those of us who went to it, which made it crystal clear. We sat for several hours with our intel folks who described to us precisely what we were seeing. We saw all of the events unfold. We had a very complete and detailed description.

Senator JOHNSON. Yes, we know what happened in Benghazi now because we have the reports. What we do not know is why we were misled. But again, let us—you know, I am just looking to make sure that you as Secretary of State will work with me so we actually do find out what the administration knew——

Senator KERRY. But again in fairness——

Senator JOHNSON [continuing]. The American public.

Senator KERRY. Senator, in fairness, I do not want the American people to be left with a misimpression here. When you say “why we were misled,” that implies an intent to actually mislead you somehow. I think that there was a description of a variance in talking points. I do not know why that happened, but there was a description of that.

Senator JOHNSON. Now I am asking, will you help us get to the bottom of why that happened? Then we can move on. I just want to get that behind us. I just want that commitment.

Senator KERRY. The State Department will continue to cooperate——

Senator JOHNSON. That would be great.

Senator KERRY [continuing]. As it has in every respect to any request that of this committee.

Senator JOHNSON. OK.

Senator KERRY. Or any committee of relevant jurisdiction.

Senator JOHNSON. Great, and I appreciate that commitment. I just want to go back. You said foreign policy is economic policy. I could not agree more. I mean, we do not have the luxury of deciding whether we want to compete in the global economy. We must compete. And, you know, I agree with Senator Corker, maybe you should have been, you know, up for an economic position here.

But will you utilize your position as Secretary of State to try and get the President to work with us to solve the debt and deficit issue, because this is a matter of a prioritizing of spending, and I just do not think we can continue to tax the American economy. We need economic growth. But it is about prioritizing spending.

And I am fiscal conservative who believes that foreign aid can be extremely useful. But we have to get our spending under control. Will you utilize your position as Secretary of State to encourage the President to work with us in good faith to solve the debt and deficit issue?

Senator KERRY. Well, Senator, I spent 6 months, I guess it was, or 5 months as a member of the Super Committee, and I put an enormous amount of energy and hoped that we would be able to get the big bargain, grand deal.

I am not here to go through all the details of why we did not, but there was a very hard line, nonnegotiating position that prevented us from being able to come to an agreement, which incidentally we just came to. But we came to it with far less on the table and far less accomplished than we would have had if it had come to that agreement 6 months or ago or a year ago.

So my hope is, yes, I certainly will weigh in on that to the degree that it has an impact on my ability to do my job and the ability of the State Department to be able to do its job. We cannot reduce the funding for some of these initiatives that we are engaged in without great cost to our ability to be able to help American

businesses, help create jobs, and help strengthen our security in the world.

So it is in my interests to get this budget effort resolved, even though I will be negotiating other things. I will certainly weigh in with anybody who will listen with respect to the imperative of getting it done. But it requires some compromise and some reasonableness on everybody's part.

Senator JOHNSON. OK. Well, thank you. I really do look forward to working closely with you. Thanks.

Senator KERRY. Thank you.

Senator MENENDEZ. Senator Coons.

Senator COONS. Thank you. I want to thank Senator Menendez for chairing this critically important hearing today, and to express my strong support, Senator Kerry, for your nomination to serve as our next Secretary of State. To Teresa and your family, welcome and thank you for all you have done to support John's tremendous service to our country and the continuation of your family's long tradition of public service.

Now, I have deeply enjoyed serving under you here on the Foreign Relations Committee the last 2 years as I have chaired the Africa Subcommittee and had the opportunity from a close vantage point to watch as you have led the ratification of the new START Treaty, as you have personally intervened to resolve diplomatic crises in difficult places, from Pakistan and Afghanistan to Egypt and Sudan. And I really look forward to working with you on some of the challenging issues that face our country and the world.

Let me start, if I might, by referring back to something a number of Senators have referred to, your opening statement in which you said that foreign policy more than ever is economic policy. And I just want to say I have been deeply encouraged by your response to Senator Shaheen's comments and Senator Rubio's questions. In my view, Africa is a continent that holds enormous promise, where 7 out of 10 of the fastest-growing economies in the world currently exist, and where sadly our Foreign Commercial Service is woefully underrepresented, and where our opportunity to advocate for American business and American values needs and deserves more attention.

As you know, I chaired two hearings on this last year.

I am about to come out with a report from the subcommittee.

And I would be interested, as my first of several questions, in how you see us successfully competing with China, which has a rapidly growing footprint across Africa, in both economic opportunities and our differing values agenda, and what difference that makes going forward in how you would address that as Secretary.

Senator KERRY. Well, Senator Coons, I want to begin by thanking you, and I will say to all the members of the committee, you know, one of the pleasures of having been chairman of the committee was watching individual Senators kind of pick their targets and go after things. Senator Isakson is not on the committee any more, but he and Senator Coons were a terrific team with respect to Africa. And I know Senator McCain just took a trip, an important trip. He was in Cairo in Egypt, but he was also in Afghanistan. I just met with the members of that trip. It was a bipartisan trip.

Senator McCain, Senator Lindsey Graham, Senator Ayotte and Whitehouse and Blumenthal, I think——

UNIDENTIFIED SPEAKER. Senator Coons.

Senator KERRY. And Senator Coons, correct. And, you know, that kind of report and that kind of intervention has an impact. And I know already from reports that what you all did there had an impact with President Morsi, had an impact on policy. And so I urge all the members of the committee to be ready and willing to travel and to engage in the way that Senator Coons has done. I think it is valuable.

Now, with respect to China and Africa, China is all over Africa. I mean, all over Africa. And they are buying up long-term contracts on minerals, you name it. And there are some places where we are not in the game, folks. I hate to say it, and we have got to get in it. But it takes a little bit of resourcing. Believe me, somebody is paying for those folks to be over there, and somebody is investing in their investment of time.

And we have to be prepared because I think that what we bring to the table is frankly a lot more attractive than what a lot of other countries bring to the table. People like to do business with American businesses. We are open. We are accountable. We have freedom of creativity and other kinds of things.

And I think that if we can organize ourselves more effectively in this sector, we can win. And when I say “win,” I do not mean win in terms of, you know, cold war terms. I mean win in terms of, you know, business contracts, business opportunities, jobs for Americans, ability to export, import, all of these things that make a difference to what the average American pays for the goods they use in everyday life.

So I think there is a lot of opportunity, and I look forward to working with you to develop it.

Senator COONS. You mentioned earlier there are just three Foreign Commercial Service officers in Hong Kong. As Senator Durbin knows all too well, there are only 10 on the entire continent of Africa. And it would be great to work with you.

We have also worked together before on the issue of poaching and the tragedy of wildlife being killed all across the continent, which then helps finance transnational criminal and terrorist networks. That is also an area where I think we need to stand up and challenge China on being the largest market to which a lot of this illegal product is going.

On the trip that I just took with Senator McCain, Senators Whitehouse, and the others that you referenced, we visited a Syrian refugee camp and heard very sharp feedback on their perception that the humanitarian aid we have provided so far—the more than \$200 million in humanitarian aid we have provided—has not reached the people on the ground, has gone through Damascus and the Red Crescent, but not through the Syrian Opposition Council.

What would you do as Secretary to ensure that we are more effectively and visibly engaged in supporting the opposition that we have now recognized?

Senator KERRY. Supporting the opposition in?

Senator COONS. Syria.

Senator KERRY. Oh. Well, there is a discussion going on right now about other kinds of possibilities. I know Senator McCain cares about it, and I have offered to sit down with Senator McCain, and you, and others and work this through. And I think, in fact, Senator Whitehouse asked to see some folks at the White House to talk to them about this.

But we need to change Bashar Assad's calculation. Right now, President Assad does not think he is losing, and the opposition thinks it is winning. That is not an equation that allows you to reach some accommodation for transition.

The goal of the Obama administration, I think the goal of the international community, is to affect some kind of orderly transition. Now, it is complicated by the fact that now a second envoy, Lakhdar Brahimi, has been engaged after Kofi Annan's efforts, and both have found an intransigence on the part of the opposition to be willing to negotiate a departure.

The Russians have indicated, and I have had personal conversations prior to being nominated as Secretary, with Foreign Minister Lavrov, which indicated a Russian willingness to, in fact, see President Assad leave, but they have a different sense of the timing and manner of that.

So my hope would be that if confirmed and when I get in there, to have an ability to really take the temperature of these different players and get a sense of sort of where it is. But we have to increase, I think, the ability of the opposition—strike that. We have to increase the readiness of President Assad to see the die is cast, the handwriting is on the wall, to be willing to make a judgment here that will save lives, and hold the state together in a transition.

Senator COONS. Thank you. And I might in closing, it is my view that these admirable diplomatic efforts need to continue. But we frankly also face a very narrow window to make a difference on the ground in support of the opposition that we have recognized. I will follow up—

Senator KERRY. I hear you, and I understand exactly what you are saying, and you do not wind up with them blaming you for not—I get it. But you also need to have some understanding, which I do not think is clear yet, of what step one brings you. What is step two? What is step three? And there is not a clarity to that right now, particularly with the presence of al-Nusra, al-Qaeda from Iraq, et cetera.

And I think—look, I do not—what I commit to do is sit with you guys, all of you as much as possible. Let us sit with the administration, which I will then be part of, and see how these equations work through as we go forward.

Senator COONS. We have plenty of challenges in Kenya, in Mali, across the continent and the world. I am grateful for your willingness to step up and take on this role, and look forward to voting in support of your confirmation.

Senator KERRY. Thank you, Senator.

Senator MENENDEZ. Senator Flake.

Senator FLAKE. Thank you. Thank you, Senator Kerry. And I have had the opportunity while I was in the House to travel a few times overseas with you, and I have seen the regard and respect

that officials in other countries have for you, and for your record, and for what you have done. And I appreciate that and think that you are well suited obviously for this position.

Let me just mention one item briefly and then ask a few questions. With regard to Cuba, I have felt perhaps differently than some of my colleagues on this panel that the best way to foster change and progress toward democracy is to allow travel—free travel—of Americans to let them go as they wish. I do not think that that is a weakness or any capitulation at all. I think it is a way to show strength.

In fact, I have often felt that if we want a real get-tough policy with the Castro brothers, we should force them to deal with spring break once or twice. [Laughter.]

But in all seriousness, this President has taken measures to allow more Americans to travel freely.

Relatives travel for religious, cultural, education purposes. I think that is a good thing. I hope that you will find ways to continue that and continue more innovative approaches to deal with change there.

With regard to the United Nations for a minute, the PA was granted membership into UNESCO in 2011, and then in 2012 full membership by the General Assembly. That, in my view, and I think all of ours, is an impediment to real negotiations that have to happen. The General Assembly has had a habit of doing this over the years and the decades. We all remember in the 1970s, I believe, they designated the PLO as the sole and authentic representative.

I spent time in southern Africa. They had designated one of the parties in the country of Namibia as the sole and authentic representative of the people, and that did nothing but delay meaningful negotiations between the parties that needed to happen.

From your position at the State Department, what measures will you take to ensure that our position—the Congress' position, is to deny funding to some of these U.N. organs if such recognition is made. And I know there is some wiggle room for the administration to deal with that. But what is your position in that regard, and how can you make sure that our interests are carried forward?

Senator KERRY. Well, let me say categorically, and I think the administration made this clear in its vote and its public statements, that we do not feel that unilateral steps are helpful on either side anyway. They are not a substitute for the parties negotiating and resolving the issues.

With respect to some of the funding on the collateral memberships, if you will, because they are not a full member, but we have found that, you know, we are better able to actually protect against nefarious activity and, in some cases, resolutions which attack Israel or other things. We are better able to affect that and negate it if we are participating. And if we, you know, cease to pay the dues and so forth to take a different attitude, then we sort of lose the opportunity to protect our friends, which we want to have.

Now, I will emphasize that they are getting close to a line that would be very damaging if there were any effort to take Israel, for instance, or any other country, the ICC, if there is any effort to try to invoke other power. That is the kind of unilateral action that

we would feel very, very strongly against and see it as extremely counterproductive.

My hope is, you know, there were just elections yesterday. We do not know what kind of government will be formed or where things will go. But my prayer is that perhaps this can be a moment where we can renew some kind of effort to get the parties into a discussion, to have a different track that we have been on over the course of the last couple of years.

And I would like to reserve all of the capacity to be able to do that, so I am just going to stop with what I have said. But unilateral efforts are not helpful. We oppose them, and we do not think they are—I do not think symbolic or other kinds of efforts are what we need. We need real negotiation. We need real results. We need progress.

Senator FLAKE. Thank you. Just 2 weeks ago, some of us returned from Afghanistan, seeing the operations there. And you have described it well, I think, in your opening statement about the progress being made for the Afghan security forces to take over.

If we take back and look at Iraq for a minute, some of us traveled there in the couple of years before that conflict ended there, and saw some of the building that was going on, in particular, for planning for a more robust presence than we currently have. There are a lot of State Department or Embassy buildings that lay vacant now.

And I am wondering what are we doing to ensure that we do not do that same thing in Afghanistan. What lessons are we learning from Iraq? We overbuilt there, and when taxpayers see that kind of thing happening—there was a report on the news a while ago about this kind of thing. What can we do—and some of this is outside of your purview. It is with Defense and the bases in Afghanistan. But what can we do with regard to the State Department to ensure that whatever presence we have, and I hope we do have a residual presence and agreement to go on to carry out the mission that you outlined. But what are we doing to make sure that it is right sized?

Senator KERRY. Well, that is a very good question, Senator. And, in fact, the State Department has a specific group, a transition group that has drawn the lessons from Iraq that comes out of that experience, and that is applying them to this transitional effort in Afghanistan now.

I am not familiar with everything that they have dug into. I know they are doing it. I know it exists. And I think people are thinking very hard right now about what size footprint ought to exist post the 2014 transition.

Let me make clear that I think we have about a thousand-something personnel now directly in the Embassy in Iraq still. We have some 4,000—slightly less than 4,000 contractors in Iraq still. That is a pretty big footprint post-war. And similarly in Afghanistan, we are pretty large.

I intend to look at that very, very closely, partly because there are obviously deep security concerns that we understand post-Benghazi. But also because there is just a legitimate question of what size, you know, footprint do you want in the aftermath.

But I can assure you, a lot of very qualified expert people who went through the Iraq experience are specifically taking the lessons from that and applying them to this transition in Afghanistan.

Senator FLAKE. Thank you.

Senator KERRY. And I am sure, you know, in a future hearing at some time down the road, we will dig into that a little more I am sure.

Senator FLAKE. Thank you.

Senator MENENDEZ. Senator Casey.

Senator CASEY. Senator Kerry, it is great to see you in this capacity, of what is really the threshold of a new chapter in your life of service. So we are very happy to see you here today. I will not congratulate you because we are still in the process, but I think that will be forthcoming.

I am also grateful that Teresa is here. With all due respect to the nominee, you are my constituent, Teresa, so if you need something, I hope you call us. [Laughter.]

Senator CASEY. But I wanted to explore——

Senator KERRY. She needs a vote for me. [Laughter.]

Senator CASEY. I think that will be forthcoming as well.

A couple of issues. I wanted to focus on two places and three questions. One is Afghanistan and the second is Pakistan.

With regard to Afghanistan, the first question relates to President Karzai and the elections ahead of them. When he was here just a couple of weeks ago, I had the chance to visit with him in Leader McConnell's office. A number of us, including Senator Kaine were there. I asked him directly about the elections and also asked him about my second question.

But I wanted to get your sense of where you see those elections going, what efforts you can undertake to make sure that they are free and fair because they have become, I think, central to the next chapter in this transition. I just wanted to have you comment on that.

The second question as it relates to Afghanistan is one that Senator Boxer raised, and her work on women and girls has been exemplary. I have an amendment that we got through the National Defense Authorization Act, which will require both State and Defense to file a report on their efforts to promote the security of Afghan women and girls.

Just by way of itemization, monitoring, and responding to changes in women's security will be part of the report. Second, improving gender sensitivity and responsiveness among the Afghan security forces, and increasing their recruitment and retention of women in the Afghan security forces will also be a part of the report.

So both with regard to the election and women and girls.

Senator KERRY. Senator, with respect to the women and girls, I had a conversation with Senator Boxer earlier and with Senator Cardin in which I committed to the ongoing significant efforts of Secretary Clinton has invested in. We will continue to have the Ambassador and Special Office, two different things within the State Department.

But more importantly, we think that there cannot be an effective peace, and there will not be in Afghanistan, if we cannot hold onto

the gains and continue them, continue the progress that is being made with respect to women's participation in Afghan society. And so we remain committed to that, and I will work in every way possible to augment that.

I have had some—a number of people have made suggestions to me. I will not go into all of them now because of time, but they are exciting. There are people who want to be involved in this endeavor. They have been inspired by what Secretary Clinton and Melanne Verveer have done. She has been the ambassador in that role. And so we are going to continue to do that.

Now on the elections, there is a group within the American initiative within our effort in Kabul, in Afghanistan, working very hard on the sort of rules of the road for the election, and working with Afghan election commission. They are working right now on some of the computer programming and other things that are necessary in order to be able to guarantee that the voting lists are up, and accurate, and available.

There have been meetings with potential candidates for President, with the opposition folks and others in Afghanistan in an effort to be inclusive and transparent in the process. And I think President Karzai knows—I have said this personally to him. I have said it publicly in a press conference in departure from Kabul, and I have said it here in the Senate as chairman, that having an acceptable election—it is not going to be perfect. We are not going to be able to have perfection in this process for a lot of different reasons. But having an election that passes muster and is acceptable according to international observers and standards will be critical to our ability to have the kind of transition we want to have, and to have confidence that the government that succeeds in 2014 has legitimacy.

If it does not have legitimacy, if we do not succeed in that effort, it is going to be very, very difficult to convince the American people and convince our allies in ISAF and beyond to stay engaged in this effort if they are not willing to provide for themselves with respect to that.

I went through this personally with President Karzai in the last election where there were serious questions about the propriety of the process, and we have to sort of strike a compromise about it. I do not think there will be room for a compromise in the aftermath here. So this is a very, very important initiative, and I will certainly make sure that we are riding herd on it very, very closely.

Senator CASEY. Thank you. And second, with regard to a terribly difficult challenge we have with regard to the IEDs that are constructed somewhere between Pakistan and Afghanistan. They become the roadside bombs that have killed so many of our troops—they are the leading cause of death—and wounded so many as well.

We know that a legal impediment in Afghanistan does not do us much good because of the calcium ammonium nitrate that comes across the borders from Pakistan. This has been not just horrific to watch, but it has been terribly frustrating. I have been to Pakistan three times, and in the last visit I told the Pakistani leaders, we need you to help us with this, not only to protect our GIs, but to protect your own people. And they promise, and they promise,

and they talk about a great plan and a strategy. And so far their response is completely inadequate. And I know you have worked on this, as has Secretary Clinton.

And I just want to get your sense of how we can make progress on that and how to put—to use every bit of diplomacy, engagement, and pressure, to insist that the Government of Pakistan takes steps which are readily identifiable to reduce this flow of this substance.

Senator KERRY. Well, Senator Casey, I will just say quickly, first of all, you have been a terrific leader on it, and you have paid a lot of attention to this, and it has made a difference. And it is frustrating.

I have had those conversations. I have had them at the highest level with President Zardari, with General Kayani, with General Pasha when he was there as the intel chief. I have not been back to Pakistan in the last year or so for a number of different reasons, but I have been in touch with General Kayani before, again, I was nominated. And he and I look forward to having a conversation, as I do with President Zardari and the civilian leadership and see if we cannot find a metric here that works for both of us because we have to.

I will not go into the intel here. You know it full well. There is no question about where it is being produced, where it is coming from, or how. And it just has to be one of those things that we see greater cooperation on.

Senator CASEY. Thanks very much.

Senator KERRY. Thank you.

Senator MENENDEZ. Senator McCain.

Senator MCCAIN. Well, thank you, and again thank you for allowing me the honor of introducing you to the committee. And I look forward to many of our spirited conversations that we have had for many years.

I did not want to bring it up, but since it was brought up, I have to respond again. Americans do care. They do care. They do care why four Americans were murdered. We do care why the American people were misled. They were misled by the talking points that Secretary Rice told the American people which were false. They were misled when the information that we needed to know about how those talking points were put together, which we still do not know the answers to many months later.

We were misled when it was—when we are not allowed to—when we do not—still have not gotten answers why there was not better security at the consulate when there were clear indications of the threat. We were misled when we were not told that there was a request for the 16-member security force to remain at the consulate and were removed.

The list goes on and on.

We still have not gotten the answers as to what happened at Benghazi, and for anyone to say that we do not care what happened is absolutely false. And I can tell you that because I talked to the families of those who were murdered. And we will—there are some of us that will continue our efforts to find out the answers to these questions.

The American people deserve them, including why the President of the United States, after alleging in a debate with Mitt Romney, said that he had called it a terrorist act, when, in fact, he had not. In fact, that same day he did an interview with CBS news saying he did not know what happened. As far as 2 weeks later he told various news programs that he did not know what was the cause of it. We knew what the cause of it was. We knew that people do not bring RPGs and mortars to spontaneous demonstrations.

So there are some of us who will not give up on this despite what some in the media think we should do until we get all of the answers.

While I was hanging on every word that you were saying, John, I happened to glance at my apps. Here is a BBC News report. It says, "The U.N. says there has been a huge leap in the numerous—numbers of Syrian refugees arriving in Jordan, putting a considerable strain on the resources. The UNHCR said that more than 26,500 refugees have crossed into Jordan since 1 January. Officials from BBC said that up to 3,000 were arriving every day, and at least 50,000 were waiting to cross."

That happens to be the camp that we visited. That happens to be the camp where just a few days before there was a very bad storm, and these tents were blown down, and there were riots, and demonstrations, and anger, and frustration, and the belief that we are not helping them. The anger that we felt when a young woman who is a teacher said, this generation—this next generation of children will take revenge on those that did not help them.

We are sowing the wind in Syria, and we are going to reap the whirlwind. And that whirlwind will be the increased presence of al-Qaeda and Islamist groups which are now flooding into Syria, as you know. Sixty thousand dead and counting, and the fall of Assad is, "inevitable?"

You know that Assad is thinking about plan B, and that is going to the coast and doing some ethnic cleansing, and having Alawites there.

I appreciate your optimism about the Russians. The Russians continue to supply them with arms. The Russians continue to veto every single resolution that might do something about Syria, and of course, Putin has just enacted one of the most inhumane laws in preventing Americans from adopting Russian children, who clearly are now deprived of an opportunity of a better life.

So I do not think the status quo in Syria is something that we just need to have some more conversations about. I think we ought to tell the Syrian people that we are either going to help them or we are not. And we know that a no-fly zone, and we know that the supply of arms so that they can defend themselves to counter the arms that are being provided by the Iranians, and the Iranian Revolutionary Guard on the ground. And there are now hundreds of thousands of refugees that are putting the strain on our allies.

I have had a lot of conversations. We have a lot of hearings. We have not done anything, and we have got, again, 60,000 dead after 22 months, and all I get frankly from the administration is the fall of Assad is, "inevitable." I agree, but what about what happens in the meantime?

So I hope that you, and I know you are deeply concerned about that situation. But it is terrible. It is heartbreaking. To meet a group of young women, as I did in a camp in Turkey, a refugee camp, who have been gang raped is really a horrible experience. And we can do a lot more without putting American boots on the ground, and we can prevent this further slaughter and massacre and inhumanity. Otherwise we will be judged very, very harshly by history.

I hope that, and I know that from our previous conversations, that you will make this your highest priority. And I look forward to at least exploring and try to implement a different policy than the one that we have pursued for the last 22 months. I thank—go ahead, please.

Senator KERRY. Well, John, thank you. I have—and you know this because you and I have talked about this at great length—I have complete understanding of where you are coming from on this. I have known your frustration. I know what you are trying to say about it.

I do want to just say to you that I do not want inquisitiveness or curiosity about what possibilities might exist with the Russians to be translated into optimism. I do not have optimism. I have hope because the easiest way to resolve it would be if they were to be able to help—if together we are able to find some track that changed the equation and the calculation of Assad.

What I think everybody worries about, John, is that if you have a complete implosion of the state, nobody has a clearer definition of how you put those pieces back together, No. 1. And No. 2, you have a much greater risk with respect to the chemical weapons.

Now, that is why I want to get in and see what the contingency plans are, because I cannot measure risk without having the sense of what is on the table. What I do know is that there are a lot of weapons there. There are people in the gulf, and you know who they are, who are not hesitating to provide weapons. And that is one of the reasons, together with the fact that al-Nusra has been introduced to the equation, that the movement on the ground is faster than the movement in the politics.

So that is what makes this very complicated. And I am deadly serious when I say to you we are going to have to sit down. There is nothing we need more than congressional consensus, if we can build it, on something like this, particularly if the worst happens and you have, you know, disintegration.

There are other forces at play that none of us have any control over. One of the things that has struck me in the last years the more I have traveled to the region and talked to people is the depth of the sectarian divide, and you know it well. Sunni, Shia considerations enter deeply into lots of judgments out there. And so we have to be particularly—and then others. I mean, you have got 74 percent of Syria is Sunni—is Muslim, and of that, you know, you have got about 16 percent that is made up of the Alawite and then some Shia. And the Alawite are about 13 percent. Christians are about 10 percent. Jews are about 3 percent.

So you have this breakdown with interests in various parts of the country. And I know one of the scenarios everybody is talking about is that people could sort of break up off into their places. And

the Kurds could be up in the northeast, and you could have a disintegration, and who knows where that leads.

These are the risks. I mean, this is what is at stake in this new world that we are dealing with, and nobody could sit here and tell you how it all plays out. But we are going to get our heads together, regardless of party, and think about the interests of the United States of America, think about the region, think about the interests of the neighbors, think about the interests of our friends, like Israel, and figure out how we come up with an equation that is workable and meets those interests.

Now, a final comment, John—I do not want to go on about it, but I did not suggest, and I do not want to suggest, and nor do I believe that Secretary Clinton was saying people do not care about knowing what happened. I think she was talking about the difference between what the recommendations of the ARB were and implementing them, and this notion that we have to go backward.

But here is what I say to you. After 29 years here—in my 29th—I respect the prerogatives of the U.S. Senate and the Members of Congress. You represent the American people. You are the other branch of government. You have the right to know what took place. And I have an obligation, commensurate with the, you know, regulations and classifications and privacy and other things that are in play here, to help you get the answers. And we will do that, and I hope we can do it in a noncontentious, appropriate way.

Senator MCCAIN. Thank you. Could I just mention, Mr. Chairman, very quickly, I think you would agree with me that every day that goes by in Syria, it gets worse.

Senator KERRY. Every day that goes by, it gets worse.

Senator MCCAIN. It gets worse. So there is a, it seems to me, a very strong impetus that we realize that the present policy is not succeeding, and to look at other options to prevent what is going on for now 22 months and 60,000 dead.

I thank you for your indulgence, Mr. Chairman.

Senator KERRY. I would agree, but I think you would agree with me that whatever judgments you make, they have to pass the test of whether or not if you do them, they are actually going to make things better.

Senator MCCAIN. Absolutely.

Senator KERRY. And you have to make a test of the cost analysis in doing that. And I mean all kinds of costs—human life costs, pressure—affect on other countries.

Senator MCCAIN. Thank you.

Senator MENENDEZ. Senator Durbin.

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

John, thank you for being here—excuse me. Teresa, it is great to see you and the family here as well.

The spirited questioning from our mutual friend, John McCain, is not unexpected. He promised it, and he delivered it. But I do recall his opening comments introducing you, and it brought me back to my first days in the Senate when you and John McCain, Vietnam veterans, worked together in a noble task to establish normal relations with Vietnam, which continue to this day, and to deal with the controversial, contentious issue of POWs and MIAs. And I came to you as a brand new Senator, both of you, on behalf of

Pete Peterson, the Congressman from Florida who had been named Ambassador—the first Ambassador to Vietnam by President Clinton. Pete Peterson himself, a 5-year prisoner of war as an Air Force pilot. And you two did an extraordinary job of moving him forward and giving him that chance to serve. And, John McCain, thank you for reminding me of that chapter in my public career, and reminding me what you and John Kerry accomplished together.

I want to ask you a question about the role of the Department of State in the security of the United States. It is often called upon to negotiate, to make us safer. Certainly since World War II, that has involved nuclear weapons, and it does to this day as we discuss the future of nuclear entrants, like, God forbid, Iran, into the nuclear club, which we do not want to see happen.

We also know after 9/11 there came a new threat, terrorism, in a different form—biological/chemical weapons and stateless organizations that attacked the United States and killed innocent people.

But it was, I think, last year or the year before that we were briefed by the State Department and Department of Defense about the greatest threat to the security of the United States, and it was not either of those things. It was cyber security. And I think you may have attended the briefing, the classified briefing for Members of the Senate, Democrats and Republicans. And they explained to us this invisible war that goes on even as we meet between the United States and many who are not our friends, that are trying to invade us, invade our infrastructure, invade our technology, and do great harm to us, not just in economy terms, but in terms of human life. And we were told this is the most serious threat facing us today.

It brings to mind the fact that in the 21st century, war as we know it is much different. It is a war involving the invisible workings of computers. It is a war involving drones and aircraft.

So I would like you, if you could, to just reflect on this in terms of the role of the Secretary of State of the United States in negotiations to make us safer in a world where cyber security is our greatest threat.

Senator KERRY. Well, Senator, that is a huge question, and you have hit the nail on the head with respect to a significant threat. And as you know, there is legislation, or there was legislation, last year, which we tried to get through here, which would have helped us, a very small step incidentally in trying to deal with this issue.

Much of this, as you know, is classified, and so it is hard to, you know, sort of lay it out in full for the American people. But every day while we sit here, right now certain countries are attacking our systems. They are trying to hack into classified information, to various agencies of our government, to banking structures. Money has been stolen from accounts and moved in large sums from entities. I mean, there is a long list of grievances with respect to what this marvel of the Internet and the technology age has brought us.

But it is threatening. It is threatening to our power grid. It is threatening to our communications. It is threatening, therefore, to our capacity to respond. And there are people out there who know it, and there are some countries that we are engaged with, and all

the Senators know who they are, who have a very good understanding of this power and who are pursuing it.

So it is sort of the modern day, I guess I would call it, the 21st century nuclear weapons equivalent, that we are going to have to engage in cyber diplomacy and cyber negotiations, and try to establish rules of the road that help us to be able to cope with this challenge.

Now, there are enormous difficulties ahead in that because, as you know, and I think I would just try to be very brief about it. I think most diplomacy is an extension of a particular nation's interests, and in some cases it is an extension of their values. And sometimes you get a terrific opportunity to mix the two, and then you really can do things that meet all of your aspirations. But sometimes, you know, you are more weighted toward the interests than the values, and you can all pick different countries and different things we have done that meet that.

This is one where we are going to have to find a way to address the interests of other states to somehow find common ground, if that makes sense to you. And, you know, we are just going to have to dig into it a lot deeper. I do not have a magic silver bullet to throw at you here today.

Senator DURBIN. I wanted to bring it up because I think it is topical and timely in terms of our 21st century challenge. And when you become Secretary of State, which I believe you will and hope you will, this will be front and center.

I would also like to come down to a much more mundane issue I raised before with the current Secretary, and that is the impact of sequestration on the Department of State. We are literally weeks away from mandated budget cuts within the Department of State. We have spent yesterday and even again today talking about security at our embassies, consulates, and for our men and women who risk their lives to represent America.

So I would just ask you in closing that you would try to, as soon as you can, report to us about the impact of these cuts on our State Department, which has a very small percentage of our budget, but is going to face some substantial cuts because of the sequestration requirements.

Senator KERRY. I am glad you raise it. We are going to have to talk about it. And I would just signal to my colleagues that yesterday you had a hearing in which two very distinguished, you know, people were the basis of a report on which you were having the hearing, which is the ARB. And Admiral Mullen and Secretary Pickering have said we need \$1.2 billion or more, you know, to be able to do what we need for security.

So if you want the American presence out there, and you want to provide an adequate protection so we are not here for another Benghazi hearing, we are going to have to deal with—that is why I said we have got to get our business done here and do it the right way.

One final comment, Mr. Chairman. I just want to say to people that—well, I will wait until we come to the budget, and we will do it then.

Senator MENENDEZ. All right. Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman. Yesterday with Secretary Clinton, I asked about the administration's assertion that al-Qaeda had been decimated. And she said what we are seeing now are people who have migrated back to other parts of the world where they came from, primarily who are in effect affiliates, part of the jihadist syndicate. She said some are like Al Qaeda in Islamic Maghreb—I will use that name. Others use different names.

She said the fact is they are terrorists. They are extremists. They have designs on overthrowing existing governments. So she said that we do have to contend with the wannabes and the affiliates going forward.

So I would ask your assessment on the strength today of al-Qaeda, the affiliates, the wannabes, and the challenge it is going to present to you as Secretary of State.

Senator KERRY. Well, it is very real, but I agree completely with Secretary Clinton's statement and her appraisal. The core al-Qaeda, when we talk about core al-Qaeda, we are talking about the al-Qaeda that took us to Afghanistan and to Pakistan. That is core al-Qaeda. Those are the people who attacked the United States of America. Those are the people that we approved military action against, I think unanimously, in the U.S. Congress in 2001.

Now, they have migrated. If you go to the intel, and I think this is unclassified—I know it is unclassified—Osama bin Laden in the documents that came out of Abbottabad, is quoted as urging his cohorts to go to other places to get away from the airplanes, get away from the drones. And he specifically encouraged al-Qaeda to disperse, and they did.

In addition to that, we have been—the Obama administration—under the directive of the President, who undertook the most concentrated effort in history in terms of targeting a specific terrorist group, we have taken out a huge proportion of the leadership of core al-Qaeda, a huge proportion. You do not want to be No. 3 or, you know, No. 4 in line in that business because they are disappearing as fast as they get the job.

Obviously the top dog who took—Zawahiri, who took the place of Osama bin Laden, is still at large, but I think there are those in the intel community and the administration who believe that over the course of the next months that core al-Qaeda can really be almost degraded to the point that that is no longer the threat.

The threat, however, has augmented in Al Qaeda in the Arabian Peninsula, Al Qaeda in Iraq, which is now playing in Syria, and Al Qaeda in the Maghreb. And I think that is why the United States, the President has made the decision to support the efforts of the French in Mali, and that is why there has been a very focused effort, including going after al-Awlaki in Yemen, to focus on that part of the world.

Now, there is a success story even as I talk about that increased threat—Somalia. In Somalia where the al-Shabaab became associated with al-Qaeda, we have, in fact, been able, in concert with others, not alone, to drive al-Shabaab back and actually see a government emerge, which we have now recognized and which we are in a position to help, hopefully, stabilize and move to a better relationship.

So we can change these things, but it takes a focused effort. It takes perseverance. It does not happen overnight. But I would also argue it takes something more than just the drone effort and the other effort. It takes that effort to develop a government like we did in Somalia.

We have to be prepared to do that in the Maghreb.

Senator BARRASSO. I am looking at—we talked yesterday about bringing to justice the killers who attacked our people on September 11, and the President said he would bring those killers to justice. The fact that that hasn't happened, do you think that has emboldened the recent attack in Algeria because no one yet has paid a penalty for the attacks?

Senator KERRY. Senator, I cannot get into anybody's mind about what they do or do not know about that, or what they perceive about it. I will tell you this. If so, it is going to be short-lived because I know from talking to the FBI director that they are pursuing that diligently. He was personally just in Libya meeting on this, and those efforts are going to continue. And I know that this President, you know, he does not bluff about these kinds of things. He has said they are going to pay a price. He said he would go into Pakistan if we had evidence that we needed to operate on. He did it, and I am confident that when and if we are prepared, that we will execute with respect to finding justice for what happened in Benghazi.

Senator BARRASSO. I wanted to move to the Keystone XL pipeline. I know that Senator Boxer asked a question. You said it would not be long before it crosses your desk.

Yesterday a majority of Senators, a bipartisan group of Senators, nine Democrats, signed on to a letter to President Obama requesting that he expeditiously approve the construction of the pipeline. We are asking that the review process be completed by the end of March, and I hope you would be able to comply with that as well.

Senator KERRY. I will try. I need to check back in with the Legal Department and make sure. I do not want to make a promise that I am unaware of what can be fulfilled. But I can tell you this. It is happening in the appropriate due course of business, and we will try to get it done as soon as we can.

Senator BARRASSO. I had a chance one time to visit with Senator Sam Nunn, who you served with, and he said that, you know, you have to think about what is in the vital interests of the United States, what is important for the United States, and what is in the humanitarian issue as we look at limited resources.

I know climate change has been a big issue that you have been concerned about, focused on, it seems, over the next 25 years, the global energy needs are going to increase about 50 percent, that emissions are going to go up significantly, primarily because of China and India. And we could do significant harm to the U.S. economy, I think, by putting additional rules and regulations with very little impact on the global climate.

And so in this tight budget environment with so many competing American priorities, I would ask you to give considerable thought into limiting significantly resources that would not help us as an economy, not help us as a country, and not help us globally in per-

haps the efforts that you might be pursuing. I do not know if you have specific thoughts on—

Senator KERRY. I do. I have a lot of specific thoughts about it, Senator, more than we are going to have time to do now. So I am not going to abuse that privilege, but I will say this to you. The solution to climate change is energy policy, and the opportunities of energy policy so vastly outweigh the downside that you are expressing concern about. And I will spend a lot of time trying to persuade you and other colleagues of this.

If you want to do business, and do it well in America, we got to get into the energy race. Other countries are in it. I can tell you in Massachusetts that the fastest-growing sector of our economy is clean energy and energy efficiency companies, and they are growing faster than any other sector. The same is true in California.

This is a job creator. I cannot emphasize that strongly enough. The market that made America rich—richer. We have always been rich. But the market that made us richer in the 1990s was the technology market. It was a \$1 trillion market with 1 billion users, and we created greater wealth in American than has been created even in the raging time of no income tax, and the Pierponts, Morgans, and Mellons, and Carnegies, and Rockefellers. We created more wealth in the 1990s. And every single quintile of American worker went up, everyone.

So we can do this recognizing that the energy market is a \$6 trillion market compared to one with, what, 4 billion, 5 billion users today going up to 9 billion over the course of the next 20, 30 years.

This is a place for us to recognize what other countries are doing and what our states that are growing are doing, which is there is an extraordinary amount of opportunity in modernizing America's energy grid. We do not have even have a grid in America. We have a great, big open gap in the circle of America. You got an East Coast grid, a West Coast grid, you have got a Texas grid, and then you got a line that goes from Chicago out over to the Dakotas.

We cannot sell energy from Minnesota to Arizona, from Arizona to Massachusetts, or to the coal States and so forth. It does not make sense. And we cannot be a modern country if we do not fix that infrastructure.

So I would respectfully say to you that climate change is not something to be feared in response to—I mean, the steps to respond to it. It is to be feared if we do not. Three thousand five hundred communities in our Nation last year broke records for heat. We had a rail that because of the heat bent, and we had a derailment as a result of it. We had record fires. We had record levels of damage from Sandy, \$70 billion. If we cannot see the downside of spending that money and risking lives for all the changes that are taking place, to agriculture, to our communities, to the ocean, and so forth, then we are just ignoring what science is telling us.

So I will be a passionate advocate about this, but not based on ideology, based on facts, based on science. And I hope to sit with all of you and convince you this \$6 trillion market is worth millions of American jobs and leadership, and we had better go after it.

Senator BARRASSO. Thank you, Mr. Chairman.

Senator MENENDEZ. Senator Udall.

Senator UDALL. Thank you, Mr. Chairman. And to my good friend, Senator Barrasso, Wyoming is a producer State. New Mexico is also a producer State. And I have found the same experience that Senator Kerry has talked about in terms of Massachusetts. In New Mexico, the fastest growing sector are these renewable jobs. And so I think it is a big opportunity for us. We should be pursuing it. I agree with what he just said.

And I hope that we can work with each other because we should try to pull together, and discuss the facts, and really pursue this sector that is going to be so vital to the future, and vital actually to job growth.

But, John, great to have you here. You have really earned this, there is no doubt about it. It is great to see Teresa and Vanessa. And I was walking over my second time back here, and I saw the cutest grandchild I have seen in a long time. I said, are you going to bring him in, and they said, no, no, he was going to wait outside. But anyway—

Senator KERRY. He's shy. [Laughter.]

Senator UDALL. In my observation here, in my short period on the Foreign Relations Committee, I think a great deal of what good foreign policy is about is building personal relationships, and building personal relationships with leaders around the world. And the one thing that I have really observed, Senator Kerry, of you is that you have done that. And we have had so many of these private meetings across over there in the Capitol in the small Foreign Relations room. And I could just feel with meeting with all these leaders the tremendous respect that they have for you and the ability you are going to have to build on that to make an excellent Secretary of State. So I am very excited about this opportunity for you.

And in my first question here, I wanted to focus on Mexico and Central America. During the last decade, relations between the United States and Mexico have strengthened as a result of our shared security goals relating to the Merida Initiative. And one of the pillars of that initiative includes judicial reform, and I think you know this very well.

However, the Federal Government and many of the Mexican states have yet to pass legislation which would change their judicial system from an inquisitorial system to an adversarial system.

I had a lot of experience with this as a state attorney general a ways back. We actually would meet every 6 months with Mexican states, and they asked us to loan people to them to help train in the adversarial system.

And so my question is, How can the United States better work with our neighbors in Mexico to improve transparency, efficiency, and the quality of the judicial system, and improve this transition they are trying to make from inquisitorial to an adversarial system?

Senator KERRY. Well, Senator Udall, first of all, thank you for your generous comments. I very much appreciate them, and appreciate working with you on a lot of these issues.

We are engaged now, and you know this. I mean, there are ongoing efforts with respect to the justice system. There has been a lot of focus, as you know, on guns, and narcotics, and so forth, and there has been a shift in policy within Mexico. The President was,

you know, recently here for meetings, and my hope is that we can keep—I mean, I want to keep the existing efforts going which could become subject to the sequestration and budget effort. So I guess we're going to have to convince our colleagues of the importance of these kinds of initiatives actually taking root and having the willingness to kind of stay at them until we do get more results. Mexico has been under siege, and everybody knows that. And it has been very, very difficult. A lot of courage exhibited by military folks and police.

I think there is an effort now to try to move it somewhat away from the military and more into the justice system, which is why we are going to have to double our efforts here and make sure we are funding the personnel and the program itself. So I will work with that, but we need the cooperation up here to get that kind of commitment.

Senator UDALL. Great. Thank you very much.

As you know, the new President of Mexico, President Enrique Pena Nieto, has stated that his strategy with regards to security cooperation is to achieve a “Mexico in peace” is what he calls it and that his government will not abandon the fight against organized crime. How will you work to ensure that areas of mutual interest between the two countries get the attention they deserve and how we get that cooperation along the border?

Senator KERRY. Look, I—

Senator UDALL. It just seems to me that is absolutely crucial is the cooperation along the border. They have six border states. We have four. And it is crucial that we work with each other on that.

Senator KERRY. Well, President Pena Nieto is, indeed, trying to move this, as I said, in a different direction. This has been a highly militarized and very violent initiative over the last years. You know, I am a former prosecutor. You are a former attorney general. I was the chief administrative prosecutor in one of the 10 largest counties in America, Middlesex County, and I loved prosecuting. It was a great job.

I remember we created a drug task force and had all kinds of plans for how to proceed to minimize the impact of narcotics on our communities. And one of the things I learned is that there is no one approach. You have got to be doing everything that you need to do. And that means domestically in the United States, you have got to do education and you have got to do treatment.

Because what we have is just a revolving circle of demand, and we are the principal demand country. Not alone now. Europe is huge demand, Russia. There are other countries now increasing demand.

So cocaine routes and marijuana routes, et cetera, are not just coming up from Colombia and other countries where it has been produced in Latin America and the Caribbean up to here, but it is going across the Atlantic and out into other countries now. And it comes from Asia into other countries. It is pandemic.

And so, I think we need a more comprehensive approach, one where it is less accusatory, finger pointing, and you work cooperatively to understand everybody's role in trying to do something about it. I have always felt that this label of “war on drugs” is kind

of artificial because, you know, war implies it is all out. You have got to win.

And I don't think it has ever been all out, and principally, because we have always failed to do our part with respect to treatment and education and abstinence, so forth. So we have got to reengage ourselves, and I think that would help establish credibility and viability with other countries.

Senator UDALL. Thank you very much for those answers.

Thank you, Mr. Chairman.

Senator MENENDEZ. Senator Paul.

Senator PAUL. Senator Kerry, thanks for coming today and for your testimony.

I agree with candidate Barack Obama, who said in 2007 that the President doesn't have the power under the Constitution to unilaterally authorize a military attack. I would like to know if you agree with candidate Barack Obama or if you agree with President Barack Obama, who took us to war in Libya without congressional authority, unilaterally.

Senator KERRY. Well, Senator Paul, one of the things this committee has spent a lot of time on is the War Powers Act, which I support. And I believe in congressional authority to go to war. I have argued that on occasion with respect to some things here, but there are occasions, which I have supported, where a President of the United States has to make a decision immediately and implement that decision, execute on it immediately.

I supported Ronald Reagan when he sent troops into Grenada. I supported George H.W. Bush when he sent troops into Panama. I supported President Clinton when, against the will of the Congress, he did what was needed to be done in Kosovo, Bosnia, and so forth. And in this particular instance, I think the President behaved in that tradition.

Senator PAUL. I would argue, though, that the Constitution really has no exceptions for when you are having a tough time or when people disagree with you that you just go ahead and do it.

Senator KERRY. Well—

Senator PAUL. In the early 1970s, you know, after Vietnam, you were quite critical of the bombing in Cambodia because I think you felt that it wasn't authorized by Congress. Has your opinion changed about the bombing in Cambodia? How is Cambodia different than Libya?

Senator KERRY. Nor did my opinion change or has it ever altered about the war in Vietnam itself, where I don't believe—and I argued then.

Senator PAUL. Is Cambodia different than Libya?

Senator KERRY. Well, Cambodia; yes, it is. Because it was an extension of the war that was being prosecuted without the involvement of Congress after a number of years.

Now that is very different than something—

Senator PAUL. Length of time, but similar circumstances. A bombing campaign unauthorized by Congress.

See, the Constitution really doesn't give this kind of latitude to sometimes go to war and sometimes not go to war.

I thought Barack Obama was very explicit, and it is what I liked about him, frankly. People think, oh, you know, Rand Paul cer-

tainly didn't like anything about Barack Obama. I did like his forthrightness when he ran for office and said no President should unilaterally go to war. The Constitution doesn't allow it.

Senator KERRY. Well, I respect that. Look, you can be absolutist and apply it to every circumstance. The problem is it just doesn't work in some instances. When 10,000 people are about to be wiped out by a brutal dictator and you need to make a quick judgment about engagement, you certainly can't rely on a Congress that has proven itself—

Senator PAUL. Do you think—

Senator KERRY [continuing]. Unwilling to move after weeks and months sometimes.

Senator PAUL. Do you think a U.N. resolution is sufficient to go to war?

Senator KERRY. No. No, I think a U.N. resolution—when you say “sufficient to go to war,” I think a U.N. resolution is a necessary ingredient to provide the legal basis for military action in an emergency. It is not, by any means, sufficient to require the United States to do something because we obey our Constitution and our interests and our rights.

But I think—

Senator PAUL. You have heard President Morsi's comments about Zionists and Israelis being bloodsuckers and descendants of apes and pigs. Do you think it is wise to send them F-16s and Abram tanks?

Senator KERRY. I think those comments are reprehensible, and those comments set back the possibilities of working toward issues of mutual interest. They are degrading comments. They are unacceptable by anybody's standard, and I think they have to appropriately be apologized for.

Now President—

Senator PAUL. They only understand strength.

Senator KERRY. Let me just finish.

Senator PAUL. If we keep sending them weapons, they are not going to change their behavior.

Senator KERRY. Let me just finish. President Morsi—President Morsi has issued two statements to clarify those comments, and we had a group of Senators who met with him just the other day, who spent a good part of their conversation in relatively heated discussion with him about it.

But not everything—you know, this is always the complication in dealings in the international sector. Not everything lends itself to a simple clarity, black-white, this-that every time. We have critical interests with Egypt, critical interests with Egypt.

Egypt has thus far supported and lived by the peace agreement with Israel. Israel—and has taken steps to begin to deal with the problem of security in the Sinai. Those are vital to us and to our national interests and to the security of Israel. In addition to that, they have followed through on the promise to have an election.

Senator PAUL. You know, but I know things are not black and white, but the things—

Senator KERRY. Let me just—you know, they have had an election. They had a constitutional process. There is another election that is coming up shortly for the lower House. The fact that some-

times other countries elect somebody that you don't completely agree with doesn't give us permission to walk away from their election.

Senator PAUL. But this has been our problem with our foreign policy for decades, Republican and Democrat. We funded bin Laden. We funded the mujahedeen. We were in favor of radical jihad because they were the enemy of our enemy. We have done this so often.

I see these weapons coming back to threaten Israel. I see support for Syrian rebels coming back to threaten Israel as well.

Senator KERRY. Well, as you know, Senator——

Senator PAUL. I see problems with this.

Senator KERRY. As you know, Senator, in any of the arms sales that the United States has ever engaged in in that part of the world, there is always a measure, a test, which is applied with respect to a qualitative difference in any of those weapons with respect to Israel's defense and security. And we do not sell weapons and will not sell weapons that might upset that qualitative balance.

Senator PAUL. Yes, so we sell 20 F-16s to Egypt. We have got to give 25 to Israel. Sounds like we are fueling an arms race. Why don't we just not give any weapons to Israel's enemies? That would certainly save us a lot of money and might make it safer for Israel.

One final question——

Senator KERRY. Better yet, until we are at that moment where that might be achievable, maybe it would be better to try to make peace.

Senator PAUL. One final question, if I could, Mr. Chairman? It is very short. Would you consider supporting conditioning aid to Pakistan on the release of Dr. Shakil Afridi? I am afraid if we don't support informants who have helped us, we are not going to get many more informants.

Senator KERRY. Well, let me speak to that. First of all, I have talked directly to President Zardari, and I have talked directly to General Kayani about Dr. Afridi. And like most Americans, I find it, as you do, incomprehensible, if not repugnant, that somebody who helped to find Osama bin Laden is in jail in Pakistan. That bothers every American.

That said, the Pakistanis make the argument that he didn't know what he was doing, that he didn't know who he was specifically targeting or what was happening——

Senator PAUL. You think he knew he was helping Americans, though?

Senator KERRY. Let me just finish. Let me just finish. He clearly knew what he was doing in that because they also make the argument that he was doing that as a matter of regular course of business for him.

Now, that said, that is no excuse. I am simply explaining to you that rather than cut aid, which is a pretty dramatic, draconian, sledgehammer approach to a relationship that really has a lot of interests. You know, we have our ground line of communications, which is the military's complicated word for roads, that go to Afghanistan, and that route is critical to our supply of our troops.

We have——

Senator PAUL. The word I used, though, is "condition," not "cut."

Senator KERRY. We have, in addition to that, had intelligence cooperation. Our folks were able to cooperate on the ground in Pakistan. That is one of the ways we were able to get Osama bin Laden. I don't think the Pakistanis have, frankly, gotten credit sufficiently for the fact that they were helpful.

It was their permissiveness in allowing our people to be there that helped us to be able to tie the knots that focused on that, to some degree. Not exclusively, obviously, but to some degree.

In addition, they have lost some 6,000 people just in the last year in their efforts to go after terrorists. They have lost about 30,000 people over the course of the last several years because they have been willing to engage the insurgencies. And so, you know, there are things that the Pakistanis have done, as complicated as the relationship has been.

Now I think that I intend to raise the issue of Dr. Afridi with them. I can promise you that. But I am not going to recommend, nor do I think it is wise for American policy to just cut our assistance. We need to build our relationship with the Pakistanis, not diminish it.

Senator PAUL. Thank you.

Senator MENENDEZ. Senator Murphy.

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

Welcome, Senator Kerry. I am sorry that our careers in the Senate will only overlap for a few weeks, but I want to thank you. Because for those of us in our corner of the country who have come into public service in the last 10 to 20 years, it has been your example that has inspired many of us to do so. Not only your ability to both position yourself as a spokesman for the disenfranchised and dispossessed, but also as a steward of our country's interests around the world.

I think there are a lot of us who came into public service in part because of your work for our region. I thank you for that.

I wanted to spend my short time turning to the Asia-Pacific region and specifically spending a little bit of time on China as well. Secretary Clinton, in a speech that she gave in Singapore sometime back, crafted a great and very simple phrase about how today, for the first time in modern history, you can become a global superpower simply through the power of your economy, not by the power of your military. China is obviously the best example of that, though it has now turned its focus to military might as well.

In Connecticut, we have about 40 percent of our exports sent to that region today. On an annual basis, we are increasing our country's exports to the region by a 25 to 30 percent clip.

And yet we know, again specifically with respect to China, that those numbers pale in comparison to what they could be because high-tech manufacturers cower at the prospect of sending products there that will immediately be replicated and sold in counterfeit markets. Military manufacturers in Connecticut can't even get into China, even as their competitors there get a pretty fair shot at getting into our market.

Secretary Clinton also talked a lot about this new concept of economic statecraft, and I wanted to get your thoughts about how we can use and continue to use the power of the Department of State

to try to pressure the Chinese to both correct its flaws with respect to its disposition on intellectual property, to pressure that nation to open up its markets to more American goods, and then in general how you see our ability to really exercise economic pressure on that region to be a source of what we hope is a doubling of exports, as the President has commanded us to do over the next 5 years.

Senator KERRY. Well, first of all, Senator, thank you for your nice comments. I really appreciate it. And welcome to the committee. I am delighted to see you and Senator Kaine on the committee.

Senator Reid called me, and we chatted about the folks who might serve on the committee, and I am delighted that both of you are there. And I am sorry that, obviously, we won't be working together on the committee. But believe me, we are going to be working together, and I look forward to it.

Look, Secretary Clinton, if she was sitting here—and she has—previously said, and I will simply reiterate and underscore, China is an ongoing process, and it takes commitment and perseverance to break through on one issue or another. We have a lot of issues with China.

My intention is to continue to focus, as the administration has begun through its rebalancing, to grow that rebalance because it is critical for us to strengthen our relationship with China. China is the other sort of significant economy in the world and obviously has a voracious appetite for resources around the world. And we need to establish rules of the road that work everybody.

That is why the administration came up with the Trans-Pacific Partnership in an effort to try to help establish greater leverage, if you will, for this notion of broadly accepted rules of the road, which are critical to our doing commerce. But on things like intellectual property, market access, currency, there are still significant challenges ahead with China.

Now my hope is that Xi Jinping and the new administration will recognize also the need to sort of broaden the relationship with us in return. I could envision a way in which China could play a much more significant role as a partner in any number of efforts globally. We shouldn't be viewed as—I mean, we will be competitors in the economic marketplace, but we shouldn't be viewed as adversaries in some way that diminishes our ability to cooperate on a number of things.

China is cooperating with us now on Iran. I think there might be more we could perhaps do with respect to North Korea. There could be more we could do in other parts of the Far East. And hopefully, we can build those relationships that will further that transformation.

We make progress. It is incremental. You know, it is a tough slog, and there just isn't any single magic way to approach it. But if we can find a better sense of the mutuality of our interests and the commonality of goals that we could work toward—climate change is an example.

If we just sit around where we are today in respect to the comments I think Senator Barrasso or somebody made, we are going to have a problem because China is soon going to have double the emissions of the United States of America. So we have got to get

these folks as part of this unified effort, and I intend to work very, very hard at trying to do that.

Senator MURPHY. I appreciate that. I appreciate that.

The one probably most important stumbling block to that growing diplomatic partnership that I agree could have transformational potential for the world is the potential conflict between China's growing military footprint in the region and now our pivot to Asia when it comes to our military interests as well.

And we have seen these growing territorial disputes between China and the Philippines, and China and Japan, and Korea and Japan. How do we ramp up militarily in the region without getting drawn in to a lot of these disputes, which we have no immediate interest in, but makes it a little bit harder to stay disconnected from if we just have a larger footprint there?

Senator KERRY. Well, Senator, I am not convinced that increased military ramp-up is critical yet. I am not convinced of that. That is something I would want to look at very carefully when and if you folks confirm me and I can get in there and sort of dig into this a little deeper.

But we have a lot more bases out there than any other nation in the world, including China, today. We have a lot more forces out there than any other nation in the world, including China, today. And we have just augmented, the President's announcement, in Australia with additional Marines. You know, the Chinese take a look at that and say, "What is the United States doing? Are they trying to circle us? What is going on?"

And so, every action has its reaction. It is the old—you know, it is not just the law of physics. It is the law of politics and diplomacy. I think we have to be thoughtful about sort of how we go forward.

Pivot, also I want to take on the word "pivot." I think "pivot" implies that we are turning away from somewhere else. I want to emphasize we are not turning away from anywhere else. Whatever we do in China should not, or in the Far East—in Indonesia, which is rapidly growing and enormously important, Vietnam, all of these countries—should not come and, I hope, will not come at the expense of relationships in Europe or in the Mideast or elsewhere. It can't.

What we need to do is try to bring Europe along with us to a recognition of the opportunities in the Far East. It would improve our clout. It would leverage the market. Perhaps there has been some talk about a U.S.-EU trade relationship. I don't know whether that can become a reality or not. But I think that we need to think thoughtfully about not creating a threat where there isn't one and understanding very carefully where we can find the basis of better cooperation.

Now I want to emphasize that I don't want somebody out there saying, well, Kerry has a mistaken notion of what China is up to or what they are doing. I am not saying you don't have to be pretty careful and vigilant and understand where it is going, and I am not talking about retreating from our current levels whatsoever. I am simply trying to think about how we do this in a way that doesn't create the reaction you don't want to create.

Senator MURPHY. Thank you.

Senator MENENDEZ. Senator Kaine.

Senator KAINE. Thank you, Mr. Chairman.

Senator Kerry, your 29 years of service on this committee is a great example for those of us newcomers, and I thank you for that and look forward to working with you as Secretary.

A comment and two questions. In the chair's opening round of questions, he raised issues about our relations in the Western Hemisphere, and that is deeply important to me.

Those have also been touched on in your responses to Senator Udall and in the reference to the Trans-Pacific Partnership in the discussion with Senator Murphy.

I worry a little bit that for many understandable reasons our foreign policy has been very oriented East-West, but the North-South axis is also incredibly important. I worry about the Chinese being all over the Americas and Iran having economic ties and state-sponsored Spanish language broadcasts throughout the Americas.

And in a time of inattention, it is not as if we are standing still. We can be seeing our influence erode. And so, I would just, as you have talked about these matters today, I really, really hope that the State Department has that North-South axis as a key focus.

On to a question on a topic, your opening comments demonstrated what has long been a position of yours that you understand that we have an unbreakable bond with Israel. And that is why the definitive statement about Iranians' nuclear ambitions that we have a policy of prevention, not containment, was very heartening to hear. I believe that very deeply.

As much as I believe that, I also believe that as difficult as it looks, we also long for the day, long for the prospect that there would be peace between a secure Jewish State of Israel and an independent and prosperous Palestine. It might seem unlikely, but the current peaceful relationships in Ireland seemed equally or more unlikely 30 years ago.

What would your approach be as Secretary of State in trying to advance that day so that it might be sooner rather than later?

Senator KERRY. Well, part of my approach to help advance that day is not to be too explicit here today. I have a lot of thoughts about that challenge, and one of the things I can guarantee you is that I don't want to prejudice it by public demands to any party at this point in time.

I think, you know, I will say this. President Obama is deeply committed to a two-state solution. I have been reading lately speculation about whether or not he is committed to the process or what he thinks or believes, et cetera. I think a lot of it is simply wrong, blown out of proportion. The President understands the stakes and the implications in the Middle East.

And the almost so much of what we aspire to achieve and what we need to do globally, what we need to do in the Maghreb and south Asia, south-central Asia, throughout the gulf, all of this is tied to what can or doesn't happen with respect to Israel-Palestine. In some places, it is used as an excuse. In other places, it is a genuine, deeply felt challenge.

I am not going to say anything that prejudices our ability to try to get a negotiation moving in the appropriate way, in the appropriate manner, and I am not even going to go into what that is.

But I think I personally believe—I have been at this for, what, almost 29 years on this committee. We have been at this. I have watched all of it.

I was on the lawn when we were there with the handshake—Arafat, Begin. And I have been through seven Prime Ministers and nine in all. Two of them were the same. And I have seen Wye Plantation and Madrid and Oslo and Taba and so forth.

We need to try to find a way forward, and I happen to believe that there is a way forward. But I also believe that if we can't be successful, the door or window, whatever you want to call it, to the possibility of a two-state solution could shut on everybody, and that would be disastrous, in my judgment.

So I think this is an enormously important issue, and I will never step back from my commitment to the State of Israel, which I have shown for the 29 years I have been here. But I also will not step back from my understanding of the plight of Palestinians and others who are caught up in the swirl of this. Young children, who I have seen, who have hopes for future, and I would like to see us deliver.

Senator KAINE. The State Department and Secretary play critical roles in human rights, and you have touched on those today. Just a recent example that you were involved in in some way was the activity of Secretary Clinton and others on behalf of the human rights activist Chen Guangcheng in China.

A human rights issue that I am concerned about is religious freedom. You and I share a faith background, and we also share a commitment to that bedrock American principle that all should be able to worship as they please or not without official pressure or punishment or preference.

Whether it is marginalization of Muslims in Europe or repression of Christians or Baha'is in the Middle East or anti-Semitism anywhere, the United States has a valuable role to play, and the State Department does as well, in the protection of religious minorities. And I would love to hear you just talk about that for a second.

Senator KERRY. Well, I couldn't agree more, and I am glad you raised that issue. It is at the core of who we are. The tolerance on which the United States is founded is one of our greatest attributes. And it is interesting, I will tell you that we have gone through our own sort of turbulence on that. We didn't arrive at it naturally.

You know, the Puritans came to Massachusetts, and there were a few excesses. Then a guy named Roger Williams left Massachusetts and went down and traveled through the forests through the winter and came out on a bay and called it Providence, and it is now Providence, RI. And you had, you know, John Davenport and others who went down to New Haven, CT, and they all were getting away from religious persecution right here in our own country.

It took us a while to get it right, and I think we do.

And needless to say, one of the roles of the State Department is to help people understand what an essential ingredient tolerance is, and diversity and pluralism, to the ability of a country to flourish and people to have their rights. That is one of the big challenges that we face.

I am sure my advisers at the State Department would say, you know, stop there, Senator. [Laughter.]

Senator KERRY. But I am going to say—I will say something additional, which is I have a lot of friends who are Muslim who I have learned—who I have met and built relationships with over the years in my travels. And leaders in that region will be the first to tell you, me, others that what you see in radical Islam is not Islam. It is radical Islam. It is an exploitation and hijacking of an old and honored religion.

And what we need to do is find a way—and this is something we have to work at—for people to understand the degree to which that is happening and becoming, in some places, an excuse for their disenfranchisement, for being deprived of good governance, for being deprived of a good economy, of jobs, of opportunity. One of our missions is to not let that be an excuse.

So I think that carrying the banner of religious tolerance, of diversity, and pluralism is critical. I know we have raised that with President Morsi. I have personally raised it with him. I think I was the first American to meet with President Morsi before he became—even knew he was a candidate. And we talked about the need for the Brotherhood to be able to respect the diversity of Egypt.

Now that hasn't happened completely as much as we would like in the constitutional process. But as I said, that is an ongoing process, and we need to work together in order to try to do it. But, Senator, you raise a central, central issue with respect to what is happening to the politics of certain regions of the world, and it has got to be front and center in our dialogue.

Senator KAINE. Thank you.

Senator MENENDEZ. Senator Corker, final comment?

Senator CORKER. Mr. Chairman, thank you for having the hearing.

And Mr. Chairman, I think all of us who have known you and known of your service here for 29 years thought that you would acquit yourself well today, but I think you have acquitted yourself exceptionally well and know you are going to be confirmed in the next very few days. And I just thank you for your—I thank you for the fact that you want to serve in this position, but also the fact that you have developed such an extensive background and understanding.

And I know you are going to be really good in this job.

I look forward to working with you and thank you for the patience today.

Senator MENENDEZ. Mr. Chairman, two quick questions I think would be very easy and hope we can get commitments from you on.

One is having gone through the lengthy hearings on the Administrative Review Board's recommendations and what happened in Benghazi, can we be assured that you will personally oversee the implementation of the ARB and have your senior leadership make it a top priority?

Senator KERRY. Absolutely.

Senator MENENDEZ. And second, with reference to our democracy programs worldwide, can we expect you to be a strong supporter of those programs?

Senator KERRY. Yes.

Senator MENENDEZ. And then, finally, a comment. I had no intention of raising it, but, you know, to suggest that spring break is a form of torture to the Castro regime, unfortunately, they are experts about torture, as is evidenced by the increasing brutal crackdown on peaceful democracy advocates on the island. Just in the last year, over 6,600 peaceful democracy advocates detained or arrested.

Just this past Sunday, the Ladies in White—a group of women who dress in white and march every Sunday with a gladiola to church—tried to come together to go to church this past Sunday. And the result of that—these are individuals who are the relatives of former or current political prisoners in Castro's jails—the result is that more than 35 of the Women in White were intercepted, beaten with belts, threatened to death by agents aiming guns at them, and temporarily arrested.

And then we have a United States citizen who all he tried to do is give access to the Internet to a small Jewish population in Havana and has been languishing in jail for nearly 4 years. That is real torture.

Mr. Chairman, you have given an incredibly thoughtful, extensive, passionate at times, and an incredible depth of knowledge before this committee for nearly 3 hours and 50 minutes. It is a testament to your long service, your long commitment, and what we can expect of you as the next Secretary of State.

And I know that your father, Richard, who also served this country, would be extremely proud of you today.

The committee will receive questions for the record until the close of business today. So we urge members who may have any questions to do so by the close of business today. We encourage the nominee, as well as the Department, to respond to the questions as expeditiously as possible.

Senator MENENDEZ. And with that, with the thanks of the committee, this hearing is adjourned.

Senator KERRY. Thank you, Mr. Chairman.

[Whereupon, at 1:50 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO PREHEARING QUESTIONS SUBMITTED BY SENATOR BOB CORKER

Question. What do you believe is the role of the Congress in establishing U.S. foreign policy? What role, specifically, do you believe the Senate Foreign Relations Committee should play?

Answer. My time as a Senator reinforces my belief that the Congress is, and must remain, a vital partner in the establishment, oversight, and implementation of U.S. foreign policy. The Department looks to the Congress for authorization and funding of its conduct of foreign policy, provision of necessary legislation, and oversight of the execution of the President's foreign policy agenda. If confirmed, I look forward to working with the Congress on all of these important issues.

As the standing committee charged with leading the debate on foreign policy within the Senate, the Senate Foreign Relations Committee (SFRC) is specifically instrumental in establishing and implementing U.S. foreign policy. Through its jurisdictional powers over executive nominations, treaties, and foreign policy legislation, as well as its oversight over foreign aid and programmatic funding, the SFRC shapes the parameters within which the Department of State operates.

Question. Since the tragic incident in Benghazi, the term “expeditionary diplomacy” has been used to describe U.S. diplomatic activities in relatively unstable areas with a small/light footprint.

- ♦ In your view, what does it mean to engage in “expeditionary diplomacy,” and can you provide several examples where the United States is currently engaged in expeditionary diplomacy and an assessment of the advantages and disadvantages to doing so?
- ♦ When and where is expeditionary diplomacy appropriate?

Answer. A New Kind of Civilian Expeditionary Capacity. As we expand U.S. expeditionary capacity for conflict and crisis, we are building on the experience of innovative field officers at State and USAID who have set new standards for impact on the ground. These kinds of efforts must become a part of the “new normal” for our personnel deployed to conflict and post-conflict environments.

- In the contentious Tagab Valley in Eastern Afghanistan, State personnel helped local officials design and hold the first cross-valley shura to bring together former fighters and establish community-based security arrangements. Along nearby Highway 1, a critical supply line for U.S. and allied forces, USAID field personnel, deployed in interagency teams with the military and local partners, used a databased conflict survey to develop localized jobs programs along stretches of road notorious for attacks.
- In Haiti, State and USAID field officers worked with the U.N. mission, the Haitian Government, and NGOs in the slums of Cite Soleil to increase effective local police presence and establish community-based initiatives that reduce the influence of local gangs.
- In Darfur, Sudan, following the 2005 peace agreement, State Civilian Response Corps members set up a field presence in El Fasher to increase understanding of local conflict dynamics and worked with the African Union to bring additional militias into the peace agreement, resulting in a “peace Secretariat” to support confidence-building measures.

Question. Will you commit to preconsultation on process for treaties with the members of the committee?

Answer. Having served in the Senate for 27 years, I can assure you I respect the Senate’s constitutional role in the treatymaking process.

I agree that consultation and coordination with members of the Senate Foreign Relations Committee have played, and will continue to play, a critical role in successful treaty ratification processes. If confirmed, I look forward to discussing the administration’s treaty priorities.

Question. Condition 12 of the resolution of ratification accompanying New START required the President to certify to the Senate that “the United States will seek to initiate, following consultation with NATO allies but not later than one year after the entry into force of the New START Treaty, negotiations with the Russian Federation on an agreement to address the disparity between the non-strategic (tactical) nuclear weapons stockpiles of the Russian Federation and of the United States.” The President made the required certification and consultation with our NATO allies has taken place, but here we are almost 2 years after entry into force of New START, the negotiations have not commenced.

- ♦ What do you intend to recommend to the President about how to eliminate the disparity described in Condition 12 of the New START resolution of ratification?

Answer. This issue is very important—as a Senator, I assisted in crafting the language in the New START resolution of ratification that addressed the disparity between U.S. and Russian nonstrategic nuclear weapons (NSNW).

The administration has been actively working on this issue, through the Bilateral Presidential Commission’s Arms Control and International Security Working Group. The administration has also begun a dialogue with Russia regarding NSNW, their effect on stability and transparency regarding them. That dialogue will continue.

As part of this process, it is critical that we continue to consult with our NATO allies, who have said they look forward to developing and exchanging NSNW transparency and confidence-building ideas with Russia.

Question. During the 2010 debate around consideration of the New START Treaty, you played a critical role in negotiations that provided the necessary assurances to gain support for ratification. Much of that support was gained through commitments to modernization of our nuclear weapons—commitments to which the administration has not lived up to fully. This lack of followthrough has made a significant, negative impression about the value of any process where such assurances are sought in order to gain support for ratification, and I fear to the administration’s

credibility on treaties. Aside from my displeasure with the failure to meet its commitments, I fear that it will also seriously diminish the Senate's willingness to consider treaties and ratify them. I know you share my concern with this.

♦ Can I get your assurance that you will do all you can to ensure that the administration follows through on the commitments they made on nuclear weapons modernization?

Answer. The President and the administration believe that a credible and affordable modernization plan is necessary to sustain the nuclear infrastructure and support our Nation's deterrent.

The National Nuclear Security Administration will continue to update and improve the exact details of these modernization plans as it completes the designs and analyzes the infrastructure needed to support the stockpile. The programs and capabilities of our long-term modernization plans for the nuclear infrastructure remain critically important and, if confirmed, I will vigorously support these programs.

It is worth noting that the FY 2013 nuclear stockpile budget was 5 percent above the amount appropriated by Congress for FY 2012. This was one of the few accounts in the entire U.S. Government that received an increase of this size, and it demonstrated the administration's support for the modernization of the U.S. nuclear weapons complex in a time when there is significant scrutiny of all budgets.

Question. In April 2012, Senator Lugar, Congressman Berman, and Congresswoman Ros-Lehtinen sent a letter to Secretary of State Clinton objecting to the State Department's unilateral modifications to the prenotification consultations on U.S. arms sales that have been used for nearly three decades.

♦ (a) As Secretary of State, will you reinstate the decades-old practice?

Answer (a). As noted above, my time as a Senator reinforces my belief that the Congress must remain a vital partner in the oversight of U.S. foreign policy, and I am committed, if confirmed, to ensuring that Congress and, specifically, the committees of jurisdiction in the Senate and the House, continue to play an important role in the arms sales process. Congress retains the same statutorily provided opportunities to block major arms sales that it has for decades, but as you know, the informal consultation process has developed to make sure that the Congress and the executive branch find as much agreement as possible on proposed sales in a way that does not needlessly undermine our relations with allies and foreign partners. I am committed not only to ensuring that Congress is provided ample time and information to conduct its necessary review but also to making sure that American businesses, our Armed Forces who are cooperating with foreign partners, and our foreign partners themselves are not undermined because of unnecessary delays in this process.

♦ (b) If the Obama administration's modifications to the arms sale process stand, how will you ensure that proposed arms sales to potential adversaries of Israel do not compromise the Israeli military's qualitative edge?

Answer (b). My commitment to Israel's security is unwavering. Any developments I believe pose a threat to Israel's qualitative military edge (QME) will be carefully considered and responded to appropriately. I will not proceed with the release of any military equipment or services that could pose a risk to our allies or compromise regional security in the Middle East. Through the Congressional Notification process, I will ensure Congress is engaged in the assessment and decision process.

Question. The United States is not a party to the Rome Statute of the International Criminal Court. However, the United States has cooperated with the ICC on an ad hoc basis and has supported U.N. Security Council referrals to the ICC in the cases of Sudan and Libya. The Obama administration has been conducting a lengthy review of U.S. policy toward the Court.

♦ (a) Under what circumstances should the United States cooperate with the ICC?

Answer (a). Although the United States is not a party to the Rome Statute of the International Criminal Court, we have supported the ICC's prosecutions of those cases that advance U.S. interests and values, consistent with the requirements of U.S. law. For example, the ICC has outstanding arrest warrants for Joseph Kony and two other senior LRA leaders. The United States has an interest in seeing these men brought to justice, and in providing support for these cases.

♦ (b) How, if at all, should U.S. law be changed to allow direct American support for the Court?

Answer (b). The primary law governing the situations in which the United States may provide support for the Court is the American Service-Members' Protection Act. The administration is not seeking changes to the law at this time.

- ♦ (c) Would you cooperate with the ICC if it decided to proceed with a case involving Israeli actions in the Palestinian territories?

Answer (c). No; we would not support cooperating with the ICC in any such cases.

- ♦ (d) How, if at all, does the ICC have any jurisdiction over U.S. servicemembers or officials?

Answer (d) The Rome Statute provides that the ICC may assert jurisdiction over crimes committed (1) by nationals of states parties, or (2) on the territory of states parties. The United States has expressed concerns over the Rome Statute's assertion of jurisdiction, in the absence of Security Council authorization, over nationals of nonparty states that have not consented, and we would oppose any effort by the ICC to assert jurisdiction over U.S. servicemembers or officials.

- ♦ (e) As Secretary of State, would you seek U.S. ratification of the Rome Statute?

Answer (e). The administration has no plans to seek ratification of the Rome Statute, but has indicated that it is in the interests of the United States to continue to engage with the Court and support its prosecution of cases that advance U.S. interests and values.

Question. In 2011, the Obama administration announced the so-called "Asia Pivot" to reinvigorate the U.S. presence in the region. But it is not clear exactly what that means or what it may guide us to do differently.

- ♦ Can you define U.S. objectives in the region, including criteria to measure successes and/or failures of the pivot?

Answer. I see the administration's strategic "rebalance" as reflecting the recognition that the United States must substantially increase its political, economic, and defense investments in the Asia-Pacific given the region's fundamental importance to our future prosperity and security. If confirmed, I look forward to supporting this rebalance as the United States continues to deepen its engagement in this vital region.

The objectives of the rebalance are to strengthen our treaty alliances, deepen partnerships with emerging powers, shape an effective regional architecture, increase trade and investment, update our force posture, and promote democratic development.

Maintaining peace and security across the Asia-Pacific is central to global progress, including through halting proliferation in North Korea, maintaining freedom of navigation in the region's maritime spaces including the South and East China Seas, and promoting increased transparency in the region's military activities. Our treaty alliances with Japan, the Republic of Korea, Australia, the Philippines, and Thailand, as well as our security relations with Taiwan, are the cornerstone of our strategic position in the Asia-Pacific and continue to ensure regional stability and enhance our regional leadership. In response to the changing security environment in Asia, the United States should seek to modernize our alliances to provide the United States with the flexibility to respond to a range of traditional and nontraditional security challenges.

The administration has also advanced efforts to strengthen our relationships with major emerging powers—such as China, Indonesia, and India—and other regional partners that reflects a comprehensive U.S. approach in the region. Pacific Island countries remain vital to U.S. interests due to our shared history, common values, defense partnerships, commercial links, people-to-people ties, and alignment on international issues, most fully expressed in our Compacts of Free Association with three island nations—the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. The administration has asked these partners to help solve shared problems and shape a rules-based regional and global order.

The U.S. rebalance to the Asia-Pacific region emphasizes the importance of multilateral cooperation to address complex transnational challenges and build effective institutions that reinforce the system of rules, norms, and responsibility. If confirmed, I will continue to deepen our engagement with ASEAN and the region's other multilateral fora, including the East Asia summit and the Pacific Islands Forum, as well as stressing regional cooperation on economic issues through APEC.

Economic vitality in the United States in part depends on the ability of U.S. firms to tap the growing consumer base of the Asia-Pacific region. The United States is a major trade and investment partner in the region and this partnership remains essential to our economic vitality. U.S. leadership on the Trans-Pacific Partnership (TPP) will advance the rules-based trading system that has brought prosperity to both the United States and the region.

Asia's remarkable economic growth over the past decade and its potential for continued growth in the future depend on the security and stability that has long been guaranteed by the U.S. military, including more than 75,000 American servicemen and servicewomen serving in Japan and the Republic of Korea. The challenges of today's rapidly changing region—from territorial and maritime disputes to freedom of navigation issues to the heightened impact of natural disasters—require that the United States pursue a more geographically distributed, operationally resilient, and politically sustainable force posture. In pursuit of this objective, the United States should continue modernizing its basing arrangements with traditional allies in Northeast Asia, while enhancing our presence in Southeast Asia and into the Indian Ocean.

Across the Asia-Pacific region, the United States should seek to foster sustained adherence to democratic practices and improved governance, quality health and education, strengthened disaster preparedness and emergency response, and increased natural resource management, which will contribute to greater human security, stability, and prosperity, as well as deepened U.S. ties in the region.

Question. In 2011, you voted for a bill that was designed to label China a currency manipulator and compel the Chinese to revalue the RMB or face trade repercussions. In a floor speech following your vote, you said that you had “reluctance to see us engage in an effort that I think can put other efforts at risk in certain ways.” As Secretary of State, you will touch one of the United States most important bilateral economic relationships, our relationship with China.

- ♦ (a) Given that you so clearly felt that there was substantial risk in the approach that the Senate took up in 2011, would you pledge to take a leadership role in persuading Congress to look for more appropriate and meaningful ways to engage China?

Answer (a). It is imperative that we get our relationship with China right, given the effect its economic policies have on the United States and on the world economy. China's growing economic relevance has become more apparent through their cooperation in support of a sustainable global recovery over the past few years. Our interest must be in developing a positive, cooperative, and comprehensive relationship with China that delivers benefits to both our countries and to the broader international community.

As a part of developing this relationship, we must find ways to address the array of issues born of our substantial and complex bilateral economic engagement. To be effective, we must press for changes and encourage positive developments in China's policies and behavior through a coordinated U.S. approach. This approach must be based on results-oriented dialogue, both in our bilateral engagements as well as in international fora such as the G20.

We will need to look closely at ways to enhance our engagement with China as it emerges from its ongoing leadership transition. We must build on the successes of the U.S.-China Strategic and Economic Dialogue and the Joint Commission on Commerce and Trade, and we must leverage such engagements to make progress in areas where progress has been insufficient.

The management of our economic relationship cuts across a range of U.S. agencies, including USTR and the Departments of Treasury, Commerce, Energy, and Agriculture, in addition to State. If confirmed, I look forward to working with other agencies and with Congress to develop effective strategies that achieve results for U.S. businesses and workers.

- ♦ (b) Do you think that the measures prescribed by the legislation are helpful or harmful to your broader objectives as Secretary of State?

Answer (b). I defer specific questions about currency to the Treasury Department. I agree with the broader objective of leveling the playing field in China for U.S. businesses and workers. If confirmed, I would work in collaboration with other agencies to ensure that we use all the tools at our disposal to direct China toward full compliance with its international trade and commercial obligations, including its commitment to enhance exchange rate flexibility. China's currency has appreciated more than 30 percent since 2005, but the exchange rate does not yet fully reflect market forces.

More broadly, we must remind China of how both our countries benefit from China's increased integration into the rules-based international economic system—and of the level playing field this system requires. If confirmed, I would make clear that leveling this playing field remains one of our top bilateral priorities.

Question. How can the United States promote human rights in China?

Answer. The promotion of human rights remains at the forefront of American diplomacy worldwide, and the U.S. Government should speak with one voice on our human rights concerns. We are committed to promoting universal values, such as transparency, rule of law, human rights, and good governance. We do this because it is the right thing to do, and also because now, more than ever, it is obvious that human rights' failings in countries around the world, including China, have consequences for U.S. interests—from economic and monetary policy, to climate change, to national security. All branches of the U.S. Government should be involved in making the case to China that the respect for rule of law, freedom of expression, a robust civil society and respect for religious and cultural differences are in its own best interest.

The integration of human rights into the Strategic and Economic Dialogue over the past 2 years has been an important step in the right direction, but more can be done. We will continue efforts to bring together representatives of agencies working on a wide range of issues to discuss common issues and identify ways we can deliver a coordinated message to China that respect for universal human rights will help, not hinder, its efforts to maintain economic growth and stability.

The human rights dialogue provides an important opportunity to have detailed discussions with Chinese officials on key human rights issues as well as an opportunity to raise cases of political prisoners. The dialogue fits into the administration's two-pronged approach. This approach combines consistently and directly raising, with Chinese officials at all levels, the issues that they consider to be most "sensitive"—like the cases of Nobel laureate Liu Xiaobo or the situation in Tibet—while at the same time discussing with them how improving protections for human rights will enable them to address the issues that they themselves have identified as of practical concern—like how to respond to popular discontent with pollution and food safety protections.

We will continue to support programming in the areas of rule of law, civil society, and public participation and broadening and institutionalizing dialogues that have a practical focus such as the Legal Experts Dialogue.

Finally, we will continue to increase our efforts to advocate multilaterally, including through coordinated action with like-minded governments in multilateral forums.

Question. Chinese military vessels have been increasingly engaging in aggressive maneuvers in the South China Sea that are perceived by our allies in the region, including Japan, as part of a concerted effort by Beijing to intimidate and project military power.

♦ How should the United States react to Beijing's provocations?

Answer. The United States has a national interest in the maintenance of peace and stability, respect for international law, lawful unimpeded commerce, and freedom of navigation in the South China Sea.

The United States does not take a position on competing sovereignty claims over land features in the South China Sea and believes the nations of the region should work collaboratively and diplomatically to resolve the various disputes without coercion, intimidation, threats, or the use of force.

The United States strongly supports efforts by ASEAN and China to make meaningful progress toward finalizing a comprehensive Code of Conduct to establish rules of the road and clear procedures for addressing disagreements. The United States calls on the parties involved to accelerate progress toward a Code of Conduct.

The United States continues to urge all parties to clarify and pursue their territorial and maritime claims in accordance with international law, including the Law of the Sea Convention.

Question. How will the United States continue to build a relationship with India that establishes mutual goals and addresses areas of mutual concern?

Answer. Strengthening our strategic partnership with India is a top priority for the United States. If confirmed, I plan to use the U.S.-India Strategic Dialogue as a catalyst for further interagency action to implement the President's vision of a deepened bilateral relationship to face shared challenges. This vision includes five key areas of activity: defense cooperation; partnering on shared interests in South and East Asia; homeland security, intelligence, and counterterrorism cooperation; cooperation in multilateral institutions; and an enhanced economic and energy relationship.

India will be one of our closest partners in Asia, which will contribute to the security of the whole region. Building on our robust military exercises, dialogues, and defense trade relationship (\$8 billion and growing), we seek to transition to a relationship of coproduction and, ultimately, joint research and development.

In South and East Asia, we both have an interest in ensuring the region remains peaceful and offers opportunities for increasing trade and prosperity. India's economy is key to the success of the New Silk Road vision and to building a network of trade and transit linkages to its east in an Indo-Pacific Economic Corridor of enhanced prosperity and strengthened security for the nations of Southeast Asia, including Burma. Our consultations with India include trilateral discussions with Japan and with Afghanistan.

We share with India the focus on preventing another attack by a terrorist group against U.S. or Indian interests in the region or elsewhere. Our joint counter-terrorism efforts and enhanced information-sharing, including through the Homeland Security Dialogue, have built an important new bridge between our respective governments.

While in India, President Obama expressed support for a reformed U.N. Security Council that includes India as a permanent member. We consulted closely with India on the significant challenges addressed by the Security Council during India's 2-year term from 2011–2012, and hope to see India take a greater role in this and other institutions in supporting global prosperity, democratic changes, and advancing human dignity.

Our strong economic relationship continues to underpin our bilateral ties; bilateral goods trade more than quadrupled between 2000 and 2011 from \$14.3 billion to \$57.8 billion, and total trade, including services, is on track to reach \$100 billion in the near term. We seek continued growth in our bilateral trade relationship, enhanced investment opportunities, including through the conclusion of a Bilateral Investment Treaty, and further opportunities for U.S. businesses in Indian markets. Full implementation of the U.S.-India Civil Nuclear Cooperation Initiative, beginning with the expected early conclusion of commercial contracts for U.S. firms, remains a top priority.

The increasingly dense web of people-to-people ties plays an important role in cementing our relationship, with over 3 million Indian Americans in the United States and 100,000 Indian students studying in the United States, and contributes to the kinds of innovative collaboration that can benefit citizens of both countries.

Question. What are your expectations for the scheduled Presidential elections in Afghanistan in 2014? What can the United States do to ensure those elections are free and fair, and ensure a peaceful transition of power?

Answer. The Afghan Government has announced that in 2014 they will undertake Presidential and Provincial Council elections. Their goal for the Presidential election, which we share, is for a peaceful transfer of power from President Karzai to his successor following a credible and inclusive election process. We are realistic and clear-eyed about the challenges for the upcoming elections, but we are encouraged by actions the Afghans are taking in conformance with their laws and to honor commitments to the international community. As a crucial first step, the election commission has announced April 5, 2014, as the date for the elections, which is within the timeframe required by the Afghan Constitution.

President Karzai has stated many times, including at the White House on January 11, 2013, that he will step down at the end of this term, as required by Afghanistan's Constitution. We have no reason to doubt his intention to step down and to transfer political authority to his successor following the election process.

Afghanistan's Parliament and the Cabinet are consulting on changes to the legislative framework for elections and the best methods of identifying and registering voters to prevent fraud. We have encouraged the Afghan authorities to adopt laws that will both ensure the political independence of the election administrators and allow election disputes to be resolved openly and fairly.

In President Obama's and President Karzai's joint statement of January 11, President Karzai outlined the Government of Afghanistan's plans to hold free, fair, inclusive, and democratic elections in 2014. The Leaders reviewed preparations for the 2014 elections and agreed that independent Afghan institutions are to lead election preparations and implementation, in close consultation with legitimate stakeholders in the democratic process.

We will continue to support the Afghan electoral authorities, the Afghan Government, Parliament, and civil society in their efforts to strengthen the electoral system and to minimize electoral fraud. We are coordinating with the U.N. on training, public information campaigns, fraud mitigation, domestic observation efforts, and improved ways to identify eligible voters. And we will continue to consult with the Afghans on their support requirements from the international community.

USAID is the lead agency in providing assistance and administering programs to build the capacity of Afghan institutions and civil society in managing and participating in electoral processes. Their emphasis is on supporting independent electoral

institutions, expanding political participation, encouraging greater citizen participation in the elections, and building the capacity of Afghanistan's Parliament.

Both USAID and the Department engage regularly in diplomatic channels with Afghan officials, civil society, and political leaders to support the Afghans' commitment as stated in the Strategic Partnership Agreement to free, fair, and transparent elections in which all those who participate do so freely without internal or external interference.

Question. How do you assess the effectiveness of President Hamid Karzai's government? What more should the United States do to curb widespread corruption in the Afghan Government? Which regions might you anticipate a need for funding that is not in the current budget request?

Answer. We have seen substantial progress over time, especially when we consider the baseline from where the country started. Afghanistan is now a democratic country with an elected government and a constitution that provides a framework for rule of law. The Afghan Government has made significant gains in providing basic education and health care, transportation infrastructure, and telecommunications capability to its people.

At international conferences in Bonn, Istanbul, Chicago, and Tokyo, the international community and the Afghan Government laid out long-term strategies in which assistance commitments from the international community are contingent upon the Afghans strengthening governance and utilizing assistance for sustainable projects that meet national priorities. President Obama and President Karzai signed a Strategic Partnership Agreement last May to set out the expectations for both sides as we move forward in building an enduring relationship beyond 2014.

There are still challenges in security, the political process, and economic development, which President Obama discussed with President Karzai during their strategic talks 2 weeks ago. During these talks, the two Presidents reviewed our Strategic Partnership Agreement and the commitments of both sides to make sure we're on the same page as the transition process continues. As President Karzai said in his own remarks during the visit, Afghanistan is a country moving forward, a country in which "a new period is beginning" and in which Afghans will build on the progress of the last 10 years, with U.S. support. We remain committed to an enduring partnership with Afghanistan that allows both sides to sustain and enhance the gains of the last 10 years.

There is no question that corruption remains a fundamental challenge in Afghanistan. We are working hard with Afghan partners to address the problem by promoting transparency and good governance while working to prevent fraud, waste, and abuse. And we will continue to side with and support the Afghan ministries, governors, and local leaders committed to combating corruption and delivering services to their people.

President Karzai made a strong public commitment in July at the Tokyo conference about preventing corruption, implementing key reforms, and building Afghanistan's institutions. Implementation of these reforms will be critical to Afghanistan's long-term success. The mutual accountability framework agreed to in Tokyo, and the focus on corruption that is included in the U.S.-Afghanistan Strategic Partnership Agreement, gives us tools to see these commitments through. We were pleased to see the specific steps President Karzai ordered his ministries to take subsequent to the Tokyo conference in this regard.

As a sign of progress in reducing corruption and in compliance with President Karzai's July 26 anticorruption decree, the Ministry of Mines published 210 extractive contracts previously awarded by the Government of Afghanistan. The Ministry of Mines also published its first and second reports required under the Extractives Industry Transparency Initiative detailing revenues from the sector for 2009 through 2011.

The participants at Tokyo Conference last July set predictable levels of assistance through what we call the Transformation Decade up to 2024. This is contingent upon Afghanistan strengthening governance and implementing targeted reforms to set the foundation for sustainable economic growth and inclusive development.

The current budget proposal was designed to assist Afghanistan in meeting the challenges of transition. It includes continued programming to help stabilize conflict areas and includes a new emphasis on development efforts in other parts of the country with high potential for economic growth. In addition, the budget will expand programming for women to ensure their gains of the last decade are maintained through the transition period and that women and girls continue to expand their productive roles in society into the future.

Question. President Obama indicated January 11 that U.S./ISAF will accelerate the timeline for turnover of security responsibility to the Afghan Government this year.

- ♦ (a) What is the practical effect of such an accelerated security handover to planned stabilization, development, and capacity-building programming in the country?

Answer (a). The United States remains committed to our strategic partnership with Afghanistan and to the Lisbon timeframe we agreed upon with our ISAF and Afghan partners. At the NATO summit in Chicago, ISAF and the Afghan Government agreed that by mid-2013, Afghan forces would be in the lead for security across the country, with international forces training, advising, and assisting. Given the increasing capabilities of the Afghan National Security Forces, President Obama and President Karzai agreed in early January that we would mark that milestone in spring 2013. The Lisbon timeline also calls for U.S. and international forces to provide support to Afghan forces until full security responsibility is handed over at the end of 2014. At the same time, as part of our Strategic Partnership, we anticipate continuing financial and programmatic support for stabilization, development, and capacity-building in Afghanistan, based on the mutual accountability commitments made in Tokyo last year.

- ♦ (b) What programs will be directly affected and what adjustments to resource and personnel levels are to be expected in 2013?

Answer (b) We do not believe the spring milestone will have a significant impact on our civilian assistance programs in 2013. The majority of civilian assistance programs already operate without the need for direct security from either Afghan or international forces, though they benefit from the generalized security-enhancing presence of such forces. Also, the Afghan Public Protection Force took over security responsibilities last year for a number of projects that do require armed security around project sites.

As part of our planning for the security transition, the Department of State and USAID have been increasing the amount of assistance implemented by the Government of Afghanistan consistent with our Tokyo commitments and the capacity of Afghan agencies to implement effectively, and we are evaluating innovative third-party monitoring mechanisms to ensure programs receive the proper level of oversight and monitoring.

The administration is currently reviewing the overall U.S. Government presence, including the civilian presence. It will be based on mission requirements and the imperative of ensuring that all mission personnel can operate safely.

In Tokyo last July, the United States and our international partners committed to sustain economic assistance to ensure the development gains of the last decade are maintained, and to support sustainable Afghan economic growth. As part of that commitment, the Government of Afghanistan explicitly endorsed the concept of mutual accountability, through the Tokyo Mutual Accountability Framework, and acknowledged that continued international assistance depends on strengthening good governance, grounded in human rights, the rule of law, and adherence to the Afghan Constitution.

Question. While the assumption of responsibility for the entire country by the Government of Afghanistan remains scheduled for the end of 2014, many of the practical details are unclear.

- ♦ (a) What is the current number and dispersal of U.S. civilian direct hires and contract personnel in Afghanistan, and how is it expected to change by the end of 2014?

Answer (a). We have about 1,000 civilians working in Afghanistan under Chief of Mission authority. In addition, there are 3,229 U.S. contractors, 539 non-U.S. contractors and 963 Locally Engaged Staff. The size and scope of our post-2014 presence is under review by the White House. It would be inappropriate to comment until a decision has been made.

- ♦ (b) When will the waiver of responsibility for training and equipping of police forces in Afghanistan revert to State Department?

Answer (b). There are currently no plans for the Department to again assume responsibility for training and equipping the Afghan National Police (ANP). ANP training will continue under the NATO Training Mission-Afghanistan.

Question. In 2012, the Government Accountability Office reported on the State Department's failure to plan and competently execute the critical services it took

over from the Department of Defense in Iraq, including a failure to assess whether the Department of Defense's contracts in Iraq were cost-effective.

- ♦ What steps will the State Department take to identify appropriate contract planning and implementation, particularly as it relates to ensuring that such opportunities are not missed during the imminent change in mission for Afghanistan from a military led endeavor to a civilian one?

Answer. The Department learned much from its transition coordination activities moving from primarily a military mission to a more normalized diplomatic mission in Iraq. The Department is applying those lessons to transition planning for Afghanistan.

- At the senior planning level, we are using the Executive Steering Group (ESG) that was in place for Iraq as a model for Afghanistan to provide Department of State and Department of Defense leadership the ability to communicate and coordinate across the agencies.
- A more robust interagency planning structure, below the ESG, was established by the Department called the Transition Coordination Group (TCG). The TCG includes participants across the State Department's regional and functional bureaus, transition staff from Embassy Kabul, Department of Defense officials, as well as our interagency partners.
- The ESG and the TCG are supported by a Transition Program Office (TPO). Several functional working groups report to, and work with, the TPO to conduct interagency planning and coordination to include an Afghanistan contracting working group, that is cochaired by the State Department and the Department of Defense, and conducts contract planning and implementation via a whole of government approach.

The Department is confident that our professional acquisition staff and the established Department transition structures are sufficient to handle the transition to a more traditional mission in Afghanistan.

Question. How would you characterize the efforts of the Zardari government to crack down on extremism? Is it sufficient?

Answer. The United States and Pakistan continue to have a vital, shared strategic interest in the fight against terrorism, and Pakistan has been a key ally in this fight. Pakistan has suffered greatly at the hands of terrorists and extremists, with more than 6,000 military and civilian casualties over just the past year.

We will continue to work closely with Pakistan to eliminate the threats in the border areas and make both of our nations more secure.

We are pleased that President Zardari has undertaken several important initiatives to counter violent extremism. For example, in 2011, President Zardari created the Ministry of National Harmony to promote religious freedom and counter the extremist narrative on a federal level in Pakistan, and appointed Paul Bhatti as the Special Advisor for Religious Minorities. President Zardari subsequently added minority seats in the national and provincial assemblies.

President Zardari also publically condemned the attack on Malala Yousafzai, the young girl shot by the Taliban for campaigning for girls' education. He announced that Pakistan would contribute \$10 million for the "Malala Fund for Girls' Right to Education" aimed at ensuring that all girls go to school by 2015 in line with United Nations Millennium goals.

Nonetheless, we remain concerned about incitement to violence and the rise of extremism in Pakistan. If confirmed, I will continue to reach out to all sectors of Pakistani society to encourage those values and programs that we believe best counter violent extremism. I will also encourage Pakistanis to respect the rights of all citizens, including religious and ethnic minorities.

Question. The United States suspended Coalition Support Funds (CSF) as well as Pakistan Counter-Insurgency Contingency Funds (PCF/PCCF) following the closure of the GLOC. Neither has been reestablished, although outstanding claims to CSF were paid up to the date of GLOC closure.

- ♦ Do you expect this situation to change?
- ♦ What if any requests have been made by Pakistan for CSF or PCF/PCCF funding to resume and what has been the U.S. response?

Answer. The Department of Defense suspended the Coalition Support Fund (CSF) program for Pakistan after Pakistan closed the ground lines of communication (GLOCs) with Afghanistan following the November 26, 2011, cross-border incident that resulted in the death of 24 Pakistan soldiers.

On July 2, 2012, Pakistan reopened the GLOCs and agreed on Terms of Reference to move two-way cargo on the transit line. Since then, 4,894 Afghanistan-bound

trucks containing military cargo have transited Pakistan's GLOCs. The Government of Pakistan is currently finalizing internal agreement on the transit mechanism to allow retrograde cargo to start transiting the GLOCs.

In July, the Department of Defense authorized payment of \$1.1 billion in CSF to Pakistan for expenses incurred during military operations conducted July 2010–June 2011. In December, the agency authorized payment of another \$688 million for expenses between July–November 2011. While the GLOCs were closed, some activities funded through the Pakistan Counterinsurgency Capabilities Fund (PCCF) continued, though we calibrated our assistance deliveries in response to the level of cooperation on our counterterrorism efforts.

If confirmed, I will ensure that CSF and PCCF continue to be used as effective tools in our shared interest of combating terrorism and seeing a secure, stable, and prosperous region.

Question. The Office of the Special Representative for Afghanistan and Pakistan (SRAP) has provided considerable policy and programmatic input over the term of its existence, as has its counterpart in USAID the Office of Afghanistan and Pakistan Affairs (OAPA).

- ♦ (a) Given the resignation of Ambassador Marc Grossman as SRAP last month and the accelerated transition in Afghanistan, will the SRAP and OAPA offices remain or be combined with their respective regional offices?

Answer (a). If confirmed, I will consult with the President and members of his administration on the best path forward for the Office of the Special Representative to Afghanistan and Pakistan and the Office of Afghanistan and Pakistan Affairs.

- ♦ (b) What lessons have been drawn from the use of multiple Ambassador-level officials in Afghanistan and Pakistan?

Answer (b). Two ambassador-ranked officers (Richard Olsen, Chief of Mission, and Dick Hoagland, Deputy Chief of Mission) serve in Pakistan. However, this is coincidence, not Department policy.

Question. The Enhanced Partnership for Pakistan is legislation in which you played a large role in developing and ushering through Congress. This law conditions certain military assistance and arms transfers to Pakistan on annual certifications by the Secretary of State related to Pakistan's performance in combating terrorism and strengthening democratic institutions.

- ♦ Have these certifications been effective?
- ♦ What more can be done to apply pressure to Pakistan to address the terrorist challenge?

Answer. One of the administration's top priorities is ensuring Pakistan has the capabilities necessary to be a constructive partner in our efforts to establish a secure, stable, and prosperous Afghanistan in 2014 and beyond.

The legislation calls for the Secretary to certify Pakistan demonstrates continued collaboration on nuclear nonproliferation and sustained commitment and efforts on countering terrorism, and that Pakistani security forces are not substantially and materially intervening in civilian governance. Pakistan continues to work toward progress on all of these fronts.

The certification requirements establish a baseline for measuring progress on our core interests with Pakistan. While the cooperation is not yet at the level we would like, we have seen progress in each of these areas and Pakistan continues military operations against terrorist threats.

With over 30,000 people killed since 2001, no country has suffered more from terrorism than Pakistan. It is in Pakistan's clear interest to address the threats to its security and ours. If confirmed, I will apply the resources available to me to deepen cooperation on our shared interests.

Question. In its 2012 report on the U.S. approach to development in Pakistan, the Center for Global Development gave the administration a near-failing grade of "D" on "name a leader" for development strategy in the country.

- ♦ Should there be a single official responsible to you for development strategy and management with respect to Pakistan?
- ♦ Should you be confirmed as Secretary of State, who will you designate to be the single official responsible for development strategy and management of U.S. development assistance in Pakistan?

Answer. In a strategically important country such as Pakistan, it is critical that the State Department and USAID coordinate fully on U.S. assistance and development priorities and needs.

Civilian assistance to Pakistan has received the highest level of attention from the Department and USAID, including by Secretary Clinton, Deputy Secretary Nides, and Administrator Shah.

The Department's Office of the Special Representative for Afghanistan and Pakistan (SRAP), USAID's Office of Afghanistan and Pakistan Affairs (OAPA), and our in-country U.S. mission have been working in full cooperation on its strategy and management.

If confirmed, I will carefully assess the management of our civilian assistance strategy in Pakistan, helping to ensure continued, robust interagency coordination.

Question. Do you believe the Pakistani intelligence services are complicit in or turn a blind eye to the operation of extremist organizations within their borders, so long as the organization's primary targets are external? Do you believe the United States has any leverage to change that dynamic and how would you do so?

Answer. The United States and Pakistan continue to have a vital, shared strategic interest in the fight against terrorism. Pakistan has suffered greatly at the hands of terrorists and extremists, with more than 6,000 military and civilian casualties over just the past year. Pakistani leaders—civilian and military alike—understand that Pakistan's security and economic interests will be best served by a more stable region free from violent extremism.

Foreign Minister Khar has recently said that Pakistan has made a "strategic shift" in recognition that traditional proxies are a source of instability, not of strategic influence.

Pakistan is a key ally in the shared fight against the terrorists that threaten both of our countries. We continue to press Pakistani officials to take action against a range of terrorist groups, including al-Qaeda, the Haqqani Taliban Network, and Lashkar-e-Taiba. Through our mutual efforts with Pakistan, we have been able to substantially weaken al-Qaeda's leadership and operational capabilities. As President Obama has said, since 2001, more terrorists have been killed in Pakistan than in any other country. Pakistan has also publicly called on the Taliban to enter into a dialogue with the Afghan Government. Pakistan supported the listing of the Haqqani Taliban Network under the UNSCR 1988 (Taliban sanctions) regime.

We continue to press Pakistan to take additional steps to dismantle terrorist groups, no matter whom they target or where they strike. This includes Lashkar-e-Taiba (LeT), which carried out the attacks in Mumbai in 2008 that killed a number of U.S. citizens, and which we remain deeply concerned about. As Secretary Clinton has said, there needs to be a coordinated and concerted effort to combat extremists of all kinds, whoever they threaten. We will continue to work with Pakistan to eliminate the threats in the border areas and make both of our nations more secure.

If confirmed, I will continue the current policy of engaging with Pakistan to expand our cooperation on counterterrorism challenges and pursue a stable, peaceful, and prosperous region. In my conversations with Pakistani leaders, I will underscore that confronting violent extremism of all kinds is in Pakistan's own interests and in the interest of regional stability.

Question. Last fall, the Palestinian Authority unilaterally sought and gained non-member observer state recognition in the United Nations General Assembly. This action is in violation of the process for final status negotiations established by the Oslo Accords.

- ♦ What was the Obama administration's response thus far, and will you do more?
- ♦ Should the parties to the negotiating table, and if so, what positive pressure can the United States place on them toward that end?

Answer. The administration firmly opposed the Palestinians' initiative to gain nonmember observer state recognition in the United Nations General Assembly (UNGA). The administration's entire senior foreign policy team, working in close coordination with Israeli counterparts, engaged with international partners at various levels to galvanize support for an alternative path that would have averted a vote and brought Palestinians and Israelis back to direct negotiations. This effort built on the administration's success since 2011 in blocking Palestinian attempts to seek full U.N. membership—a move that requires a favorable recommendation from the U.N. Security Council. Despite the administration's efforts to dissuade him and encourage him to return to direct negotiations, Palestinian Authority (PA) President Mahmoud Abbas would not waver from his publicly stated position that he would approach the General Assembly.

Since the November 29 vote, the administration has sought, in coordination with Israeli officials, to persuade the Palestinian leadership to refrain from further action that could deepen the sense of crisis, further damage U.S. interests in the U.N. and

other bodies as well as our relationship with the Palestinians, and set back prospects for direct negotiations. The administration has made it clear that we will continue to oppose firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudge the very outcomes that can only be negotiated, including Palestinian statehood. And the administration will continue to stand up to every effort that seeks to delegitimize Israel or undermine its security.

The administration's commitment to resuming direct negotiations and achieving a negotiated Israeli-Palestinian peace agreement based on a two-state solution remains unchanged. Israel's elections and upcoming period of government formation, coupled with ongoing efforts to sustain and deepen the cease-fire in Gaza, provide an opportunity for both the Israelis and Palestinians to step back and consider how they can create a context in the coming months that is conducive to resuming direct talks. If confirmed, I intend to continue working intensively with the parties to resolve issues between them, lay the ground for future direct talks, and, simultaneously, bolster Palestinian Authority efforts to maintain and strengthen robust institutions and a viable economy—essential to a future Palestinian state that will be a responsible neighbor and contribute to regional peace, security, and stability.

Question. News reports indicate that, after several failed attempts at reaching a diplomatic solution to ending Iran's production of highly enriched uranium, the administration may be considering another round of negotiations with Iran in the coming months.

- ◆ Is the administration prepared to enter into another round of "P5+1" negotiations with Iran?
- ◆ What is the timing of these negotiations?
- ◆ What would the administration deem to be a successful outcome from these negotiations?

Answer. The P5+1 is ready to reinstate talks and is in consultations now with Iran on the timing and venue of the next meeting. The United States and our P5+1 partners remain united in efforts to seek a dual-track diplomatic solution to the Iranian nuclear issue.

Iran knows the kinds of concrete steps the international community is looking for to bring it back into full compliance with its international obligations. Should Iran finally be ready to engage in serious negotiations, the United States is ready. When Iran is prepared to take verifiable confidence-building measures, the United States is prepared to reciprocate.

Question. What consequences is the administration prepared to implement should the Iranians fail to halt enrichment of uranium to 20 percent as a first step?

Answer. The President has stated unequivocally that the United States will not allow Iran to obtain a nuclear weapon, and there should be no doubt that the United States will use all elements of American power to achieve this objective.

The administration believes it is still possible for diplomatic and economic efforts to prevent Iran from achieving its goal. But while the diplomatic window is still open, the President has made clear that it will not be open indefinitely, and all options remain on the table. If confirmed, I will support this position.

Question. Were you surprised by the Assad regime's bloody crackdown on its own people? Do you think the State Department was unprepared?

Answer. The State Department has documented gross human rights violations committed by the Syrian regime for decades and has continually sought an end to the regime's oppression. What stands out since the beginning of Bashar al-Assad's crackdown on nonviolent protests in March 2011 is not just the increasing depravity of the regime as it struggles to cling to power, but the courage and determination of the Syrian people to stand up to this brutality. The Department was helping Syrian dissidents even before the start of the uprising and we increased our assistance as the uprising spread. The Department has consistently supported the Syrian people's aspirations for a Syrian-led transition to a just, inclusive, unified and democratic country by isolating the regime diplomatically and financially, providing humanitarian assistance, and providing direct nonlethal support to the civilian opposition.

Question. Last August, the President said that his "redline" for triggering U.S. action in Syria would be "a whole bunch of chemical weapons moving around." In December, after news reports indicated that the Assad regime began preparing chemical weapons for use, administration officials indicated that it is the use of chemical weapons that constitutes a "redline" for the United States, not the preparation for the use of such weapons. In addition, a recent statement by National Security Council spokesperson, Tommy Vietor, appears to indicate that the adminis-

tration's "redline" is now the use of weapons or a "failure to secure" them. This apparent inconsistency is troubling and confusing.

- ♦ Please explain the administration's position on the preparation for and use of chemical weapons by Syria. Specifically, please describe the United States "redlines" and describe what actions the United States would take if they are crossed.

Answer. The President has been very clear and consistent regarding our redlines on chemical weapons (CW). If the regime were to use CW, or fail to meet its obligations to secure them, the U.S. calculus would change. There would be consequences and the regime will be held accountable. We closely monitor Syria's proliferation-sensitive materials and facilities, and we believe that Syria's chemical weapons stockpile remains under Syrian Government control.

Question. As Secretary of State, how would you pursue the American-Egyptian relationship to better serve U.S. interests in stabilizing the country and preventing violent extremist organizations from operating within Egyptian borders?

Answer. The stability of Egypt and the Egyptian authorities' efforts to prevent extremists from operating from Egyptian soil has been at the top of our engagement with the government. As great as our interest is in a stable, secure Egypt that is free from extremism, no one has a greater interest in achieving this stability and security than Egyptians themselves. These are shared threats, and we are already working together to meet them. The constructive Egyptian role in securing the Gaza cease-fire, and in making that cease-fire hold since November, reflects a realization of this shared threat. Egyptian officials also recognize the need to reassert control over areas such as the Sinai, and they have been working to address problems of stability and extremist violence in Egypt through action against terrorist networks, increased weapons interdiction, and plans for better border protection. Through our direct engagement of President Morsi and others and our ongoing contacts with the security establishment, the Obama administration is focused on ways to advance and assist with those efforts, including through our military assistance. If confirmed, I would deepen and expand this engagement, because continued progress on these issues will be essential to our relationship with Egypt.

Question. In what ways could you use U.S. bilateral assistance and the U.S. influence in multilateral development organizations and banks to encourage Egypt to return to a constructive role in the Middle East peace process?

Answer. As a regional leader, Egypt has long played an important role in encouraging peace efforts between Israel and the Palestinians. The Morsi government has sought to restore a greater regional role for Egypt, whose visibility on such issues had waned during and after the revolution. Examples include President Morsi's outspoken stance against the Assad regime's brutality in Syria and his work brokering the cease-fire in Gaza.

Egypt is now at an important crossroads. Even as it continues to address the difficult challenges at home, it has the potential to play a constructive leadership role in supporting future peace efforts between Israel and the Palestinians. If confirmed, I would encourage and seek to nurture a constructive role through serious and ongoing engagement and by maintaining political and security ties with Egypt that are in Egypt's own interest, as well as America's and Israel's. I believe that our sustained security assistance and the three decades of relationship-building it has supported together create important incentives toward constructive behavior.

An Egypt consumed by financial turmoil would in no way be the most constructive advocate for Middle East peace. Moving forward with U.S. economic assistance can contribute to avoiding a further financial crisis and can enhance our engagement with the Egyptian leadership on issues most important to us, including Egypt's relations with Israel and a productive Egyptian effort to promote the peace process. We need all available tools to help us navigate crises and engage in difficult conversations in a tense region with pressing American interests on the line. An economically driven destabilization could allow a greater foothold for extremist voices and actors who are certain to attack the peace process. If we assist Egypt in achieving a successful democratic transition, we have a better chance of bringing the country to the table as a constructive partner.

Question. How should Latin Americans view our "Asia Pivot"? Is there any way they could see anything other than a deemphasis in priority toward the region?

Answer. Turning with our trade partners in the Americas to take advantage of the opportunity for economic growth and job creation in the broader Pacific region is not a deemphasis, but a strategic approach that will serve all our citizens well in the global economy. Our Western Hemisphere neighbors, who buy approximately

40 percent of our exports globally, will remain critical to American competitiveness. Our key regional partners have their own cross-Pacific historic and economic ties and share our views on Asia-Pacific engagement. For example, the recently formed Alliance of the Pacific (Chile, Colombia, Mexico, and Peru) reflects the recognition by those nations of the centrality and importance of Latin America's engagement with the broader Asia-Pacific region. We find it noteworthy that a number of other nations in the hemisphere have sought observer status in this high-standard organization. Separately, we also work closely with Mexico, Canada, Chile, and Peru in the Asia Pacific Economic Cooperation forum on efforts to deepen regional economic integration and promote collaboration on issues ranging from green growth to food security.

The Trans-Pacific Partnership (TPP) is the most significant and advanced embodiment of this shared approach. This 21st century trade agreement will bring together six of the most dynamic Asia-Pacific economies with the most open economies in the Western Hemisphere—Chile, Peru, Mexico, Canada, and the United States—to lower trade barriers, raise standards, and address key nontariff barriers, including the behavior of state-owned enterprises, labor and the environment, and cross-cutting issues such as regulatory transparency. Such high standards will reinforce the advantages the Americas have built over the past 25 years of free trade and integration, and could serve as a benchmark for future agreements.

Question. On December 28, President Obama signed into law the Countering Iran in the Western Hemisphere Act. It requires the Secretary of State to conduct an assessment of the threat Iran poses in the Americas and to develop a strategy to counter Iranian influence. Please provide your preliminary views regarding the nature of the Iranian threat in the Americas and the appropriate steps the United States should take to reduce the threat.

Answer. Iran is a State Sponsor of Terrorism. Its engagement in the Western Hemisphere is a matter of concern and attention. Through its embassies, the Department and our intelligence community colleagues closely monitor Iran's relationship with the region and its activities. This is an ongoing effort that requires constant vigilance, which I will fully support, if confirmed.

The Department has put in place four specific, ongoing initiatives to address Iran's presence in our hemisphere. First, the Department conducts diplomatic engagement with hemispheric partners to ensure they understand the nature of the Iranian Government and its activities in foreign environments, as well as the quality and level of activity of Iranians and Iranian-affiliated entities in the region. The goal of this outreach is to develop and maintain strong coalitions within the hemisphere of nations aware of and concerned about Iranian behavior. In part due to these consultations, many countries in the hemisphere have worked in multilateral fora to persuade Iran to address the international community's concerns about its nuclear program, support for terrorism, and human rights abuses.

Second, the Department works to ensure that partner nations have the capacity to detect and address Iranian actions when they occur. With the help and support of other U.S. Government agencies, we have built extraordinarily strong citizen security partnerships with counterparts in Central America, the Caribbean, Colombia, Canada, and Mexico. The disruption of the plot to assassinate the Saudi Ambassador to the United States is an example of this successful coordination. Many elements of the United States Government worked together for months to monitor this plot, obtain more information, and bring one of the conspirators to justice.

Third, when appropriate, the Department uses the robust tools provided by Congress to sanction or designate persons found to be working with or helping Iran. In 2011 the Department announced sanctions pursuant to the Comprehensive Iran Sanctions, Accountability, and Divestment Act against the Venezuelan state-owned oil company (PDVSA) for its \$50 million in sales to Iran of a gasoline blending component. The Department also renewed sanctions against the Venezuela Military Industry Company under the Iran, North Korea, and Syria Nonproliferation Act because of credible information that it transferred or acquired equipment and technology listed on the multilateral export control list from one of these countries.

Finally, the Department seeks the best and most current information on Iranian presence and intentions in the hemisphere from the intelligence community. Of central concern are the activities or potential activities of Iran's Islamic Revolutionary Guard Corps—Quds Force, Ministry of Intelligence and Security, and the Iranian-sponsored and U.S. designated foreign terrorist organization Hezbollah.

I fully support the current strategy and engagement of the administration on this issue and, if confirmed, I will continue to ensure that these and other tools are used to ensure that we have the clearest picture of Iranian activities in the region, and

that we have developed strong partnerships to confront them both diplomatically and using statutory tools.

Question. On January 10, an ailing President Hugo Chavez missed his own swearing-in for a new Presidential term. How might the U.S. policy toward Venezuela change in a post-Chavez era?

Answer. In the event President Chavez were to die or become permanently incapacitated, the Venezuelan Constitution and the Inter-American Democratic Charter should define the way ahead for the citizens of Venezuela with respect to governance of their nation.

Any political transition that takes place will be a product of decisions and actions by the Venezuelan people and Venezuelan institutions, and any new elections should be democratic, constitutional, peaceful, and transparent, and must respect the universal human rights of the Venezuelan people. If confirmed, I will continue to support the strengthening of democratic institutions, respect for freedom of expression, rule of law, and the protection of human rights.

Regardless of President Chavez' fate, the United States retains its close and durable ties with Venezuela, which derive from a web of cultural, personal, and commercial connections. If confirmed, I will retain the United States long-stated interest in developing a productive and functional relationship with the Venezuelan Government on issues of common interest, including, but not restricted to, cooperation on counternarcotics, counterterrorism, commerce, and energy.

Question. GAO reported in 2011 that the U.S. Government was working with the Haitian Government, via the Interim Haiti Recovery Commission (IHRC), to determine how to use and coordinate donor resources after the 2010 earthquake. This commission has now ceased to function. What steps would you take to promote coordination of the large influx of U.S. and other donor assistance provided to Haiti since 2010?

Answer. The legislative mandate of the Interim Haiti Recovery Commission (IHRC) lapsed in October 2011. In February 2012, a shared commitment to Haitian-led planning resulted in an interim solution for coordinating foreign assistance to Haiti: A working group on aid coordination overseen by the Prime Minister, who also holds the Minister of Planning and External Cooperation portfolio. The working group included representatives from the G12, who represent Haiti's 12 largest bilateral and multilateral donors and who were all part of the IHRC.

In September 2012, President Michel Martelly and Prime Minister Laurent Lamothe announced a new, permanent mechanism for coordinating foreign assistance that supports Haitian development priorities. The announcement was well received by the international community. The new entity, the Framework for the Coordination of External Development Aid of Haiti (Cadre de Coordination de L'Aide Externe Au Développement d' Haiti, CAED), is implemented by the Ministry of Planning and External Cooperation. Under Haitian Government leadership, CAED includes representatives from key bilateral and multilateral donors as well as civil society and conducts coordination meetings at the international, national, and sectoral levels. Primary objectives of CAED include: Increasing the institutional capacity of the Government of Haiti to manage donor coordination; ensuring coherent, harmonized and accountable support from international partners; aligning foreign assistance with national development priorities; and promoting greater transparency and reporting of foreign assistance uses in Haiti.

The CAED held its inaugural meeting in Port-au-Prince in November 2012 and is scheduled to meet again this February. The United States has participated in the CAED at the highest levels and continues to be deeply engaged with the Government of Haiti, and other international donors, in coordinating assistance to Haiti. In addition, the U.S. Government plans to provide technical assistance and other support to the GOH in general, and CAED in particular, to help strengthen the government's capacity to lead donor coordination, ensure program coherence, promote transparency, and improve overall aid effectiveness in Haiti.

Question. The United States has long played a leading role in pursuing a resolution of the war between the north and south of Sudan, culminating in the Comprehensive Peace Agreement in 2005 and the successful conclusion of a referendum on the question of independence for South Sudan in 2011. In order to achieve this relatively peaceful division, the United States offered a series of improvements in its relations with Sudan (Khartoum).

- ♦ What is the current status of the understanding between the United States and Sudan on "normalization" of relations?
- ♦ Has Sudan achieved any of the required steps, and if so, what has the United States provided in return?

- ♦ What are the specific requirements for Sudan to be removed from the list of State Sponsors of Terrorism and where does this process now stand?

Answer. The U.S. Government is not proceeding with the process of removing Sudan from the list of State Sponsors of Terrorism. In November 2010 I helped deliver a message to the Government of Sudan laying out the administration's road-map for normalization of relations between our two countries. While Sudan did allow South Sudan to gain independence in July 2011—a key provision of the road-map—Sudan did not fulfill all the conditions necessary to begin the process for normalization, especially regarding issues of the disputed Abyei region, final border arrangements, and the Two Areas of Southern Kordofan and Blue Nile States.

During their November 2011 trip to Khartoum, Deputy National Security Advisor Denis McDonough and Special Envoy Princeton Lyman expressed the United States deep concern over human rights and the humanitarian situation in Southern Kordofan and Blue Nile. During that trip, Ambassador Lyman and Mr. McDonough told the Government of Sudan that the United States would initiate the process of rescinding Sudan's designation as a State Sponsor of Terrorism if Sudan met all the criteria of the statute—including, (1) certification that the Government of Sudan has not provided any support for international terrorism during the preceding 6-month period, and (2) and that the Government has provided assurances that it will not support acts of international terrorism in the future—and complied with certain other conditions, including taking concrete steps to end the crisis in Southern Kordofan and Blue Nile. In particular, McDonough and Lyman stressed the need to end the continued bombing that is taking a devastating toll on civilians, to permit international humanitarian access to these Two Areas, and to resume negotiations with the Sudan People's Liberation Movement-Northern Sector to find a political solution to the conflict. Unfortunately, these issues remain unresolved and the conflict and humanitarian crisis in the Two Areas continues. The ongoing conflict and the Government of Sudan's refusal to allow international humanitarian assistance to vulnerable populations has caused some 216,000 refugees to cross into Ethiopia and South Sudan since 2011, and nearly 700,000 people to be internally displaced in the Two Areas.

We also note that other issues of normalization, especially sanctions, are tied by statute to the conflict in Darfur. While the Government of Sudan signed a peace agreement in July 2011 with one of the rebel groups in that area, very little has been done to implement that agreement. The Department remains deeply concerned by the situation in Darfur, particularly as the conflict continues with the nonsignatory rebel groups and the civilian population continues to experience attacks, extreme suffering, and displacement.

Question. The United States was the key interlocutor and appears to be the primary donor to South Sudan as it attempts to establish itself as a viable entity in the international order.

- ♦ (a) What are the specific commitments that the United States has made to the Republic of South Sudan? What additional commitments have been made by other donors?

Answer (a). The United States was one of the “midwives” of the creation of South Sudan in 2011. Through USAID, the State Department, and other USG agencies, the United States has provided humanitarian and development assistance throughout Sudan for many decades. This assistance has provided critical technical and material assistance that, in cooperation with southern Sudan and Sudan, made the implementation of the Comprehensive Peace Agreement (CPA) possible. U.S. support helped establish the institutions comprising the regional (autonomous) government of southern Sudan, and to ensure that other key CPA benchmarks were achieved, including the 2008 census, the 2009 national elections, popular consultations in Blue Nile and Southern Kordofan, and the 2011 referendum for the self-determination of southern Sudan.

Now, in the post-CPA period, the U.S. Government is committed to helping South Sudan become a full-fledged, economically viable democracy, at peace both internally and with its neighbor Sudan. In support of these goals, and shortly after South Sudan's independence, the United States and a host of international partners provided a very public show of support to the development of the new independent nation of South Sudan at the 2011 International Engagement Conference to ensure that the new nation starts its journey on a prosperous path. The U.S. Government modified its sanctions regime to facilitate South Sudanese oil production, and promised to promote enhanced agricultural growth to improve food and nutrition security in South Sudan's agriculture sector, to expand the delivery of quality health care services, and to encourage greater private sector investment in the country. The

United States “Troika” partners, the United Kingdom, and Norway, pledged to work with the Government of the Republic of South Sudan (RSS) to improve transparency in governance and in oil sector revenue management, respectively. In addition, U.S. Government programs continue to build accountability and strengthen systems of management and governance. Humanitarian needs remain high, and the United States and other donors remain engaged in delivering life-saving support to South Sudanese in need.

Other donors such as the United Kingdom, Norway, and the European Union, are similarly committed to these goals. If confirmed, I will continue to coordinate closely with these and other donors, as well as with the United Nations.

The current fiscal crisis in South Sudan has placed a greater pressure on donor resources to mitigate the impacts of economic crisis on the well-being of the average South Sudanese. To this end, the administration is planning to convene a donors’ meeting in early February to discuss creative solutions to South Sudan’s economic crisis and to find new ways to increase involvement by, and coordination with, non-traditional donors.

- ♦ (b) What resources and what programs has the United States identified for the development of South Sudan and for what period of time?

Answer (b). With USAID and State assistance totaling more than \$1.1 billion, South Sudan was the largest recipient of U.S. Government assistance in sub-Saharan Africa during fiscal year 2012. This assistance included a wide range of humanitarian, security sector, food security, conflict mitigation, U.N. peacekeeping, democracy and governance, health, education, and other development aid, and aims to increase stability in South Sudan by targeting the following areas:

- *Conflict Mitigation and Prevention* through the provision of livelihoods activities, support to peace-building activities, and preventing wildlife and natural resource poaching, which also reduces the incidence of intertribal conflict;
- *Building of South Sudanese management capacity* through the provision of direct technical assistance to South Sudanese leaders in key government ministries, such as the Ministry of Finance and Ministry of Petroleum and Mining;
- *Food Security* through the Feed the Future initiative, by doubling agricultural productivity of 7,200 rural farmers through the use of hybrid seeds and fertilizers, and training 130 small agricultural businesses in business development;
- *Economic Growth* through the implementation of a comprehensive agriculture strategy that has already more than doubled productivity for 7,200 farmers through the introduction of hybrid seeds and fertilizers; and the construction of 950 km of paved roads (with another 350 km planned) in a country that previously had no paved road;
- *Health Service Provision* includes controlling and preventing malaria, tuberculosis, HIV, polio, and neglected tropical diseases, improving water supplies and hygiene, and basic health services delivery;
- *Education Service Provision* includes training education managers and teachers, improving the safety of school facilities, increasing community engagement, and encouraging women’s education;
- *Returnee Support* including the provision of transport and reintegration assistance to South Sudanese citizens returning from Sudan;
- *Peacekeeping and Security Sector Reform* including supporting the U.N. mission in South Sudan, assisting the RSS in developing a national security structure that mandates civilian control and oversight of the military, removing explosive remnants of war, providing training to military advisors and security sector personnel, and reforming the defense and criminal justice sectors;
- *Humanitarian Assistance* including the provision of food aid and health, nutrition, water, sanitation, and hygiene interventions as well as refugee protection and assistance in South Sudan and in neighboring countries; and
- *Governance and promotion of democracy* including enhancing political competition, encouraging free speech and media independence, improving government responsiveness, and encouraging inclusive and participatory development of a national constitution.

Notably, the United States recently added South Sudan to the countries eligible for trade benefits under the African Growth and Opportunity Act (AGOA).

- ♦ (c) Are there any expectations, formal or otherwise, that have been set out for the Government of South Sudan in order to continue to receive U.S. support?

Answer (c). The administration has articulated its expectations that South Sudan eliminate the use and recruitment of child soldiers as required by the Child Soldiers Prevention Act. The administration will also not provide assistance to South Sudanese who do not meet Leahy vetting standards.

The administration has not formally or informally set conditions for continued support on other governance issues, but has very directly articulated to the Government of South Sudan the United States grave concerns regarding the deteriorating human rights and governance situation in South Sudan. If confirmed, I will continue to make this a key message in our interactions with South Sudanese leadership and explore options to support and incentivize progress. In welcoming South Sudan to AGOA this past December the administration highlighted its concerns and outlined the improvements necessary if South Sudan hopes to maintain its eligibility next year, such as making progress on an inclusive constitutional process that addresses the human rights, corruption, civil, political, and labor concerns.

Question. The excerpt that follows is a description from the State Department Dashboard on Foreign Assistance: "TSCTP was authorized in March 2005 to prevent al-Qaeda and other violent extremist organizations from building and sustaining safe havens in the Sahel and the Maghreb. This includes disrupting efforts to recruit and train new terrorists, particularly from the young and rural poor, and countering efforts to establish safe havens for domestic and outside extremist groups. TSCTP partner nations include Algeria, Burkina Faso, Chad, Mali, Mauritania, Morocco, Niger, Nigeria, Senegal, and Tunisia. TSCTP key priorities in the Maghreb are twofold: to create an environment inhospitable to terrorist and trafficking operations, and to address youth vulnerability to violent extremism and recruitment by terrorist networks."

♦ (a) What progress has been made in achieving the goals described above?

Answer (a). Building counterterrorism capacity is an important element of the United States broader strategy to support democratic development and increased prosperity among the countries of the trans-Sahara region. The Trans-Sahara Counterterrorism Partnership (TSCTP) is the United States primary program to support the long-term capabilities of the countries in West and North Africa to address the Al Qaeda in the Islamic Maghreb (AQIM) threat. TSCTP, authorized in FY 2005, uses multisectoral approach involving the State Department, USAID, and the Department of Defense to address the terrorism threat in West Africa. Many members of TSCTP are counted among the poorest countries in the world and currently lack the capacity to effectively combat this threat over the long term. However, they have demonstrated the critical political will to fight terrorism and will continue to benefit from U.S. assistance.

The USG counterterrorism approach in West Africa has focused on encouraging and enabling local ownership over counterterrorism efforts in the region and building sustainable capabilities that will ultimately deny terrorists the ability to operate with impunity. From the inception of the program, it was recognized that it would take many years to significantly improve the abilities of most of the involved countries to take full ownership over the defense of their vast territories and porous borders areas, but it was essential to continue to work with the countries to that ultimate objective. Another aspect of this approach is prevention by empowering beneficiaries to resist the drivers of extremism at the individual and community levels.

U.S. counterterrorism assistance has proven valuable in improving the capacities of several key countries in the Sahel particularly Niger and Mauritania. U.S. training and equipment have assisted Mauritania to monitor its border with Mali and sustain professional units during operations against AQIM. Similarly, the United States has supported Niger's efforts to protect its borders and interdict terrorists attempting transit through its territory. Smaller programs in other West African countries have addressed specific needs identified by the partner countries and U.S. experts. Several TSCTP programs have worked to counter the pull of violent extremism on youth, including educational and training courses in Algeria and Morocco in the Maghreb, and extensive youth employment and outreach programs, community development and media activities in Niger, Chad and Mali (currently suspended). Internationally, the new-found focus and will on the CT issues in the region will be useful in reducing the extremist safe haven in northern Mali over the next few years.

The United States is also working through the Global Counterterrorism Forum's (GCTF), including its Sahel and Criminal Justice/Rule of Law Working Groups, to strengthen the civilian capacities of countries in the region to prevent and respond to terrorism within a rule of law framework and to increase international partners' participation in capacity-building in this key region. Notably, the United States is leading a multilateral, GCTF-affiliated initiative to stand up in Tunisia the International Institute on Justice and the Rule of Law, which will provide CT training to criminal justice officials from across the Sahel and North Africa and assist states

in transitioning away from repression and toward the rule of law as the basis for countering terrorism.

- ♦ (b) What are the projected costs of the program for 2013 and what remains in the pipeline, unobligated from prior years?

Answer (b). The FY 2013 funding request for TSCTP is \$120 million, which includes funding from DOD, State, and USAID. Unobligated funds remain under \$5 million. Of that amount, there is approximately \$1M in FY 2012 Overseas Contingency Operations (OCO) Peacekeeping Operations (PKO) funds notified for TSCTP military capacity-building programs that are still being obligated.

Question. In December 2012 the United Nations Security Council passed a resolution authorizing a political and military strategy, including the deployment of an African-led International Support Mission in Mali (AFISMA). It also provides a framework to address the restoration of democratic government, a negotiated solution to existing political grievances, restoration of territorial integrity, and responding to the humanitarian crisis. The State Department indicates that it intends to ensure AFISMA is successful and that any offensive operation in northern Mali is maximally effective, but the timeline it preferred has been sharply compressed.

Answer. The United States supports United Nations Security Council Resolution 2085 and its authorization of an African-led International Support Mission in Mali (AFISMA). We continue to insist that such a force be well-led, planned, and resourced in order to be successful. Recognizing that the plan will continue to evolve based on the situation on the ground, we continue to send planners from AFRICOM to participate in AFISMA planning conferences to further refine and strengthen the mission.

The United States believes that AFISMA is an important part of a comprehensive strategy to resolve the political, security, and humanitarian crises that plague Mali. If confirmed, I will continue to insist on a policy that in parallel works toward the restoration of democratic government through elections as soon as technically feasible, the conclusion of a negotiated political agreement with nonterrorist rebel groups, military action to dislodge terrorists from northern Mali, and humanitarian aid to those displaced or otherwise affected by the crisis.

Question. What are the current commitments by the United States to AFISMA and what changes to those are being made?

Answer. The United States has committed to provide training, equipment, logistics support, transport, and sustainment to the African troops who will participate in the AFISMA mission. The United States is providing this support on a voluntary bilateral basis to the AFISMA troop contributors. U.S. Africa Command has also deployed planners to assist AFISMA in strengthening the concept of operations for the mission. In light of the French operation, the United States plans to accelerate its support to AFISMA to allow the African troops to deploy expeditiously.

Question. What is the United States role in AFISMA, if any?

Answer. The United States plans to provide training, equipment, transport, logistics support, and sustainment to African-troops that participate in AFISMA. The State Department has dispatched trainers from the Africa Contingency Operations and Training Assistance (ACOTA) program to Burkina Faso, Niger, Nigeria, Togo, Benin, Senegal, and Ghana, to assist in accelerating predeployment training programs for those troop contributors. U.S. Africa Command has also deployed planners to assist AFISMA in strengthening the concept of operations for the mission.

Question. Does the administration plan to meet France's request for intelligence and logistical support in Mali? Please provide specifics.

Answer. The United States is sharing intelligence with France and is providing logistics support in the form of air transport of troops and equipment. The administration continues to review other requests for logistics support.

Question. What are your plans to execute a systematic review of diplomatic security around the globe in the wake of Benghazi, and how will you reform the processes related to diplomatic security and physical security of mission facilities?

Answer. Diplomacy, by nature, must be practiced in dangerous places. The State Department takes significant measures every day to protect personnel, their families, and U.S. interests overseas. The Accountability Review Board (ARB) convened by Secretary Clinton following the events in Benghazi made recommendations to improve the Department's ability to protect U.S. personnel and facilities abroad. Secretary Clinton accepted all 29 of the Board's recommendations and the Department has already begun implementing them. If confirmed, I will ensure that the

Department's efforts to respond to the recommendations of the ARB are vigorous, complete, and timely. I am also committed to take actions above and beyond implementation of the ARB findings and if confirmed would seek your help in obtaining the funding necessary to do so. For example, I will continue to see that the Department addresses the recommendations produced by the Interagency Security Assessment Teams that Secretary Clinton sent to review the security posture at high-threat posts.

The imperative of our reforms will be to ensure we strike the right balance between security and engagement to protect American lives and further our national interests.

Question. How many "temporary facilities" are currently in operation under the leadership of the Department of State?

Answer. The Department of State has "temporary facilities" in Goma, the Democratic Republic of the Congo, and El Fasher, Darfur Sudan. Operations at these facilities are suspended at this time because of civil unrest in both locations.

Question. What "trip wires" are in place to determine the quick closure of diplomatic facilities in expeditionary environments?

Answer. Tripwires are events that activate, initiate, or set in motion post plans to prevent harm to the post, its personnel, the U.S. citizen community, or other U.S. national interests. In the course of developing a post's Emergency Action Plan (EAP), the post's Emergency Action Committee (EAC) must review the capabilities and limitations that may impact post's ability to operate, communicate with the private U.S. citizen community, and carry out post plans in response to a crisis. The EAC also reviews the types of threats faced in the host country, then develops tripwires. Given that a number of factors, such as the host country's ability or willingness to respond to events, are considered in developing tripwires, they vary from post to post.

Pursuant to the Accountability Review Board's recommendation, tripwire guidance is being reviewed. In late December, the Department instructed all posts to perform a review of tripwires and report if any had been breached in the past year. Posts have informed the Department of their results and their plans to update tripwires as necessary. After a thorough review, revised guidance responding to posts' tripwires will be issued via cable to all posts.

Question. According to GAO, State's Bureau of Diplomatic Security has been understaffed and overtasked in recent years, jeopardizing aspects of its mission. GAO reported as early as 2009 that the State Department's responsibilities for conducting investigations had particularly suffered from staffing shortages as Diplomatic Security shifted personnel overseas. What are your plans as Secretary of State to ensure the Bureau is adequately staffed to carry out the investigations?

Answer. The Bureau of Diplomatic Security (DS) is the security and law enforcement arm of the State Department and has a broad scope of global responsibilities, with protection of people, information, and property as its top priority. Overseas, DS develops and implements effective security programs to safeguard all personnel who work in every U.S. diplomatic mission around the world. DS agents in the United States protect the U.S. Secretary of State and scores of visiting dignitaries each year. DS also investigates counterintelligence matters, employee misconduct, and violations of the law involving U.S. passports and visas. Over 1,100 special agents serving as Assistant Regional Security Officer Investigators and in the DS Domestic Operations directorate and support personnel located throughout the United States and overseas investigate more than 8,000 passport and visa fraud matters and related criminal violations each year.

I will review possible funding sources that can also be used to expand the DS investigative work force. I will ensure that we continue to strike the right staffing balance between DS domestic programs and overseas programs to protect the national security of the United States.

In addition to ensuring adequate staffing, I am committed to pursuing, as I did in the Senate, the authorization of administrative subpoena authority for DS. This authority would expedite and improve the investigative process. Expedited access to these types of records would help DS carry out its statutory responsibilities to provide protection to individual protectees, support our counterintelligence responsibilities, assist our investigations of unauthorized disclosures, strengthen our investigations of visa and passport fraud, and other criminal investigations related to our extraterritorial authorities at U.S. missions abroad and protection of U.S. personnel, facilities, and information.

Question. The Foreign Assistance Act has not been fully reauthorized for almost 30 years, and the State Department authorities have not been reauthorized for over 10 years. While the State Department has conducted a Quadrennial Diplomacy and Development Review (QDDR), the review does not provide a systematic evaluation of foreign assistance and State Department diplomatic programs to measure what works, eliminate duplication and waste, and reprioritize programs to better align with broader U.S. objectives. Do you plan to continue the QDDR process? If so, can I have your assurance that this process can be coordinated with congressional review and possible reforms, including those to foreign assistance?

Answer. The Quadrennial Diplomacy and Development Review (QDDR) undertaken by the State Department and USAID under Secretary Clinton's leadership has successfully identified ways the Department of State and USAID can be more effective, efficient, and accountable. If confirmed, I will continue to strive toward this goal by both implementing the findings of the QDDR and regularly reviewing our programs to better direct and coordinate our resources.

The Department and USAID undergo rigorous planning and assessment of policy priorities, program goals, and the resources required to achieve them when building annual budgets. In addition, both the Department and USAID are implementing robust evaluation policies developed using U.S. and international best practices. They are committed to monitoring and evaluating ongoing programs to identify any weaknesses or gaps or room for savings, and then adjusting when necessary to ensure programs are meeting their objectives as efficiently and effectively as possible. Building on the QDDR, the Department and USAID also have undertaken a series of reforms to improve development results and sustainability of U.S. foreign assistance.

I place great value on congressional oversight of State and USAID assistance programs, which helps ensure U.S. taxpayers' money is going toward programs that meet our national security, foreign policy, and development objectives.

Question. As a part of his Global Health Initiative, President Obama has sought to increase country ownership and responsibility in program implementation. Additionally, the President's budget has increasingly focused global HIV/AIDS funding toward multilateral implementation, particularly the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund). Ultimately, full country ownership of programs is the goal of any development program, and "multilateralization" of the burden of AIDS treatment is a necessary step to ensure sustainability. These shifts, however, do present new challenges in terms of outcomes and accountability for programs that have specific, ambitious targets to achieve. While no outcome is ever assured, USAID's and State Department's U.S.-based implementers and grantees have established track records that can provide some understanding of what we can expect to achieve toward those program targets and assessing a reasonable understanding of risk to the taxpayer. That is, although not always ideal, we by and large have a good sense of what we're getting for the money. Additionally, competitive tendering processes produce incentives for implementers to provide the greatest value for the taxpayer. Some development experts are concerned, however, that untested or less-developed institutions in-country (non-U.S. implementers) cannot provide the same level of understanding of risk and value, and that increased reliance on host-country ministries reduces competition. Additionally, while the recent institutional reforms and leadership changes at the Global Fund are very encouraging, its programs vary greatly in terms of outcomes, value-for-money, and accountability.

♦ (a) What are the risks to our programs in this shift?

Answer. To meet the goal of sustainability and a successful development agenda, the United States is emphasizing initiatives to promote greater country ownership and shared responsibility with partner governments, while lessening the risks to our programs. Twenty-three of our high-investment PEPFAR countries will continue to need strong donor investment and technical assistance to help them reach and maintain the technical and financial capacity required to ensure HIV epidemics are controlled.

If a dramatic and rapid shift to greater country ownership progresses, and governments and civil society programs are no longer overseen by U.S.-based implementers, without adequate technical and program management preparation, the standard of prevention and treatment may be at risk. In short, standards of quality of treatment and prevention must be monitored and maintained even as we shift to greater country ownership.

Additionally, with a shift to local partners and government partners as direct program implementers, there may be a risk of delayed program and audit reports unless capacity is developed and expectations are clearly established. The Global Fund has had significant experience with risk mitigation, particularly with managing fi-

nancial contributions made directly to foreign governments. Since 2010, the Global Fund has undergone significant reform aimed at improving fiduciary oversight and grant management.

The Global Fund complements our bilateral assistance programs for HIV, TB, and malaria. The U.S. Government has provided leadership for Global Fund reform efforts and is working closely with the Global Fund to ensure that the transition to the new funding model is smooth and gaps in program support and life-saving commodities are prevented.

Importantly, USAID is committed to increasing support for local partners and/or direct funding of governments where these mechanisms can enable us to accelerate achievement of our targets and impact. USAID has processes in place to determine whether financial and programmatic capacity requirements have been met to allow for investment through these local mechanisms.

In addition, USAID mandates annual audits for all local national organizations and host country governments which expend \$300,000 or more each fiscal year. The audit requirements are conducted in accordance with the criteria established by the Office of the Inspector General.

- ♦ (b) What processes or mechanisms has the administration created to assess the risk to taxpayers and to programmatic objectives associated with these shifts?

Answer (b). PEPFAR and the Global Fund are both applying several risk-mitigation principles including program and financial audits, sharing of audit results, consistent and detailed grant application processes requiring clear reporting on program outputs and outcomes, and procurement and supply-chain management capacity development to ensure the integrality of commodities procured with donor funds.

To minimize the risk, S/GAC has coordinated the development of a “common language protocol” based on the U.S. Government PEPFAR-implementing agencies’ terms and conditions and banking procedures which will ensure a robust and consistent approach to audits and reviews of procurement practices by government ministries. To ensure our programmatic objectives are achieved, PEPFAR agencies conduct joint supervision and monitoring exercises with government and civil society implementers, to ensure the integrity of program outcomes continue to be achieved. The information taken from these reviews allows us to continue to provide quality reporting on the overall impact of the PEPFAR program. The Global Fund, for its part, has a strong and independent Office of the Inspector General as well as a robust network of in-country auditors in the form of Local Fund Agents.

USAID’s TB and malaria programs have systems in place to routinely monitor programmatic implementation and assess activity financial status. The President’s Malaria Initiative (PMI) mitigates program risk through our annual malaria operational planning process. In collaboration with the national malaria control programs in the countries where we work and with involvement from local and global malaria stakeholders, PMI interagency teams develop malaria operational plans that are technically and financially reviewed by the interagency technical working group and endorsed by the PMI Interagency Advisory Group.

Question. Ambassador Eric Goosby was recently appointed to be the United States first diplomat specifically focusing on global health, leading the Department of State’s Office of Global Health Diplomacy in addition to his established position as Global AIDS Coordinator.

- ♦ (a) What is his specific role in terms of governance and accountability of multi-agency global health initiatives beyond PEPFAR?

Answer (a). As the leader of the Office of Global Health Diplomacy (S/GHD), Ambassador Goosby will guide diplomatic efforts to advance the United States global health mission to improve and save lives and foster sustainability—including providing diplomatic support in implementing the Global Health Initiative’s principles and goals. Ambassador Leslie Rowe, a career diplomat, is responsible for the day-to-day operations of S/GHD.

Governance and accountability of other multiagency global health initiatives, such as the President’s Malaria Initiative (PMI), will not change. Ambassadors Goosby and Rowe will be part of the leadership team that help guide the Global Health Initiative along with other senior leaders in CDC and USAID.

- ♦ (b) Will he be responsible and accountable for governance and outcomes of global health programs at USAID and at the Centers for Disease Control and Prevention?

Answer (b). No, USAID Administrator Rajiv Shaj and CDC Director Tom Freiden will continue to be accountable for governance and outcomes of global health programs at their Agencies.

- ♦ (c) Has Ambassador Goosby been given any additional or new authorities beyond those he has as Global AIDS Coordinator?

Answer (c). As head of the GHD office, Ambassador Goosby will work with his colleagues to elevate progress towards achieving our global health goals by carrying out three major functions.

First, the office will support ambassadors as they elevate global health within the diplomatic arena. S/GHD will provide ambassadors with guidance, technical advice, and tools to help them effectively work with partner country officials on global health issues affecting their people. S/GHD will work closely with other State Department elements, notably the Regional Bureaus, the Bureau for International Organization Affairs and the Bureau of Oceans and International Environmental and Scientific Affairs.

Second, S/GHD will work to strengthen the sustainability of health systems by supporting partner countries as they move to country ownership. S/GHD will work with Ambassadors to build political will in countries to promote sustainable health systems without barriers to care.

Third, S/GHD will promote shared responsibility. S/GHD will work to support countries as they serve as conveners of donors and local partners in-country. Stronger coordination and alignment will strengthen overall investments in global health, bring more donors to the table, and better leverage U.S. investments. On the global level, S/GHD will convene various U.S. Government representatives to international health organizations, such as the World Health Organization, the Global Alliance for Vaccines and Immunizations, and the Global Fund to Fight AIDS, Tuberculosis, and Malaria, to ensure U.S. investments in multilateral organizations are aligned in support of our overarching global health goals.

Question. What will happen to U.S. global health programs, especially PEPFAR and PMI, should the sequestration reductions go into effect? Does the State Department and USAID have any plans to ensure that life-saving daily treatment programs are not interrupted?

Answer. The sequester indiscriminately cuts all foreign assistance accounts across-the-board, including global health. While we would prioritize funds to the extent possible to continue critical, life-saving interventions against infectious diseases and in other health areas, sequestration could indeed impact our ability to meet our key global health objectives in support of creating an AIDS-free generation and ending preventable mother and child deaths.

Question. On September 30 of this year, the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 is set to expire. Should this law be reauthorized?

Answer. The State Department and USAID will continue the dialogue within the administration and the Congress regarding the reauthorization of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act.

Question. Should Congress choose to pursue the reauthorization, what level of funding would you recommend that the House Foreign Affairs Committee and the Senate Foreign Relations Committee establish for the AIDS, malaria, and tuberculosis programs?

Answer. If Congress chooses to pursue reauthorization of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, the administration would have in-depth discussions with Congress as to whether and what amount funding levels would be appropriate for its reauthorization.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. The U.S. Government, including the State Department, has spent millions of dollars equipping and training Mali's forces over the course of the last decade. Despite these efforts, the leader of the March 2012 coup was someone who, in fact, received training from the United States. The expansion of AQIM into Mali and the Islamist insurrection there demonstrates the need to build capacity in the region to counter terrorism.

- ♦ How do we continue to build capacity and enhance counterterrorism efforts in countries with weak governments and where internal conflicts are working against our efforts?

- ◆ How important are the issues of democratization and development in the context of a comprehensive strategy to combat terrorism in this region?

Answer. The U.S. counterterrorism approach in west and north Africa has focused on encouraging and enabling local ownership over counterterrorism efforts in the region and building sustainable capabilities that will ultimately deny terrorists the ability to operate with impunity. A core part of our approach is a comprehensive strategy that focuses not only on strengthening the military, intelligence, and civilian capabilities of our partners, but supporting their efforts to address the political, economic, and social drivers of violent extremism.

The Trans-Sahara Counterterrorism Partnership (TSCTP) was developed with this comprehensive approach in mind. It is aimed at increasing the capabilities of the countries in west and north Africa over the long term so they can address the evolving threat of Al Qaeda in the Islamic Maghreb (AQIM) and related extremist groups. The TSCTP uses a multisectoral approach involving the State Department, USAID, and the Department of Defense to address the threat of terrorism in west and north Africa. Many of the partner countries in TSCTP are among the poorest countries in the world and currently lack the capacity to effectively combat this threat over the long term. However, north and west African nations have demonstrated critical political will to fight terrorism and continue to benefit from U.S. assistance. At this time, we are not providing any security-related foreign assistance to the Malian Government or military, through TSCTP or otherwise, as a result of the March 2012 coup d'état.

U.S. counterterrorism assistance has proven valuable in improving the capacities of several key countries in the Sahel. For example, U.S. training and equipment helped Mauritania monitor its border with Mali and sustain professional units during the operations that successfully repelled attempted incursions by AQIM. Similarly, training and equipment have supported Niger's efforts to protect its borders and interdict terrorists attempting transiting its territory. Furthermore, several TSCTP programs have worked to counter the pull of violent extremism on youth, including educational and training courses in Algeria and Morocco, extensive youth employment and outreach programs, community development and media activities in Niger and Chad. Activities in Mali are currently suspended.

The United States is also working multilaterally to advance a more strategic, long-term approach to address the terrorist threats in the region through the Global Counterterrorism Forum (GCTF), the Obama administration's signature initiative aimed at strengthening international cooperation and capacity-building efforts. The Forum's Sahel and Criminal Justice/Rule of Law Working Groups are working to strengthen the civilian capacities of countries in the region in order to prevent and respond to terrorism within a rule of law framework and are bringing together practitioners and policymakers to identify priorities, devise solutions, and mobilize additional resources from the donor community to help the region confront the terrorist threat it is facing. In addition, and as a demonstration of its steadfast commitment to promoting the rule of law as the most effective framework for advancing counterterrorism objectives over the long term, the United States is working with partners, including Tunisia, to support the efforts of the International Institute on Justice and the Rule of Law in Tunisia, which will provide human rights-based CT training to criminal justice officials from across the Sahel and north Africa and assist states in transitioning away from repression and toward the rule of law as the basis for countering terrorism. We hope to see this Institute become operational by the end of 2013.

Question. Emphasizing Counter Terrorism Diplomacy: Following the Obama administration's great success in removing al-Qaeda leaders from the battlefield and degrading networks globally, the organization has splintered, with small affiliated groups continuing operations around the world. Recent events in Mali and Algeria are demonstrative of the proliferation of extremist terrorist groups to Yemen, Libya, Mali, the Horn of Africa, and elsewhere. While support from states such as Iran, and affiliated groups such as Hezbollah, is important, these new groups are relatively self-sustaining through kidnapping and other criminal behavior. Many of the governments in these countries lack the capabilities, resources, and expertise to handle this difficult challenge. Going forward, it would appear that—more than ever—success will result from global counterterrorism cooperation and coordination.

- ◆ How do you as Secretary of State intend to heighten the pressure on these terrorist groups through bilateral and multilateral means, and is the funding available to the Department of State and other agencies for nonlethal counterterrorism activities—i.e., training, equipping, advising—in other countries sufficient?

Answer. Al-Qaeda (AQ), its worldwide affiliates and adherents, and other terrorist organizations, including Hezbollah, continue to threaten the United States and our allies. While we have reduced the size of AQ's principal safe haven in the Afghanistan-Pakistan border area, the global network of affiliates, groups, and individuals inspired by the AQ ideology has expanded operations and now threatens other regions such as in the Maghreb, Sahel, East Africa, and Arabian Peninsula. Consistent with our National Counterterrorism Strategy, our approach to address this challenge in the coming years will focus on counterterrorism diplomacy—building the capacity of, and stronger relationships with, foreign partners both bilaterally and multilaterally.

Civilian-led counterterrorism engagement, which emphasizes our commitment to addressing terrorism within a framework of democratic governance and the rule of law, offers a cooperative approach to working with partners—one that military action, while sometimes necessary, can never fully achieve. And while the military and intelligence communities have performed admirably over the past decade, civilian agencies in the United States and in partner governments around the world are not yet sufficiently enabled.

To this end, we have made progress over the past 4 years in strengthening the civilian-side of our counterterrorism efforts. We have placed the highest priority on two key strategic areas: (1) capacity-building, which will allow countries around the world to do a better job countering threats within their borders and geographic regions, and (2) strengthening our work on countering violent extremism—or CVE—to blunt the attraction of violence, reduce the number of recruits to our enemies' cause, and ultimately address the "upstream factors" of radicalization. We have also reenergized our diplomacy to strengthen the foreign partnerships vital to our success in countering terrorism and have strengthened the international counterterrorism architecture to ensure that we have a platform to advance these priorities.

To continue building on gains made thus far, we must dramatically bolster the role that civilian agencies and activities play in our counterterrorism efforts. In many cases, our partners may have the political will to handle this challenge, but lack the resources and expertise to do so. We must provide a wide variety of civilian advice and assistance, particularly focusing on countries transitioning from emergency counterterrorism laws to a rule of law framework. We must place a premium on the rule of law and civilian-led efforts that enable foreign partners to combat terrorists themselves within the context of democratic governance.

This effort includes strengthening the law enforcement and justice sector capabilities agencies in partner nations, providing partners with capabilities to protect their borders and identify and interdict suspected terrorists attempting to transit ports of entry, and delivering technical assistance to improve the ability of host governments to investigate and interdict the flow of money to terrorist groups. To this end, the Department provides assistance to judges, investigators, and prosecutors with an emphasis on building a comprehensive rule of law framework, to include training and advising. We also help partners stem terrorist recruitment, provide positive alternatives to at-risk youth, and counter the AQ narrative.

There is a critical role for diplomacy in the broader counterterrorism effort. The United States needs a broad coalition of foreign partners to remain effective in its counterterrorism efforts, and the Department is leading that effort. In 2011, we established the Global Counterterrorism Forum (GCTF), thereby advancing the administration goal of building an international architecture for dealing with 21st century threats. The GCTF—comprised of 29 Member-States and the European Union—brings together traditional Western donors, Muslim-majority nations, and major powers from around the globe. It offers counterterrorism policymakers and experts something unique: a dedicated platform to identify urgent needs and strengthen counterterrorism programming around the world. The GCTF has already developed good practices in the areas of rule of law, combating kidnapping for ransom, and prison deradicalization and disengagement and mobilized more than \$175 million from our partners for capacity-building projects to advance the implementation of these and the two broader GCTF strategic objectives: strengthening rule of law institutions and countering violent extremism.

The Department also will continue to work through other multilateral organizations to build the counterterrorism capacity and cooperation with our foreign partners.

The United States will, of course, continue to use all the tools at its disposal to protect itself and its allies from terrorism. And, as we go forward, the Department will make every effort to continue improving the essential elements of our counterterrorism diplomacy.

Question. The U.S. State Department chronicled the effort to exterminate Armenians in the early 1900s—The Honorable Henry Morgenthau, U.S. Ambassador to Turkey from 1913–16 wrote in July 16, 1915, telegram to the Secretary of State, “Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.” The U.S. Consul in Aleppo, Jesse Jackson, reported to Ambassador Morgenthau on June 5, 1915, “It is without doubt a carefully planned scheme to thoroughly extinguish the Armenian race.” The U.S. Consul in Harput, Leslie Davis, reported to Ambassador Morgenthau on July 24, 1915, “It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold-blooded and barbarous, if not more effective, than I had at first supposed.” Ambassador Morgenthau was succeeded by the Hon. Abram I. Elkus, who served as Ambassador from 1916–17. On October 17, 1916, Elkus telegraphed the Secretary of State about the extreme measures sanctioned by the Turks, stating “In order to avoid opprobrium of the civilized world, which the continuation of massacres [of the Armenians] would arouse, Turkish officials have now adopted and are executing the unchecked policy of extermination through starvation, exhaustion, and brutality of treatment hardly surpassed even in Turkish history.”

♦ How does the Department refer to the events that occurred during this time period?

Answer. The U.S. Government clearly acknowledges and mourns as historical fact that 1.5 million Armenians were massacred or marched to their deaths in the final days of the Ottoman Empire. These events resulted in one of the worst atrocities of the 20th century, and the United States recognizes that they remain a great source of pain for the people of Armenia and of Armenian descent as they do for all of us who share basic universal values. The President honors the victims every April 24th on Remembrance Day, so that we never forget this dark chapter in history.

Question. The State Department has concluded, wrongly I think, to not recognize the Armenian genocide despite a replete historical record. I think it is a grave mistake to not recognize atrocities, historical facts for political reasons however compelling—I think it sends the wrong message to perpetrators and obfuscates the “never again” policy. As a Member of the Senate you supported legislation recognizing the Armenian genocide and the deaths of 1.5 million Armenians who were brutally massacred or marched to their deaths in the waning days of the Ottoman Empire.

♦ Will you share your views and record on this matter with members of the Department and the administration?

Answer. If confirmed as Secretary of State, my duty would be to represent the policies of the President and administration faithfully. As the President has emphasized in his April 24 Remembrance Day statements, the achievement of a full, frank, and just acknowledgement of the facts of what occurred in 1915 is in all our interests. He also has said that the best way to advance that goal is for the Armenian and Turkish people to address the facts of the past as a part of their efforts to move forward. The United States is encouraging Turkey at the highest levels to engage productively with Armenia on the normalization protocols, to open the border, to reinstitute transportation, communication, and utility links between the two countries, and to reestablish diplomatic relations. If confirmed, I will continue to strongly support all efforts to normalize bilateral relations between Armenia and Turkey so that together, they can forge a relationship that is peaceful, productive, and prosperous.

Question. As a matter of policy, the United States has been a strong proponent for the normalization of relations between Armenia and Turkey, and as such actively supported the Protocols between Armenia and Turkey, which were signed in October 2009. The Protocols between Armenia and Turkey provided a roadmap to normalization of relations. However, despite its public commitments, Turkey not only failed to ratify them, but also sought to add conditions not in the Protocols, such as resolving the Nagorno-Karabakh issue. This coupled with Azerbaijan’s counterproductive actions effectively derailed the process. Instead of lifting its blockade, Turkey, in coordination with Azerbaijan, continues to maintain its nearly 20-year long blockade against Armenia. Secretary Clinton has praised Armenia for its approach vis-a-vis normalization and has repeatedly stated that the ball is now in Turkey’s court. Lifting of the blockade is not only the right thing to do; it is also long overdue.

- ◆ Please outline the steps you will take to end Turkey's blockade of Armenia and ensure that Turkey lives up to its international commitments with respect to the Armenia-Turkey Protocols.

Answer. The United States believes that full normalization of relations between Turkey and Armenia is important not only for the future of both countries, but for long-term stability and security in the Caucasus. Normalization between Turkey and Armenia remains a prominent feature of our dialogue with both countries. Secretary Clinton and other senior officials consistently raise the protocols with Turkish leaders at the highest levels, and if confirmed as Secretary, I will ensure that the State Department continues to do so. While ratification of the protocols is pending, the United States has strongly encouraged the Government of Turkey to take other steps, such as reestablishing diplomatic relations with Armenia, and opening the border.

Question. In late November 2012, President Obama visited Burma and made a historic speech at Rangoon University lauding Burma's nascent reform but detailing remaining steps the government needs to take to emerge from military autocratic rule. The day before the visit, Thein Sein, the President of Burma, announced pledges on specific rights issues. Two months after the President's trip, however, none of the pledges made by Burma's Government have been meaningfully implemented. The government of Burma pledged to release remaining political prisoners and create, by the end of December, a political prisoners review mechanism to review remaining cases in which persons claim to be political prisoners, but they have not done so, and have passed their own deadline.

The government pledged to facilitate humanitarian access to conflict areas, but have largely failed to do so. The government said they would work to allow the U.N. High Commissioner for Human Rights to set up offices in Burma, but talks between the U.N. and the government have dragged out inconclusively, with Burmese officials now saying that opening an OHCHR office is just a "proposal." Last and most notably, the Government of Burma pledged to promote peace settlements with ethnic groups, but this month launched a military advance on Laiza, the capital of Kachin State, in which they launched mortar attacks into the city itself, in which several civilians were killed and injured.

- ◆ As Secretary of State, will you continue the U.S. Government's action for action policy for Burma?
- ◆ Do you interpret "action for action" to include punitive or negative actions by the U.S. Government in response to problematic actions by the Government of Burma?
- ◆ Can you describe in specific terms what new actions you would advise as Secretary of State to respond to the Government of Burma not implementing its pledges from November 2012?
- ◆ Can you describe in specific terms the circumstances under which, as Secretary of State, you would advise that sanctions be reimposed?
- ◆ Can you provide two or three examples of the type of circumstances in which you would advise that sanctions be reimposed?

Answer. Since President Thein Sein took office in April 2011, the Government of Burma has made important political and economic reforms, including outlawing forced labor, enacting laws promoting labor rights, removing restrictions on free assembly, passing a new foreign investment law, and allowing greater press freedom. The Burmese Government has also achieved progress on core concerns of the international community, including the release of over 500 political prisoners, and has entered into preliminary cease-fire agreements with 10 out of 11 major armed ethnic groups. The National League for Democracy was allowed to contest seats in parliamentary by-elections last April, and party leader Aung San Suu Kyi, a former political prisoner, is now a member of Parliament. The Government of Burma has continued these reforms since President Obama's visit, including repeal of a law that had curbed free speech and formation of an anticorruption team headed by one of the country's two Vice Presidents.

As part of the United States engagement with Burma, the administration has taken steps to match action with action, recognizing the reforms taken to date and encouraging further reform. The guiding principles of the action-for-action policy have been to support Burma's reforms; promote national reconciliation, including a process that reflects equity and fairness for Burma's ethnic minorities; build government and civil society capacity; empower local communities and civil society; and promote value-based standards for international engagement. If confirmed, I will continue to promote these policies and principles as the fundamentals of Burma's reform.

In response to the positive reforms made by Burma, as well as calls by both reformist President Thein Sein and opposition leader Aung San Suu Kyi, the United States eased sanctions on the export of financial services and new investment by U.S. persons as well as the ban on the import of most Burmese products. However, all sanctions authorities were retained as an “insurance policy” to allow a resumption of restrictions if there is significant backsliding on Burma’s commitment to reform.

The United States also maintains a Specially Designated Nationals list, which includes individual and company designations of bad actors, including those that engage in practices that violate human rights or who seek to slow or hinder reform progress. This list is regularly reviewed and updated and is another tool to ensure that those who obstruct Burma’s reform efforts do not benefit from Burma’s renewed economic engagement with the United States.

I am deeply concerned by the conflict in Kachin State, including the conflict’s humanitarian impact and its negative implications for the broader process of national reconciliation. The United States has called on all parties to end hostilities and begin a genuine dialogue to achieve sustainable peace. Senior Department officials, including Ambassador Derek Mitchell, have raised our concerns at the highest levels of the Burmese Government.

President Obama’s trip to Burma in November 2012 demonstrated the United States support for Burma’s political and economic reform efforts. On the eve of President Obama’s visit, Burmese President Thein Sein announced his government’s pledge to strengthen democratic governance. In a November 18 statement, the Burmese Government articulated its commitment to 11 specific issues, covering human rights, political prisoners, ethnic reconciliation, nonproliferation, good governance, and human trafficking. I am also encouraged that in October 2012, Burma hosted the first-ever bilateral human rights dialogue with the United States. Key agenda items included political prisoners, legal reform, military reform, and conflict in ethnic areas including Kachin and Rakhine states, and the ongoing use of landmines. The United States Embassy in Rangoon has offered assistance to the Burmese Government in fulfilling the government’s pledges. If confirmed as Secretary of State, I will continue to prioritize foreign assistance that strengthens and deepens political and economic reforms.

Question. The United States has a longstanding mutual defense treaty with the Philippines which recognizes that an armed attack in the Pacific area would require both signatories to act to meet the common danger. The United States has repeatedly reaffirmed its commitment to the treaty, including on September 20, 2012, by Assistant Secretary of State Kurt Campbell. However, there has been escalation in the dispute between China and the Philippines over the Scarborough Shoal this year, which has required Washington to clarify how the United States obligations under the treaty relate to maritime territorial disputes in the South China Sea.

- ◆ What is your interpretation of our mutual understandings, particularly in the event of a territorial conflict or crisis between China and the Philippines in the South China Sea?
- ◆ What would you communicate to China regarding potential U.S. actions under the treaty in connection with Beijing’s dispute with Manila over the Scarborough Shoal and the Spratly Islands?

Answer. The treaty of mutual defense between the United States and the Philippines is the cornerstone of our relationship and remains as relevant today as it was when signed more than 60 years ago. However, I believe it is important to continue the U.S. Government’s longstanding policy not to discuss hypothetical scenarios regarding the treaty’s application. If confirmed, I will affirm the abiding commitment of the United States to the defense of the Philippines, as called for in the mutual defense treaty. I will also continue to underscore that while the United States does not take a position on competing sovereignty claims over land features in the South China Sea, we oppose the threat of force or coercion by any claimant to advance its claim.

Question. Curbing China’s Aggressive Behavior in the SCS: On January 1, China enacted a new border policy that authorizes Chinese maritime border patrols to board, search, and expel foreign ships that would enter what China considers its territorial waters. The administration is currently seeking clarification on these new Chinese border rules, and has characterized them as “unclear as [to] their extent and purpose.” However, these new border rules appear to me to be yet another manifestation of a deliberate and systematic effort by China to assert its sovereignty in the South China Sea and to set a new status quo at the expense of our allies in Southeast Asia.

- ♦ In your opinion, how can the United States find the right balance between maintaining our principled approach of neutrality to the South China Sea territorial disputes while also emphasizing the shared interests of the United States and our Southeast Asian allies in adherence to international norms that are threatened by China's increasingly aggressive policies?
- ♦ How will you orient our strategic priorities in these respects?
- ♦ Would you press China to diplomatically resolve its disputes with other claimants through multilateral negotiations?

Answer. I believe the United States has a national interest in the maintenance of peace and stability, respect for international law, lawful unimpeded commerce, and freedom of navigation in the South China Sea.

The United States has not taken a position on competing sovereignty claims over land features in the South China Sea. Nations of the region should work collaboratively and diplomatically to resolve the various disputes without coercion, intimidation, threats, or the use of force. In its discussions in the region, the administration has supported efforts to decrease tensions and bring the concerned countries together to resolve disagreements in accordance with international standards.

The United States should continue to urge all parties to clarify and pursue their territorial and maritime claims in accordance with international law, including the Law of the Sea Convention. The United States should encourage all parties to use diplomatic and other peaceful avenues for resolving their disagreements, including the use of arbitration or other international legal mechanisms.

The United States should continue to strongly support efforts by ASEAN and China to make meaningful progress toward finalizing a comprehensive Code of Conduct to establish a framework and clear procedures for addressing disagreements concerning behavior in the South China Sea. The United States should continue to call on the parties involved to accelerate progress toward concluding a Code of Conduct.

U.S. treaty alliances, including those with the Philippines and Thailand, are the cornerstone of our strategic position in the Asia-Pacific and continue to both ensure regional stability and enhance our regional leadership. In response to the developing security environment in Asia, I would advocate continuing to modernize U.S. alliances to provide the United States the flexibility to respond to a range of traditional and nontraditional security challenges, if confirmed. The United States should continue to engage and invest in the region's developing multilateral architecture, such as the East Asia summit and ASEAN Regional Forum, which can play a vital role in developing and reinforcing rules and norms that provide stability and build trust in the region as well as mobilize common action to confront shared challenges.

If confirmed, I will build on the foundation laid thus far to work closely with our allies, partners, and friends in the region, including with ASEAN and with China, to encourage all sides to ease tensions through effective negotiations leading to a lasting resolution of territorial and maritime disputes.

Question. The 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past three decades.

- ♦ With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?
- ♦ As Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you support the sale of more advanced aircraft to Taiwan as a part of this security commitment?

Answer. Consistent with the Taiwan Relations Act and the United States one China policy, the United States continues to make available to Taiwan the defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability. This longstanding policy contributes to the maintenance of peace and stability across the Taiwan Strait.

The volume of these sales is substantial. The United States signed defense-related contracts with Taiwan valued at \$4.7 billion in 2012 alone and notified Congress of over \$12 billion in total sales during President Obama's first term.

Signed contracts include an extensive retrofit and modernization of Taiwan's F-16 fleet and the sale of Apache attack and Blackhawk transport helicopters, Patriot PAC-3 Air and Missile Defense Batteries, P-3C long range ocean surveillance and antisubmarine aircraft, Osprey-class coastal mine hunters, as well as a variety of other systems, training, upgrades and advanced weapons and equipment.

With respect to possible future sales of fighter aircraft to Taiwan, or other defense equipment, if confirmed I will continue to support U.S. policy to meet our commit-

ments to Taiwan and assist Taiwan to maintain a sufficient self-defense capability. Doing so increases stability both across the Taiwan Strait and within the region.

Question. In March 2010, then-Deputy Assistant Secretary of State for East Asian and Pacific Affairs David Shear said that “the United States is a strong, consistent supporter of Taiwan’s meaningful participation in international organizations.” He also said that “Taiwan should be able to participate in organizations where it cannot be a member, such as the World Health Organization, the International Civil Aviation Organization, and other important international bodies whose activities have a direct impact on the people of Taiwan.”

- ♦ What specific steps do you intend to take to secure such meaningful participation for Taiwan in such organizations as the International Civil Aviation Organization (ICAO)?

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

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

Taiwan participates in, observes, or cooperates with over 50 international organizations. Taiwan is a member of both the Asia-Pacific Economic Cooperation (APEC) forum and the World Trade Organization (WTO). It is an observer to the World Health Assembly. Through a Taiwan nongovernmental organization, Taiwan also observes and participates in the United Nations (UN) Framework Convention on Climate Change.

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

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

Question. The first Obama administration committed itself to a “whole of government” approach to human rights promotion in other countries, leveraging interactions of all relevant agencies and departments involved in bilateral discussions—but there is little evidence that such a strategy has been developed or effected in our broad relationship with China.

- ♦ What steps would you take to achieve the whole-of-government approach with respect to promoting human rights in China?

Answer. The promotion of human rights remains at the forefront of American diplomacy worldwide and the U.S. Government should speak with one voice on our human rights concerns. The United States is committed to promoting universal values, such as transparency, rule of law, human rights, and good governance not only because it is the right thing to do, but also because, human rights failings in countries around the world, including China, have consequences for U.S. interests. All branches of the U.S. Government should be involved in making the case to China that the respect for rule of law, freedom of expression, a robust civil society, recognition of internationally recognized core labor standards, and respect for religious and cultural differences are in its own best interest.

The Assistant Secretary for Democracy, Human Rights, and Labor participates in the U.S.-China Strategic and Economic Dialogue (S&ED). The integration of human rights into the S&ED over the past 2 years has been an important step in the right direction, but more can be done. If confirmed, I will work to ensure that all U.S. agencies discuss human rights with China and identify ways to deliver a coordinated message to China that respect for universal human rights will help, not hinder, its efforts to maintain economic growth and stability.

Question. Other than maintaining the bilateral human rights dialogue, in what other ways do you think the United States can more vigorously promote human rights in China? What actions can the United States take besides those taken in the context of the human rights dialogue?

Answer. The Human Rights Dialogue is an important opportunity to discuss key human rights issues with Chinese officials and to raise cases of specific political prisoners. In addition, we consistently and directly raise with Chinese officials at

all levels the issues that they consider to be most “sensitive,” such as the case of Nobel laureate Liu Xiaobo, religious freedom, or the deteriorating situation in Tibet. We continually emphasize to them that improving human rights will enable them to address the issues that they themselves have identified as priorities for reform, including popular discontent due to increasing air pollution and failure to implement food safety protections.

For these reasons, the human rights dialogue is not, and should not, be thought of as the sole, stand-alone vehicle for our human rights policy and should instead be seen as one useful forum in a broader context of engagement.

For instance, our Assistant Secretary for Democracy, Human Rights, and Labor participates in our Strategic and Economic Dialogue with China because human rights underlie some of our most important long-term strategic and economic opportunities and challenges in China. Other senior officials from a number of Federal agencies travel to China or receive Chinese counterparts here. Even if these officials are discussing issue areas such as investment or the environment, they unavoidably intersect with challenges related to rule of law and human rights protection in China.

If confirmed, I will explore to what extent it is possible and useful to increase programming in the areas of rule of law, civil society, and public participation as well as broaden and institutionalize dialogues that have a practical focus, such as the Legal Experts Dialogue. I will also support increasing efforts to advocate for human rights multilaterally, including through coordinated action in the United Nations and with like-minded governments in multilateral forums. Finally, engaging directly with the Chinese people on issues of importance to them is critical, and we intend to continue to step up our efforts through a variety of means, including social media. We can do this by providing to the Chinese public otherwise unavailable information and media reporting on issues of concern. We must not forget that many Chinese citizens from all walks of life are engaged in a dynamic discussion about the kind of society they want to build together. We must pay attention to this important conversation; we should learn from it and facilitate it.

Question. One of the key issues facing America’s competitive position is the theft of intellectual property, particularly in places like China. This is a strategic economic issue that your predecessor at the Department kept at the top of the economic agenda. The job losses from IP theft are well documented, as is the integral role that IP intensive industries play in the U.S. economy.

♦ As Secretary of State, will you continue to ensure that IP protection stays at the top of the economic agenda with China?

Answer. If confirmed, I will ensure that the protection of intellectual property rights through robust laws and enforcement remains a top priority of the State Department’s engagement with China. Copyrights, trademarks, patents, and trade secrets must have adequate safeguards in China to protect the ideas of American entrepreneurs and the jobs of American workers. As the Commerce Department has reported, IP-intensive industries support at least 40 million U.S. jobs and contribute more than \$5 trillion to the U.S. gross domestic product. If confirmed, stronger intellectual property protections will continue to be a key component of the State Department’s broader goal to require that China establish a level playing field for U.S. and other foreign businesses.

China has taken positive actions in recent years with respect to the protection and enforcement of IPR. China now receives more patent applications than any country globally and, in the majority of IP cases in China, both the plaintiffs and defendants are Chinese. However, stronger enforcement mechanisms and efforts are still needed. Piracy and counterfeiting levels in China remain unacceptably high, harming U.S. and Chinese consumers and enterprises.

Protection of intellectual property matters greatly to American businesses and consumers. If confirmed, I will ensure that the Department continues to engage China at all levels, including through the annual U.S.-China Joint Commission on Commerce and Trade (JCCT) and the Strategic and Economic Dialogue (S&ED), to improve the Chinese intellectual property rights protection environment.

Question. Over the course of the last year, the Cuban regime has been engaged in an increasingly brutal crackdown on peaceful democracy activists on the island—more than 6,000 documented detentions and arrests—in addition to hold an American citizen as a hostage for trying to help the island’s small Jewish community connect to the Internet. Much has been made of purported reforms in Cuba, yet the regime continues to detain and brutalize its own people.

This past Sunday, the Ladies in White, a pro-democracy organization composed of the female relatives of current and former political prisoners, attempted to attend

Mass as a group. More than 35 of the Ladies in White were intercepted, beaten with belts, threatened to death by agents aiming guns at them and temporarily arrested.

Yordanis Alvares Puig, an activist of the Independent and Democratic Cuba opposition group, has been taken into custody to begin serving a 1-year prison sentence. His “crime” was hanging a banner in his home that read: “In Cuba, there is no justice.” This was prosecuted as an “offense” to the Castro brothers. Literally, that’s the “law” that was applied.

Also imprisoned are Sonia Garro, a Lady in White imprisoned since the Pope’s visit in March; Calixto Martinez Arias, an independent journalist imprisoned since October for breaking the story on the cholera epidemic in Cuba; and 34 activists from the Patriotic Union of Cuba—the group that organized the acclaimed Varela Project—a campaign to put political and economic constitutional reforms to a vote through the initiative process. Their leader, Jose Daniel Ferrer, testified by telephone before this committee last year.

♦ As Secretary of State, will you support peaceful activists in Cuba through public statements and full funding for U.S. democracy programs?

Answer. The United States strongly supports the human rights of Cuban citizens, including the rights to assemble peacefully and express themselves freely without fear of harassment, detention, imprisonment, or exile. If confirmed, I will continue this administration’s practice of speaking out against the Cuban Government’s harassment and imprisonment of peaceful critics, such as the Ladies in White, and continue to support the Cuban people’s desire to freely determine their future. I will continue our diplomats’ engagement with the international community and all sectors of independent Cuban civil society, and encourage efforts to focus attention on Cuba’s poor human rights record.

Purposeful travel by U.S. citizens to Cuba provides opportunities for us to share our values and principles with the Cuban people. The goal of this travel is to support civil society and the free flow of information, fuel the emergence of a market economy, and promote the Cuban people’s independence from the Cuban Government in support of their desire to freely determine their country’s future. If confirmed, I will continue to support U.S. policies and programs that advance democratic values in Cuba, freedom of speech and freedom of the press, a strong and independent civil society, and the promotion of human rights.

Question. If confirmed, will you support a reunified Cyprus with a single sovereignty, single international personality and single citizenship; and with its independence and territorial integrity safeguarded as described in the relevant U.N. Security Council resolutions?

Answer. If confirmed, I will continue to support the reunification of Cyprus under a bizonal, bicomunal federation, which has been the longstanding policy of the United States, consistent with United Nations Security Council Resolutions.

Question. If confirmed, will you support the Republic of Cyprus’s sovereign right to explore for hydrocarbon reserves and other natural resources in its Exclusive Economic Zone (EEZ)? What message will you convey to Turkey’s about Cyprus’ right to declare its Exclusive Economic Zone and to explore for hydrocarbon resources?

Answer. The United States recognizes Cyprus’ right to an Exclusive Economic Zone. If confirmed, I will continue to engage Turkey on this matter. That said, this issue must ultimately be resolved through the negotiation process, under U.N. auspices, to reunify the island as a bizonal, bicomunal federation. Such a settlement will help to strengthen regional stability as it would facilitate the normalization of relations between Cyprus and Turkey. I do not believe that developing offshore energy resources need hinder the reunification talks. I continue to believe that, in the context of an overall settlement, the island’s resources should be equitably shared between both communities.

Question. If confirmed, will you support efforts to reopen the Halki Seminary so it may train future generations of Orthodox clergy?

Answer. The United States fully supports efforts to reopen Halki Seminary, a vital institution of spiritual learning for Orthodox Christians around the world. If confirmed, I will urge the Government of Turkey at the highest levels to reopen the seminary as a symbol of the government’s commitment to fully ensure religious freedom for all Turkey’s citizens. The United States recognizes the ecumenical status of the Patriarchate, which is a part of the rich tradition of religious diversity in Turkey. The Turkish Government’s return of property surrounding the Seminary to the Church this month is a very positive step, and if confirmed, I will continue to encourage all involved parties to work cooperatively through legislative or political

roadblocks that are hindering the reopening of this important religious institution on terms acceptable to all parties.

Question. Yesterday, Secretary Clinton testified before this committee on the Benghazi ARB and embassy security. This will continue to be a major focus of the Department under your leadership and ultimately the majority of the 29 ARB recommendations will be implemented under your leadership. One of the findings of the ARB was that there were failures on both ends—at the U.S. Embassy in Tripoli, as well as with the Department here in Washington. The ARB found that the Embassy “did not demonstrate strong and sustained advocacy with Washington for increased security for Special Mission Benghazi” and that in D.C. that “there appeared to be very real confusion over who, ultimately, was responsible and empowered to make decisions based on both policy and security considerations.”

- ♦ What institutional, longlasting changes will you undertake to improve communication at the Department to ensure that the security of our embassies and the protection of our personnel are given adequate consideration?
- ♦ Will you personally oversee the implementation of the ARB recommendations and task your senior leadership with making this issue a continuing priority?

Answer. Secretary Clinton accepted all 29 recommendations from the Benghazi Accountability Review Board (ARB). I understand the Department has been working diligently on addressing these recommendations, with some recommendations already completed and the others either well on their way toward completion or with plans for implementation being actively formulated.

As I noted during my confirmation hearing on January 24, if confirmed I will personally oversee the implementation of the ARB recommendations and will ensure that my senior leadership makes it a top priority. I am also committed to take actions above and beyond implementation of the ARB findings.

If confirmed, during my tenure as Secretary I will work to make sure that the security of our embassies and the protection of our personnel are given full consideration. With the ARB findings as a guide, I will improve communication on security issues within the Department.

Question. The World Bank has stated it wants to be a leader on climate change. As one of the Nation’s foremost leaders on climate how can we best make that aspiration a reality?

One of your new responsibilities as Secretary of State will be to take charge of the resubmitted permit request by TransCanada to construct the Keystone XL tar sands pipeline across the U.S. border from Canada.

- ♦ Will that decision take into account the potential climate related impacts from permitting the pipeline?

Answer. The World Bank plays an important role on climate issues by offering technical advice on sound environmental practices, financing commercially viable investments on clean and renewable energy and energy conservation, and helping countries adapt to the impacts of climate change. If confirmed, I will work with the World Bank to continue its ongoing efforts in these areas.

Regarding the application for a Presidential permit for the Keystone XL pipeline, there is a statutory process in place to review the application that falls to the State Department and other Federal agencies. Currently, the Department is developing a Supplemental Environmental Impact Statement consistent with the National Environmental Policy Act, and expects to release it in the near future. The Department continues to conduct its required review of the Presidential Permit application in a rigorous, transparent, and efficient manner.

Question. You have long supported the notion that democracy assistance is an investment, not a gift, and that, if made now, will promote our own national security and global stability in the future.

- ♦ As states across the Middle East work through difficult transitions from authoritarianism to democracy, what investments should the United States make to assist states transitioning to full democracies?
- ♦ And once the United States has committed to investing in democracy promotion, often implemented through civil society organizations, how do you intend to achieve this goal in countries such as Egypt, the UAE, and Russia, which have actively closed the offices of those very democracy promoting civil society organizations funded by the U.S. taxpayer?

Answer. The United States holds a long tradition of engagement and assistance in support of democracy, human rights, and good governance overseas. We do so because it is consistent with our values and because democracies partner with the United States to advance shared interests around the world. Our efforts include en-

gaging on the diplomatic front as well as providing assistance to governments and to nongovernmental partners, including civil society.

There is no one-size-fits-all approach. In supporting democratic transitions across the Middle East and beyond, the United States must employ a sophisticated and tailored strategy, taking into consideration the specific context, needs, opportunities, and challenges posed in each country. We should also take into consideration the tools at our disposal, the areas in which we have a comparative advantage and potential partners for our work. But at a time of transition and turmoil across the Middle East and elsewhere, steadfast U.S. support for democratic principles and practices has never been more important.

As you mention, several governments have sought to constrain civil society, creating additional obstacles for U.S. democracy assistance. In environments such as these, we must be creative in our approaches, forthright in our support for civil society and universal rights, and tailor our response to the specific country situation. If confirmed, I would be happy to have State Department officials brief you further on our approach to working in such environments.

Question. The United States has a longstanding and unwavering relationship with Israel based on shared values and mutual interests. The preservation of Israel's security and protecting Israel's absolute and inherent right to defend itself has been an unshakable and fundamental pillar of U.S. Middle East policy for decades, and this commitment has been consistently upheld by this administration. The events of this past November—in which over 1,456 rockets were indiscriminately fired by terrorists from Hamas-controlled Gaza with the purpose of terrorizing Israel's civilian population and in which a Tel Aviv bus was bombed, wounding an additional 28 of Israel's citizens—underscores the dangerous and persistent threats that Israel continues to face and which no other democracy in the world endures.

- ◆ As Secretary of State, what steps would you take to reaffirm America's commitment to the preservation of the security of the Jewish State, and to further build on the existing foundation of this special relationship to ensure that there is no daylight between the United States and Israel when it comes to preserving Israel's security?
- ◆ How would you work with the Egyptians to make sure that Hamas complies with the cease-fire it agreed to with Israel in November, which was brokered in part by Secretary Hillary Clinton?
- ◆ And how would you defend Israel in international forums—including at the United Nations—when Israel is unfairly targeted and condemned for taking the appropriate and necessary steps to protect its citizens and security?

Answer. As President Obama has stated many times, and as the White House confirmed as recently as January 23 of this year, the bond between the United States and Israel is unshakeable. On July 27, 2012, the President signed the United States–Israel Enhanced Security Cooperation Act of 2012, which strengthens Israel's qualitative military edge. The President secured \$205 million in FY 2011 to help produce Israel's Iron Dome system, which proved so effective against Hamas rockets and in July 2012, President Obama provided an additional \$70 million. Over the next 3 years, the administration intends to request additional Iron Dome funding. Israel is scheduled to receive \$3.1 billion in Foreign Military Financing funding for FY 2013. The United States and Israel are also in consultation every day, at every level, on the full range of security issues that affect our two countries.

The Gaza cease-fire, which Egypt helped broker in November 2012, garnered public praise from Israeli leadership and continues to hold. However, issues remain to be worked out between the two sides. The flow of weapons into Gaza remains a serious concern, and Egypt has a critical role in helping to stem this flow. If confirmed, I will build on the work of this administration and continue to press the Egyptian leadership to take action against weapons smuggling while offering the fullest possible U.S. assistance in enhancing their capacity for interdiction, such as through border security equipment and training. Egyptian officials have shown that they understand the serious nature of this threat, not only to Israel and others in the region, but also to their own country's interests.

The United States devotes great attention to the treatment of Israel in multilateral forums, including in the United Nations. If confirmed, I will uphold this administration's policy of working to normalize Israel's status, including vigorously opposing one-sided, biased resolutions that risk hardening the positions of both parties. I will also continue to ensure that Israel's legitimacy is beyond dispute and its security is never in doubt, including at the monthly Security Council sessions on the Middle East, as well as in ad-hoc gatherings, such as during the 2012 Gaza conflict, when the United States strongly condemned the rocket fire from Gaza, supported Israel's right to self-defense in response to these rocket attacks on Israeli civilians,

and helped secure recognition of the risk the conflict posed to both sides in the Council's press statement.

Question. Preserving the 1979 Camp David Accords: The 1979 Camp David Accords signed between Israel and Egypt and brokered by the United States has been one of the signature accomplishments of U.S. Middle East policy to date. The agreement has ensured peace and stability on the Israel-Egypt border since its signing, and it has advanced the mutual interests of all signatories. However, President Mohammed Morsi of Egypt and his affiliates have alluded to amending the treaty in order to allow Egypt to reassert full military control of the Sinai.

- ◆ As Secretary of State, will you convey to President Morsi and his government in very clear terms that any action to amend or abrogate the treaty, including putting it to a national referendum, would require a response from the United States?
- ◆ What actions would you be prepared to take if the Egyptian Government were to move unilaterally to alter the treaty?
- ◆ And as a followup, what further actions would you take to ensure that, as the peace treaty holds, the demilitarized Sinai region does not remain a hotbed for terrorists to launch attacks against Israel?

Answer. Egyptian leaders, including President Morsi and the country's military leadership, have repeatedly assured the United States of Egypt's commitment to the Treaty of Peace with Israel. If confirmed, I will take every opportunity to underscore with President Morsi and other Egyptian officials that preserving that peace is vital to Egypt, Israel, and the United States. This administration has made it unmistakably clear, both in public and in private, that Egypt's relationship with the United States depends on its keeping the peace with Israel. This is a message I will continue to deliver. And while I view it as a blunt instrument and last resort, with serious consequences to our bilateral relationship and to the region, if the United States sees major reversals in Egypt's democratic transition, or changes in their foreign and military policy that threaten the interests of the United States or its allies, the United States maintains the ability to halt its assistance to Egypt.

Conditions in Sinai remain a serious concern and present an internal terrorist threat to both the Egyptian Government and Egypt's neighbors, as made clear in the August 5, 2012, attack that killed 16 Egyptian soldiers. If confirmed I will continue the work of this administration to press for more attention to the terrorist threats in that region—something to which I understand the Egyptian Government has been responsive. I will also continue to press the Egyptian leadership to take action against weapons smuggling while offering the fullest possible U.S. assistance in enhancing their capacity for interdiction, such as through border security equipment and training. Egyptian officials have shown that they understand the serious nature of this threat, not only to Israel and others in the region, but also to their own country's interests.

Question. A negotiated resolution to the Israeli-Palestinian conflict that ensures Israel's security and existence as a Jewish and democratic state, and that honors and respects the national aspirations and state sovereignty of the Palestinian people, continues to be a key American interest in the region. The previous two administrations invested heavily in resolving the conflict through tripartite negotiations during their last years in office, but both came up short of a final agreement. However, negotiations have not made any significant progress in the past 4 years and it is said that the Israelis and Palestinians have never been further apart since the signing of the Oslo Accords in 1993 than they are today.

- ◆ Do you believe that there could be an opening, either now or in the next 4 years, to restart meaningful negotiations between the Israelis and Palestinians?

What preconditions, if any, do you believe must be met to restart negotiations, and what resources, if any, would you be willing to expend as Secretary of State in order to bring the parties back to the table?

Answer. The administration's commitment to resuming direct negotiations and achieving a negotiated Israeli-Palestinian peace agreement based on a two-state solution remains unchanged. As I stated during my confirmation hearing, I strongly believe that we must try to find a way forward on resuming negotiations, without which the possibility of a two-state solution could recede, which would be a disastrous outcome for all involved. Israel's elections and upcoming period of government formation, coupled with ongoing efforts to sustain and deepen the cease-fire in Gaza, provide an opportunity for both the Israelis and Palestinians to step back and consider how they and others can create a context in the coming months that is conducive to resuming direct talks. If confirmed as Secretary, I intend to work intensively with both parties to resolve issues between them, lay the ground for future direct

talks, and bolster Palestinian Authority efforts to maintain and strengthen robust institutions and a viable economy—which will be essential to a future Palestinian state that is a responsible neighbor that contributes to regional peace, security, and stability. U.S. assistance to the Palestinian people is an essential part of this effort and is aimed at ensuring that a capable Palestinian partner and government, committed to peace and a two-state solution, is prepared to assume the full functions of statehood as a consequence of a peace agreement.

Question. Within the past 16 months, President of the Palestinian Authority Mahmoud Abbas has twice bypassed the peace process and gone to the United Nations to seek a bid for statehood. In November, President Abbas addressed the U.N. General Assembly and won a vote to gain “non-member observer state” status over the objections of both Israel and the United States. The Palestinians now have the capacity to apply for membership to United Nations agencies such as the World Health Organization and, more significantly, the International Criminal Court. Last month, Palestinian Authority Foreign Minister Riad Malki threatened that the Palestinians will request membership to the International Criminal Court in order to file charges against Israel.

- ◆ As Secretary of State, what would you do to prevent further provocative unilateral moves by the Palestinians in international forums?
- ◆ What steps would you be willing to take against the Palestinians if the ICC were to adjudicate any matter proposed or supported by the Palestinian Authority?

Answer. I am concerned that the Palestinian pursuit of membership as a state in the U.N. and other bodies will drive the parties further apart and risk hard-won progress in building Palestinian institutions. There is simply no substitute for direct negotiations. If confirmed as Secretary, I would continue to urge all parties to avoid any further provocative actions that circumvent or prejudice outcomes that can only be negotiated, including Palestinian statehood.

Since the November 29 vote, the administration has sought, in coordination with Israeli officials, to persuade the Palestinian leadership to refrain from further action that could deepen the sense of crisis, further damage U.S. interests in the U.N. and other bodies as well as our relationship with the Palestinians, and set back prospects for direct negotiations. As Secretary of State, I will continue the administration’s policy of opposing firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudice the very outcomes that can only be negotiated, including Palestinian statehood. In addition, the United States will continue to stand up to every effort that seeks to delegitimize Israel or undermine its security.

Question. The United States has a longstanding treaty on mutual cooperation and security with Japan which recognizes that an attack against either party in territory under Japan’s administration would require both countries to act against the common danger. The United States has repeatedly reaffirmed that the scope of this treaty includes the Senkaku Islands, which have been administered by Japan since 1972. However, tensions are currently escalating between Japan and China in the East China Sea, and in December Japan sent eight F-15 fighter jets after a small Chinese propeller plane that flew over the Senkaku Islands.

- ◆ What steps would you take to help reduce the risk of these disputes from escalating into conflicts?
- ◆ What will you communicate to both China and Japan regarding potential U.S. actions under the treaty in connection with their maritime territorial disputes in the East China Sea?

Answer. Northeast Asia is a key engine of the global economy. As such, the United States, the region, and the world have an abiding interest in peaceful relations between China and Japan. The escalation of tensions is not in any party’s interests.

The United States does not take a position on the question of ultimate sovereignty over the islands, but calls on all sides to take steps to prevent incidents and manage such disputes through peaceful means. Diplomatic discussions to reduce tensions and manage this issue should be continued. If confirmed, I would urge all parties to show restraint and engage in meaningful dialogue in order to avoid misunderstanding or miscalculation. The United States has been clear on its longstanding policy on the Senkaku Islands, which have been under the administration of Japan since the reversion of Okinawa in 1972.

Question. There is a great deal of reason to be concerned about the state of press freedom in many areas of the world, and Latin America in particular. Journalists

and media owners in many countries in this hemisphere face serious legal, administrative, and even physical threats, generally in countries with democratically elected governments. This has dire implications for the media's ability to confidently and safely cover political developments in the region. In recent years, many Latin American Governments have exploited "soft" or indirect censorship to chip away at freedom of expression. Using legal, administrative, and financial pressures to influence media coverage, governments in the region issue decrees criminalizing libels laws or write new tax code to penalize critical media outlets.

- ♦ The United States is already engaged in supporting and open and independent media in this hemisphere and throughout the world. As Secretary of State, what are some actions you are considering to further stem the suppression of the press by governments in Latin America and assist journalists whose reporting place them at risk?
- ♦ Are there interlocutors, such as the Organization of American States (OAS), the Committee for the Protection of Journalists, (CPJ), and national media groups in the region, that we can bolster—and in some cases help reform—in order to improve press freedom throughout this region and highlight the critical role of the press in all democracies?

Answer. If confirmed, I will continue to advocate publicly for freedom of expression and the importance of free and independent media.

Press freedom is critical to vibrant democracies and ensuring freedom of expression in the Western Hemisphere requires concerted diplomatic and programmatic efforts. This includes working with multilateral institutions such as the Organization of American States (OAS), nongovernmental organizations such as the Committee for the Protection of Journalists (CPJ), associations such as the Inter American Press Association (IAPA), and national and international media groups.

If confirmed, I will maintain the wide range of activities and programs that support media freedom both online and offline, public access to information, journalistic professionalization, protection of journalist's legal rights, and training to enhance journalist safety.

Under my leadership, the Department leverage multilateral gatherings such as the annual OAS General Assembly and the U.N. General Assembly, bilateral engagement opportunities, and the U.N.'s Universal Periodic Review process to raise attention to media freedom and call upon nations to adopt international standards on freedom of expression. This will include advocating for legal reform to establish defamation as a civil rather than a criminal offense.

The United States also consistently and publicly supports the efforts of the OAS Special Rapporteur on Freedom of Expression, who plays an important role in investigating and publicizing abuses in the hemisphere. If confirmed, I will continue to bolster that office to maintain its independence and integrity.

Question. This administration has advanced the issue of LGBT rights in many significant and meaningful ways. Secretary Clinton's repeated declarations that "gay rights are human rights and human rights are gay rights" set the framework for fundamental progress in achieving equality for LGBT people. And then the December 6, 2011, Presidential Memorandum on International Initiatives to Advance the Human Rights of Lesbian, Gay, Bisexual, and Transgender Persons set out to incorporate advocacy and programming for LGBT people in U.S. human rights policy.

One of the first orders of business on that strategy is to address the wave of legislation throughout Africa, the Caribbean, and Latin America that criminalizes LGBT persons, and we are all familiar with the events in Uganda in recent years, though that we see such legislation on track in Malawi and Nigeria and other countries as well.

Last month 46 faith leaders made a bold statement that disapproval of LGBT lifestyles should not lead to violence against LGBT people, and that such attacks should not be tolerated. This is an important issue and faith leaders are an important voice to engage in this goal.

- ♦ LGBT rights have clearly been a priority for the President and Secretary for the last 4 years. How do you see yourself furthering these initiatives?
- ♦ What influence do you think the United States can have in combating criminalization of LGBT persons internationally and how can the United States lead by example?

Answer. Over the past 4 years, the United States has made important strides toward ensuring the equality of lesbian, gay, bisexual, and transgender (LGBT) people both domestically and abroad. But there is much work that remains.

American leadership on human rights makes America stronger. If confirmed, I will be committed to advancing our leadership on human rights, including on the

human rights of LGBT persons. This includes efforts to revise internal policies and procedures to further ensure that the State Department and USAID treat LGBT employees and their families with equity. I will also work closely with U.S. ambassadors worldwide so that advancing the human rights of LGBT individuals remains a central part of our human rights engagement. It is a notable achievement that the advancement of the human rights of LGBT people has become a standard part of our posts' engagement around the world. The State Department, together with USAID, will continue to look for new opportunities to collaborate with other Federal agencies operating abroad in order to strengthen our implementation of President Obama's 2011 Memorandum on International Initiatives to Advance the Human Rights of Lesbian, Gay, Bisexual, and Transgender Persons.

The United States opposes discrimination against LGBT persons and the State Department has worked closely with the White House and other Federal agencies to leverage the tools of the United States to oppose attempts to limit the human rights and fundamental freedoms of LGBT individuals. I am conscious that we must calibrate our engagement according to its context, but we have been, and will continue to be, committed to bringing to bear our most effective tools to oppose criminalization and discrimination against LGBT people around the world. Local and national civil society groups at home and abroad are critical allies in this effort and the State Department, through the Global Equality Fund and other initiatives, including activities managed by USAID, will continue to support their work, including through training, funding and public engagement.

Leading by example at home is critical to exerting credible leadership abroad. President Obama referred to seminal moments in our journey "toward a more perfect union" in his second inaugural address. Our own progress sets a powerful example for the world. The significant steps the Obama administration has taken to ensure that the human rights of LGBT people are a reality in the United States have been and will continue to be among our most effective tools in empowering our engagement to advance the human rights of LGBT people abroad. President Obama and Secretary Clinton are rightly seen as leaders committed to the promises of our own Declaration of Independence and the Universal Declaration of Human Rights—including that all are created free and equal in dignity and rights—and, if confirmed, I will be honored to work tirelessly to continue to advance U.S. leadership.

Question. With respect to the former Yugoslav Republic of Macedonia, on October 18, 2010, Assistant Secretary of State Philip Gordon stated, "Macedonia will join [NATO] once the dispute over its name is resolved" in a speech at the Center for Transatlantic Relations, Nitze School Advanced International Studies, Johns Hopkins University.

♦ If confirmed will you support the position as articulated by Assistant Secretary Gordon?

Answer. If confirmed, I will fully support the decision taken at the 2008 NATO summit in Bucharest to invite Macedonia into NATO once the dispute with Greece over Macedonia's name has been resolved. The United States will continue to support the U.N. mediation process, and we hope that the leaders of Macedonia and Greece will find a mutually agreeable solution to the name dispute as soon as possible in the interest of Euro-Atlantic integration, economic prosperity, peace, and security in the region.

Question. Morocco is a close and important ally, especially in the fight against terrorism, and your predecessor initiated a strategic dialogue to continue senior-level dialogue on the broad range of issues of vital mutual interest. The long-running dispute over the status of Western Sahara is one of the most prominent of these issues, and after decades of U.N.-sponsored negotiations, a definitive settlement has not been reached. Morocco has proposed an autonomy framework under which the affairs of the region would be managed by local authorities under Moroccan sovereignty. This framework has been endorsed by your three predecessors and strong bipartisan majorities in both Houses of the U.S. Congress.

♦ As Secretary of State, do you plan to continue the strategic dialogue framework, and what are your plans for ensuring that this process generates practical results for both parties?

♦ With regards to the Western Sahara dispute, do you intend to develop a comprehensive plan—working with our allies and the U.S. Congress—to pursue and advocate the urgent resolution of this issue?

Answer. I remain committed to our strong bilateral relationship with Morocco, and to working with Morocco on issues of mutual concern. The State Department is committed to continuing the strategic dialogue discussion that we began with Morocco in 2012. On the Western Sahara, I support ongoing negotiations in the

United Nations, which are led by Ambassador Christopher Ross, the Secretary General's Personal Envoy. As my predecessors have done, if confirmed I will urge the parties to the Western Sahara dispute to work toward a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

Question. While world powers were largely aligned in condemning North Korea's provocative and irresponsible launch in December of a two-stage ballistic rocket, that does not change the fact that it was a further step by North Korea toward achieving the capability to deliver nuclear warheads on ballistic missiles. Although the launch appears to be a clear setback for resumption of the six-party nuclear arms control talks, it appeared the outlook for such talks resuming was dismal to begin with.

- ◆ The United States faces fundamental decisions on how to approach North Korea. As Secretary of State, to what degree do you believe the administration and our six-party talks partners should try to further isolate the regime diplomatically and financially?
- ◆ Should those efforts be balanced with engagement initiatives that continue to push for steps toward denuclearization, or for better human rights behavior?
- ◆ Is China a reliable partner in efforts to pressure Pyongyang given its own interest in the territory?

Answer. The United States and the Five-Party countries should continue to urge the leadership in Pyongyang to choose the path toward peace and prosperity; staying on its current path will only lead the North Korea deeper into isolation. The United States should continue to pursue its dual-track policy of pressure and engagement to sharpen the DPRK's choices.

Additionally, the United States should continue to urge Pyongyang to address its deplorable human rights conditions and improve the plight of its people.

China has played an important role as chair of the six-party talks, and the United States should continue to encourage China to more effectively leverage its unique relationship with the DPRK to achieve our common goal of denuclearization.

Question. The OAS is the preeminent hemispheric organization on issues of promotion of democracy and human rights, the rule of law, economic development, and its increasingly important contribution to hemispheric security efforts. The United States provides over 50 percent support of the OAS' regular budget, and the U.S. Congress appropriated an additional \$8 million in FY 2012 in voluntary contributions to support key OAS programs and initiatives, including \$2 million to support the Inter-American Commission on Human Rights. However, the OAS is facing serious financial and administrative challenges that threaten its ability to carry out its core mandates. It is critical that we preserve the integrity of this institution, to allow it to continue its broad mandate of helping citizens of Latin American and Caribbean countries lift themselves and their societies out of poverty, away from extremism, and toward sustainable development.

As we both stated in our joint letter last November to the Chairman of the OAS Permanent Council, as champions of the OAS we want it to remain an influential, positive force in the hemisphere, and we called on the OAS Permanent Council and the OAS executive leadership to take the actions necessary to revitalize the Organization.

- ◆ As Secretary, how will you marshal support among the other OAS member nations to ensure the necessary financial and management reforms are enacted that put the Organization on a more stable trajectory?

Answer. If confirmed as Secretary, I would lead the Department of State's advocacy for financial and managerial reforms at all levels of the organization. The U.S. Permanent Mission to the OAS (USOAS) plays a leadership role in developing consensus among Member States to impose greater transparency in OAS budgetary processes, restrict the number people serving in "positions of trust" at the Secretary General's discretion, and require performance-based metrics in the management of OAS programs. USOAS is heavily involved in an ongoing exercise to prioritize the many OAS mandates. Secretary General Insulza recently published a new strategic vision, partly in response to our joint letter of November 2012. The document contains some helpful elements that USOAS is using to keep the question of OAS reform firmly on the agenda. Ambassador Lomellin has already announced that USOAS will place OAS reform on the agenda of the Permanent Council. If confirmed, I will engage my counterparts directly, in public and in private, to accelerate the significant reform efforts already underway.

Question. The Inter-American Commission on Human Rights has played a critical role over the last decades in supporting greater democratization, respect for human rights, and spread of transparent and effective governance throughout the hemisphere. The United States longstanding financial support for the Inter-American human rights system (IAHRS) is evidence of the importance we place on this system and its collective work to promote and protect human rights and examine allegations of human rights violations in the hemisphere. There are some concerns that the ongoing initiative to “reform” and “strengthen” the IAHRS could actually have the opposite result of limiting weakening the OAS human rights mandate and limiting the jurisdiction of the commission and human rights court.

- ♦ If confirmed, what actions would you take as Secretary of State to ensure that the Inter-American human rights system is preserved, truly strengthened, and funded adequately to fulfill its ambitious and exceptionally important hemispheric mandate?

Answer. The defense and promotion of human rights is the foundation of the Organization of American States (OAS). The Inter-American Human Rights System (IAHRS), including the court and the commission, is an important mechanism for promoting human rights in all countries of the hemisphere, including the United States. If confirmed, I will ensure the United States remains steadfast in our support for the IAHRS and continues our efforts to engage more actively with the commission on human rights issues in our own country. We will continue to push for reforms that will maintain the integrity and independence of the Inter-American Human Rights Commission and its Special Rapporteurs, and resist any efforts to undermine the commission or the work of its rapporteurs. We are in the process of selecting the strongest possible U.S. candidate to serve on the commission. The OAS is facing a critical budget crisis. I am committed to working with member states and permanent observers to ensure the human rights organs of the OAS are adequately funded.

Question. Pakistan has become the real key to addressing American counterterrorism concerns in the region and we have provided billions of dollars in assistance to the government in exchange for what seems to be limited or sporadic cooperation. It is difficult to measure exactly what we are accomplishing with the substantial U.S. security and civilian programs. It is also unclear whether the administration is able to spend effectively the resources allocated to Pakistan.

- ♦ Given your experience working with Pakistan, how will you as Secretary of State ensure we achieve better and more measurable outcomes for American support via the Enhanced Partnership with Pakistan Act and DOD Coalition Support Funds, in terms of countering terrorism and violent extremism, preventing nuclear proliferation, and supporting stability in Afghanistan?

Answer. Our relationship with Pakistan is complex, and at times, difficult. Despite the challenges, both the United States and Pakistan recognize that it is in our strategic interests to continue a meaningful and productive relationship.

Undoubtedly, Pakistan has an important role to play in the Afghan peace process and regional stability. Pakistan is a key ally in the shared fight against the terrorists that threaten both of our countries and we continue to press Pakistani officials to take action against any and all terrorist groups operating in Pakistan, including al-Qaeda, the Haqqani Network, Lashkar-e-Taiba, and other groups that threaten U.S., Pakistani, and Afghan citizens alike and collectively pose a threat to regional stability.

Through our mutual efforts with Pakistan, we have been able to substantially weaken al-Qaeda’s leadership and operational capabilities. Pakistan has also supported the listing of the Haqqani Network under the UNSCR 1988 (Taliban sanctions) regime. Of course, we continue to press Pakistan to take additional steps to dismantle terrorist groups, no matter whom they target or where they strike. We will continue to work with Pakistan to eliminate the threats in the border areas, to take steps to counter the proliferation of improvised explosive devices, and to make both of our nations and the region more secure. In this vein, Pakistan participated in a bilateral dialogue aimed at improving law enforcement cooperation and countering IEDs.

On nonproliferation and nuclear issues, Pakistan has shown it can be constructive by continuing its participation in the Global Initiative to Combat Nuclear Terrorism and the Nuclear Security summit and we continue to engage Pakistan bilaterally on these issues. Most recently, we held a Strategic, Stability and Non-Proliferation dialogue in Islamabad on December 10, 2012.

Continued civilian and security assistance are important parts of our policy of engagement. Sustained assistance in these areas is a long-term investment in a more stable, prosperous, tolerant, and democratic Pakistan.

There is clearly room for improvement, but we are making measurable progress in sectors most important to Pakistan's stability: energy, economic growth, education, health and stabilization of the border areas. For example, on energy, since October 2009 U.S. assistance has added 400 MW to Pakistan's electricity grid, benefiting over 6.8 million people. U.S. funded-projects will add a total of 900 MW, or almost half the installed capacity of the Hoover Dam, by end of 2013. Our stabilization initiatives aim to make communities in conflict and post-conflict regions inhospitable to insurgents and more supportive of government authorities, supporting our goal of national and regional security. USAID and INL have funded the construction of over 750 km of roads in FATA and Khyber-Pakhtunkhwa (KP), increasing commercial activity and stability.

In this same vein, our security assistance programs focus on strengthening Pakistan's capabilities in counterterrorism and counterinsurgency, and on promoting closer security ties with the United States. Over the past few years, we have taken a closer look at our programs to ensure the level and type of assistance is commensurate with Pakistan's cooperation on our mutual interests. After a difficult few years, our mil-to-mil relationship is now on stronger footing and we are moving forward with a more realistic and narrowly focused program to promote joint action on areas of mutual interest.

If confirmed, I will look to expand our cooperation with Pakistan on our mutual goals to pursue a stable, peaceful, and prosperous region. In my conversations with Pakistani leaders, I will stress the need for measurable progress on our shared interests.

Question. The general lack of respect for the rights of religious minorities and women in Pakistan is of grave concern, and there are numerous examples in just the last few months of the extent of the problem. As an ally of Pakistan making a significant investment in its democratic and economic development, it must be a priority for the United States to support efforts to improve protection for minority rights in Pakistan and counter the voices and actions of often violent extremists.

- ♦ While this is a long-term process, how do you as Secretary of State intend to leverage our relationship to address the issue of human rights and treatment of religious minorities?

Answer. The human rights situation in Pakistan, in particular the treatment of religious minorities and women, as well as abuses committed by militants, terrorists, and extremist groups, continues to be a cause for concern. In recent years we have witnessed troubling events, such as the killings of religious freedom advocates such as Federal Minister Shahbaz Bhatti and Governor Salmaan Taseer, and the attack on Malala Yousafzai, the young girl shot by the Taliban for campaigning for girls' education.

Human rights issues are, and must remain, a core aspect of our bilateral engagement with Pakistan, and we take all allegations of human rights abuses very seriously. U.S. officials have discussed allegations of human rights abuses with Pakistani officials and continue to monitor Pakistan's human rights record closely. The annual Human Rights and Religious Freedom Reports address this record every year in a forthright and objective manner.

Under Secretary Clinton's leadership, the State Department has pressed the Pakistani Government to promptly investigate and hold accountable those who are responsible for violations of human rights. If confirmed, I plan to continue those efforts. We must continue to urge Pakistan to uphold the Pakistani Constitution and comply with its international obligations.

Later this year, we look forward to timely, free, fair, and transparent elections that we hope will result in the first civilian democratic transition in Pakistan's history. If confirmed, I will continue the administration's efforts to provide support to Pakistan to strengthen the rule of law, to better enable its institutions, to hold perpetrators of such inhumane acts accountable, and to provide justice to victims of human rights violations and abuses. We must also continue to foster peace and interfaith dialogue in an effort to engage both the government and civil society to promote religious tolerance and end sectarian violence.

If confirmed, I will work with Pakistani government officials and civil society organizations to bolster and strengthen the country's democratic processes and institutions, and to continue my predecessor's commitment to advocating on behalf of the human rights and religious freedom of all persons in Pakistan. I will also continue to enhance our engagement with all sectors of society to counter extremism and en-

courage increased collaboration to promote tolerance and respect for the rights of all citizens including women, and religious, and ethnic minorities.

Question. Poland is the only European Union Schengen Zone country—which allows Visa free travel within the EU—that is not a member of the United States Visa Waiver Program. During the last Congress, President Obama supported the bipartisan and bicameral legislation calling for the expansion of the Visa Waiver Program to include Poland. President Obama also reportedly assured Polish President Bronislaw Komorowski that the administration would resolve this issue during his Presidency.

♦ If confirmed, will you put your support behind expanding the Visa Waiver Program to include Poland, working with the Congress and other agencies, as well as the White House, to set the path for Poland to join the program and fulfill President Obama's commitment?

Answer. If confirmed, I will support the administration's position that Poland be included in the Visa Waiver Program (VWP).

In December 2010, the President committed to working toward Poland's inclusion in the VWP and in May 2011 publicly supported proposed legislation introduced in the House and in the Senate to expand the criteria for VWP designation. At the request of Congress, the administration submitted letters on May 18, 2012, confirming that it fully endorses proposed VWP expansion legislation. If confirmed, I likewise commit to putting my support behind VWP expansion to include Poland. I will work with Congress to advocate passage of VWP expansion legislation, and with the White House and interagency to advance the path for fulfillment of President Obama's commitment to bring Poland into the program.

Question. Over the past 2 years, we have witnessed an unprecedented number of humanitarian crises and complex emergencies in different parts of the world, including in Syria, the Horn of Africa, the Democratic Republic of Congo and Mali, and many other countries resulting in large flows of refugees into neighboring countries. The United States has long been a leader on refugee protection through the aid we provide in times of conflict, the funding support we provide to the U.N. Refugee Agency and other humanitarian agencies, as well as through our resettlement program. However, this places tremendous pressure on the International Affairs Budget during a time of declining resources.

♦ As Secretary of State, what steps would you take to further strengthen our leadership in helping provide protection to people fleeing humanitarian crises, including rapid resettlement of those still at risk despite having left their country of origin?

♦ How will the United States respond to the needs of people affected by conflicts and natural disasters, fulfilling its traditional leadership role in these types of operations around the globe, as resources become increasingly constrained?

Answer. If confirmed, I would further strengthen U.S. leadership in providing protection and assistance to the world's most vulnerable populations by marshalling the Department's diplomatic resources to: broker solutions that allow refugees and internally displaced persons (IDPs) to return voluntarily safely and with dignity; enlist support from other governments to contribute to solutions as political stakeholders, humanitarian donors, or resettlement countries; and ensure that the international architecture to respond to humanitarian emergencies is nimble, efficient and accountable.

More than 6.8 million refugees and IDPs returned home during 2010–2011 thanks in part to the Department's diplomatic efforts to end conflicts and achieve durable solutions for those who had fled. For example, the Department's ongoing diplomatic efforts are helping to achieve solutions for nearly 74,000 refugees and IDPs in the Balkans by committing international donors and host countries to a regional housing program.

Similarly, U.S. diplomats working with the U.N. High Commissioner for Refugees and other countries have established Emergency Transit Centers in Romania, Slovakia, and the Philippines in order to provide more immediate protection to refugees by moving them from insecure or otherwise challenging circumstances while being processed for third-country resettlement. At these centers refugees can be screened and interviewed for resettlement in a protected environment. In both of these examples, robust and innovative diplomacy has demonstrated U.S. humanitarian leadership with modest financial costs. If confirmed, I would endeavor to expand this type of leadership to address the myriad humanitarian challenges we face today and in the future.

Question. The Russian Government has approved a series of laws that have suppressed civil society and basic liberties in Russia since March of this year when President Vladimir Putin was reelected to his third term. These laws include an increase in the fines for unapproved demonstrations, a requirement that NGOs that receive assistance from foreign governments must register as “foreign agents” and the expansion of the definition of treason to include “providing consulting or other work to a foreign state or international organization” that is deemed at a later date to be working against Russian security interests. The Russian Government also expelled USAID from the country in September.

- ♦ As Secretary of State, would you find creative ways to support Russian NGOs, democratization and human rights groups, and signal to President Putin that these authoritarian measures are counterproductive to advancing our mutual interests with Russia?
- ♦ How would you leverage the diplomatic tools that would be made available to you, such as public diplomacy and the Working Group on Civil Society of the U.S.-Russia Bilateral Presidential Commission, to support these ends?

Answer. The United States continues to have differences with Russia’s leadership about human rights and growing restrictions on civil society. If confirmed, I will regularly and directly raise these concerns with Russian Government counterparts. I am committed to having an honest and open dialogue on civil society and human rights issues with the Government of Russia and with Russian civil society. In government-to-government discussions, I will voice concerns both publicly and privately about the new laws that restrict the work of civil society.

The United States decided to withdraw from the Civil Society Working Group (CSWG) of the U.S.-Russia Bilateral Presidential Commission in light of recent steps taken by the Russian Government to impose restrictions on civil society. My commitment to engage Russian civil society, including by continuing to foster links between Russian and American civil society, remains unwavering. If confirmed, I will keep Congress informed of efforts to enhance these links, and I look forward to consulting closely with Congress as we develop ideas on how we can be most effective in supporting Russia’s civil society organizations.

Question. On December 28, President Putin signed into law a bill barring U.S. adoptions of Russian children which was overwhelmingly passed by the Duma and the Federation Council. The State Department estimates that as many as 1,000 pending adoptions will be impacted by this piece of Russian legislation, which needlessly affects thousands of Russian children who will tragically be without loving homes. However, the administration also needs to cooperate with Russia on a complex portfolio of international issues, including on Afghanistan, Syria, and the curbing of the proliferation of weapons of mass destruction.

- ♦ Given the complexity of our relationship with Russia, what do you believe is an appropriate American reaction to this provocation?
- ♦ As Secretary of State, how would you work to convince the Russians to allow the hundreds of pending U.S. adoptions that did not receive a court approval before the enactment of the ban on January 1?
- ♦ Would you be persistent in consistently communicating to President Putin, Russia’s Presidential Ombudsman for Children’s Rights Pavel Astakhov, and leaders in the Duma and the Federation Council of the need to narrowly enforce this adoption ban and would you work for its ultimate repeal?

Answer. I deeply regret Russia’s passage of Federal law No. 272-FZ which bans the adoption of Russian children by U.S. citizens, restricts Russian civil society organizations working with U.S. partners, and requires termination of the U.S.-Russia Adoption Agreement. U.S. families have welcomed more than 60,000 Russian children into their homes, families, and communities over the past 20 years. The vast majority of these children are now thriving, thanks to their parents’ loving support.

While Russia has the sovereign right to ban the adoption of its citizens, if confirmed, I will continue to underscore that this approach hurts the most vulnerable members of Russian society. The U.S.-Russia adoptions agreement was negotiated under a shared understanding that while all efforts should be made to place children with families in their country of birth, when this is not possible, properly safeguarded intercountry adoption should be another valid path to finding children permanent, loving homes. If confirmed, I will endeavor to remind Russian officials at the highest levels of this principle and urge them to reconsider this law.

Concurrently, I will urge the Russian Government, on humanitarian grounds and in the spirit of our bilateral agreement, which remains in force through January 1, 2014, to permit all adoptions initiated prior to the law’s enactment to move forward.

Question. With your help and support, the United States Congress passed the Magnitsky Act in December, which imposes sanctions on Russians who are implicated in the murder of the Russian anticorruption lawyer Sergei Magnitsky. However, the act also sanctions Russians who are deemed guilty of “extrajudicial killings, torture, or other gross violations” of human rights committed against those “seeking to expose illegal activity carried out by officials of the Government of the Russian Federation.”

- ◆ As Secretary of State, how broadly or narrowly would you advise the administration to interpret and apply the Magnitsky Act?
- ◆ What are the factors and interests that you would weigh the most when considering the implementation of the act beyond the Magnitsky case?
- ◆ Would you support broadening the Magnitsky Act to apply its sanctions to human rights violators from other nations?

Answer. The State Department is currently engaged in an interagency process to implement the Sergei Magnitsky Rule of Law Accountability Act. I look forward, if confirmed, to ensuring the act is executed in accordance with the intent of the Congress. I intend to ensure that the same high standards of evidence, process, and credibility that will guide the Department’s work on the Magnitsky case itself will apply to all other cases that will be considered when putting the act into practice.

Question. A wide body of evidence from the U.N. Group of Experts on Congo and other human rights groups has documented significant support from senior Rwandan military officials to the M23 rebellion in eastern Congo, including the provision of arms and ammunition, the planning and operational command of military operations, the deployment of hundreds of Rwandan army troops across the border into Congo to fight alongside the M23.

On December 18, President Obama called Rwandan President Paul Kagame and stressed the importance of permanently ending all support to armed groups in the DRC. In a statement to the U.N. Security Council on December 31, U.S. Ambassador Susan Rice welcomed new U.N. sanctions on the M23 and FDLR and said that the United States would continue to “use every tool at our disposal to maintain the pressure on those responsible for the violence in the eastern DRC and to advance ongoing efforts toward a political settlement to the crisis, including additional action by the Security Council, if necessary, against those who persist in providing additional support to M23 or act in violation of the sanctions regime and arms embargo.”

- ◆ Under what circumstances would the United States support sanctions against senior Rwandan officials who have backed the abusive M23 rebels?
- ◆ What specific steps have or will we ask Rwanda to take to halt violation of the U.N. arms embargo for the DRC?
- ◆ What further actions do you anticipate being taken by the U.N. Security Council?

Answer. I am closely following developments in the eastern DRC as well as the talks between the DRC Government and the M23 rebel group and the broader regional discussions among Great Lakes governments. Any future U.S. actions regarding bilateral or Security Council sanctions against DRC-related targets, including Rwandan officials, will depend on developments on the ground, the behavior of armed groups such as the M23 and those who have provided assistance to them, and our assessment of what measures would effectively promote peace and security in the region.

Question. The Special Immigrant Visa program for Iraqis who faced persecution due to their work with the U.S. Government will sunset at the end of FY 2013. There are approximately 21,319 visas approved by Congress that have not been used. In addition, the SIV program for Afghans who worked alongside the U.S. Government continues to face challenges in its implementation due to limited staffing and resources. Out of the 7,500 SIVs Congress approved for Afghans, only 595 visas have been granted.

- ◆ If confirmed as Secretary of State, would you support the extension of the Iraqi Special Immigrant Visa program?
- ◆ In addition, what steps would you take to ensure the effective implementation of the program in Afghanistan and reduce any unnecessary backlog?

Answer. The administration strongly supports extending the Iraqi SIV program so that the number of visas authorized can be fully utilized and, if confirmed, I will work with Congress to find an appropriate vehicle to accomplish this goal before the end of FY 2013 when the FY 2008 SIV provision of the National Defense Authoriza-

tion Act expires. A timely program extension would permit continued normal processing of Iraqi SIV cases to completion.

Embassy Kabul has redirected and increased resources to improve efficiency at all stages of the SIV process and reduce processing backlogs. There is a dedicated unit working on Chief of Mission approvals, which is the first of three steps in the SIV process. Embassy Kabul's consular section has increased staffing to meet the increased demand for visa appointments from applicants who have all necessary approvals.

Question. Last year, you said, "The history of Sudan is littered with the paper of previous agreements that were never put into action, but as we saw with the 2011 referendum on the South's peaceful separation, real progress is possible when both sides are committed to peace and necessary compromise." You outlined that to reach a peace, the status of Abyei needs to be addressed, a political solution for the conflicts raging within Sudan needs to be found, and humanitarian access in South Kordofan and Blue Nile must be provided, and that the United States must continue to work to help secure true peace in the Sudans. However, in a January 22, 2013, press statement, the Department of State expressed its disappointment with both the Sudan and South Sudan Governments over their combined failure to make progress on implementing the September 27, 2012, agreements, despite commitments by Sudan President Omar al-Bashir and South Sudan President Salva Kiir. Clearly much work remains to advance the peace process.

Despite international and U.S. arms embargoes on Sudan and ICC arrest warrants for several Sudanese officials including President Omar al-Bashir, the Sudanese regime's campaign of violence against civilians in South Kordofan, Blue Nile and Darfur regions continue and weapons still flow freely into Sudan from Russia, China, and Iran, among others.

- ♦ If you are confirmed, how will you shape U.S. policy on Sudan, and what steps will you take, bilaterally and multilaterally, to ensure the two sides continue to implement the September 2012 agreements?

Answer. The September 27, 2012, agreements between Sudan and South Sudan indeed are critical. If the two countries implement those agreements, they will not only deescalate the tensions along their border but will also deliver critical economic development to their people—not only through the oil provisions, but also through the provisions for cross-border trade. Both countries face dire economic circumstances. Neither can afford to embrace a negotiations strategy grounded in the hope that the other will collapse first. Both must work urgently to fully implement the September agreements, and those agreements must proceed in tandem.

Both parties have said they would implement the agreements "immediately and without conditions" and both must be held to that. Issues like renewal of oil sales should not be held hostage to any other concern, like ill-defined security "guarantees" along Sudan's southern border. Border security will only come through a decision by Sudan to both deepen cooperation with South Sudan and to address the Two Areas conflict through unconditional dialogue with the SPLM-N.

If confirmed, I will work to ensure that we maintain strong African Union and international support for implementation of the September 27 agreements. Unity among AU members and a determination to avoid another war in the region enabled the organization to bring the parties to the table and to an agreement. That same unity and forcefulness will be required to ensure implementation of the agreement.

If confirmed, I will continue to press for a negotiated end to the conflict in Sudan's Southern Kordofan and Blue Nile states. This conflict has led to a grave human rights and humanitarian crisis; it has undermined the security of both Sudan and South Sudan, and has hindered progress on all other issues. It has also gravely undermined Sudan's standing in the eyes of the international community. Neither Sudan nor the rebel movement SPLM-N can win this conflict militarily, both must return to negotiations.

Question. The conflict in Syria appears to be worsening. President Bashar al-Assad's Alawite-dominated security forces may be weakening, but continue to use brutal and indiscriminate tactics against the opposition. Although the United States and other "Friends of Syria" have recognized the "National Coalition of Revolution and Opposition Forces" as the legitimate representative of the Syrian people, a negotiated solution seems unattainable at the moment. The conflict is increasingly sectarian, opening opportunities for extremists and al-Qaeda. There are rising concerns about the security of Syria's chemical weapons. There are also increasing fears of the regionalization of the conflict, possibly destabilizing Turkey, Lebanon, Jordan, Iraq, and Israel.

UNHCR reports 100,000 Syrians are fleeing the country each month now, and predicts the total will exceed 1 million refugees in neighboring states by mid-year, along with millions more internally displaced persons.

- ◆ What is the extent of the Department of State's support to humanitarian relief in the region, and will you as Secretary of State seek to enhance U.S. humanitarian efforts and obtain increased funding to alleviate the suffering of the millions of Syrian civilians affected by the fighting?
- ◆ Given President Assad's refusal to compromise in any way, it appears unlikely he will voluntarily step aside or agree to a peaceful resolution to the conflict. What approaches will you, as Secretary of State, pursue to prevent this potential powder keg from exploding?
- ◆ Are there additional nonlethal actions that the United States and its allies should be considering to limit the Assad regimes bloody repression of his people?

Answer. The U.S. Government is very concerned about the safety of the Syrian people. To this end, the United States has contributed more than \$210 million in humanitarian assistance to assist people inside Syria, as well as the hundreds of thousands who have fled to other countries. Life-saving food, medical treatment, blankets, and essential winter supplies reached millions of vulnerable people in all 14 governorates inside Syria, as well as refugees outside the country. The U.S. Government's humanitarian response goes to those who are most in need through organizations with the expertise to respond, such as the World Food Programme, the U.N. Refugee Agency (UNHCR) and UNICEF. State and USAID are funding these groups, as well as others who are funneling aid into areas where access remains a challenge.

The United States is also actively engaged with international partners, non-governmental implementers, the Syrian Opposition Coalition's (SOC) Assistance Coordination Unit, and Syrian-based local groups to coordinate humanitarian assistance to the victims of this ongoing conflict. If confirmed, I would work with the SOC, host governments, and humanitarian organizations to further expand the reach of our critical humanitarian assistance—both inside Syria and in neighboring countries.

The United States is focused on facilitating a durable political solution to the Syrian crisis, which we believe is the best chance for a prosperous Syrian future and for the stability of the region. To that end, we are supporting the Syrian Opposition Coalition as it builds capacity and encouraging it to plan for a democratic political transition that protects the rights, dignity, and aspirations of all Syrians.

We are providing approximately \$50 million in nonlethal support to the unarmed Syrian opposition and civil society groups, including local councils and grassroots organizations. This assistance provides training and equipment to the Syrian non-violent opposition to build up a nationwide network of ethnically and religiously diverse civilian activists, which will help promote unity among the Syrian people and accelerate the country's democratic transition. If confirmed, I would work to broaden and accelerate this assistance to bring this conflict to as rapid an end as possible, consulting with the Congress on associated resource requirements. I would not foreclose any legally available options.

Question. Venezuela's democracy is currently in a state of crisis. Under President Hugo Chavez, there has been a dramatic concentration of power in the President's office, which effectively controls the Supreme Court and engages in open censorship of the media and intimidation and harassment of civil society. With Chavez now too ill even to attend his own inauguration ceremony earlier this month, it is unclear who exactly is wielding this unchecked power. There are serious questions about the legality of the government's decision to indefinitely postpone the inauguration (rather than calling for new elections). Yet there is no independent institution in Venezuela that can credibly resolve them.

- ◆ At what point will you consider the situation in Venezuela to be an interruption of the democratic order?
- ◆ If the situation continues without legal resolution would you support action being taken by the OAS under the Inter-American Democratic Charter?

Answer. The Venezuelan Constitution defines how and under what circumstances the President's inability to serve must be handled, including procedures that define a democratic succession. President Chavez's continuing absence from the scene is heightening focus on that eventuality. If confirmed, I will join other voices in the region urging all parties to adhere to the Venezuelan Constitution and respect the principles established under the Inter-American Democratic Charter.

Any transition that takes place will be a product of decisions and actions by the Venezuelan people. Across the globe, the U.S. message is political transitions should be democratic, constitutional, inclusive, peaceful, and transparent. If confirmed, I will reinforce that message.

Should a new election become constitutionally necessary, the expectation in the hemisphere is that it be peaceful, free, and conducted on a level playing field, providing an opportunity for Venezuela to demonstrate its commitment to representative democracy.

Question. President Obama, in his second inaugural address, declared that “We will support democracy from Asia to Africa; from the Americas to the Middle East, because our interests and our conscience compel us to act on behalf of those who long for freedom.”

♦ If confirmed, how do you intend to carry out the mandate of President Obama to support democracy worldwide?

Answer. I am firmly committed to the policy of the U.S. Government to advocate for democratic reforms and expanded space for civil society to work for positive change from within societies around the world. If confirmed, I will advance this policy through the Department’s bilateral and multilateral diplomacy, including through its bilateral human rights dialogues and action at the U.N. Human Rights Council.

I will work closely with the committee to support funding for programs that strengthen transparent and accountable governance; protect and promote rule of law and human rights, including freedom of expression, association, assembly, religious freedom, labor rights, and disability rights; support open and competitive political systems and processes and support civil society and access to the free flow of information. These programs, administered by the Department of State and the U.S. Agency for International Development, assist democracy advocates around the world to establish vibrant democracies on their own. As President Obama said, we will “act of behalf of those who long for freedom.”

Question. While strengthening security along our border is of great concern to all Americans, the success of U.S.-Mexican security cooperation will depend in large part on our joint ability to tackle impunity, strengthen rule of law, and bolster protections for vulnerable populations in Mexico.

♦ How do you think the Merida Initiative and other efforts have fared?

♦ What else can be done to bolster the rule of law and respect for human rights in Mexico?

Answer. Through the Merida Initiative, a transformational and historic undertaking, we partner with the Mexican Government to support its efforts to strengthen the rule of law, democratic institutions, and community efforts against crime and violence. It has changed for the better the way Mexican and U.S. institutions work together to promote law enforcement and public security cooperation. Cooperation has become second nature; we share intelligence and information more effectively; and we share responsibility for common challenges in a manner unthinkable just a few years ago. Since Merida’s inception, the Mexican Government, with U.S. support, has disrupted transnational criminal organizations, jailed crime kingpins, and seized major amounts of illicit drugs otherwise headed for the United States.

Through technical assistance and training, as well as provision of equipment, the U.S. Government has provided crucial support to Mexican authorities as they have used their own public resources to make substantial investments and build the capacity of their public security and judicial institutions and advanced justice sector reforms, while enhancing the bilateral relationship and cooperation between our governments.

Mexico’s new President, Enrique Peña Nieto, has already met with the President and Vice President and he has committed his administration to accelerating the pace of judicial reform at the federal level, and to police and public security reform in Mexico’s states.

Our countries share a strong commitment to respect human rights. If confirmed, I will work with Mexican counterparts to support their efforts to strengthen democratic institutions, especially law enforcement forces and justice systems, and work with civil society organizations; promote the rule of law; build strong and resilient communities; and protect vulnerable populations.

Question. Your predecessor, Secretary Clinton, integrated the advancement of women and girls into all areas of policy and planning at the Department of State.

She also expanded and strengthened U.S. policy to promote the rights and empowerment of women around the world.

- ♦ Recognizing the critical role that gender equality plays in improving health, agriculture, economies, security and a range of other outcomes, how do you plan to sustain and expand on this important work?

Answer. Global stability, peace, and prosperity depend on protecting and advancing the rights of women and girls around the world. When women and men are equally empowered as political and social actors, governments are more representative and often more efficient. That is why strengthening women and girls around the world is not simply the right thing to do—it is the smart thing to do.

In order to facilitate the integration of gender equality beyond what Secretary Clinton has already accomplished, if confirmed, I will continue to develop bureau and embassy specific strategies on gender; further refine and strengthen program design, reporting, and evaluation mechanisms; and expand training opportunities for staff on gender and related policy priorities. Further, recognizing that investments in women and girls can lead to improved development outcomes, I will seek to continue the integration of gender into key development initiatives, including the Global Health Initiative and Feed the Future, and in initiatives to address climate change.

Question. The OECD Guidelines for Multinational Enterprises are a leading international instrument for responsible business conduct—for protecting workers' rights worldwide, improving living and working conditions and contributing to sustainable development.

- ♦ How do you propose contributing to the effectiveness of the OECD's work in this area?
- ♦ What steps do you plan to take to ensure that the U.S. National Contact Point is effective—with a location that ensures impartiality and equipped with the necessary human and financial resources?

Answer. The OECD Guidelines for Multinational Enterprises have been an important instrument for the United States in its work with business, labor, civil society, and others to promote our national values, advance our economic interests, and foster sustainable and inclusive development. The U.S. National Contact Point (NCP) is the administration lead in promoting the Guidelines' voluntary recommendations on responsible business conduct by U.S. corporations wherever they operate.

If confirmed, I intend to continue the extraordinary involvement and attention that Secretary Clinton has brought to the OECD Guidelines and the U.S. NCP, exemplified by her personal leadership in the OECD's approval of the important substantive updates to the Guidelines at the May 2011 OECD Ministerial. If confirmed, I would also direct the Department to build on the important progress it has achieved in strengthening the performance of the U.S. NCP. The record so far is a good story:

- *Transparent procedures:* One of the NCP's core functions is to review specific instances (i.e., concerns raised typically by a union or NGO regarding a U.S. firm's practices as they pertain to the Guidelines) and to offer mediation where appropriate to help the parties address those concerns. Business and civil society have welcomed the NCP's updated procedures, which are more transparent to the involved parties, adhere to clear timelines and result in a public report at the end of the process.
- *Dedicated officer:* The NCP is now a senior State Department officer whose sole responsibility is implementation of the Guidelines.
- *Stakeholder Advisory Board (SAB):* In January 2012, Assistant Secretary for Economic and Business Affairs Jose Fernandez launched a multistakeholder advisory board, comprised of senior leaders from business, labor, civil society, and academia to advise the State Department on the NCP's operations. The SAB expects to provide its first advisory report later this year. We expect the SAB's diversity of perspectives will contribute to the NCP's efforts to operate in a balanced and impartial manner. The SAB operates in compliance with the Federal Advisory Committee Act.
- *Interagency Working Group (IWG):* The NCP receives substantive input on specific instances and other Guidelines- and NCP-related matters from other federal agencies, including officials from the Departments of Commerce, Labor, and the Treasury, the Environmental Protection Agency, the U.S. Trade Representative, and the Federal Mediation and Conciliation Service. State Department participants include officials from the Bureaus of Democracy, Human Rights and Labor; Oceans, International Environmental and Scientific Affairs; and the Office of the Legal Adviser. The IWG members bring different policy perspec-

tives to the review of specific instances, ensuring balance and fairness in the NCP's work.

- *Professional mediation:* The State Department and the Federal Mediation and Conciliation Service (FMCS) recently concluded a cooperative agreement in which FMCS will provide mediation services where appropriate for specific instances submitted to the NCP. The NCP's operations will benefit tremendously from FMCS' expert support, and the credibility that FMCS enjoys with business and civil society, both of which respect its expertise and impartiality.
- *Promotion activities:* The NCP has worked actively in Washington, around the country and overseas in raising awareness of the Guidelines and encouraging the integration of its recommendations in U.S. corporate policies and operations. The NCP speaks regularly at conferences and public and private meetings before businesses, trade organizations, NGOs, sustainability practitioners and the general public, partnering with these groups to amplify the message through their own networks. The NCP has also expanded use of alternative media, including a revamp of the NCP Web site and active use of Twitter and blogs.
- *Proactive Agenda:* The Guidelines call on the OECD, adhering governments and stakeholders to work together to "look over the horizon" at potential challenges and collaborate on devising solutions, consistent with the Guidelines, to support enterprises' efforts to address challenges early in their development. The U.S. NCP is launching a multi-stakeholder initiative in the United States to explore these issues, and the Department will participate actively in this work at the OECD.

Question. Time and again we have seen stories in the press about horrendous working conditions in factories producing for America brands whether it is a fire in Bangladesh that killed over 100 workers in a garment factory or forced overtime and suicides in a facility that made I-phones for Apple. While it is important for brands to take responsibility for the conditions under which their products are made, foreign governments are ultimately responsible for protecting their workers under International labor conventions and U.S. benefit programs that condition trade on the basis of compliance with core International Labor Organization conventions.

- ♦ What steps will you take to ensure that governments meet these obligations and how will you use foreign assistance to encourage improved working conditions and respect for worker and trade union rights especially in factories that produce goods for the U.S. market?
- ♦ Beyond that limited assistance that is now available, are you willing for example to support the creation of a specific fund that will address these persistent labor rights problems?

Answer. Our globalized economy requires us to actively promote internationally recognized labor standards around the world. The tragic garment factory fire in Bangladesh in November underscored the importance of this effort. The Department works to advance workers' rights through engagement with governments, companies and workers' organizations, and through technical assistance to build the capacity of unions and other civil society actors.

The Department is in close consultation with the Department of Labor (DOL) and the United States Trade Representative (USTR) regarding potential assistance programs to promote fire and building code safety in Bangladesh and other countries where fire safety poses a significant risk. In addition, the Department is consulting with leading U.S. and multinational apparel brands that source from Bangladesh.

The State Department and the U.S. Agency for International Development (USAID) each administer about \$7 million annually in technical assistance programs to advance labor rights. These programs focus on the core International Labor Organization (ILO) standards concerning freedom of association and the right to collective bargaining. If confirmed, I look forward to working with the committee to continue to support funding that strengthens workers' rights.

Question. The social unrest in North Africa illustrates the need for security assistance as well as long-term social development of countries in the region. Morocco has a trade agreement with the United States and receives strategic support under the Millennium Challenge Account and is continuing to prove its economic development and job growth.

- ♦ Will you work with the committee and our allies to develop plans for the economic integration among countries of North Africa, using the Moroccan trade agreement as a model and as a hub for development?

Answer. The United States and Morocco enjoy a strong and fruitful bilateral relationship, as illustrated by our 2006 Free Trade Agreement (FTA). The FTA is a com-

prehensive agreement that supports the significant economic and political reforms that are underway in Morocco and provides improved commercial opportunities for U.S. exports to Morocco by reducing and eliminating trade barriers. Since the entry into force of the FTA, bilateral trade has risen to \$3.3 billion in 2012, up from \$927 million in 2005 (the year prior to entry into force). We have seen marked improvement in Morocco's business and investment climate and continue to work with the government in its efforts to attract more foreign investment. Morocco is also a valued partner in our ongoing efforts to promote enhanced economic integration in North Africa, and we will continue to work with the Senate Foreign Relations Committee and our allies in furtherance of this objective. In December, Morocco became the first country in the region to reach agreement with the United States on Joint Declarations of Principles for International Investment and Trade Principles for Information and Communication Technology (ICT) Services, and a Protocol on Trade Facilitation. We are attempting to make this agreement multilateral by bringing other regional trading partners on board.

Question. Your predecessor has initiated a strategic dialogue with Morocco. Will you commit to continuing this senior-level dialogue on issues of vital mutual interest? What are your plans for ensuring that this process generates practical results for both countries?

Answer. If confirmed, I will remain committed to our strong bilateral relationship with Morocco, and to working with Morocco on issues of mutual concern. The State Department aims to advance the strategic dialogue discussion that the United States began with Morocco in 2012. Our governments continue to work closely on political, economic, security and cultural issues that were raised in the U.S.-Morocco Strategic Dialogue last fall. The United States and Morocco enjoy a strong and fruitful bilateral relationship, as illustrated by our 2006 Free Trade Agreement (FTA). The FTA is a comprehensive agreement that supports the significant economic and political reforms that are underway in Morocco and provides improved commercial opportunities for U.S. exports to Morocco by reducing and eliminating trade barriers. Since the entry into force of the FTA, bilateral trade has risen to \$3.3 billion in 2012, up from \$927 million in 2005. Morocco is also a valued partner in our efforts to promote enhanced economic integration in North Africa, and we will work with the committee and our allies in furtherance of this objective. In December, Morocco became the first country in the region to reach agreement with the United States on Joint Declarations of Principles for International Investment and Trade Principles for Information and Communication Technology (ICT) Services, and a Protocol on Trade Facilitation. If confirmed, I will continue the Department's efforts to reach similar agreements with other regional trading partners.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR BOB CORKER

Question. As chairman, I know you have shared my frustration when the State Department and USAID witnesses have not provided testimonies for hearings 24 hours prior to the hearing—sometimes as late as the morning of the hearing.

- ♦ Will you commit to ensuring that you and other officials at the Department and USAID will submit prepared testimonies for hearing no later than a full 24 hours prior to the start of a hearing?

Answer. Allowing members adequate time to review witness testimony is an important part of ensuring the committee is able to conduct proper oversight of the programs and functions of the Department of State and USAID. If confirmed, I will work to ensure that Department of State and USAID witnesses submit prepared testimonies well in advance to committee.

Question. Will you take the opportunity of your new leadership to make changes in the management posts that have oversight of diplomatic and facility security?

Answer. As I noted during my confirmation hearing on January 24, I assure the committee that, if confirmed, I will personally oversee the implementation of the ARB, and I will ensure that it is a top priority. I am also committed to taking actions above and beyond implementation of the ARB findings. I will review the organization of the Department, including the bureaus that have responsibility for diplomatic and facility security. With the ARB findings as a guide, I will improve communication on security issues within the Department. Filling the position of Assistant Secretary for Diplomatic Security will be a priority.

Furthermore, it is imperative to balance our values and our interests with the risks inherent in 21st-century diplomacy by ensuring we strike the right balance

between security and engagement to protect America and further our national interests.

Question. Can you assure us that you will abide by all legal requirements, and that any agreement, formal or informal, with Russia or any other country in the field of arms control, based on “reciprocal unilateral measures” or multilateral non-treaty agreements will be submitted to the Senate?

Answer. Having served proudly in the U.S. Senate since 1985, I have the utmost respect for the Senate’s role in the treaty process.

I am mindful of the language in the Arms Control and Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and laws of the United States.

If confirmed, I will ensure that the Department of State will continue its consultations with the Congress on arms control-related issues.

Question. Can you assure us that the Obama administration will not take unilateral action to reduce the strategic arms or missile defenses of the United States without consultation and approval from Congress?

Answer. Having served proudly in the U.S. Senate since 1985, I have the utmost respect for the role of Congress in the conduct of U.S. foreign policy.

I am mindful of the language in the Arms Control Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and the laws of the United States.

If confirmed, I will ensure that the Department of State will continue its consultations with the Congress on arms control and other issues.

Question. In 2004 you stated that when the United States undertakes military action “you’ve got to do it in a way that passes the test, that passes the global test where your countrymen, your people, understand fully why you’re doing what you’re doing, and you can prove to the world that you did it for legitimate reasons.”

♦ What is the definition of a global test?

Answer. As a sovereign nation, the United States decides for itself when to use military force. While the United States does not look to any other government for permission to take military action, the use of military force does not occur in a vacuum. We are often stronger and more effective when we are able to explain the use of military force in a manner that our allies understand and support.

Question. (Followup Question): In your earlier response for the record, you stated that “When Iran is prepared to take verifiable confidence-building measures, the United States is prepared to reciprocate.”

♦ What might such reciprocation require from Congress in general terms?

♦ Should Congress expect to be asked to consider requests from the administration to amend or remove enacted sanctions legislation?

Answer. This administration is fully committed to seeking a diplomatic resolution of concerns over Iran’s nuclear program through the dual-track approach of pressure and engagement. To date, Iran has not demonstrated that it is prepared to take verifiable, confidence-building measures toward addressing those concerns; it would therefore be premature to speculate on the nature and timing of specific steps the United States might take in response.

Question. If Iran succeeds in obtaining a nuclear weapon capability, should the United States consider extension of the nuclear umbrella to our friends and partners in the Middle East to prevent a proliferation cascade?

Answer. The administration will not allow a nuclear armed Iran. As the President has stated on numerous occasions, and as I stated in my testimony, “Our policy is not containment. It is prevention, and the clock is ticking on our efforts to secure responsible compliance.” We are in close and frequent contact with our friends and allies in the region on this, and continue to monitor the situation closely.

Question. The U.S. representative to the IAEA stated that, by March 2013, Iran needs to respond to standing IAEA requests for further information and access with regard to its nuclear program, saying, “Iran must act now, in substance” and more recently the State Department spokesperson expressed disappointment that Iran hasn’t acted. The administration also continues to talk to the Iranians about a date and a venue for the next round of P5+1 discussions.

♦ May we have your commitment to keep this committee fully and promptly informed of progress or setbacks on these two tracks?

- ♦ Can you speak to the types of steps, if any, the administration and Congress may need to consider with regard to enacted sanctions or other actions that may become necessary?

Answer. The administration will continue to keep the committee informed of developments in these two tracks.

The United States has comprehensive and effective sanctions in place to apply ever-increasing pressure on Iran, and the administration is fully implementing all sections of U.S. law. We will continue to pursue the pressure track against Iran until Iranian leaders adequately address the legitimate concerns of the international community regarding its nuclear program.

Question. NATO continues to be the backbone of coordinated security for the United States, Canada, and Europe, yet the vast majority of NATO countries do not meet the investment target of 2 percent of GDP for military expenditures.

- ♦ Will you press all NATO members to increase their defense expenditures and build a trajectory toward investing 2 percent of GDP annually for defense budgets?

Answer. If confirmed, I will continue to urge allied commitments to sustain and build critical capabilities, as part of an effort to invest in a NATO Force for 2020 that is fully trained and equipped to respond to any threat and defend our common interests. Adequate levels of spending are crucial to that goal. Ensuring that allies invest in the modern capabilities that NATO needs was the focus of U.S. diplomatic efforts in the runup to last spring's NATO summit in Chicago, as well as at the most recent NATO Defense Ministerial in October. Among our ongoing top priorities is ensuring the alliance has the assets and capabilities it needs to carry out current and future operations.

Question. The President formally recognized the new government in Somalia this week. This significant change in our bilateral relationship has occurred without consultation with Congress.

- ♦ Why wasn't Congress notified and consulted before the fact of formal resumption of diplomatic ties/recognition?
- ♦ What if any statutory or other parameters were necessary to arrive at this decision point for normalization?
- ♦ What specific or general commitments and actions by the U.S. Government and by Somalia will follow from this renewal of formal relations?

Answer. On January 11, the State Department notified committee staff and other congressional staff that Somalia President Hassan Sheikh Mohamud would be in Washington the week of January 17 to meet with the Secretary of State to complete arrangements for U.S. recognition of the Government of Somalia. Department officials also notified congressional staff that the Secretary and President Hassan Sheikh would announce recognition in a brief press event at the State Department following their meeting.

Although the United States has not recognized a government in Somalia since the collapse of the Siad Barre regime in 1991, the United States never broke or severed diplomatic relations with the country of Somalia. Since 1991, the United States has managed our interests in Somalia from the U.S. Embassy in Nairobi, Kenya. I understand that over the past year, State Department and other U.S. Government officials have traveled for longer periods and with greater frequency to Somalia, especially to Mogadishu, than previously, but the United States has no immediate plans to reopen a U.S. Embassy in Mogadishu at this time.

The State Department expects to enhance its dialogue with the new government on a range of issues, including human rights, counterterrorism, bilateral treaties and claims.

Question. In a June 2011 opinion piece in the Los Angeles Times, you characterized the Obama administration's North Korea policy as "inadequate," and advocated that the administration "engage North Korea directly."

- ♦ In light of administration's failed attempt at direct engagement with the February 2012 "Leap Day Agreement," do you still believe direct engagement is the right approach to North Korea?

Answer. The United States remain committed to authentic and credible negotiations to implement the September 19, 2005, joint statement and bring North Korea into compliance with applicable Security Council resolutions through irreversible steps leading to denuclearization. However, North Korea must live up to its commitments, adhere to its international obligations, deal peacefully with its neighbors and refrain from provocations. As President Obama stated in his speech last November in Rangoon, the United States is willing to extend its hand should the leader-

ship in Pyongyang choose the path of peace and progress and let go of its nuclear weapons.

Question. U.N. Security Council Resolution 2087 called for “significant action” in response to further North Korean provocations.

◆ How should the United States respond if North Korea conducts a third nuclear test—as Pyongyang has threatened to do in recent days?

Answer. If confirmed, I would support strong U.S. and international condemnation of a third nuclear test by North Korea. A nuclear test by North Korea would be a mistake, a miscalculation, and would set back the cause of resolving issues that relate to the Korean Peninsula diplomatically, most importantly the issue of denuclearization. This provocative act would directly violate North Korea’s international obligations under United Nations Security Council resolutions, and if confirmed I would support a strong international response. The United States should continue to make clear that it will take steps necessary to defend the United States and our allies.

Question. Please specify concrete actions that North Korea would need to undertake to demonstrate a genuine commitment to denuclearization, and by what measures would you judge success or failure of this effort?

Answer. North Korea must fulfill its obligations under relevant U.N. Security Council resolutions, adhere to its commitments under the September 19, 2005, Joint Statement of the Six-Party Talks, and refrain from provocations that undermine regional stability. North Korea’s progress on fulfilling its international obligations and commitments will demonstrate whether it has a genuine commitment to denuclearization.

Question. South Korean President-elect Park Geun-hye recently stated that she would like to upgrade the U.S.-ROK alliance to a “comprehensive strategic alliance of the 21st century.”

◆ Do you share this goal? If yes, what is your vision for a strengthened U.S.-ROK partnership?

Answer. I welcome President-elect Park’s vision for enhancing our partnership. Relations between the United States and the Republic of Korea relations are at their strongest point in recent memory, undergirded by a solid foundation of common values, shared interests, mutually beneficial economic relations, and close people-to-people ties. The United States and the ROK are addressing together the challenges on the Korean Peninsula, and increasingly, a range of issues across the region and around the globe. As we mark the 60th anniversary of the U.S.-ROK alliance, the United States looks forward to building on this extraordinary partnership of shared values and mutual prosperity. If confirmed, I will work to build an even stronger alliance between the United States and the Republic of Korea.

Question. (Followup Question) In your earlier answer for the record regarding Chinese currency and the legislation to label China a currency manipulator, you point out that the Chinese had come a long way prior to your vote in the Senate, and also that there is a long way still for them to go.

◆ But are the aims of the legislation still a reasonable and productive means to achieve the objective of further financial system modernization in China, or is there a better way for the United States to approach the challenge?

Answer. Since the Treasury Department is the lead agency on questions concerning currency, I defer to Treasury on this matter. If confirmed, however, I would discuss with Treasury how the administration could most effectively make progress on this issue.

In my view, leveling the playing field for U.S. businesses and workers should continue to be a central aim of our economic engagement with China. Given our substantial and complex economic relationship, it is increasingly important to engage China both bilaterally and multilaterally to build upon the progress made in recent years and to address remaining challenges. If confirmed, I would ensure that remedying unfair and distorting policies in China remains a top priority on our economic agenda.

Question. (Followup Question) Second, you mention the Strategic and Economic Dialogue (S&ED) and the “Asia pivot.” Both have come under some criticism for losing sight of their economic objectives. The S&ED, for example, was originally just the Strategic Economic Dialogue (SED), focused on leveraging and advancing our mutual trade interests. Likewise, the Woodrow Wilson Center recently criticized the “pivot” for having its economics components “bogged down.” How do we fix this?

Answer. The Strategic and Economic Dialogue (S&ED) and the rebalancing to Asia are both multifaceted approaches that seek to promote and advance U.S. strategic, economic, and other interests throughout the Asia-Pacific region in a coordinated and comprehensive fashion. Our priorities, interests and values on all fronts must be pursued and promoted together because they are mutually reinforcing. For instance, U.S. security engagement in the Asia-Pacific region has facilitated the region's dramatic economic development, which has in turn benefited our economy. The combined and cross-cutting approach of the S&ED allows us to address a range of issues from a broad-based perspective and usefully brings multiple players from each side together to exchanges views.

Likewise, the rebalancing of U.S. foreign policy toward the Asia-Pacific is multi-dimensional and is very much focused on the region's economic dynamism. Opening markets further in Asia will provide the United States unprecedented opportunities for investment and trade. U.S. exports to the Asia-Pacific grew by 13 percent from 2010 to 2011, and exports to all APEC member economies grew by 15 percent over the same period. Continued growth in exports and the ability of American firms to tap into the vast and growing consumer base in Asia are important for our economic recovery at home, one of the fundamental bases for our Nation's comprehensive strength.

The United States has set a strong, comprehensive economic agenda for the region that combines expansion of trade and investment with robust efforts to address the challenges of globalization. The United States has established economic leadership in the Asia-Pacific region by accomplishing ambitious, trade-oriented goals: ratification of the U.S.-Korea Free Trade Agreement, launching and establishing strong momentum behind the Trans-Pacific Partnership (TPP) negotiations, hosting a highly substantive APEC year in 2011, and building on that success in 2012 with negotiation within APEC of a list of environmental goods subject to tariff reductions. If confirmed, I will continue to support a strong partnership between the United States and regional economies that helps produce sustainable, robust, and balanced growth in the Asia-Pacific and expands U.S. export markets.

The United States has also successfully prioritized economic-commercial relations with ASEAN countries by launching the Enhanced Economic Engagement (E3) initiative, a new framework for economic cooperation designed to expand trade and investment ties between the United States and ASEAN countries. Last July, Secretary Clinton launched the first-ever U.S.-ASEAN Business Forum, bringing together U.S. and ASEAN government officials and business leaders to identify shared opportunities.

Another key element of the administration's rebalance policy is pursuing a cooperative partnership with China, including through high-level meetings such as the U.S.-China Strategic and Economic Dialogue (S&ED). The S&ED, by bringing together top foreign affairs, economic, and security officials from across our two governments, allows the United States to make clear to China's leaders the top priorities in our complex bilateral relationship, including our economic agenda. Over four rounds of the S&ED under this administration, managing the global economic recovery and leveling the playing field for U.S. businesses have been at the top of the agenda, alongside our regional and security objectives. If confirmed, I would continue to emphasize that progress on our bilateral economic priorities is an essential component of our overall effort to build a cooperative partnership with China.

At the May 2012 S&ED, China took several steps to improve the protection of intellectual property rights and trade secrets, to work with us to negotiate new rules to limit export subsidies, to expand opportunities for foreign securities firms and auto finance companies, to undertake reforms of tariffs and taxes on imported goods, to consider reforms to reduce privileges currently enjoyed by its state-owned enterprises; and to move toward a more flexible exchange rate system in which the market plays a greater role.

These important developments do not resolve all of our concerns, but they do represent progress that translates into greater opportunities for U.S. workers and companies.

Question. Will you ensure that the protection of intellectual property rights remains a priority agenda item for the State Department, particularly with China?

Answer. If confirmed, I will ensure that the protection of intellectual property rights through robust laws and enforcement remains a top priority for the State Department's engagement with China. Copyrights, trademarks, patents, and trade secrets must have adequate safeguards in China to protect the ideas of American entrepreneurs and the jobs of American workers. As the Commerce Department has reported, IP-intensive industries support at least 40 million U.S. jobs and contribute more than \$5 trillion to U.S. gross domestic product. If confirmed, stronger intellec-

tual property protections will continue to be a key component of the State Department's broader goal to require that China establish a level playing field for U.S. and other foreign businesses.

China has taken positive actions in recent years with respect to the protection and enforcement of IPR. China now receives more patent applications than any country globally. And, in the majority of IP cases in China, both the plaintiffs and defendants are Chinese, so the importance of IPR is not alien to China. However, stronger enforcement mechanisms and efforts are still needed. Piracy and counterfeiting levels in China remain unacceptably high, harming U.S. and Chinese consumers and enterprises.

Protection of intellectual property matters greatly to American businesses and consumers. If I am confirmed, the State Department will continue to engage China at all levels, including through the annual U.S.-China Joint Commission on Commerce and Trade (JCCT) and the Strategic and Economic Dialogue (S&ED), to improve the Chinese intellectual property rights protection environment.

Question. At the time of President Obama's historic visit to Burma, President Thein Sein undertook a series of political commitments, including to release the remaining political prisoners and to promote peace settlements with ethnic groups. But many of these reforms have not been implemented and violent clashes between the military and ethnic minorities have escalated in recent weeks.

♦ What should the State Department do to encourage the Burmese Government to follow through on their commitments to implement political reforms?

Answer. Since President Thein Sein took office in April 2011, the Government of Burma has made important political and economic reforms, including outlawing forced labor, enacting laws promoting labor rights, removing restrictions on free assembly, passing a new foreign investment law, and allowing greater press freedom. The Burmese Government has also achieved progress on core concerns of the international community, including the release of over 500 political prisoners, and has entered into preliminary cease-fire agreements with 10 out of 11 major armed ethnic groups. The National League for Democracy was allowed to contest seats in parliamentary by-elections last April, and party leader Aung San Suu Kyi, a former political prisoner, is now a Member of Parliament. The Government of Burma has continued these reforms since President Obama's visit, including repeal of a law that had curbed free speech and formation of an anticorruption team headed by one of the country's two Vice Presidents.

Much work remains to strengthen reforms and to ensure that Burma's democratic transition continues to move forward. The government must release remaining political prisoners unconditionally, undertake comprehensive legal reform to open more space for civil society to operate freely, and facilitate access to conflict areas for international humanitarian organizations.

I am deeply concerned about the armed conflict in Kachin State, including the conflict's humanitarian impact and its negative implications for the broader process of national reconciliation. Despite the Burmese Government's announcement that a cease-fire was to take effect on January 19, media and NGO reports indicate that the Burmese Army continues its military offensive. The ongoing fighting has resulted in civilian casualties and undermined efforts to advance national reconciliation.

The United States has called on all parties to end the hostilities and begin genuine dialogue to achieve sustainable peace. At the same time, we remain committed to seeking accountability for the human rights violations that have occurred in Kachin State. Senior Department officials and Ambassador Derek Mitchell have raised U.S. concerns at the highest levels of the Burmese Government.

The President's trip to Burma in November 2012 demonstrated the United States resolve to supporting Burma on its political and economic reform efforts. On the eve of the President's visit, Burmese President Thein Sein announced his government's commitment to strengthen democratic governance, meet its international obligations, and adhere to international standards. In a November 18 statement, the Burmese Government articulated its commitments to 11 specific issues covering human rights, political prisoners, ethnic reconciliation, nonproliferation, good governance, and human trafficking.

Since November the Burmese Government has moved forward on its commitment to restore ICRC access to prisons and prisoners, and is in the process of consulting with Burmese civil society and the international community, including the United States, to build a fair and credible process to release all remaining political prisoners. The United States Embassy in Rangoon works with the Burmese Government to address these commitments, and has offered assistance in fulfilling them. Our Embassy and the State Department are also frequently engaged with Daw Aung

San Suu Kyi and her colleagues in the Burmese Parliament, as well as representatives of Burma's emerging civil society, ethnic minority leaders, and international partners to ensure that the Burmese Government follows through on these commitments. If confirmed as Secretary of State, I will continue to prioritize foreign assistance that encourages and deepens political and economic reforms.

Question. Please state your views on Prime Minister Abe's desire to expand U.S.-Japan security ties. What areas do you believe are best for enhanced cooperation?

Answer. The U.S.-Japan Security Alliance is the cornerstone of peace, stability, and economic prosperity in the Asia-Pacific region. I welcome Prime Minister Abe's desire to ensure that our alliance remains alert, flexible, and responsive to the full range of emerging 21st-century threats and persistent regional and global challenges. Our two countries will continue to cooperate on a wide range of bilateral, regional, and global issues. If confirmed, I will work closely with the President, the Secretary of Defense, and others in the administration, as well as with Prime Minister Abe and officials of the Japanese Government to enhance our security ties.

The United States and Japan are currently working closely together and cooperating with our partners through international fora, including the United Nations, to address the threat from North Korea's nuclear and missile programs, as well as to address humanitarian issues in the DPRK, and to enhance regional cooperation in the Asia-Pacific Region. The United States has worked with Japan to realize a U.S. Force posture in the Asia-Pacific region that is more geographically distributed, operationally resilient, and politically sustainable, and we should look for ways to effectively cooperate to meet emerging threats.

Question. In April 2010, you introduced S. 3210, The Embassy Design and Security Act of 2010. The bill states that embassies "should maintain security as a top priority." The bill, however, declines to declare security the top priority in the construction of embassies, particularly in less stable countries, and it creates new structures devoted to elevating aesthetic factors in the consideration of embassy design and placement.

♦ Will embassy security be your top priority for the construction of embassies?

Answer. Ensuring U.S. Government personnel overseas have safe and secure facilities is the highest priority of the Department and its Bureau of Overseas Buildings Operations (OBO).

Since the 1999 enactment of the Secure Embassy Construction and Counterterrorism Act, the Department has completed 95 new, enhanced diplomatic facilities. These facilities provide a safe and secure work environment for over 27,000 U.S. Government employees.

In 2010 the Department established a Design Excellence initiative for U.S. diplomatic facilities and along with it a set of Guiding Principles to leverage the best in American architecture, design, engineering, technology, sustainability, art, culture, and construction execution without compromising security.

These principles state that the safety and security of our staff and visitors are paramount. Designs and construction will meet or exceed all security safety standards and specifications.

Question. In 2012, the Senate Foreign Relations Committee passed by voice vote, S. 3310, the Foreign Aid Transparency and Accountability Act of 2012. The House companion bill passed 390–0, but ultimately the bill was not passed in the 112th Congress.

♦ Do you support the provisions of the legislation? Would you propose modifications?

Answer. If confirmed, I will continue the Department's strong support for the principles of aid transparency and accountability, and will continue to prioritize ongoing efforts to make assistance reporting more readily available to the public. The Department and USAID also remain committed to implementing evaluation methods based on U.S. and international best practices, and making evaluation reports transparent and widely available. However, it is my understanding that the Department still remains concerned that the House companion bill to S. 3310 will create a significant financial burden on the U.S. Government by offsetting the cost of the bill with funds necessary to implement U.S. assistance. The reporting requirements go above and beyond currently planned efforts for the Foreign Assistance Dashboard as required by OMB Bulletin 12–01 and would require significant more resources to implement. Funding these efforts with program funds may undermine the ability to implement programs that protect and advance U.S. national security and prosperity and address global humanitarian needs.

Question. Are promotion eligibility requirements at USAID and the State Department linked to program performance? If so, how? If not, can they be linked?

Answer. Promotion eligibility and program performance are linked at the State Department. Because the Civil Service and Foreign Service personnel systems do not operate in the same manner, they approach promotion eligibility in distinctly different ways. For Civil Service, the Merit Promotion Plan eligibility requirements and the Civil Service Performance Management system provide the link. For Foreign Service, the type of performance is linked to the individual's particular job or assignment, whether programmatic, policy, or support.

A Civil Service eligibility requirement mandates that the employee or applicant must have at least a "Fully Successful" or equivalent rating level documented as the most recent rating of performance record (3 FAM 2314.1). Performance plans are required upon application for a promotion (3 FAM 2315.1) and performance plans are given due weight by hiring officials during the selection process (5 CFR 335.103(b)(3)). In order to strengthen the relationship to organizational performance during the hiring process, the Department recently issued guidance to hiring managers which encouraged the review of applicants' submitted performance appraisals to provide future behavior insight and documented organizational contributions. Additionally, employees are only eligible for career ladder promotions if their current rating of record is "Fully Successful" or higher. However, career ladder promotions are not automatic and may be withheld with advanced written justification and discussion if an employee has not demonstrated at least "Fully Successful" performance of a critical element deemed as essential to performance at the next higher grade level (5 CFR 335.104).

In adherence with 5 CFR 430.102, the Department of State's Civil Service Performance Management system is based upon the collective appraisal of individual employee performance plans which are developed to achieve effective organizational performance and accomplishment of agency mission and goals. Moreover, individual employee performance plans are required to identify individual, and, where applicable, team accountability for accomplishing organizational goals which are called "elements" on the performance plan. Organizational goals are directly related to overall program performance. Supervisors appraise individuals based on the performance plans that are strategically linked to overall program performance and are used to derive the individual performance rating of record (3 FAM 2823.3-2).

In the Foreign Service, promotion is based on peer review boards with a public member. Section 603 of the Foreign Service Act of 1980 (Public Law 96-465) establishes the basis for promotion as the "records of the character, ability, conduct, quality of work, industry, experience, dependability, usefulness, and general performance of members of the Service. . . . [including] performance evaluation reports of supervisors, records of commendations, reports of language test scores from the Foreign Service Institute, awards, reprimands, and other disciplinary actions"

Evaluation reports describe performance over the rating period (normally 1 year) and require a discussion of the employee's potential to take on further responsibilities. Performance goals are established based on post or bureau strategic priorities. Each evaluation requires the discussion of at least three accomplishments during the rating period, based on those linked priorities. For senior Foreign Service: "Beginning in the 2005-2006 rating cycle, and as appropriate, work requirements should also link directly to specific performance goals, initiatives/program, indicators and/or targets of the relevant Mission, Bureau or Department Performance Plan or to a PART (Program Assessment Rating Tool). . . ."

Question. Do you believe the current reforms adopted by the Global Fund Board go far enough?

Answer. Over the past year, the Global Fund to Fight AIDS, Tuberculosis and Malaria has undergone a radical transformation. As the Global Fund's largest donor, the United States has been instrumental in leading and driving the Fund's reform agenda to maximize the impact of Global Fund resources. The Fund has made significant accomplishments in restructuring its operations, introducing more rigorous financial controls systems, implementing a new strategic funding model, and collaborating more intensively with U.S. bilateral health assistance programs in implementing countries. The Global Fund Board also implemented its own governance reform plan and endorsed Terms of Reference (TORs) for three new committees overseeing strategy, finance, and audits.

Question. What is the optimal distribution of global HIV/AIDS, tuberculosis, and malaria funding between bilateral and multilateral programs, including the Global Fund?

Answer. The U.S. Government's bilateral and multilateral investments are mutually supportive, increasingly integrated, and programmatically interdependent. Together, these investments save lives and build country ownership and capacity to lead and manage national responses over the long term. The U.S. contribution to multilateral programs, including the Global Fund, help us achieve our bilateral program results, reaching more people with quality services, leveraging contributions from other donors, expanding the geographic reach of bilateral U.S. investments, and leading the way to promote a shared responsibility among donors and implementers. The distribution of health funding between bilateral and multilateral programs is reviewed annually. Decisions are made across the President's Malaria Initiative, the U.S. President's Emergency Plan for AIDS Relief, and Tuberculosis programs based on country diseases strategies (malaria, HIV/AIDS, TB) and government and other donor contributions, in order to maximize results.

Question. Will you commit to comply with requests for access to State Department officials for briefings and copies of documents related to oversight of the State Department and foreign assistance, including ongoing inquiries into the September 11 attacks on the State Department facilities in Benghazi?

Answer. Following the tragic attacks on the U.S. mission in Benghazi on September 11, 2012, Secretary Clinton pledged and has provided the full cooperation of the Department of State in the congressional inquiries into the attacks, including the production of documents and comprehensive briefings by Department officials. If confirmed, I will work to uphold the high standard set by Secretary Clinton and continue to accommodate Congress on these important inquiries.

Question. Will you commit to providing the committee with a list of all unexpended funds in accounts at the State Department, USAID, the Millennium Challenge Corporation (MCC), and others associated with the 150 Account?

Answer. If confirmed as Secretary of State, I will have mandate over only the budgets for State Department and USAID, not the other agencies and departments associated with the 150 Account. Pursuant to section 7002 of the annual State and Foreign Operations Appropriations Act, the State Department and USAID are required to provide Congress quarterly reports on our unobligated and unexpended balances. If confirmed, I will ensure you continue to receive these reports.

Question. Will you commit to consult the committee, including the ranking member, on treaty contents throughout the negotiation process and to discuss with the committee substance and timing issues related to the treaty prior to submitting it to the committee?

Answer. If confirmed, I look forward to discussing the administration's treaty priorities. Having served in the Senate for 29 years, I can assure you I respect the Senate's constitutional role in the treaty-making process. I agree that consultation and coordination with members of the committee have played, and will continue to play, a critical role in successful treaty ratification processes.

Question. Will you commit to reforming the processes related to diplomatic security, physical security of mission facilities, and establishing clear missions for facilities being opened or operated—including the streamlining lines of responsibility to cut out current layers of bureaucracy and to ensure collaboration between regional bureaus and the Under Secretary of Management?

Answer. Secretary Clinton accepted all 29 recommendations from the Benghazi Accountability Review Board (ARB). I understand the Department has been working diligently on addressing these recommendations, with some recommendations already completed and the others either well on their way toward completion or with plans for implementation being actively formulated.

As I noted during my confirmation hearing January 24, I reiterate my commitment to oversee, personally, implementation of the ARB recommendations, and I will ensure that my senior leadership makes it a top priority. Recommendation Nos. 1, 3, and 6 of the ARB in particular address clearly defining the U.S. Government mission at a post; improved communication on security issues within the Department; and providing support/communication for newly opened posts. As I said publicly on December 20, upon reading the ARB report, ". . . It's important for all of us to think in terms of going forward, that we need to do a better job of ensuring a free and open dialogue among ambassadors, their embassy security personnel, and officials in Washington where decisions on security, staffing levels, and funding are made."

Question. A common theme in Inspectors General audits and Government Accountability Office reports is that the State Department and USAID do not often

enough set targets and collect performance data for foreign assistance programs. Will you commit to holding agencies accountable for setting strategic targets for our assistance, collecting performance data, and reporting the results back to the committee in a timely fashion?

Answer. If confirmed, I will work to ensure that the Department and USAID continue to set targets for foreign assistance programs, collect performance data to assess how our programs are performing across the entire spectrum of our activities, and report back to the committee in a timely fashion whenever requested.

Bureau and mission level strategic goals for foreign assistance are set through a collaborative interagency strategic planning process, which the Department revamped and strengthened this past year as part of its efforts to respond to the QDDR's call to improve our ability to manage for results. To strengthen target setting and monitoring at the mission level, USAID has Country Development Cooperation Strategies (CDCSs). CDCSs are results-oriented, 5-year country strategies that set ambitious but achievable goals and objectives for U.S. development assistance and require USAID missions to develop indicators to measure their performance in achieving these goals and objectives. Currently, 20 CDCSs are completed and an additional 53 missions are scheduled to complete a CDCS by the end of 2013. In addition USAID recently revised policy guidance for monitoring project performance during implementation.

USAID has also reinvigorated the process of developing and maintaining performance management plans. These document the indicators, targets, performance results, and evaluations that USAID missions use for measuring project results and mission development objectives. These indicators are used in mission portfolio reviews and Presidential directive and initiative reporting. They are included in USAID's annual Performance Plan and Reports, the source USAID uses for reporting to external stakeholders.

In addition to these strategic planning and performance monitoring efforts, each year we set targets and report annual results for performance indicators that capture high-level results achieved through programs in all countries receiving assistance, and explain any discrepancies between planned and actual results. These key foreign assistance program accomplishments are relayed to Congress and the public via our agency Annual Performance Report.

The Department and USAID are prioritizing program evaluations that help provide a better understanding of not only "what" is being achieved, but how and why. To this end, in support of its January 2011 Evaluation Policy, USAID recently updated and strengthened its support for program evaluations throughout all of its missions, and in 2012 the Department developed and launched its own policy requiring that bureaus, and soon embassies as well, conduct program evaluations.

The Department and USAID are committed to continuing these ongoing efforts to think and plan strategically, monitor and assess our performance against our goals, and further strengthen our ability to manage for results to help us, and Congress, make informed decisions. If confirmed, I will ensure that the Department and AID tap into all of these resources to keep the committee abreast of what is being achieved through foreign assistance.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR BARBARA BOXER

Question. Over the years, the State Department has made important strides in breaking down barriers facing LGBT employees and their families.

♦ (a) If confirmed, how will you work to ensure that sexual orientation and gender identity nondiscrimination continue under your tenure as Secretary of State?

Answer (a). Secretary Clinton set a very high standard in regard to lesbian, gay, bisexual, and transgender (LGBT) issues in foreign and workforce policy. If confirmed, I plan to continue her work by making clear, from the time I enter on duty, that discrimination and harassment of lesbian, gay, bisexual, and transgender employees is not tolerated. I plan to do this by issuing, within 180 days of my appointment, policy statements regarding the Department of State's position on antidiscrimination, harassment prevention, diversity, and equal employment opportunity, which will include sexual orientation and gender identity as protected bases. Furthermore, I will empower the Office of Civil Rights to:

1. Continue to enforce harassment policies that were already at the cutting edge of response time and investigative thoroughness;

2. Work with the Gays and Lesbians in Foreign Affairs Agencies (GLIFAA), one of the Department's Employee Affinity Groups, and LGBT employees to ensure our offices and overseas posts are inclusive and welcoming; and

3. Train all employees, including U.S. citizens and foreign nationals, on the legal and practical aspects of LGBT equality.

The Department also formed a transgender working group, composed of the Bureau of Human Resources, the Office of Civil Rights, and the Office of the Legal Adviser, to ensure all Department of State posts have the tools necessary to lead by example on issues involving LGBT equality. If confirmed, I will work to ensure that the Bureau of Human Resources and the Office of Civil Rights continue to further develop a workplace that embraces diversity, including LGBT diversity.

♦ (b) What steps will you take to build on the benefits to LGBT Foreign Service officers and their families—which were put in place under Secretary Clinton—to ensure they are applied equitably at all of our posts abroad as well as at USAID and other foreign affairs agencies?

Answer (b). If confirmed, I will ensure that the Department continues its collaboration with USAID and the other foreign affairs agencies on same-sex domestic partner (SSDP) issues. For example, the Department has already established a program that allows the non-U.S. citizen partners of members of foreign affairs agencies to live in the United States for the duration of the American partner's assignment even if the American partner is on an unaccompanied tour.

The Department will advocate for equal treatment of our SSDPs in every country, with the aim that SSDPs are accorded the same privileges and immunities as opposite-sex spouses.

♦ (c) What steps will you take to extend additional benefits and support to LGBT Foreign Service officers and their families to ensure that the State Department and USAID continue to attract the top talent they need?

Answer (c). Secretary Clinton has said, "[extending benefits to same sex domestic partners] will help the Department attract and retain personnel in a competitive environment where domestic partner benefits and allowances are increasingly the norm for world-class employers." I agree and, if confirmed, will continue to ensure that we continue forward on this path.

Since 2009, the Department has been working to extend the entire range of legally available benefits and allowances to same-sex domestic partners (SSDPs) of members of the Foreign Service, as well as of any members of the Civil Service, too, sent to serve abroad. These include issuance of diplomatic passports to U.S.-citizen same-sex domestic partners, as well as inclusion of dependent SSDPs on the employee's travel orders. The Department was able to make these changes by formally defining same-sex domestic partners as family members. Extending these benefits has helped the Department to compete with the private sector to recruit and retain the best and brightest employees.

Domestically, there are a number of benefits where "family members" of Department employees, including SSDPs, are already covered. These include access to employee information and referral services, use of daycare facilities, childcare subsidy, long-term care insurance (administered by OPM), and regular sick leave, which includes caring for a domestic partner following childbirth.

All Department benefits created in the future will be extended to domestic partners, if allowed by law. The Department is committed to doing everything possible within the law to ensure equality. If and as laws continue to evolve, the Department will respond accordingly. USAID is also firmly committed to ensuring that benefits are available and applied equitably to LGBT staff and families.

The Department and USAID will remain committed to a diverse workforce and to creating a workplace free of discrimination and harassment. To ensure fulfillment of obligations and responsibilities, and create a productive work environment, the Department has shared guidelines published by the Office of Personnel Management in May 2011 on the employment of transgender individuals in the Federal workplace and have advised all managers and supervisors to review this guidance.

OPM's guidance reiterates the Federal Government's policy to treat all employees with dignity and respect and to provide a workplace that is free from discrimination whether based on race, color, religion, sex (including gender identity or pregnancy), national origin, disability, political affiliation, marital status, membership in an employee organization, age, sexual orientation, or other nonmerit factors. The Department's policy on discrimination and harassment already prohibits discrimination on the basis of gender identity. For example, upon verification that an employee has transitioned his or her gender identity, our appropriate officials are authorized to

make changes to the employee's files to show the employee's new name and gender, in accordance with OPM guidance.

Question. I am deeply concerned by recent attempts by the Government of Bangladesh to interfere in the management of Grameen Bank—a critical lifeline for many poor and formerly poor Bangladeshi women. Secretary Clinton has been outspoken in her defense of Grameen Bank's independence and its women borrower/shareholders.

- ♦ (a) If confirmed, will you commit to speaking out against actions by the Bangladeshi Government to undermine or harm the integrity of Grameen Bank or interfere in its management?

Answer (a). The world has been inspired by the work of Grameen Bank, which has unleashed the potential of millions of women in Bangladesh and around the world to not only improve their own livelihoods but also contribute to long-lasting economic growth in their communities and countries. The Department continues to follow closely developments at Grameen and convey its strong support for a timely and transparent selection of a highly qualified Managing Director who will ensure the integrity, autonomy, and effectiveness of Grameen Bank as an institution, and who will ensure that the interests of all the shareholders, particularly women, are protected. Grameen's women shareholders/borrowers have played and should continue to play an important role in the development of this important microfinance institution. Bangladesh's vibrant civil society has achieved great success in driving economic and grassroots development for vulnerable populations, especially for women, and Grameen Bank is very much part of that success story.

- ♦ (b) What additional steps can the United States take to increase pressure on the Bangladeshi Government to uphold human rights and respect the autonomy and integrity of Grameen Bank?

Answer (b). The U.S. Government, including Congress, and key voices in the international community have played an important role in supporting Grameen Bank. If confirmed, I will continue to ensure our concerns about Grameen and the preservation of Bangladesh's vibrant civil society are raised with officials at the highest levels of the Bangladeshi Government. We are not alone in our support for Grameen and its independence. We are adding our voices to the many millions of Bangladeshis who take pride in and have been assisted by this unique institution.

Question. As Secretary of State, what steps will you take to convince the Russian Government to comply with the Principles from the Washington Conference on Holocaust-Era Assets, the Terezin Declaration from the Prague Holocaust-Era Assets Conference, two Russian Court Decisions, and now a U.S. Federal court judgment, which ordered the Russian Government to return the Nazi-confiscated "Schnersohn collection" of religious books and manuscripts to Chabad, its rightful owner in the United States?

Answer. I know that Secretary Clinton made resolving this matter a priority, and if confirmed, I will do so as well.

I understand that the Department continues to work to encourage the use of diplomatic channels to help facilitate a mutually acceptable diplomatic solution, and if confirmed, I would support that effort also.

Question. The M23 rebel group, which has been operating in eastern DRC, has been linked to serious human rights abuses including arbitrary execution, enforced disappearances, and sexual violence. In an attempt to stop the violence, the United Nations Security Council recently imposed an arms embargo on the M23 as well as a travel ban and financial freeze of two M23 leaders.

- ♦ As part of a U.S. response to the ongoing crisis in the DRC, do you support elevating the current United States Special Representative to the Great Lakes Region to full-time U.S. Special Envoy status with appropriate staffing and resources?
- ♦ Will you urge the President to take immediate steps to sanction those responsible for providing material support and training to the M23 rebels—including Rwanda?

Answer. A higher profile Special Envoy, perhaps in addition to our current Special Advisor for the Great Lakes and the DRC, could play a valuable role in supporting the efforts by the United Nations, the International Conference on the Great Lakes Region (ICGLR), the African Union, and others to help resolve the conflict in eastern Congo. If confirmed, I will look into this issue more closely.

As you know, the United States and the Security Council have already implemented sanctions against M23 as a group and several of its leaders. Any future U.S.

actions regarding bilateral or Security Council sanctions against DRC-related targets, including Rwandan officials, will depend on developments on the ground, the behavior of armed groups such as the M23 and those who have provided assistance to them, and our assessment of what measures would effectively promote peace and security in the region.

Question. Last year, President Obama made a historic visit to Burma to encourage continued progress toward democratic reform. Unfortunately, there have been a number of concerning developments—including the escalating conflict between the Burmese Government and the Kachin Independence Army—that could undermine reform pledges made by Burmese President Thein Sein.

♦ How can the United States increase pressure on the Burmese Government to implement its pledges for democratic reform in the country?

Answer. Since President Thein Sein took office in April 2011, the Government of Burma has made important political and economic reforms, including outlawing forced labor, enacting laws promoting labor rights, removing restrictions on free assembly, passing a new foreign investment law, and allowing greater press freedom. The Burmese Government has also achieved progress on core concerns of the international community, including the release of over 500 political prisoners, and has entered into preliminary cease-fire agreements with 10 out of 11 major armed ethnic groups. The National League for Democracy was allowed to contest seats in parliamentary by-elections last April, and party leader Aung San Suu Kyi, a former political prisoner, is now a member of Parliament. The Government of Burma has continued these reforms since President Obama's visit, including repeal of a law that had curbed free speech and formation of an anticorruption team headed by one of the country's two Vice Presidents.

Much work remains to strengthen reforms and ensure that Burma's democratic transition continues to move forward. The government must follow through on its commitment to set up a process for reviewing remaining prisoners, release all political prisoners unconditionally, undertake comprehensive legal reform to open more space for civil society to operate freely, and facilitate access to conflict areas for international humanitarian organizations, among other reforms. If confirmed as Secretary of State, I will continue to press the government at the highest levels and at every opportunity to undertake these reforms and transition to an open, democratic society.

I am deeply concerned about the armed conflict in Kachin state, including the conflict's humanitarian impact and its negative implications for the broader process of national reconciliation. Despite the Burmese Government's announcement that a cease-fire was to take effect on January 19, media and NGO reports indicate that the Burmese Army continues its military offensive in Kachin state. The United States has called on all parties to end the hostilities and begin genuine dialogue to achieve sustainable peace. At the same time, we remain committed to seeking accountability for the human rights violations that have occurred in Kachin state. Senior Department officials, including Ambassador Derek Mitchell, continue to raise U.S. concerns at the highest levels of the Burmese Government.

The President's trip to Burma in November 2012 demonstrated the United States resolve to supporting Burma in its political and economic reform efforts. On the eve of the President's visit, Burmese President Thein Sein announced his government's commitment to strengthen democratic governance, meet its international obligations, and adhere to international standards. In October 2012, Burma hosted the first-ever bilateral human rights dialogue with the United States. Key agenda items included political prisoners, legal reform, military reform, and conflict in ethnic areas, including Kachin and Rakhine states. If confirmed, I will continue to prioritize foreign assistance that encourages and deepens political and economic reforms.

The United States has also ensured that new investment reinforces democratic reform. Last summer, in easing sanctions, the Obama administration announced a set of reporting requirements for U.S. persons and companies investing in Burma to provide transparency and to create incentives for firms to support improved human rights in Burma.

Question. In August 2012, the President of Azerbaijan, Ilham Aliyev, released and pardoned Ramil Safarov, an Azeri soldier who had been sentenced to life in prison for the vicious murder of an Armenian soldier.

The Obama administration condemned the release and Assistant Secretary of State for European and Eurasian Affairs, Philip Gordon, called the pardon a "real provocation in the region."

- ♦ If confirmed, what steps can the United States take to put pressure on President Aliyev to reconsider his decision and return Mr. Safarov to jail?

Answer. Immediately after learning of Azerbaijani President Aliyev's pardon of Ramil Safarov, the United States raised its concerns directly with the highest levels of the Government of Azerbaijan. In addition, both the White House and the State Department released strong statements of concern over Mr. Safarov's transfer and subsequent pardon. Mr. Safarov was tried and convicted of a brutal murder, and the United States was extremely troubled to learn that he would not serve the remainder of his sentence.

As a cochair of the OSCE Minsk Group, the United States continues working to help the sides reach a peaceful resolution to the Nagorno-Karabakh conflict, and the United States condemns any action that fuels tension in the region or threatens to damage the peace process. If confirmed, I will continue to raise the concerns expressed by the United States previously and do everything I can to help the parties resolve the Nagorno-Karabakh conflict peacefully.

Question. Azerbaijan has threatened to shoot down aircraft that fly into the newly rebuilt airport in Nagorno-Karabakh.

- ♦ How will you respond, publicly and privately, to this threat and to any other new acts of aggression from Azerbaijan?

Answer. The United States believes that the parties to this dispute must resolve this dangerous situation diplomatically; the administration has firmly opposed any steps by any party that increase tensions in the region or threaten to damage the peace process in the Nagorno-Karabakh conflict. As a cochair of the OSCE Minsk Group, along with Russia and France, the United States responded swiftly when such threats first appeared, and the administration has continued to raise the issue bilaterally and through the Minsk Group cochairs. If confirmed as Secretary of State, I will continue working to support the peace process and to oppose actions that could increase tensions in the region or damage the peace process.

Question. If confirmed, will you or a member of your staff commit to meet with the Armenian American community and religious leaders from a broad cross-section of the community?

Answer. Department officials maintain an ongoing dialogue regarding our foreign policy with a broad cross-section of the American people, including members of the Armenian-American community and leaders in the religious community. This mutual exchange of information and ideas is an important element in the work of the State Department, and if confirmed as Secretary, I will ensure that it continues.

Question. If confirmed, will you be an advocate within the Obama administration for recognition of the Armenian genocide?

Answer. If confirmed as Secretary of State, my duty would be to represent the policies of the President and administration faithfully. As the President has emphasized in his April 24 Remembrance Day statements, the achievement of a full, frank, and just acknowledgement of the facts of what occurred in 1915 is in all our interests. He also has said that the best way to advance that goal is for the Armenian and Turkish people to address the facts of the past as a part of their efforts to move forward. The United States is encouraging Turkey at the highest levels to engage productively with Armenia on the normalization protocols, to open the border, to reinstitute transportation, communication, and utility links between the two countries, and to reestablish diplomatic relations. If confirmed, I will continue to strongly support all efforts to normalize bilateral relations between Armenia and Turkey so that together, they can forge a relationship that is peaceful, productive, and prosperous.

Question. You have been an important voice in the Senate on the issue of international parental child abduction.

- ♦ (a) As Secretary of State, will you continue to make this issue a personal priority?

Answer (a). The Department of State has no higher priority than to safeguard the welfare of U.S. citizens abroad, the most vulnerable of whom are children. I have worked tirelessly on this issue as chairman of the Senate Committee on Foreign Relations. If confirmed as Secretary of State, it will continue to be a personal and professional priority of mine to encourage foreign governments to act in accordance with the Hague Convention on the Civil Aspects of International Child Abduction, which requires the prompt return of abducted children to their country of habitual residence.

- ♦ (b) Will you commit to raising the issue of international parental child abduction in high-level meetings with foreign governments, including with the Japanese?

Answer (b). Senior Department of State officials regularly raise international parental child abduction in our meetings with foreign governments. In Japan, progress on this issue is a top priority in our bilateral relationship. The recent election of a new government in Japan gave us an opportunity to urge prompt ratification of the Hague Convention on the Civil Aspects of International Child Abduction as well as take steps to resolve existing cases. Secretary Clinton raised this issue in her meeting on January 18, 2013, with Japanese Foreign Minister Kishida. If confirmed, I will continue this emphasis as Secretary. In addition to its work with Japan, the Bureau of Consular Affairs is making significant progress, which I will support as Secretary of State, with the Governments of Mexico, Egypt, the Republic of Korea, and many other countries, seeking the prompt return of wrongfully removed or retained children.

- ♦ (c) Will you ensure that the position of Special Advisor to the Secretary for Children's Issues is retained to ensure that high-level attention stays focused on this important issue?

Answer (c). Since the Bureau of Consular Affairs created the Special Advisor for Children's Issues in 2010 and named Ambassador Susan Jacobs to the post, she has done tremendous work to advance U.S. policies on intercountry adoption and international parental child abduction. She has engaged foreign government officials at the highest levels to protect the welfare of children. As Senator, I have worked closely with Ambassador Jacobs on these issues, and I believe the position of Special Advisor plays a vital role in advancing the U.S. position on international children's issues.

- ♦ (d) Will you commit to work closely with other Federal agencies—including the Department of Justice, the Department of Homeland Security—on ways to prevent and resolve cases of international child abduction?

Answer (d). The Department of State works closely with other Federal agencies to resolve and prevent cases of international parental child abduction. International parental child abduction is a crime under the International Parental Kidnapping Crime Act, and the Department works closely with the Federal Bureau of Investigation's Crimes Against Children Unit when Federal criminal charges are involved. The Department also works with the Department of Homeland Security to share information that can help prevent the departure of a child who is the subject of a custody order prohibiting his or her departure from the United States. These are just two examples of the many ways different branches of the Federal Government work together to prevent and resolve international parental child abduction, and we will continue to strengthen our interagency relationship if I am confirmed as Secretary.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR BENJAMIN L. CARDIN

Question. The issue of restitution of, or compensation for, property wrongly taken during the Holocaust or Communist eras has been an especially vexing issue in the post-Communist period. No country has adopted a perfect framework, but many have undertaken meaningful efforts in this area. Moreover, laws adopted in the past 2 years in the Czech Republic, Lithuania, and elsewhere show that progress can be made even after the passage of a great deal of time.

Unfortunately, Poland stands out in Central Europe for its failure to adopt a general private property compensation or restitution law. For many years, successive governments representing all the major parties in Poland professed to be working on the passage of such a law. Last year, however, the Government of Poland reversed its position and asserted that the only remedy for those seeking compensation or restitution would be recourse to Poland's courts—a process that presents insurmountable obstacles for most victims of property theft and especially victims of the Holocaust, will ultimately be futile for most claimants, and even for a tiny fraction of successful claimant's would be drawn out and needlessly burdensome.

- ♦ (a) Will you reengage Poland on this important issue of justice with the goal of seeing a general private property law actually adopted?

Answer (a). If I am confirmed, the restitution of or compensation for property confiscated during the Holocaust or Communist eras, which ranges from real estate to works of art, will remain a high priority. I will continue to press European governments, including Poland, to enact property restitution or compensation legislation

if they have not already done so, and, if they have, to ensure that the claims processes they create handle cases transparently and expeditiously with a minimum of bureaucratic impediment. Poland has made progress on restitution of communal properties and has been processing personal property claims through its court system. The State Department will continue to encourage Poland to address property claimants' concerns quickly and fairly.

- ♦ (b) Will you ensure that the expertise of the Office for Holocaust Issues, which has done such important work, continues to be supported as a critical resource for the European Bureau?

Answer (b). If I am confirmed, I will continue to ensure that the expertise of the Office of the Special Envoy for Holocaust Issues (SEHI) continues to be supported as a critical resource for the European Bureau. The State Department is committed to developing and implementing policy aimed at encouraging the return of Holocaust-era assets to their rightful owners, compensation for wrongs committed during the Holocaust, and Holocaust education and remembrance. We encourage Central and East European governments to reconstitute illegally confiscated and nationalized communal and private property to rightful owners and, using the guidelines of the 1998 Washington Conference Principles on Nazi-Confiscated Art, encourage the restitution of artworks to rightful owners. Also of increasing importance is the welfare of Holocaust survivors—many of whom today live in dire poverty and, because of their experiences during the Holocaust, often have special needs.

Question. Last December, former Senator Lugar and I—as partners on the related extractives industry payment transparency initiative Section 1504 of the Dodd-Frank law—recently sent a letter to Secretary Clinton urging full and timely U.S. implementation of International Aid Transparency Initiative.

- ♦ As Secretary of State, how will you engage Congress in codifying some of the important achievements made by this administration around transparency and accountability, including the U.S. Government's participation in the International Aid Transparency Initiative (IATI)?

Answer. I greatly appreciate the work you and Senator Lugar have accomplished to encourage more transparent and accountable foreign assistance. Aid transparency will remain a key priority for the Department of State if I am confirmed. On December 20, 2012, the State Department submitted a detailed and comprehensive U.S. Government IATI implementation schedule to the IATI Secretariat and posted an initial data set in IATI's common data standard for download in XML format. This information is available on our Foreign Assistance Dashboard and can be found at http://www.foreignassistance.gov/IATI_DataView.aspx. This release represents a significant milestone in the U.S. Government's commitment to increasing foreign aid transparency and meets the deadline set by our membership in IATI, which gave us 1 year to complete an implementation schedule.

If confirmed, I commit to working with Congress to continue to ensure the Department and USAID continue to meet our international commitments to aid transparency. In particular, I will work with the interagency to promote the Foreign Assistance Dashboard as a critical and necessary tool for meeting these commitments and encourage timely updates to the Web site. The Department and USAID will continue to work vigorously to ensure budget, financial, and programmatic information from every agency implementing foreign assistance is available to the public.

Question. Thank you for your thoughtful answer to my question on the humanitarian crisis in Sudan, particularly in Darfur, Southern Kordofan, and Blue Nile. As you noted, the United States was instrumental in helping South Sudan obtain independence roughly a year and a half ago in July 2011. Unfortunately, this young country is now facing a severe humanitarian crisis of its own, as well as a profound governance crisis.

- ♦ What more can the international community do to build the capacity of the South Sudanese Government, civil society, institutions, and systems of public finance to ensure long-term sustainability, guarantee its ability to provide basic services, and promote good governance?

Answer. Since South Sudan's independence, we and our international partners are helping South Sudan improve its governance capability and address its humanitarian needs. U.S. Government programs continue to build accountability and strengthen systems of management, rule of law, and governance. As you note, humanitarian needs remain high, and the United States and other donors remain engaged in delivering life-saving support to South Sudanese in need.

U.S. Government programs in this regard include the following:

(1) *Governance and promotion of democracy*, including enhancing political competition, encouraging free speech and media independence, improving government responsiveness and accountability, and encouraging inclusive and participatory development of a national constitution;

(2) *Rule of Law and Civilian Security*, including training for law enforcement in community policing principles, support to the judiciary, and assistance to the corrections sector to improve prison conditions and management;

(3) *Building South Sudanese management capacity* through the provision of direct technical assistance to South Sudanese leaders in key government ministries, such as the Ministry of Finance and the Ministry of Petroleum and Mining;

(4) *Economic Growth* through the construction of 950 km of paved roads (with another 350 km planned) in a country that previously lacked paved roads;

(5) *Food Security* through the Feed the Future initiative, by doubling agricultural productivity of 7,200 rural farmers through the use of hybrid seeds and fertilizers, and training 130 small agricultural businesses in business development;

(6) *Health Services* to control and prevent malaria, tuberculosis, HIV, polio, and neglected tropical diseases; improve water supplies and hygiene; and provide other basic health services, including 125 primary health care clinics to meet basic health care needs in areas of high conflict and humanitarian need; and

(7) *Education* to train supervisors and teachers, improve the safety of school facilities, increase community engagement, and improve women's access to education.

U.S. democracy and governance programs support the development of independent media and participation of citizens in governance and political processes. The State Department and USAID work to ensure civil society participation in the political process, including in the consultation process for the new constitution.

Other donors, in particular the United Kingdom, Norway, and the European Union, are similarly committed to these goals. Their programs improve transparency in governance and in oil sector revenue management. The administration is planning a donors' meeting on February 7 to discuss creative solutions to South Sudan's economic crisis and to find new ways to increase involvement by, and coordination with, nontraditional donors. If confirmed, I will continue to coordinate closely with these and other donors, as well as with the United Nations and international nongovernmental organizations.

Question. The 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of the Asia-Pacific region for the past three decades.

♦ With the military balance—including air superiority—gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework?

Answer. Consistent with the Taiwan Relations Act and the United States one China policy, the United States makes available to Taiwan defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability. This longstanding policy contributes to the maintenance of peace and stability across the Taiwan Strait.

The volume of these sales is substantial. The United States signed defense related contracts with Taiwan valued at \$4.7 billion in 2012 alone and notified Congress of over \$12 billion in total sales during President Obama's first term.

Signed contracts include an extensive retrofit and modernization of Taiwan's F-16 fleet, and the sale of Apache attack and Blackhawk transport helicopters, Patriot PAC-3 Air and Missile Defense Batteries, P-3C long range ocean surveillance and antisubmarine aircraft, Osprey-class coastal mine hunters and a variety of other systems, training, upgrades and advanced weapons and equipment.

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

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR ROBERT P. CASEY, JR.

Question. State Department Personnel: How will you incentivize Foreign Service Officers to get out and do the challenging work of representing the United States while ensuring they have adequate security cover to do so?

Answer. I am proud to report that the Foreign Service remains a very attractive career choice for thousands of people. For the three Foreign Service Officer Tests administered in FY 2012, 20,813 people took the exam. Of the Generalists and Specialists who took the Foreign Service Oral Assessment, 1,220 passed. This yearly process results in a cadre of enthusiastic, dedicated, highly qualified Foreign Service Generalists and Specialists, who are committed to deploying around the world to represent the United States. With regard to protecting our Foreign Service personnel, after reading the Accountability Review Board (ARB) report, I publicly stated “. . . it's important for all of us to think in terms of going forward, that we need to do a better job of ensuring a free and open dialogue among ambassadors, their embassy security personnel, and officials in Washington where decisions on security, staffing levels and funding are made.”

Secretary Clinton accepted all 29 recommendations from the Benghazi ARB, and I understand the Department has been working diligently to address and implement these recommendations. As I noted during my confirmation hearing, if confirmed, I will personally oversee the implementation of the ARB recommendations going forward, and I will ensure that it is a top priority for the Department. I am also committed to take actions above and beyond implementation of the ARB findings. During my tenure as Secretary, I would work to make sure that the security of our embassies and the protection of our personnel are given robust and unflagging consideration.

Question. As we approach the 2014 transition, The State Department will need to adapt to the changing demands for personnel and resources in Afghanistan, Pakistan and the surrounding region.

- ♦ What is your vision for the future of the Office of the special Representative for Afghanistan and Pakistan?
- ♦ Will you streamline the South and Central Asia Bureau's foreign assistance process by collapsing the Central Asia work of the office of the Coordinator for Assistance to Europe and Central Asia into the SCA Bureau?

Answer. I have worked closely over the last 4 years with the Office of the Special Representative, which was charged by Secretary Clinton to coordinate across a whole-of-government approach in pursuit of the United States national security interests in the region. I greatly value the work and contributions that this organization continues to provide through its innovative structure and approach. If confirmed, I plan to retain this office structure through 2014, to coincide with the end of the Afghan security transition.

Under arrangements in place since 2006, the Office of the Coordinator of Assistance to Europe, Eurasia, and Central Asia is considered an integral part of the South and Central Asia Bureau (SCA), reports to the Assistant Secretary for South and Central Asian Affairs (and the Assistant Secretary for European Affairs), and coordinates on a daily basis with working level counterparts in the Bureau. The Coordinator's office is an active and full participant in decisionmaking on assistance issues. While this is a unique arrangement in the Department, far from being a burden, the mixture of perspectives encourages innovative and cost-effective programming. Moreover, the FREEDOM Support ACT of 1992 requires that a single coordinator be responsible for all assistance to the independent states of the Former Soviet Union. The office has developed expertise and insight in the 20 years the office has overseen assistance to the region. A change in the Coordinator's statutory mandate would require amending the current law. The current approach to assistance for Central Asia has been proven highly effective and has facilitated SCA's development of the “New Silk Road” framework for regional economic cooperation.

Question. I recently called for a more assertive approach to Syria, because a political transition to a government that reflects the will of the Syrian people is in the core interest of the United States. We should be planning now for not only a refugee crisis, but for contingencies in a post-Assad Syria.

- ♦ What specific steps will you take to better coordinate the international donor community's support for the moderate Syrian opposition in the near term and to enhance the ability of the United States to influence the reform process after Assad?

Answer. It is my understanding that the U.S. Government has done extensive internal planning to prepare for a range of contingencies in the post-Assad environment. This planning has included significant consultations—bilaterally and within the Friends of the Syrian People—with partners who share our goal of a stable political transition in Syria. The Friends of the Syrian People have launched working groups to ensure the international community is poised to provide rapid support

to a new Syria focus, including coordinating economic reconstruction and lifting sanctions after Assad's departure so that Syria can quickly get back on its feet.

If confirmed, I will continue to support the administration's active coordination with partners on the immediate humanitarian crisis through, for example, regular Syria Humanitarian Forum gatherings led by the United Nations Office of the Coordinator for Humanitarian Affairs (OCHA) and the upcoming international donor's pledging conference in Kuwait on January 30. It is my understanding that the administration is supporting the Syrian Opposition Coalition (SOC) efforts to develop their organizational structures, build legitimacy inside Syria, and prepare to lead a transition to a post-Assad Syria. The administration is also in frequent contact with key allies and partners to ensure mutual reinforcement of moderate, responsible elements opposition, and that all Syrian voices will be represented in a new government.

Question. Feed the Future has relied on a "Country-led" process in order to build buy-in and a long-term local commitment to food security principles. In practice, this has meant engagement with governments, some of which may not be democratic or adequately reflect the needs of their people.

- ◆ What will you do to reform the Feed the Future program so that civil society plays a real role in decisionmaking and FTF assistance is not funneled only toward government priorities?
- ◆ How will you use your position as Secretary to promote science and encourage adoption of biotechnologies that can save lives by combating food insecurity?

Answer. The selection of Feed the Future focus countries depends in part on the ability of governments in those countries to work with the U.S. Government as a partner to deliver results. Feed the Future's country-led approach helps build local government capacity to develop and implement inclusive national food and nutrition security strategies, in direct consultation with civil society, the private sector, and other stakeholders. This has helped ensure that each country investment plan represents a national, comprehensive strategy for significantly reducing hunger and poverty and improving food security in a particular country, while promoting transparency and accountability.

We know that sustainable development, food security, and nutrition goals cannot be achieved by government efforts alone. The U.S. Government values contributions and feedback from civil society partners. These partners help increase awareness about food security and nutrition priorities among donors, governments, the private sector, civil society partners, and the public. Valuable feedback from civil society has been a key consideration in the evolution of Feed the Future programming. For instance, Feed the Future has brought more focus to the importance of gender equality, in addition to the need for expanded opportunities for women and girls; the need for climate resilient agricultural development; increased integration between nutrition and agriculture; and the need to build up Feed the Future efforts to include local civil society actors in decision making processes related to national food security strategies.

The announcement at the 67th U.N. General Assembly of InterAction's pledge of more than \$1 billion in private, nongovernment funds over 3 years for global food security investments reflects the importance that U.S.-based civil society organizations attach to food security and the crucial role they play in the effort to end world hunger by contributing resources, innovations, and expertise that can be leveraged with U.S. Government and partner government investments.

Secretary Clinton made the inclusion of civil society a key part of her work at the State Department and announced the preparation of an action plan to ensure effective, creative engagement of civil society across Feed the Future countries. Under this plan, the U.S. Government will: Champion new technologies for broad-based dialogue with civil society; foster creation of new partnerships among civil society organizations, donors, the private sector, and partner governments; and promote best practices in the capacity-development, knowledge-sharing, and service-delivery of our civil society partners.

Progress in the Feed the Future effort continues. The State Department played a key role in negotiating with G8 partners, in particular, in developing and launching the New Alliance for Food Security and Nutrition, announced by President Obama in May 2012. The New Alliance is a shared commitment to achieve sustained and inclusive agricultural growth and raise 50 million people in sub-Saharan Africa out of poverty over the next 10 years by aligning the commitments of Africa's leadership to drive effective country plans and policies for food security; the commitments of private sector partners to increase investments where the conditions are right; and the commitments of the G8 to expand Africa's potential for rapid and sustainable agricultural growth.

If confirmed, I am committed to enhancing and expanding U.S. Government engagement with local and international civil society to achieve Feed the Future goals.

With regard to science, genetic engineering specifically, and biotechnologies more broadly, play significant roles in increasing agricultural productivity and resilience, particularly in coping with the impacts of climate change and the need to improve the nutritional value of staple foods. It is one tool among many that we must deploy to improve productivity in a time of declining resources.

U.S. Government agencies are already working with interested countries to develop genetically engineered plant varieties that address agricultural challenges for which conventional approaches have been unsuccessful, partnering with both the public and private sectors to ensure equitable access to technologies developed using biotechnology. Examples include disease-resistant bananas in Uganda; insect-resistant cowpeas in Nigeria and Ghana; nitrogen-efficient maize and rice; and salt- and drought-tolerant rice in sub-Saharan Africa.

The Department of State and USAID will continue to support agriculture research and development. From FY 2010 through FY 2012, Feed the Future has funded \$351 million in agriculture research and development, with over \$142 million requested in the FY 2013 budget.

In FY 2012, Feed the Future promoted the role of biotechnology in increasing agricultural productivity through programs such as the Program for Bio-Safety Systems in Africa, which supports the development and implementation of biotechnology regulatory systems to ensure the environmental and food safety of bio-engineered crops in countries such as Malawi, Ghana, Mozambique, Indonesia, and Tanzania.

If confirmed, I will continue to support the Department of State and USAID's efforts to work in concert with other U.S. Government agencies to urge governments to take maximum advantage of all available technologies to increase agricultural productivity sustainably, and to strengthen the capacity of policymakers and regulators in partner countries to build effective science-based biotechnology laws and regulatory systems that facilitate needed investments in these technologies and use of the resulting products.

Question. The protection of supply routes to Afghanistan (the Northern Distribution Network) has required the Department to engage with Central Asian Governments that are undemocratic and have a history of human rights abuses, according to the annual Human Rights Reports.

♦ As Secretary of State, how will you leverage America's strategic position in the region to compel these states to respect the human rights of their citizens?

Answer. The U.S. Government's strategic position in Central Asia has created the opportunity to forge stronger relationships with high-level officials in the region. If confirmed, I plan to continue Secretary Clinton's practice of consistently raising human rights concerns with my Central Asian counterparts and pressing for tangible reforms. Many Central Asian states look to the United States for development and military assistance, but without significant human rights improvements, our bilateral relationships cannot reach their full potential.

If confirmed, I will continue the State Department's efforts to encourage the governments of Central Asia to take concrete steps toward political liberalization to build a sustainable system of democratic governance that can ensure the rights of all citizens. I believe that strengthening democratic governance, rule of law, and respect for human rights and fundamental freedoms leads to greater opportunities for economic development and societal stability.

Question. As the Middle East becomes more volatile, what will your Department do to help Israel maintain its qualitative military edge (QME)?

Answer. The administration's commitment to Israel's security is unwavering and any developments that the administration believes pose a threat to Israel's qualitative military edge (QME) will be carefully considered and responded to appropriately. Given this commitment, the United States protects Israel's QME in a number of important ways.

First, Israel is the leading recipient of Foreign Military Financing (FMF). In FY 2013, which marks the 5th year of a 10-year, \$30 billion MOU, Israel will receive \$3.1 billion. Israel is also the only country authorized to use one-quarter of its FMF funding for domestic defense procurement, which provides significant flexibility in meeting immediate procurement needs and supporting the Israeli defense industry. Additionally, Israel has privileged access to advanced U.S. military equipment, such as the F-35 Joint Strike Fighter. The United States is providing significant financial assistance and technical expertise to help Israel develop a comprehensive air and missile defense system to provide defense against short range rockets and long-

range ballistic and cruise missiles. Finally, the U.S. Government is taking full advantage of the bilateral consultative and political mechanisms in place to respond to and act on Israel's concerns and to ensure the region's unrest does not negatively impact Israel's QME.

Also, as the November 2012 conflict in Gaza demonstrated, the U.S. role in providing Israel with funding for its Iron Dome rocket/missile defense systems was critical in saving lives and preventing further death and destruction.

Question. Bahrain, the longtime home of the Fifth Fleet, is of clear strategic importance to the United States, but the human rights situation there has deteriorated. What reforms will you push the Government of Bahrain to undertake to ensure that the rights of its people are not violated and that civil society can function freely?

Answer. Since the unrest began in 2011, the United States has continued to urge genuine political dialogue in order to achieve reform and reconciliation in Bahrain. If confirmed, I will ensure that we engage at all levels: with the Bahraini Government, political groups, the private sector, and civil society to underscore that political dialogue, reform, and the protection of human rights are in Bahrain's long-term interests, the strategic interest of the United States, and the stability of the wider region.

The State Department has recognized progress made by Bahrain to implement reforms following the unrest, including instituting a new Code of Conduct for the police, reinstating some workers and students who were summarily dismissed, appointing an Ombudsman in the Ministry of Interior, and beginning to rebuild religious sites.

However, I am concerned that Bahrain's work on reform remains unfinished, particularly in areas of freedom of expression, accountability for past abuses, and professionalization of the police force. I will press the Government of Bahrain to move decisively to protect basic freedoms, promote human-rights principles, allow for economic opportunities, build trust, and provide security for all Bahrainis. Many of these reforms are also recommended by the Bahrain Independent Commission of Inquiry (BICI) report, which the Bahraini Government has accepted in full. The State Department, through its programming, seeks to promote reforms and reconciliation and improve governance in areas such as commercial law, military capabilities, and antiterrorism capacity.

If confirmed, I will call upon all political societies in Bahrain to reject and condemn violence, to work with the Bahraini Government to negotiate a common vision for the future, and to foster genuine reconciliation. These reforms will help reinforce Bahrain's long-term stability and deepen our bilateral relationship.

Question. What steps will you take as Secretary to persuade the European Union to designate Hezbollah as a terrorist organization?

Answer. Hezbollah's activities on a number of fronts—including their stepped-up terrorist campaign around the world, and their critical and ongoing support for the Assad regime—are deeply troubling and, if confirmed, countering these activities will continue to remain one of the Department's highest priorities. I will continue the Department's efforts at urging our European allies—and other countries around the world—to take a wide range of steps to crack down on Hezbollah, including sanctions, increased law enforcement and intelligence focus and cooperation with the United States, and strong public statements against Hezbollah's activities. We will continue to press for action against Hezbollah, emphasizing to our allies that we must send a message to Hezbollah that their behavior is unacceptable and that they can no longer continue to act with impunity, both at home and abroad. If confirmed, I look forward to working with Congress toward an EU designation and support the congressional resolution on this important issue.

Question. Trade Policy: Japan is a very close friend in Asia, a region with many geopolitical concerns and considerations. However, Japan has not always played by the rules when it comes to trade. Specifically, Japan and other countries' currency manipulation and nontariff barriers to our exports have caused between 1 and 5 million lost jobs, many of which were in Pennsylvania.

♦ How do you intend to address Japan's trade practices, particularly as it potentially seeks to join the Trans-Pacific Partnership agreement?

Answer. Japan is indeed a very close ally, among the closest and most important alliance partners we have the world over. As you note, the Asia-Pacific region, where Japan is undeniably a leading force, presents a variety of geostrategic considerations. These considerations include political, security/defense, and economic dimensions. If confirmed, I will continue to address relevant trade issues until the

playing field is level for our businesses and public at large. For the most part, Japan's tariffs on U.S. products are very low now, so nontariff barriers are impediments to increasing our exports to Japan and thereby our ability to create jobs that come with those exports. It is my understanding that the interagency has been working with Japan for several years on these nontariff barriers with limited success. However, in the context of the Trans-Pacific Partnership (TPP), which Japan has expressed interest in joining, these discussions have increased both in frequency and their depth. It is my understanding that the administration has made it clear that addressing nontariff barriers in the auto, insurance, and agriculture industries is necessary for Japan to join the negotiations. The TPP is the most significant Free Trade Agreement the United States has embarked upon in two decades. Besides opening up new markets for our products, and addressing new and pertinent trade issues, it is a catalyst for change, including in Vietnam, Malaysia, and perhaps in Japan. The administration is impressing upon Japan that the time is now to address these longstanding issues, and is hopeful that our bilateral discussions (and those Japan is holding with other TPP nations) will begin to bear fruit in advancing our goals of reducing nontariff barriers to trade.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR JAMES E. RISCH

Question. As with UNESCO, the United States lacks a veto over membership decisions in other U.N. specialized agencies that the Palestinians could target for membership. The Palestinians reportedly were prepared to seek membership in these U.N. organizations until the United States cut funding to UNESCO as required under two laws enacted by a Democratic-led Congress in the early 1990s. U.S. Code Title 22, Section 287e, states:

No funds authorized to be appropriated by this Act or any other Act shall be available for the United Nations or any specialized agency thereof which accords the Palestine Liberation Organization the same standing as member states. (Adopted as Public Law 101-246 in 1990.)

The United States shall not make any voluntary or assessed contribution: (1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or (2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective. (Adopted as Public Law 103-236 in 1994.)

♦ The language in these provisions is clear and provides no discretion or waiver authority. You voted for these laws, will you support their enforcement as Secretary of State?

Answer. If confirmed, I will fully adhere to U.S. laws as Secretary of State.

I will also seek congressional support for legislation that would provide authority to waive restrictions on paying U.S. contributions to U.N. specialized agencies that grant the Palestinians full membership as a state or equivalent standing. I believe that our country cannot afford to be on the sidelines of organizations that help advance American national interests.

I support the administration's commitment to active engagement across the U.N. system to protect and promote American interests and values. From bringing together the international community to impose the toughest multilateral sanctions ever against Iran, to intervening to protect civilians in Libya in a moment of crisis, to feeding the hungry and helping create a new nation of South Sudan, the work of the U.N. is vital to America's national security and to peace and the stability of the international system.

By withholding our contributions to important specialized agencies, not only would we cut off support for important programs that advance U.S. interests, we weaken our ability to promote our priorities, risk losing altogether our voting rights, and effectively empower others to determine how and when America engages. When the United States steps back, states with conflicting agendas can and do step in, and we could easily find ourselves, sidelined and impotent at multiple U.N. agencies and unable to advance U.S. interests.

I believe that a more effective approach is to work constructively within international organizations to ensure that we can wield influence to promote U.S. interests, including advancing Middle East peace. I believe that constructive diplomacy, both bilateral and multilateral, will better assist in achieving our shared goals.

Question. Since the fall of Hosni Mubarak, Israel has faced a renewed threat on its southern border. The Sinai has become a haven for terrorists and the smuggling of weapons to Gaza continues. While Egypt's role in brokering a cease-fire between Hamas and Israel was positive, other developments and Presidential decisions are less than promising.

- ♦ (a) Do you support current conditions on U.S. aid to Egypt, including the maintenance of the Egypt-Israel peace treaty?

Answer (a). Egyptian leaders, including the President and the country's military leadership, have repeatedly assured the administration of their commitment to the Treaty of Peace with Israel. If confirmed, I will take every opportunity to underscore to the Egyptian leadership that preserving that peace is vital to Egypt, Israel, and the United States. The administration has made it unmistakably clear, in public and in private that Egypt's relationship with the United States depends on its keeping the peace with Israel. I will also continue to stress the importance of Egypt coordinating with the Multinational Force and Observers (MFO) on military deployments in the Sinai.

The Sinai security environment is fluid and dangerous and it will require maximum cooperation by Egypt, Israel, and others to address the threats to regional security that exist as a result of the political situation there. The Sinai also presents an internal terrorist threat to the Egyptian Government, as was made clear in the August 5, 2012, attack that killed 16 Egyptian soldiers. Regarding the linkage of this issue to our assistance, it is in the United States interest to have the flexibility to provide assistance as Egypt attempts to address its security and sovereignty issues and as Israel seeks to ensure the safety and security of its borders and territory. For this reason, the administration supports the continuation of the inclusion of a national security waiver in the FY 2013 appropriations bill requirement to certify that Egypt is meeting its obligations under the Egypt-Israel Treaty of Peace.

Preserving the Treaty of Peace is a redline for the United States. The waiver authority simply reflects the fact that the situation on the ground could be fluid, complex, and difficult to assess. The waiver authority requires a determination that waiver of the restriction is in the national security interests of the United States, and, if confirmed, I will carefully weigh all available information and implications in considering such a determination. If the United States sees major reversals in Egypt's democratic transition, or changes in its foreign and military policies that threaten the interests of the United States or its allies, the administration maintains the ability to halt assistance to Egypt.

- ♦ (b) Despite some successes, Egypt is failing to stop the smuggling of weaponry to Gaza. If confirmed, will you make it a priority to work with Egypt to stop the flow of weapons to Gaza and more broadly bring security to the Sinai?

Answer (b). The flow of weapons into Gaza remains a serious concern, and, if confirmed, I will continue to press Egyptian leaders to take concrete action against weapons smuggling, while offering the fullest possible U.S. assistance in enhancing their capacity for interdiction, such as through border security equipment and training. Egyptian officials have shown that they understand the serious nature of the smuggling threat, not only to Israel and others in the region, but also to their own country's interests.

- ♦ (c) What role should the United States play in helping to rebuild political relations between Israel and Egypt?

Answer (c). The United States has repeatedly stressed to Egypt the need for senior-level political ties with Israel and for continued peace between the two countries. Ultimately, peace is in Egypt's interest, and Egyptian leaders have said Egypt is committed to upholding its treaty obligations. If confirmed, I will continue to remind Egypt of the benefits that accrue from upholding its treaty obligations and from constructive dialogue with Israel, which include regional stability, economic benefits, and assistance in combating common threats, in addition to preserving its relations with the United States.

Question. In December, Secretary Clinton renewed a sanctions exemption for China, citing a significant reduction in Beijing's purchases of Iranian oil. What do you consider to be a "significant reduction" in the import of Iranian oil in order for a country to qualify for an exemption to our sanctions?

Answer. All major importers of Iranian oil, including China, have now either significantly reduced or cut entirely their purchases. Therefore, the revenues that the Iranian Government uses to fund its nuclear and proliferation activities have been significantly reduced, and that's our goal.

There is always some month-to-month variability in crude oil purchases and China has significantly reduced its overall imports of Iranian crude oil. The U.S. Government will continue to engage in close consultations with the Chinese Government on U.S. sanctions and maintain pressure on Iran to comply with its international obligations.

Question. Do you believe the war in Syria is an internal matter, or do you believe the United States has important national interests at stake?

Answer. The United States has a strategic interest in the emergence of a stable, free, prosperous and democratic Syria that respects the rights and aspirations of all of its people. The longer Bashar al-Assad remains in power, the greater the likelihood of all-out sectarian warfare and massive refugee flows that will not only have destabilizing consequences for the region, but could also lead to a vacuum of authority inside Syria where violent extremism could flourish. The Syrian crisis arose as a result of Assad's violent and repressive response to peaceful protestors who demanded nothing more than respect for their legitimate and universal human rights. The United States cannot and will not impose a transition upon Syria, but we have been clear that we stand firmly on the side of the Syrian people as they determine their own destiny.

Question. What do you believe the role of the United Nations is regarding U.S. participation in military conflicts? Do you believe that a U.N. resolution is an imperative for any U.S. involvement in military action? Can a U.N. resolution substitute for an authorization of force from the U.S. Congress?

Answer. A U.N. resolution is not a necessary precondition for U.S. involvement in military action. For example, the U.N. Charter specifically contemplates that states may use force in individual or collective self-defense without the need for prior authorization by the U.N. Security Council. President Obama addressed these issues in his 2010 National Security Strategy: "The United States must reserve the right to act unilaterally if necessary to defend our Nation and our interests, yet we will also seek to adhere to standards that govern the use of force."

The respective roles of the President and the Congress in authorizing particular uses of force by the United States are governed by the Constitution and applicable U.S. law. U.N. resolutions do not govern these matters.

Question. Do you believe France acted legally in its incursion into Mali this month? Under what legal authority do you believe they acted?

Answer. France responded to a direct request for assistance from the transitional Malian Government authorities, who are engaged in an armed conflict with terrorist and extremist elements. These elements, having conquered large swaths of the country, were threatening to overcome the large population centers, including the capital of the country in the south. These actions are in keeping with U.N. Security Council Resolution 2085 (2012), which was adopted unanimously by the U.N. Security Council on December 20, 2012.

Question. Do you believe the recent events in North Africa demonstrate that al-Qaeda and its affiliates still pose a serious threat to the United States, our interests and our allies abroad?

Answer. Core al-Qaeda (AQ) has certainly been weakened. Even so, AQ-affiliated terrorist groups are cropping up elsewhere, including in North Africa. The recent hostage crisis in southern Algeria demonstrates the will and capacity of terrorist groups using the AQ brand to threaten U.S. citizens and our allies in North Africa. This attack was perpetrated by a group known as Mu'awiya bil Dam ("Signers in Blood"), whose leader is affiliated with AQ. Al Qaeda in the Islamic Maghreb (AQIM) threatens U.S. and allied interests through its practice of kidnapping for ransom, which often targets Westerners. More broadly, these groups threaten the ongoing efforts to build democratic states that are peaceful and prosperous in the region. AQIM and related groups also threaten regional stability through their activities in Mali.

Question. On January 31, 2012, in testimony before Congress, Director of National Intelligence James Clapper included Boko Haram in his worldwide threat assessment, stating, "There are also fears that Boko Haram—elements of which have engaged al-Qaeda in the Islamic Maghreb (AQIM)—is interested in hitting Western targets, such as the U.S. Embassy and hotels frequented by Westerners."

♦ Do you agree with his assessment?

Answer. While the administration assesses that Boko Haram's priorities remain primarily local, Boko Haram has previously carried out operations against Western targets and it is possible that they will target Western interests in the region again.

Previous operations attributed to Boko Haram include the suicide bombing of the United Nations building in the Nigerian capital of Abuja on August 26, 2011, that killed at least 23 people and wounded scores more as well as several kidnappings of Westerners. In June 2012 the Department of State designated Boko Haram members, Abubakar Shekau, Abubakar Adam Kambar, and Khalid al-Barnawi, as Specially Designated Global Terrorists under section 1(b) of Executive Order 13224. Shekau is Boko Haram's most visible leader. Khalid al-Barnawi and Abubakar Adam Kambar have ties to Boko Haram and have close links to Al Qaeda in the Islamic Maghreb (AQIM).

Question. Does Boko Haram meet the criteria for designation as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)?

Answer. Addressing the lack of security in northern Nigeria is a top priority for the Department of State. The Department remains concerned about the activities of Boko Haram and its potential impact on U.S. citizens or interests in Nigeria and other African nations. If confirmed, I will review the situation in Nigeria with respect to Boko Haram and take appropriate action as necessary, up to and including a designation of Boko Haram as a Foreign Terrorist Organization.

I should note that the United States has already taken action against the most dangerous leaders of Boko Haram. On June 21, 2012, the U.S. Government designated three individuals as Specially Designated Global Terrorists—Abubakar Shekau, Khalid al-Barnawi, and Abubakar Adam Kambar.

Question. Do you agree that the State Department should not wait until after Boko Haram conducts a terrorist attack against U.S. interests and/or citizens to designate them as an FTO under 219 of the INA?

Answer. Addressing the lack of security in northern Nigeria is a top priority for the Department of State. The Department remains concerned about the activities of Boko Haram and its potential impact on U.S. citizens or interests in Nigeria and other African nations. If confirmed, I will review the situation in Nigeria, including with respect to Boko Haram activities, and take appropriate action as necessary. If the facts of the situation warrant a designation as a Foreign Terrorist Organization, I am prepared to exercise my authority in that respect.

Question. There have been press reports that the Indians are worried about your becoming Secretary of State because you have traveled more to Pakistan than you have to India and they view this as a sort of favoritism.

♦ What steps will you take with the Indians to ensure a strong United States-Indian bilateral relationship?

Answer. The U.S.-India relationship is a strongly bipartisan foreign policy priority which has enjoyed broad support in both countries—across three U.S. presidencies and three Indian governments. As he stated during his November 2010 visit to India, President Obama is committed to advancing a long-term, strategic partnership with India.

If confirmed as Secretary of State, I will continue to chair the U.S.-India Strategic Dialogue as a catalyst for interagency action in implementing the President's vision of a deepened partnership to face shared challenges. This vision includes five key areas of great potential in the U.S.-India relationship: defense cooperation; partnering on shared interests in South and East Asia; homeland security, intelligence, and counterterrorism cooperation; cooperation in multilateral institutions; and an enhanced economic and energy relationship.

India will be one of our closest partners in Asia, which will contribute to the security of the whole region. Building on our robust military exercises, dialogues, and defense procurement relationship (\$8 billion and growing), we seek to transition to a relationship of coproduction and, ultimately, joint research and development.

In South and East Asia, we both have an interest in ensuring the region remains peaceful and offers opportunities for rising prosperity. India's economy is key to the success of the New Silk Road vision and to building a network of trade and transit linkages to its east in an Indo-Pacific Economic Corridor of enhanced prosperity and strengthened security for the nations of Southeast Asia, including Burma. Our consultations with India include trilateral discussions with Japan and with Afghanistan.

We share with India the urgent focus on preventing another attack by a terrorist group against U.S. or Indian interests in the region or elsewhere. Our joint counterterrorism efforts and information-sharing, including through the Homeland Security Dialogue, have built an important new bridge between our respective governments.

While in India, President Obama expressed support for reformed U.N. Security Council that includes India as a permanent member. If confirmed, I intend to continue intensive consultations with the Indian Government to advance our collaboration in multilateral institutions.

Our strong economic relationship continues to underpin our bilateral ties; bilateral goods trade more than quadrupled between 2000 and 2011 from \$14.3 billion to \$57.8 billion and total trade, including services, is on track to reach \$100 billion in the near term. We seek continued growth in our bilateral trade relationship, enhanced investment opportunities, including through the conclusion of a Bilateral Investment Treaty, and further opportunities for U.S. businesses in Indian markets. Full implementation of the U.S.-India Civil Nuclear Cooperation Initiative, beginning with the expected early conclusion of commercial contracts for U.S. firms, remains a top priority. All of these economic ties rest on an increasingly dense web of people-to-people relationships, with over 3 million Indian Americans in the United States and 100,000 Indian students studying in the United States. People-to-people outreach will continue to be a priority.

Question. Can you describe the importance of ensuring the safe return of SGT Bowe Bergdahl and what importance you will place on his safe return? What will you do differently than your predecessor to bring him home?

Answer. As our single captured servicemember in Afghanistan, the safe return of SGT Bowe Bergdahl is of the utmost importance to me personally, and the Department of State, and the administration.

Obtaining SGT Bergdahl's freedom is not only an important humanitarian mission that we must pursue for him and his family, but a manifestation of a solemn responsibility to every American serving in uniform that the United States will not rest until every missing or captured American servicemember is returned home. If confirmed, I assure you that I will maintain the highest attention to this matter. I will work with the Defense Department, ISAF, and the international community, using all the diplomatic tools at my disposal to ensure his expeditious return to the United States.

Question. Please characterize the Government of Russia. Do you believe it is moving in the direction of greater democracy, or greater authoritarianism?

Answer. Russia is at a crossroads today. It can take steps to modernize and democratize its political system, diversify its economy, and foster a robust civil society, or it can continue to impose limits on competition, transparency, and governmental accountability that will continue stifling the realization of a more open and prosperous country that serves all Russians.

I am concerned by trends in Russian politics and government. For example, in the wake of the mass public protests that followed elections in 2011 and 2012, the Russian government has adopted a series of measures that appear aimed at restricting the workings of civil society and limiting avenues for public expressions of dissent.

Russia will not thrive without strengthened rule of law so that whistle blowers like Sergey Magnitsky are protected from retribution when they shine the light on official corruption, which Russia's leaders have acknowledged is a cancer on their economy. And as long as opposition figures are thrown in jail, or the murders of courageous journalists such as Paul Klebnikov and Anna Politkovskaya go unpunished, Russia will miss the historic opportunity it has to build a modern and prosperous country that allows its citizens to realize their extraordinary potential.

While only Russians themselves can determine Russia's future course, we continue to believe that political pluralism, democratic accountability and rule of law are the keys to unlocking Russia's enormous potential. As such, if I am confirmed as Secretary of State, I will continue to support Russian efforts to create a more free, modern, and democratic country.

Question. As the Polish Institute of International Affairs pointed out in a recent report, the Russians "have fuelled a feeling of insecurity" among the Baltic States. However, concerns about Russia's intentions have not been limited just to the Baltic States. In the past, Russian presidents have stated there are regions in which Russia has "privileged interests."

- ◆ Do you believe the nations on Russia's border have a right to determine who they wish to ally themselves with?
- ◆ Do you think it is in America's interests to resist Russian attempts to regain de facto control over portions of the Former Soviet Union and, if so, what measures would you favor?
- ◆ What do you think the United States can do to reassure our NATO allies in Eastern Europe that America will not abandon them to Russian threats, even if NATO appears unwilling to stand up to Moscow?

Answer. The United States support for the independence of the Baltic States and the other former Soviet Republics is unwavering and nonnegotiable. The United States stands for the right of every independent country to choose its alliances and associations—political, military, economic, or otherwise—according to its own interests and free from coercion of any kind. This country also stands by the principle that states have the right freely to choose whether to allow foreign forces to be stationed on their territory and that forces that do not have the consent of the host state should be withdrawn. These are principles I supported wholeheartedly in the Senate, and if confirmed as Secretary of State I will continue to do so.

The United States has continued to modernize our force posture in Europe, aligning it with the realities of the 21st century, while also maintaining the capabilities we need to meet our Article 5 commitment to our NATO allies. Our goal remains, as NATO heads of state and government most recently reiterated at the 2010 Lisbon summit, that “in light of common security interests, we are determined to build a lasting and inclusive peace, together with Russia, in the Euro-Atlantic Area.”

Question. After the 2012 NATO summit in Chicago, Secretary Clinton declared the next NATO summit should be an enlargement summit. Do you agree with her statement? What policies should guide membership in the alliance?

Answer. If confirmed, I would continue the United States unwavering support for NATO’s “open door” policy and commitment that any Euro-Atlantic country that wishes to join the alliance and meets the requirements may do so; no non-NATO state has a veto over any country choosing its own alliances.

The United States works bilaterally and through NATO to support aspirants’ efforts to meet NATO standards and encourage them to take the steps required to become interoperable with NATO. The United States offers joint training opportunities, in addition to encouraging and supporting partner contributions to NATO’s worldwide operations, in order to increase interoperability and build an atmosphere of cooperation and trust at all levels of planning and operations.

The enlargement process has, and will, continue to serve as a vehicle for promoting democratic institutions and civilian control of the military within the countries of the Euro-Atlantic region. Through NATO’s open door, the United States has made great strides in realizing the goal of a Europe whole, free, and at peace.

Question. In 2010, the French moved forward with a plan to sell warships to Russia. Since then a number of NATO allies have offered to sell equipment to Russia. Do you believe these sales are appropriate?

Answer. Decisions about such sales are a matter for sovereign states taking into account a host of factors, including international law and regional stability. All countries should exercise good judgment and restraint when it comes to deploying military equipment that could exacerbate tensions in any conflict region. NATO is an enduring alliance that has weathered more than 60 years of sweeping change. The administration remains committed to NATO, and to its mutual obligations to build a safe and secure Euro-Atlantic region.

Question. The recently passed PNTR legislation for Russia included an important provision that requires the U.S. Trade Representative and the State Department to provide an annual report to Congress on the steps they are taking to advocate for American investors in Yukos Oil, the Russian oil company that was effectively expropriated by the Russian Federation in 2007. The annual report will also include a report on the status of the petition filed by American investors in Yukos to request that the State Department formally “espouse” the American claims—meaning the State Department would make compensation for American investors a matter of bilateral negotiations between the United States and Russia.

American investors collectively owned approximately 15 percent of Yukos—a \$12 billion stake based on the value of Yukos at the time the company was dissolved by Russian authorities in 2007. The American investors in Yukos included public pension funds, as well as more than 70 private investment funds in at least 17 States. There also were approximately 20,000 individual American investors.

As the United States and Russia do not share a bilateral investment treaty, without State Department intervention, American investors have no meaningful recourse against the unlawful expropriation of their property.

- ♦ What concrete steps has the State Department taken in the last 6 months to raise this issue with the Russians, and what additional steps are planned for the coming months?
- ♦ And will you move forward in formally espousing the claims of American investors in Yukos and seeking compensation from the Russian Federation?

Answer. The fair treatment of U.S. investors abroad, including in Russia, is a priority for me, and will remain a top priority of the State Department if I am confirmed. It is my understanding that the Department has been closely following the Yukos matter, and has raised it with the Russian Government on numerous occasions since 2007, including demarches to the Ministry of Economic Development and the Ministry of Foreign Affairs, as well as in numerous media interviews.

I understand that the Department is undertaking a comprehensive review of the espousal petition, and is also considering other possible avenues for seeking equitable resolution of the outstanding claims. In addition, the Department is closely monitoring the international arbitration claims brought by Yukos investors under the Spanish and U.K. bilateral investment treaties, the judgment rendered by the European Court of Human Rights on the claims brought by the Yukos Corporation, and the arbitration proceedings brought by majority Yukos shareholders under the Energy Charter Treaty. Before making any final decisions on the best way to address the claims of American investors, the Department believes these proceedings should fully run their course.

Question. It has been reported in the Press that Russia is developing legislation that would bar visas to U.S. officials affiliated with the detention facility at Guantanamo Bay and that the list of individuals detained contains Members of the U.S. Senate and House of Representatives.

- ◆ Do you or does the Department of State know what Members of Congress would be on the Russian GTMO List?
- ◆ What would be an appropriate response to Russia passing such legislation?

Answer. To my knowledge, the Department of State does not have official information with which to confirm or refute press reports about Russian Government intentions to bar Members of Congress from traveling to Russia.

Question. Late in 2012, Russia passed a “Foreign Agent” Law and several other similar measures which, according to the New York Times, will discourage interaction with foreigners by expanding the legal definition of treason to include “providing financial, technical, advisory, or other assistance to a foreign state or international organization.”

- ◆ Have any Foreign Service Nationals at the U.S. Embassy Moscow had to quit due to the passage of this law?
- ◆ What impact will this law have on Embassy and consulate operations in Russia given that the U.S. Government provides payment to Foreign Service Nationals for their services?

Answer. The Locally Engaged Staff in Moscow, Yekaterinburg, St. Petersburg, and Vladivostok are valued employees and serve to support U.S. Government policy goals.

The new Russian law redefining the crime of treason is very broadly written. Though we have not yet seen how it will be enforced, the concern for our Locally Employed Staff is valid, and will have my attention if I am confirmed as Secretary of State. As a longstanding matter of policy, the United States does not ask local Embassy employees to provide sensitive information about their home countries, a fact I will make clear to my Russian counterpart if confirmed. There has been no impact on operations at the U.S. Mission in Russia since passage of the law.

Question. We employ over 800 Russian nationals in our Embassy in Moscow, but the Russians employ no Americans at their Embassy in Washington. Russian employees in Embassy Moscow present an enduring counterintelligence threat. A number of proposals, from eliminating all Russian workers to merely adding American supervisors to the local guard force have been suggested, but none have been enacted.

- ◆ Do you agree that steps must be taken to decrease the number of FSN’s serving at the U.S. Embassy Moscow?
- ◆ What will you do to improve the security situation vis-a-vis Russian workers in our Embassy?

Answer. I take the security of all mission personnel very seriously and if confirmed, I intend to work very closely with staff in Diplomatic Security to review and implement all security recommendations, including those of the last Inspector General’s report for Mission Russia and those contained in the report of the Accountability Review Board.

The Locally Engaged Staff in Moscow, Yekaterinburg, St. Petersburg, and Vladivostok are valued employees and serve to support U.S. Government policy goals. I believe that a reduction in the numbers of these professionals working for the U.S.

Government would not contribute to an improvement in the overall security situation of our missions in Russia.

Question. At present, there is very poor linkage between poor behavior by foreign countries and consequences in response to such behavior. For example and according to press reports, Russians, Pakistanis, and Chinese engage in routine harassment of our diplomats, including killing pets, violating houses, and harassing surveillance.

- ◆ Does and should the U.S. Department of State take any reciprocal actions such as restricting movements and denying visas when this happens to U.S. diplomats?
- ◆ If confirmed, what steps will you take to ensure better treatment for American diplomats abroad?

Answer. Mandated by Congress through the Foreign Missions Act (22 U.S.C. 4301–4316) of 1982, the Department's Office of Foreign Missions (OFM) provides the legal foundation to facilitate secure and efficient operations of U.S. missions abroad, and of foreign missions and international organizations in the United States. In doing so, OFM serves the interests of the American public, the American diplomatic community abroad, and the foreign diplomatic community residing in the United States, ensuring that all diplomatic benefits, privileges, and immunities are properly exercised in accordance with federal and international laws.

As an advocate for reciprocal agreements, OFM presses for fair treatment of U.S. personnel abroad while assuring foreign diplomats based in the United States receive the same treatment that each respective government provides in return.

If confirmed, I am committed to reciprocal and fair treatment of our United States diplomatic and consular missions abroad and their personnel.

Question. In 2001, Argentina had the largest default in history and turned its back on \$81 billion in loans from the international community. In 2005, Argentine President Nestor Kirchner offered a "take it or leave it," nonnegotiable 27-cents-on-the-dollar debt exchange to its worldwide private creditors. President Kirchner refused to negotiate with Argentina's private bondholders and repudiated the country's outstanding debt obligations. Again in June 2010, Argentina temporarily offered to pay the equivalent of 25 percent of what they owed foreign creditors before again repudiating all outstanding debt.

Argentina owes American bondholders \$3.5 billion. With more than \$40 billion in foreign reserves, Argentina can afford to repay what it owes. In the Southern District Court of New York alone, Argentina has refused to honor 100 court judgments ordering it to fulfill its debt obligations. Argentina has also repeatedly disregarded arbitral awards entered against it by the World Bank's dispute resolution panel, the International Court for the Settlement of Investment Disputes (ICSID), despite receiving billions of dollars in World Bank loans.

The United States clearly has an interest in supporting the rule of law and seeing that US court judgments, as well as the rulings of international arbitral panels, are respected.

- ◆ Do you agree that Argentina should be encouraged to meet its legal obligations? If so, as Secretary of State, what new steps will you take to encourage Argentina to do so?

Answer. If confirmed, I will continue the administration's bilateral discussions with Argentine officials and reiterate our serious concerns about Argentina's failure to fulfill its private debt obligations to U.S. creditors, as well as its public debt to the U.S. Government, and press for a resolution to this longstanding bilateral irritant.

It is my understanding that the Department of State has raised International Centre for the Settlement of Investment Disputes (ICSID) cases with the Government of Argentina at high levels over the past few years and continues to urge Argentina to pay the two U.S. companies that hold final and binding awards administered by ICSID. The Department of State also expressed concerns that Argentina has failed to make payments on its sovereign debt obligations, including almost \$550 million to the United States, and has urged Argentina at the highest levels to normalize relations with all of its creditors, both public and private. By resolving its obligations to creditors and investors, Argentina will send a strong signal that it welcomes and encourages the foreign and domestic investment that is crucial for sustained economic growth.

I believe it is important for our countries to manage areas of disagreement and will seek to rebuild a positive bilateral relationship based on shared values, responsibilities, and interests.

Question. Senator Kerry, when you chaired the nomination hearing of Secretary Clinton you stated; “It is my hope that we will embrace deep reciprocal cuts in our nuclear arsenals, and I’m eager to hear Senator Clinton’s thoughts on this matter. Consistent with our security needs, I believe we should set a goal of no more than 1,000 deployed warheads, and that goal should be just the beginning.”

♦ What analysis did you use to arrive at the 1,000 deployed warhead limit?

♦ While the New START Treaty established a threshold of 1,550 deployed warheads, do you support negotiations to reduce our strategic deterrence further?

Answer. I agree with President Obama, who stated the following in Seoul in March 2011: “[W]e can already say with confidence that we have more nuclear weapons than we need. I firmly believe that we can ensure the security of the United States and our allies, maintain a strong deterrent against any threat, and still pursue further reductions in our nuclear arsenal.”

The President directed the Implementation Study of the 2010 NPR to inform the guidance to the Defense Department on nuclear planning to determine force structure, force posture, and stockpile requirements needed to protect the United States and our allies and partners, and to inform plans for employing nuclear weapons in the extreme circumstance in which deterrence fails. The results of this study, when concluded, will inform our position in future discussions with Russia on further nuclear reductions.

Question. Some in the arms control community have prepared reports, including the International Security Advisory Board and Federation of American Scientists, that have encouraged President Obama to bypass Congress and unilaterally reduce our nuclear arsenal.

♦ Do you endorse unilateral efforts to reduce our arsenal?

Answer. Having served proudly in the U.S. Senate since 1985, I have the utmost respect for the role of Congress in the conduct of U.S. foreign policy.

I am mindful of the language in the Arms Control Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and the laws of the United States.

If confirmed, I would ensure that the Department of State will continue its consultations with the Congress on arms control and other issues.

Question. In your testimony before the committee you mentioned that U.S. economic policy and foreign policy are becoming more interconnected and difficult to distinguish. One place where challenges exist is the conflicts between the U.S. Department of Commerce Commercial Control List and State Department’s U.S. Munitions’ List.

♦ What changes would you make and what authority are you willing to cede in order to help U.S. companies improve their exports?

Answer. In August 2009, the President directed a broad-based interagency review of the current export control system to ensure that the system, designed for a bipolar world of the cold war era, could address the threats we face today as well as the changing economic and technological landscape. At the end of the review, the President directed agencies to undertake fundamental reforms in what we control, how we control it, how we enforce those controls, and how we manage our controls.

It is my understanding that, since then, agencies have worked to implement the President’s vision. A key part of this effort has been the work by the Departments of State, Defense, and Commerce to update the U.S. Munitions List (USML) and the Commerce Control List (CCL). By working steadily and collegially—in a field that traditionally has been fraught with interagency disputes—these agencies are methodically accomplishing this enormous task. They identified items which, because of their sensitivity, will stay on the USML and remain subject to the strict licensing requirements of the Arms Export Control Act (AECA). Those items of an inherently dual-use nature will be moved to the CCL, where they will not be decontrolled, but rather subject to the more flexible licensing mechanisms that are available under the Commerce licensing authorities while remaining subject to U.S. embargoes. This prioritization of our controls, to dispense with what former Secretary of Defense Gates has called the “easy cases” to our allies where we say “yes” 100 percent of the time, will enable us to better focus on the items and destinations of greatest concern. As required by the AECA, the Department will notify Congress of any planned changes to the USML. In fact, it is my understanding that the first such notification likely will occur in the next few months.

There is still more work to be done, but when finished, these list reforms will focus our resources on the threats that matter most, and help us work more effectively with our allies in the field. They will bring transparency and coherence to a

field of regulation which has long lacked both. And by enhancing the competitiveness of our manufacturing and technology sectors, which will help maintain and create jobs, they will help us to both expand our secure trade and strengthen our national security.

The authorities in the AECA to control the export of goods and technologies on the USML are provided to the President. The President has delegated many of the AECA authorities to the Secretary of State. The President will continue to determine where the AECA functions should be placed within his administration to best benefit U.S. national security and foreign policy interests.

Question. What is the likelihood of bringing more nuclear weapon states into INF?

Answer. Twenty-five years after its signing, the Intermediate-Range Nuclear Forces Treaty (INF Treaty) remains a singular achievement in nuclear arms control, and an inspiration for future work.

The United States believes that our world would be a safer and more secure place if all nations would eliminate and renounce the intermediate-range missiles covered by the INF Treaty.

Indeed, in October 2007 the United States joined Russia in issuing a statement at the 62d session of the U.N. General Assembly calling on all countries to give a global character to the INF Treaty by renouncing the types of missiles covered by the treaty.

Nonetheless, the administration is not convinced that a “one-size-fits-all” global treaty on such missiles is the best way to address the issue. Accordingly, the administration will also explore options for addressing the issue on a regional basis.

Question. We have heard Moscow complain that U.S. investments in Missile Defense threaten to upset the strategic balance that exists. How would you characterize Russia’s Missile Defense Investments (both unilaterally and with other nations)?

Answer. Russia’s missile defense capabilities are largely focused on theater missile defense systems such as the S-300 and S-400, although Russia has maintained the Moscow ABM system since Soviet times. In addition, Russia also has a number of sensors that could have a role in a missile defense system.

Russia follows U.S. missile defense developments closely. Russian officials have said publicly that Russia is putting a strong emphasis on improving its aerospace forces as part of its response to U.S. programs. If confirmed, further details could be discussed in a briefing with my interagency colleagues.

Question. Is Russia’s calculation for the number of nuclear weapons in its arsenal based solely on U.S. and NATO estimates or does Russia also take into consideration the size, composition and investment of countries like China and India when determining the size and composition of its deterrent?

Answer. It is my understanding that to the best of the Department’s knowledge, Russia’s calculation for the number of nuclear weapons in its arsenal takes into account a number of factors, including U.S. and NATO estimates. Russian strategic experts have published analyses in the press that suggests Russia is sensitive to Chinese military programs. If confirmed, further details could be discussed in a briefing with my interagency colleagues.

Question. Could you please describe the importance of verification and compliance in arms control negotiations?

Answer. The United States places a very high priority upon verifying compliance with, and detecting violations of, arms control agreements. A key criterion in evaluating whether an agreement is effectively verifiable is whether the United States would be able to detect, and respond to, any attempt by another Party to violate its obligations in a way that has military significance, well before such an attempt became a threat to U.S. national security.

Question. Is Russia living up to all arms control agreements to include the PNIs, INF, New START, and the U.S. definition of what constitutes a test under the CTBT?

Answer. For issues relating to Russian compliance, I refer you to the Annual Compliance Report produced by the Department of State. Both the unclassified and classified versions of that report will give you a view of issues regarding compliance with all our treaty partners, including Russia.

Question. Do you see China as a strategic partner or strategic competitor for the United States, and how do you interpret China’s massive military buildup over recent years?

Answer. U.S.-China relations have elements of both cooperation and competition. The United States should continue to work with China to manage our differences where we cannot resolve them and continue to build an increasingly cooperative partnership across the range of bilateral, regional, and global issues that confront us today. I disagree with views held by some in both the United States and China that conflict with the United States is an inevitable outcome of a rising China. In fact, the United States welcomes a strong and prosperous China that plays a key role in world affairs and adheres to international standards.

On the military front, the United States seeks a healthy, stable, reliable, and continuous military-to-military relationship with China. Increased contacts and exchanges between our two militaries would help expand areas of cooperation, narrow differences, and eventually lead to Chinese choices that will benefit our shared long-term security interests.

The United States continues to both closely monitor China's military modernization program and encourage China to exhibit greater transparency with respect to its capabilities and intentions. The United States also encourages China to use its military capabilities in a manner conducive to the maintenance of peace and stability in the Asia-Pacific region.

Question. Should North Korea conduct an additional underground nuclear weapons test, what actions would you recommend the President taking unilaterally and multilaterally to further isolate them from the global community?

Answer. If confirmed, I would support strong U.S. and international condemnation of a third nuclear test by North Korea. A nuclear test by North Korea would be a mistake, a miscalculation, and would set back the cause of resolving issues that relate to the Korean Peninsula diplomatically, most importantly the issue of denuclearization. This provocative act would directly violate North Korea's international obligations under United Nations Security Council resolutions, and if confirmed I would support a strong international response. The United States should continue to make clear that it will take steps necessary to defend the United States and our allies.

Question. It appears that China is so concerned about instability in North Korea that it will do whatever is necessary to prevent a flood of North Korean refugees from crossing into its territory. What will your strategy be for getting China to be more supportive in the UNSC for further sanctions against North Korea?

Answer. The United States and other six-party-talks partners should continue to urge the leadership in Pyongyang to choose the path toward peace and prosperity; staying on its current path will only lead North Korea deeper into isolation. The United States should continue to pursue its dual-track policy of pressure and engagement to sharpen the DPRK's choices.

The United States and China have a shared interest in a denuclearized Korean Peninsula, so the United States should continue to encourage China to more effectively leverage its unique relationship with the DPRK to achieve our common goal. The United States has worked actively with China in the U.N. Security Council (UNSC) to develop UNSC Resolution 2087 and previous UNSC actions related to North Korea. If confirmed, I would support the administration's policy of continuing to emphasize to China and others the necessity of North Korean denuclearization and the importance of our approach to achieving that goal.

Question. Should the North Koreans conduct another nuclear weapons test, should the United States consider relisting them as a State Sponsor of Terrorism?

Answer. As a matter of law, in order to be designated as a State Sponsor of Terrorism, the Secretary of State must determine that the Government of North Korea has repeatedly provided support for acts of international terrorism. Available information does not indicate that the DPRK government has repeatedly provided support for acts of international terrorism since its designation was rescinded in October 2008. A nuclear weapons test conducted by North Korea would not be considered such support.

Even without being designated as a State Sponsor of Terrorism, North Korea remains among the most heavily sanctioned countries in the world. It is subject to a wide array of multilateral and unilateral sanctions based on its detonation of a nuclear device, ballistic missile activity, proliferation activities, human rights violations, and status as a Communist state.

Question. Is providing conventional weapons and funding to U.S. designated Foreign Terrorist Organizations enough to add North Korea back on the State Sponsors of Terrorism list?

Answer. If I am confirmed, the Department of State will continue to apply the law as the facts warrant. It is my understanding that, based on currently available information, the DPRK does not meet the statutory criteria for designation as a State Sponsor of Terrorism. The Department regularly reviews the available intelligence on North Korea to determine whether it should be designated as a State Sponsor of Terrorism and will pursue immediate action if credible evidence supports North Korea's designation as a state sponsor of terrorism under the statutory criteria.

Question. Senator Kerry, as you know, there is a growing global market for civilian nuclear power plants. Worldwide, 67 commercial nuclear reactors are under construction and an additional 158 reactors are planned or on order. The Commerce Department estimates the commercial opportunity over the next decade may be worth as much as \$740 billion. If U.S. suppliers were able to capture nominally 25 percent of this market, they would create or sustain up to 185,000 high-paying American jobs.

♦ Can you assure us that, as Secretary of State, you will work to open up foreign markets for U.S. nuclear exports?

Answer. Nuclear energy is an important component of the administration's sustainable energy platform both domestically and internationally. I am keenly aware of the economic opportunities that a growing nuclear export market provides. The United States also supports nuclear exports for foreign policy reasons, including energy security, national security, and nonproliferation. However, in comparison to other energy sources, nuclear power presents a unique set of challenges, most notably those related to safety, security, and nonproliferation. U.S. exports can be conducted in a way that meets those challenges. If confirmed, I will work to open up foreign markets for U.S. nuclear exports in conformity with our overall nuclear nonproliferation legal requirements and nuclear policy objectives.

Question. Do you agree that America's global strategic interests are advanced by the commercial engagement of U.S. nuclear firms with foreign countries that are developing civil nuclear power, and by the bilateral agreements for civil nuclear cooperation that make such engagement possible?

Answer. I believe that significant commercial and nonproliferation benefits flow from the involvement of U.S. suppliers in the global civil nuclear market. U.S. agreements for peaceful nuclear cooperation must embody and advance our nonproliferation obligations and objectives while supporting to the maximum degree possible the commercial equities associated with potential cooperation with any given partner.

Question. Are you committed to concluding bilateral agreements for civil nuclear cooperation with emerging markets for civil nuclear power?

Answer. If confirmed, I will continue to uphold the U.S. commitment to negotiating agreements for peaceful nuclear cooperation with countries in emerging markets where those agreements can further both our nonproliferation obligations and objectives and our commercial interests.

Question. On the heels of State Department's first Quadrennial Development and Diplomacy review (QDDR), you authored legislation to ensure successive Secretaries of State would continue issuing this report. Will you issue a QDDR at the appropriate time?

Answer. If confirmed by the Senate, I will continue the Quadrennial Diplomacy and Development Review process begun by Secretary Clinton. As you know, the committee passed a bill in September of last year mandating the Secretary of State to conduct a review every 4 years. As SFRC chairman and as Secretary-designate, I support this bill and encourage the House and Senate to approve the legislation in 2013.

Question. While I applaud the efforts of the Department to develop this important document, as you know the Department of Defense produces a number of documents, including a Quadrennial Defense Review, that are used to help inform the drafting of the Future Years Defense Plan (FYDP).

With a completed QDDR, will you also take the additional steps of drafting a similar long-term strategic budget and other planning and programming documents?

Answer. As you know, the QDR was the inspiration for the QDDR, and the Departments of State and Defense continue to exchange information about their respective budgeting and planning processes. It is my understanding that, as recommended by the 2010 QDDR, the State Department has begun to pilot a multiyear

budgeting and planning process in a number of bureaus that will subsequently be adopted agencywide.

Question. In response to a litany of national security leaks from earlier last year the Director of National Intelligence on June 25, 2012, announced steps to deter and detect unauthorized disclosures of classified information. Specifically, this policy change mandated that a question related to unauthorized disclosures of classified information be added to the CI polygraph used by all agencies that administer the examination, specifically, the CIA, DIA, DOE, FBI, NSA, NRO, and NSA.

- ◆ Do you agree that INR should have the same polygraph policy as other USIC components?
- ◆ Will you pursue a policy where at a minimum, all new INR personnel hires for a TS/SCI position receive a CI polygraph and all existing employees with a TS/SCI clearance are subject to random polygraphing like other IC components?

Answer. INR staff are employees of the Department of State and are hired under the same standards as other Department employees. It is my understanding that it has been longstanding Department policy not to utilize polygraph examinations as part of the hiring or clearance granting processes, but to use the polygraph for investigatory purposes as appropriate. If confirmed, I would want to look carefully at all of the relevant issues before making any decisions about that policy.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR MARCO RUBIO

Question. Since December 2009, the Cuban Government has been holding an American development worker, Alan Gross, hostage for helping the Jewish community in Cuba get uncensored Internet access. The U.N.'s Working Group on Arbitrary Detentions has held Gross' imprisonment to be arbitrary. The United States should pressure the Cuban Government to release Alan Gross. However, the Cuban Government should not be rewarded with any unilateral concessions for Gross' imprisonment—whether before or after Gross' release—for this will only endanger American lives in the future and encourage further hostagetaking.

- ◆ If confirmed, would you commit not to reward the Cuban Government for the arbitrary imprisonment of Americans?

Answer. If confirmed, I will do everything in my power to protect the safety and security of American citizens around the globe, including in Cuba. Alan Gross is a 63-year-old husband, father, and dedicated professional with a long history of providing assistance and support to underserved communities in over 50 countries. His incarceration is unjust and his release is a humanitarian issue. If confirmed, I will continue to use all appropriate diplomatic means to secure Mr. Gross' release.

Question. The Agency for International Development's democracy programs are pivotal to helping Cuba's civil society gain access to new technologies, basic support for the marginalized families of political prisoners, training for independent journalists, labor activists, and other targeted groups. We have read reports regarding of previous efforts to halt the democracy programs, which are authorized by law.

- ◆ If confirmed, would you continue to support the Cuban democracy programs?

Answer. If confirmed, I will continue U.S. policies that promote democracy, freedom of expression and assembly, and human rights in Cuba. It is the administration's view that we should help those who work for positive change in Cuba, including human rights and pro-democracy activists, independent journalists, and broader civil society. The Cuban democracy programs are one element of the strategy to support these objectives. If confirmed, I will seek ways to increase the independence of the Cuban people so that they may freely determine their own future.

Question. While State and Treasury have worked with me to streamline procedures to make sure people-to-people programs are truly benefiting the Cuban people, reports of trips being hosted by the government and meeting with the neighborhood watch committees (CDRs), continue to take place. The President's policy states that these programs were designed to foment the Cuban people's "independence" from the regime; but in fact, the itineraries are controlled by the regime on the island.

- ◆ Would you work to uphold the administration's original intent of these trips and ensure they are not being used for tourism purposes, which is against U.S. law, or for the benefit of the Cuban Government?

Answer. If confirmed, I will continue to support the administration's desire to increase purposeful travel; support private enterprise and civil society in Cuba;

enhance free flow of information to, from, and among the Cuban people; and help promote their independence from the Cuban state. In May 2012, the Department of the Treasury's Office of Foreign Assets Control (OFAC) amended the "Comprehensive Guidelines for License Applications to Engage in Travel-Related Transactions Involving Cuba" to require additional information from people-to-people license applicants, including information on how their proposed travel would enhance contact with the Cuban people and/or support civil society in Cuba and/or help promote the Cuban people's independence from Cuban authorities. The administration continues to assess implementing procedures to ensure that benefits to Cuban civil society of U.S. travel outweigh any potential benefits to the Cuban Government.

If confirmed, I will ensure that the Department of State continues to work closely with the OFAC and refer to OFAC any potential violations of which the State Department becomes aware.

Question. Foreign aid programs that require fiscal accountability and the adoption of policies for good governance, economic freedom, and respect for the rule of law by recipient nations are a critical component of our national security strategy.

- ♦ What are your thoughts on conditioning non-HIV, nonsecurity assistance on country recipients' adherence to democratic governance?

Answer. U.S. foreign assistance seeks to support good governance, economic freedom, and respect for the rule of law. I agree that assistance is most effective with partners who embrace these goals. However, it is also important that foreign assistance authorities maintain the flexibility necessary to meet our national security and foreign policy objectives. Imposing such conditions could unduly restrict our efforts, especially in contingency situations. Moreover, restricting assistance to countries that do not already meet a certain standard of democratic governance would undermine our efforts to provide assistance that promotes the democratic institutions necessary to reach a higher standard.

Question. As Secretary of State you will chair the Board of Directors of the Millennium Challenge Corporation. MCC Compacts are highly coveted by recipient nations, for the good governance and international credibility they convey. However, in at least two occasions in the last 3 years—Honduras 2009 and El Salvador 2012—MCC has been slow to react to undemocratic events in recipient countries in the Western Hemisphere.

- ♦ Does MCC have enough flexibility in their contracts to swiftly stop funding flows even in the final months of a compact?
- ♦ If confirmed, what measures would you proposed to the Board to ensure MCC reacts swiftly to undemocratic events in recipient countries?

Answer. MCC has the ability to stop funding flows, even in the final months of a compact, and has done so in certain extraordinary circumstances. For example, in May 2012 the MCC Board terminated Mali's compact, which was due to be completed in September 2012, because of the military coup.

If confirmed, I will work with the rest of the MCC Board to weigh carefully the merits of swift MCC actions in response to undemocratic events in MCC countries. In making such evaluations, I will rely to a great extent on input from our embassies overseas, which provide a steady stream of political and economic reporting from the field. MCC grants are premised on a country's commitment to democratic governance and rule of law and I take that condition seriously.

Question. Diplomatic requirements post-September 11, 2001, have exposed the State Department's need for a major structural and personnel overhaul. If confirmed, I hope you make a sustained effort and that we can work together on this endeavor, to make at State the deep cultural and structural reforms the Defense Department undertook through the Goldwater-Nichols Act.

- ♦ Would you support the adoption of a national security professionals program of some kind, designed to foster interagency collaboration, as part of State's Foreign Service and Civil Service?

Answer. The Department of State and other agencies are working closely with the Office of Personnel Management (OPM), which has taken the lead to implement a Presidential Executive order to Develop National Security Professionals who can effectively work together, across agencies and levels of government.

The National Defense Authorization Act (NDAA) for Fiscal Year 2013 (recently enacted into law on January 2, 2013, as Public Law 112-239) mandates the creation of an interagency rotation program for national security professionals involved with such matters as emergency management, and stabilization and reconstruction. The

Department is evaluating how best to implement this law within the 270-day time-frame.

Question. To what extent would fostering interagency national security professionals require changes to the State Department's personnel system or conflict with the demands with State's internal career development programs?

Answer. The Department's Foreign Service Institute (FSI) currently offers the National Security Executive Leadership Seminar, which is a training and collaborative opportunity for State and interagency officials; the 10-day course is part of State's contribution to the broader training of National Security Professionals. The Department will be working closely with OPM to see what changes would need to be made and how National Security Professional principles can be integrated into other ongoing efforts to improve the Civil Service system and processes as it implements the program called for in the FY13 National Defense Authorization Act.

Question. The State Department Office to Monitor and Combat Trafficking and Slavery (JTIP) is frequently overridden in its recommendations of tier rankings in the annual TIP Report by regional bureaus or embassies with priorities other than trafficking eradication. Antitrafficking experts have raised concerns about "grade inflation" in the tier ranking process.

♦ If confirmed, will you work to reduce the influence of political concerns on the tier ranking system?

Answer. If confirmed, I will make combating trafficking in persons (TIP) a priority not only because modern slavery is morally reprehensible, but because it is in the United States strategic interest that it be brought to an end.

The tier rankings in the annual TIP Report have been, and will continue to be under my tenure if confirmed, based on the facts and the application of the Trafficking Victims Protection Act. If confirmed, I will ensure that the State Department listens to government concerns and continues robust diplomatic engagement on TIP issues, but grounds the report in thorough research and the clear performance indicators given by Congress in the Trafficking Victims Protection Act. When governments do not produce results in holding trafficking offenders accountable and providing comprehensive services to victims, the shortcomings will be documented in the report narratives. Many governments—including some critics—use the report's findings as a guide for addressing human trafficking effectively. The overall positive impact and results of this report have been extraordinary.

Further, Congress has expressed clearly in section 107 of the Trafficking Victims Protection Reauthorization Act of 2008 its concern about countries remaining on Tier 2 Watch List for multiple consecutive years. I will continue to address Congress' concern by implementing the law in a manner so as to encourage governments performing weakly on antitrafficking goals fight trafficking more vigorously.

Question. Countries which receive a Tier 3 rating from the Trafficking in Persons Report are subject to nonhumanitarian, nontrade related foreign aid sanctions. The President has the option of using a national security waiver on countries who receive Tier 3 status. Since 2004, the President has used the waiver, either partial or full, on a variety of countries.

♦ How effective do you believe the sanctions are in influencing countries to improve their human trafficking policies?

♦ What is the impact of granting national security waivers on the effectiveness of the sanctions and the fight against human trafficking?

Answer. The effect of the Trafficking Victims Protection Act (TVPA) Tier 3 sanctions is best understood in the context of the overall tier ranking process and the close scrutiny of foreign governments' activities to fight trafficking as delineated in the Trafficking in Persons (TIP) Report. Foreign governments routinely take antitrafficking measures when faced with the possibility of a downgrade to Tier 3, whether through criminalizing trafficking in persons, protecting trafficking victims, strengthening interagency coordination to fight trafficking, or increasing prosecutions of trafficking offenders.

The United States uses a range of tools to fight human trafficking abroad: In addition to sanctions, we maintain robust direct diplomatic and public engagement campaigns on this issue, and fund dozens of different antitrafficking projects in countries around the world. Waiver decisions are made on a case-by-case basis, and in all such instances the President has determined that a full or partial waiver will either serve to promote the purposes of the act or is otherwise in the national interest of the United States. In many of the Tier 3 countries, the waivers permit the U.S. Government to strengthen human rights programs and protect vulnerable populations, consistent with the TVPA's waiver provision. The targeted use of sanc-

tions, along with the information highlighted each year in the TIP Report, reinforces our other efforts to encourage foreign governments to take responsibility for the human trafficking occurring within and across their borders.

Question. If the U.S. troop presence in Afghanistan were to fall to as few as 10,000 after 2014, how do you believe that should affect planning for our enduring diplomatic presence in the country?

Answer. The State Department is working closely with the National Security Staff and the Department of Defense to develop options to present to the President for an overall U.S. Government enduring presence. These options are being developed to reflect our vital national interests, including diplomatic and development efforts. While these options are under review, it would be premature to discuss them at this juncture.

Question. A major part of our efforts to leave behind a stable Afghanistan includes persuading uncommitted members of the insurgency to rejoin society; which is in turn heavily influenced by the Afghan Government's ability to provide a better alternative to Afghans living under Taliban and al-Qaeda influence at this moment.

- ◆ How would a drawdown of U.S. troops in Afghanistan to less than 10,000 troops impact the Afghan Government's capacity to implement development programs outside of Kabul?

Answer. The Government of Afghanistan's capacity to deliver basic services and development projects to its citizens throughout the country has improved significantly in the last 5 years and operates, for the most part, independently from international military forces. The United States has helped Afghan ministries build their own capacity by improving staff training and retention, strengthening management and administrative processes and systems, and developing strong partnerships with Afghan and international nongovernmental organizations who assist in the delivery of basic services and reconstruction. While the Afghan Government has certainly benefited from the overall improved security environment maintained by international forces, both the United States Government and the Afghan Government anticipate that the Afghan National Security Forces will be able to effectively maintain those gains, and that various ministries will continue to improve their delivery of services up to and beyond the 2014 security transition.

Question. Considering Afghanistan's neighbors, border protection seems pretty important to me. Post-2014, how confident are you that the Afghans can effectively monitor and control the access points to their country, particularly from Pakistan and Iran if the U.S. military presence drops below 10,000 troops?

Answer. Afghanistan's ability to control its own borders is an important part of preserving security post-2014. The U.S. Government has worked with Afghanistan to strengthen its capacity to effectively monitor and secure its borders in order to facilitate transportation and trade, while limiting the flow of destabilizing elements such as narcotics and explosives components. Through its training mission, the International Security Assistance Force (ISAF) is building the capabilities of the Afghan Border Police (ABP), though this force remains challenged by factors such as limits on human capacity and some of the most geographically challenging border regions in the world. The ABP now regulates 5 airports and 14 border control points, using equipment that improves the monitoring of cargo and the flow of travelers between these border points. ISAF is also training Afghan counterterrorism forces that will be able to respond to cross-border threats from insurgents.

We welcome cooperation between Afghanistan and its neighbors on border issues. On Iran, the United States does not oppose productive cooperation with Afghanistan on issues such as the flow of narcotics and refugee issues. While Afghanistan's relationship with Pakistan has previously suffered over issues such as cross-border firing, the two nations have made progress in recent months. The Pakistan and Afghanistan militaries have increased communication, facilitating clearer responses to cross-border firing. In coordination with ISAF, both nations are also developing standard operating plans to resolve these incidents before they escalate. We support this type of engagement, which serves to strengthen cooperation over border issues.

Question. What assurances would you give to Afghan women's group and minorities about U.S. support for a post-2014 Afghanistan in which their rights are protected?

Answer. Let there be no doubt that even as the U.S. role in Afghanistan changes during the next years of transition, the United States will remain committed to supporting the rights of women and girls in Afghanistan. As President Obama said at his joint press conference with President Karzai earlier this month, the United States strongly believes that Afghanistan cannot succeed unless it gives opportunity

to its women. We will continue to voice very strongly support for the Afghan Constitution, its protection of minorities, and its protection of women. We will continue working closely with the Afghan Government and international community to advance the progress that has been made and we will not accept an erosion of women's rights and freedoms at this critical juncture.

We will also continue to raise regularly and as a priority with Afghan officials the need for meaningful participation of women in key government institutions, independent Afghan institutions and other branches of government at central and local levels, we will continue to encourage the meaningful participation of women in any reconciliation process.

It is essential that human rights and women's rights concerns remain a priority in any discussions of reconciliation and reintegration. As a part of the outcome of any process, the Taliban and other armed opposition groups must end violence, break ties with al-Qaeda, and accept Afghanistan's Constitution.

Our strategy for Afghanistan includes substantial assistance to women to build their capacity to participate fully in Afghan society—in the political, economic, education, health and social realms—and thereby help build their country's future. We are developing a significant program for women during the transition period that will promote opportunities for women in all sectors and lead to careers in government, as small business leaders and other areas. As levels of U.S. assistance decline in Afghanistan, we will work to ensure that programs to protect women's rights will not be disproportionately affected.

The Strategic Partnership Agreement speaks to the mutual commitments of the United States and the Afghan Government in protecting and promoting women's rights and role in society. Protecting the gains of Afghan women is also part of the Mutual Accountability Framework (TMAF) adopted in Tokyo. The TMAF commits both governments to improve access to justice for all, particularly women, and to ensure that women can fully enjoy their economic, social, civil, political, and cultural rights. It further calls on both governments to demonstrate progress on the implementation of both the Elimination of Violence Against Women Law and the National Action Plan for Women.

Afghan women and girls should be proud of the progress they have made over the last 10 years, and now that we have entered into this period of transition, it's absolutely critical that all of us work together to protect these gains and expand on them in order for Afghanistan to prosper further. With the support of the United States and international community, there has been much progress over the past several years, which no one wants to see reversed. In 2001, life expectancy for women in Afghanistan was just 44 years of age. Now it is 62 years. Back then, almost no girls went to school. Today, 3 million do. More Afghan children are living past their fifth birthday today than at any time in their recent past. Women today hold office at provincial and local levels. However, we recognize there is still a mountain to climb in order to solidify and advance these gains.

Question. Secretary Clinton often talked about the need to simultaneously “fight, talk, and build” in Afghanistan. Given that President Obama has announced an acceleration of the withdrawal of U.S. combat forces, what role do you envision talks with the Taliban playing in U.S. Afghan policy?

Answer. The United States remains firmly committed to supporting an Afghan-led peace process as the surest way to end violence and ensure the lasting stability of Afghanistan and the region. The U.S. role is to help open the door for talks between Afghans about the future of Afghanistan. On January 11, Presidents Obama and Karzai agreed to support the opening of a Taliban Political Office in Doha, and urged the Qataris to facilitate this effort. The Qatari government has publicly affirmed its support for the opening of the office. We hope the Taliban will now do what is necessary to open the office, which will pave the way for direct talks between the Taliban and the Afghan High Peace Council.

We have made clear that any peace process must respect the historic achievements that Afghanistan has made over the past decade. As a part of the outcome of any political settlement, the Taliban and other armed opposition groups must end violence, break ties with al-Qaeda, and accept Afghanistan's Constitution—including provisions that protect the rights of all citizens, including women and minorities. If this happens, we believe the Taliban can be a part of Afghanistan's future.

The Afghan Peace and Reintegration Program (APRP) is another program that offers an opportunity for the Taliban to reintegrate into Afghan society. To date, more than 6,000 former Taliban have reintegrated through this program.

Question. How important is it that the United States, along with allies, maintains a military presence in Afghanistan beyond 2014?

Answer. As President Obama said in his joint press conference with President Karzai on January 11, the United States interest post-2014 “is to make sure that al-Qaeda and its affiliates cannot launch an attack against the United States or other countries from Afghan soil.” This will be accomplished through two tasks—training and advising the Afghan National Security Force so that they can maintain full responsibility for security in Afghanistan, and targeted counterterrorism missions against al-Qaeda and its affiliates. The President is still reviewing options for the size of this post-2014 force, which will also affect the size and scope of our civilian mission.

Question. Given scheduled Presidential elections next year in Afghanistan, how do you plan to work with our Afghan partners to ensure that the election is a success and that the charges of vote-rigging that plagued the 2009 Presidential election are not repeated?

Answer. In President Obama’s and President Karzai’s joint statement of January 11, President Karzai outlined the Afghan Government’s plans to hold free, fair, inclusive, and democratic elections in 2014. A successful election would bring about a peaceful transfer of power from President Karzai to his successor in a process acceptable to the Afghan people. This would bolster the legitimacy of the government and send a message to all parties that their interests can be better advanced through political participation than through violence.

We are realistic about the challenges for the 2014 elections, but we are encouraged by actions the Afghans are taking in conformance with their laws and constitution. Afghanistan’s Parliament, the Cabinet, and Independent Election Commission are broadly consulting, including with civil society, on changes to the legislative framework for elections, and the best methods of identifying and registering voters to prevent fraud while maintaining an inclusive process. We are encouraging Afghan authorities to adopt laws that will strengthen democratic institutions, uphold the right of media to report on electoral developments, ensure the political independence of the election administrators, and allow election disputes to be resolved openly and fairly.

USAID is the lead agency in providing assistance and administering programs to build the capacity of Afghan institutions and civil society to manage and participate in electoral processes. Both USAID and the State Department engage regularly through diplomatic channels with Afghan officials, civil society, and political leaders to support the Afghans’ commitment as stated in the Strategic Partnership Agreement to free, fair, and transparent elections in which all those who participate do so freely without internal or external interference. We will continue to coordinate with the U.N. and other donors on training, public information campaigns, fraud mitigation, domestic observation efforts, and improved ways to identify eligible voters in the leadup to the elections.

Question. What is your plan to help ensure that a post-Assad Syria is friendly toward the United States and is at peace with its neighbors?

Answer. Since the start of the unrest in Syria, the United States has been clear that we will support the efforts of Syrians within and outside the institutions of government who seek to bring an end to the regime and build a democratic, just, and inclusive Syria. If confirmed, I will continue to support the administration’s policy of supporting a Syria-led political transition by pressuring President Assad to step aside, by empowering the moderate, responsible elements of the opposition through political and nonlethal support, and by responding to the urgent humanitarian needs of Syrians who are suffering as a result of the Assad regime’s brutality. Ultimately, a free and prosperous Syria that meets its international obligations and respects the rights and dignity of its people will be a constructive player in the region and partner for the United States.

Question. What steps can the United States take to help ensure that the secular/nonextremist forces within the opposition are empowered and ready to participate in the post-Assad transition?

Answer. The United States efforts to empower moderate, responsible forces in Syria fall into two broad categories. First, the administration has imposed targeted sanctions to expose and combat the interventions of Iran, as well as terrorist groups like Al Qaeda in Iraq (AQI)-affiliated al-Nusrah Front, which has sought to hijack the Syrian struggle for their own narrow purposes. The recent amendment of the AQI foreign terrorist organization designation to include the alias al-Nusrah Front makes it clear that the United States is aware of the threat of extremism to the future of a peaceful, prosperous, unified Syria. The administration is doing everything it can to curtail extremist influence.

Additionally, the administration is empowering those in the opposition who seek a stable, prosperous, and unified Syria. The United States and our international partners actively supported the efforts of the Syrian people to launch the Syrian Opposition Coalition (SOC) in Doha in November 2012. The administration is also providing approximately \$50 million in nonlethal support to the unarmed, civilian-led Syrian opposition and civil society groups, including local councils and grassroots organizations. This assistance provides training and equipment to the Syrian unarmed opposition to build up a nationwide network of ethnically and religiously diverse civilian activists, which will help promote unity among the Syrian people and accelerate the country's democratic transition.

If confirmed, I will work hand-in-hand with the other members of the U.S. Government and international community to ensure that our efforts to combat violent extremism are coordinated appropriately. This strategy should include continuing the humanitarian and nonlethal assistance programs which are already underway, as well as working to support the implementation of a political transition as soon as possible.

Question. Many Syrian activists have complained that U.S.-provided assistance touted by the administration has either not materialized or not been directed toward worthwhile groups and activities.

- ♦ What will you do to ensure that the United States is doing all possible to assist those Syrians who are trying to rid themselves of the Assad regime and that any U.S. assistance is being used appropriately and to a good end?

Answer. The United States is the largest bilateral financial donor to the international effort to provide life-saving aid for Syrians suffering through this crisis. Our humanitarian assistance—provided on the basis of need and not political affiliation—is channeled both through contributions to U.N. and through other international agencies as well as partner nongovernmental organizations. Our aid is intentionally not labeled, in order to avoid endangering its recipients or the humanitarian workers bravely working to deliver it. Although violence and insecurity have significantly impeded humanitarian organizations and actors inside Syria from reaching all those in need, the United States is exploring opportunities to continue channeling assistance to all areas of Syria through a range of partners and methods. Funding for the humanitarian response has also been a serious concern. The United States is leading international efforts to encourage financial contributions to U.N.'s recently revised humanitarian appeals as well as urging donors to provide in kind assistance in close coordination with U.N. partners.

In terms of nonlethal assistance provided to opposition and civil society groups, the administration is committed to ensuring this support reaches moderate, responsible actors who share a goal of a stable, prosperous, and unified Syria. The vetting of partners and beneficiaries of U.S. assistance in Syria is, and has always been, a high priority. As with all U.S. assistance worldwide, including for Syria, there are mechanisms to monitor U.S. assistance to ensure that it goes to the intended recipients.

Question. Do you agree that it is clear that Russia is not willing to play a productive role in bringing an end to the Assad regime?

Answer. Clearly, the United States and Russia have significant differences in our approach toward the crisis in Syria.

The United States and Russia both strongly support the mission of U.N.–Arab League Joint Special Representative Brahimi, and both support the Geneva Communiqué of June 30 as a framework for facilitating a durable, Syrian-led political solution to the crisis.

However, in order to play a constructive role, Russia should cease its support to the Assad regime and join the international consensus that Assad must step aside to make way for a government that addresses the legitimate aspirations of the Syrian people. As Secretary, I would ensure that the Department continues to call on Russia to cut off the regime's supply of Russian weapons, especially attack helicopters, and the Assad regime's access to Russian banks. I would also ensure that our diplomatic engagement with Moscow continues in order to persuade the Russians to play a constructive role in supporting a Syrian-led transition.

Question. President Obama has stated that the use of chemical weapons by the Assad regime would cross a redline that would lead to intervention in Syria by the United States. Do you foresee any other eventuality under which the United States would militarily intervene in that country?

Answer. The President has indeed been very clear and consistent regarding his redlines on chemical weapons (CW). If the regime were to use CW, lose control of

it, or transfer it to a third party, the U.S. calculus would change. The United States continually monitors Syria's proliferation-sensitive materials and facilities, and this administration is prepared to act if necessary.

If confirmed, I am committed to using all available, practical, and responsible means to end the suffering of the Syrian people. However, whichever judgments we make must pass the test of making the situation better for the Syrian people and must also take into account the long-term human, financial, and political costs for us, Syria, and the region.

Question. On January 10, President-elect Chavez of Venezuela failed to appear for his swearing-in ceremony as required by the Venezuelan Constitution at the beginning of each Presidential term. Neither the Venezuelan Supreme Court nor National Assembly—both controlled by Chavez's political allies—have followed the constitutional order in designating a caretaker government in Chavez's absence.

Article 20th of the Inter-American Democratic Charter says that "In the event of an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order in a Member State, any Member State or the Secretary General may request the immediate convocation of the Permanent Council to undertake a collective assessment of the situation and to take such decisions as it deems appropriate."

- ♦ If confirmed, what instructions would you give U.S. Ambassador to the OAS Carmen Lomellin about the need for the OAS to assess this ongoing situation?
- ♦ What impact does this situation have on democratic governance consensus in this hemisphere?

Answer. If confirmed, I will work closely with the Assistant Secretary for Western Hemisphere Affairs and the U.S. Ambassador to the Organization of American States (OAS) to continue monitoring both President Chavez' health and the effects that it may have on an eventual transition of power in Venezuela. As the Obama administration has repeatedly said, any government transition in Venezuela should conform to hemispheric norms with respect to democratic practice. In this process, it will be important to maintain an open and active dialogue with our regional partners. This approach will permit us to work with our regional partners individually and in the OAS and other international bodies to address any situation which may arise and ensure that any transition that takes place in Venezuela is democratic, constitutional, peaceful, transparent, and legal.

The hemispheric commitment to constitutional and democratic governance is articulated in the OAS Charter and the Inter-American Democratic Charter, upon which we and our regional partners place great value. Failure to adhere to the principles and norms contained in the Charters would require the attention of, and as appropriate, action by the OAS.

Question. Haitian entrepreneurs identified the following obstacles to Haiti's competitiveness and economic growth: a shallow pool of talent that makes it difficult to fill middle management and skilled positions, a weak and unaccountable judiciary, and a failure to develop informal businesses into the formal sector. Sadly, these obstacles remain today.

- ♦ What specific U.S. programs in Haiti are directly addressing these challenges today?

Answer. Attracting Foreign Direct Investment through business development services, vocational training, and increased access to finance is a key element of the U.S. Government Assistance Strategy for Haiti. The administration is working through a range of initiatives to create a better business environment for both Haitians and for investors from abroad.

The United States is committed to supporting a responsive, accountable, just, and effective Government in Haiti. The administration has actively supported the formation of the Superior Judicial Council, a new body which will provide oversight of the judiciary—a major step toward a more accountable and independent judiciary in Haiti, and one that should help reduce corruption and impunity for crimes in a manner that respects human rights. A strong judiciary that is able to enforce the rule of law creates a climate that improves investor confidence and will show that Haiti is truly "open for business." Another key advance was the submission of revised Penal and Criminal Procedure Codes, developed with U.S. Government support, to the Council of Government in November. The U.S. Government is now working with both Parliament and justice system stakeholders to facilitate legislative passage of the draft codes, and is poised to provide training to police, prosecutors and magistrates on the new legislation, once passed.

The administration is working with the Government of Haiti and the Haitian private and banking sectors to provide business development services, financing op-

tions, and vocational training to micro, small, and medium-sized enterprises (MSMEs). Specific U.S. Government programs include: Development Credit Authority (DCA), a credit guarantee program that facilitates MSME financing and mortgage lending by local financial institutions; and Leveraging Effective Application of Direct Investments (LEAD), a program that uses a matching grant mechanism to leverage private investments in Haitian small and medium enterprises (SMEs) identified through business plan competitions, and provides technical assistance to grantee enterprises. The administration is also providing support to the Government of Haiti to increase fiscal transparency and stability, deepen the tax base, and improve the business enabling environment.

The Local Enterprise and Value chain Enhancement (LEVE) program currently being finalized will provide business and workforce development services, in partnership with local private- and government-run vocational training centers, in target value chains to cultivate a more productive labor pool with relevant skills and competencies. Elements of this project will also work with the informal MSMEs to bring them into the formal sector. The geographic focus of the project is on the three development corridors supported by the U.S. Government: Cap-Haïtien, Saint-Marc, and Port-au-Prince. High-potential sectors targeted by the program include: construction, apparel and textiles, and agribusiness. LEVE will also support secondary and ancillary sectors that strengthen the viability of these high-potential sectors.

In addition, the U.S. Government is currently supporting a local organization to prepare people to work in garment factories. This is often the first experience beneficiaries have had with a formal work schedule and workforce readiness training. The Korean garment company, Sae-A, which is the anchor tenant at the Caracol Industrial Park, donated industrial quality sewing machines to the training center. These programs will increase incomes and job creation through support to the full value chains around foreign direct investment.

Question. In January 2012, President Martelly and then-Prime Minister Conille expressed strong interest in reducing their country's dependence and foreign aid and follow a private investment-led economic model.

- ◆ How likely is Haiti to achieve this transformation without Haitian diaspora participation?
- ◆ If confirmed, what efforts would you pursue to stimulate diaspora return and participation in Haiti's recovery and future development?

Answer. To succeed, any strategy to promote Haiti's development must be Haitian-led and reflect Haitian priorities. All Haitians can contribute to the country's rebuilding, both those in Haiti and those abroad.

The administration recognizes that Haitian Americans have unique skills that will be instrumental in helping Haiti build back better than it was before the earthquake. Outreach to the diaspora by the U.S. Government includes regular meetings in Florida, New York, Boston, Washington, and elsewhere. The U.S. Government also helped fund the Haitian Diaspora Global Congress that took place in Washington in October.

The State Department and the U.S. Agency for International Development have held a number of meetings around the country with diaspora organizations to advise them on how to compete for U.S. assistance grants and contracts for Haiti.

USAID's Leveraging Effective Application of Direct (LEAD) Investments program aims to attract capital, create jobs, and generate income for Haitian citizens by providing matching grants to leverage private investments in Haitian small and medium enterprises identified through business plan competitions. The program further supports economic development through the provision of technical assistance to grantee enterprises. LEAD also works in the United States to mobilize investments from the Haitian diaspora and other U.S. funders to leverage the development impact of investments in Haiti.

The administration's efforts in the area of food security have focused on Haitian agriculture. U.S. Government investments through the Feed the Future program seek to increase domestic agricultural productivity and farm incomes in targeted regions. Cross-cutting activities—such as the development of public-private partnerships; strengthening of local organizations to produce, market, generate capital, and interact with formal governing structures; and investments in nutrition-related activities in vulnerable households and women's empowerment—aim to promote agriculture as an important investment with sustainable business opportunities.

Question. A major obstacle to private investment in Haiti is the absence of a credible land registry and the numerous, competing claims to plots of land.

- ◆ Has the administration considered supporting Haitian efforts to create a process that would expedite land titling while simultaneously creating a system for

potential litigants to receive fair compensation through an expeditious legal process?

Answer. Land tenure is perhaps one of the greatest constraints to development in Haiti, whether it is improving housing or encouraging investment. Records of property ownership were incomplete before the earthquake; in many cases, where they did exist, documents were destroyed following the incident.

The U.S. Government is engaged with the Government of Haiti in an effort to address this extremely complex issue. Working through the U.S. Agency for International Development (USAID), the U.S. Government supported a recently concluded \$1.9 million pilot program to map land tenure, house ownership, and associated demographic data for over 10,000 plots in the Delmas 32 and Carrefour-Feuille neighborhoods, which produced detailed information on ownership and tenure status in these areas. This information has been used extensively by the World Bank and the Government of Haiti in their planning for reconstruction efforts in the communities, and the methodology is being scaled up across the quake-affected zone, significantly increasing the impact of the original grant.

USAID is also actively participating in the Haiti Property Law Working Group, chaired by Habitat for Humanity. The working group has created a manual on the rules, regulations, and practices of acquisition of private property in Haiti, which has been enthusiastically received as an authoritative guide on how to buy and sell property in Haiti legally.

If confirmed, I will continue to support and improve upon these efforts.

Question. Iran continues to make progress in its uranium enrichment program and has failed to show serious interest in negotiations with the P5+1. What do you believe would constitute success of any negotiation with Iran and what would it take for you to declare the diplomatic track with Iran a failure?

Answer. Iran must demonstrate to the international community that its nuclear program is exclusively peaceful. Iran has not done so yet and has not engaged seriously in negotiations with the P5+1 countries.

A successful outcome would require Iran to fulfill its international obligations and take the steps necessary to provide confidence to the international community that its nuclear program is devoted exclusively to peaceful purposes. The window for diplomacy remains open, but it will not remain so indefinitely.

Question. As you may know, Robert Levinson, a Floridian and former FBI agent, was kidnapped on a business trip to Iran's Kish Island in 2007. It is unclear if Mr. Levinson is being held by terrorists or by the Government of Iran.

♦ If confirmed, would you commit to investigating Mr. Levinson's case and ensuring his release?

Answer. Determining Mr. Levinson's whereabouts and reuniting him safely with his family continues to be a priority for the U.S. Government and, if confirmed, it will be a priority for me as Secretary of State. The Department remains in close coordination with the FBI on the investigation into Mr. Levinson's disappearance in Iran almost 6 years ago. I am committed, as is the U.S. Government, to continue to use all available resources until he is home and reunited with his family.

Question. Strong bilateral relations with Bahrain enhance the prosperity and security of both our nations, but I am concerned about the consequences of almost 2 years of political instability in Bahrain. What steps would you take to promote a lasting solution to Bahrain's ongoing political crisis?

Answer. A major non-NATO ally since 2002, Bahrain is an important U.S. partner in a tense region, working closely with us to pursue joint interests and maintain the safety and security of our naval assets and personnel in the region. It is firmly in the U.S. interest, and that of the wider region, for Bahrain to ensure the protection of its citizens' fundamental rights, undertake reforms, and pursue inclusive political dialogue in order to build a stable political and economic future.

President Obama and Secretary Clinton have pressed Bahrain to take steps to forge a more inclusive political framework that is responsive to all Bahrainis. If confirmed, I will ensure that we will continue to engage with the Bahraini Government, political groups, the private sector, and civil society on this vision. I will continue to press for accountability for human rights violations, protection of freedom of expression, and support for meaningful political reform. Meanwhile, I will be vigilant in opposing any efforts by the Iranian Government to influence events within Bahrain.

The surest way to maintain stability is to address the legitimate demands of all Bahrainis through a process of meaningful dialogue between the government and a broad representation of the nation's political leadership. Dialogue and negotiation

can help Bahrain build a strong national consensus about its political future, strengthen its economic standing, and make it a more prosperous country and a more stable ally. The Department, through its programming, seeks to promote reform and reconciliation and improve governance in areas such as commercial law, military capabilities, and antiterrorism capacity.

I echo what Secretary Clinton said in a recent speech at the National Democratic Institute: "As a country with many complex interests, we'll always have to walk and chew gum at the same time. That is our challenge in a country like Bahrain, which has been America's close friend and partner for decades."

Question. On January 15, I joined 11 of my Senate colleagues in sending a letter to Secretary Clinton expressing our grave concern over the detainment of a U.S. citizen, Saeed Abedini, in Iran. Mr. Abedini was in Iran on a humanitarian mission—working with the Regime to open a nonreligious orphanage. On his ninth trip to Iran since 2009 for this purpose, the Revolutionary Guard detained him and threw him in prison. Mr. Abedini went before an Iranian judge just this Monday on charges stemming from his conversion in the year 2000 to Christianity and his involvement with house churches in Iran. The National Security Council has specifically called for his release, and we are grateful for that.

If confirmed, would you commit to echo, as Secretary of State, the National Security Council's call for Mr. Abedini's release?

Answer. The U.S. Government remains concerned about U.S. citizen Saeed Abedini, who is detained in Iran on a charge related to his religious beliefs. Mr. Abedini's attorney had only 1 day on January 21, 2013, to present his defense. We remain deeply concerned about the fairness and transparency of Mr. Abedini's trial. I, along with the U.S. Government, condemn Iran's continued violation of the universal right of freedom of religion and call on the Iranian authorities to respect Mr. Abedini's human rights and release him. The Department of State is in close contact with the Abedini family and is actively engaged on this case.

Question. The new Egyptian Constitution adopted in December 2012 imposes severe restrictions on civil liberties and freedoms. I am particularly concerned with Article 4, which positions an unelected religious body as arbiter of the constitution's clauses; Article 44, which prohibits speech deemed blasphemous; and Article 81, which limits the freedoms and rights guaranteed elsewhere in the constitution to those not in conflict with Islamic Sharia law.

♦ What impact would these constitutional restrictions have on religious freedom, women's and minorities' rights, and freedom of speech in Egypt?

Answer. The administration has consistently raised its concerns regarding religious freedom, the rights of women and minorities, and freedom of speech with Egyptian Government officials, and if confirmed, I would continue to do the same. We should work with the Egyptian Government and people to ensure that the fundamental rights of all Egyptians are protected. We have called on the government to take the lead in building greater political consensus than now exists on issues related to the constitution and the legislation that will be considered by Parliament to implement the constitution. I would also support frequent meetings with civil society representatives and leaders from all faith backgrounds to demonstrate our support for freedom of religion and expression. The Egyptian Government has stated its commitment to upholding religious freedom and promoting interreligious tolerance, and I will work to ensure that this commitment is met.

Question. How can U.S. assistance to Egypt help ensure that government's commitment to uphold internationally recognized human rights of all Egyptians?

Answer. President Obama, Secretary Clinton, and our Embassy in Cairo have consistently made clear to their Egyptian counterparts that the United States supports the establishment of a full democracy in Egypt that protects the rights of all Egyptians. If confirmed, I would continue to convey that message with Egyptian leaders as Secretary. The administration supports a number of programs on the ground that work to reinforce these values, including support for election administration and monitoring, voter education, and programs to foster religious tolerance. In addition, the administration is seeking to provide Egypt with important financial assistance that will help supply the necessary economic foundation on which democratic institutions can be built.

Question. The Blueprint for an AIDS Free Generation, released by the administration in November 2012, demonstrates that if proven-effective HIV services are delivered widely in heavily affected countries, we can make accelerated impact on the AIDS epidemic, reducing HIV infection rates and mortality markedly in the next several years, and reducing resource needs in the future.

- ♦ Are you committed to implementing the Blueprint's first principle to "rapidly scale up core HIV prevention, treatment, and care interventions and maximize impact"?

Answer. If confirmed, I am strongly committed to implementing the administration's "PEPFAR Blueprint: Creating an AIDS-Free Generation." Scientific advances and their successful implementation have brought the world to a tipping point in the fight against AIDS. By making smart investments based on sound science and a shared global responsibility, the United States can save millions of lives and achieve an AIDS-free generation. To help reach this goal, the U.S. President's Emergency Plan for AIDS Relief is committed to making strategic, scientifically sound investments to rapidly scale up HIV prevention, treatment, and care interventions and maximize impact, particularly in high-burden countries. PEPFAR's combination HIV prevention strategy comprises a core set of interventions that, especially when pursued in concert, provides the potential to end the epidemic: prevention of mother-to-child transmission (PMTCT) of HIV; antiretroviral treatment (ART) for people living with HIV; voluntary medical male circumcision (VMMC) for HIV prevention; and HIV testing and counseling (HTC), condoms, and other evidence-based and appropriately targeted prevention activities.

Through its continued support for scaleup of this core combination prevention package, particularly in high-burden countries, PEPFAR will assist in reducing new HIV infections and decreasing AIDS-related mortality, while simultaneously increasing countries' capacity to sustain these efforts over time. This will, in turn, move more countries past the tipping point in their HIV epidemics—the point at which the annual increase in new patients on ART outpaces annual new HIV infections—and put them on the path toward achieving an AIDS-free generation. The United States will work closely with other partners in this effort, including the Global Fund and host governments, as creating an AIDS-free generation is a shared responsibility. If confirmed, I am firmly committed to ensuring that the United States continues to do its part in making the Blueprint's vision a reality.

Question. The administration has made food safety and security a main pillar of its foreign assistance projects. Food security is an especially acute problem in Africa and the Middle East where farmers suffer high post-harvest losses and governments are looking to stabilize food supplies to prevent civil unrest, and in some cases stockpile food in case of emergency. This is an issue in which the American private sector can play a major role.

- ♦ What measures would you take to work with USAID Administrator Rajiv Shah to promote the participation of American private sector in the administration's food security programs?

Answer. The importance of the private sector's role in development cannot be overemphasized. Our economy's future growth will depend on growth in the rest of the world. Many of our future customers will live in markets outside of our borders, including in emerging economies and low-income countries that have been particularly vulnerable to economic shocks.

I support the vision of a world where private sector investment drives sustainable growth and where market-led development helps create the conditions where assistance is no longer needed.

The State Department and the U.S. Agency for International Development, through Feed the Future, the U.S. Government food security initiative, are engaging the private sector in a meaningful, comprehensive way to meet the global food security challenge. Strategic alliances with the private sector under Feed the Future align core business interests with U.S. Government development objectives. For example, the U.S. Government's participation in the G8's New Alliance for Food Security and Nutrition, has already mobilized more than \$3.5 billion in new private sector commitments from firms looking to expand their agriculture-related business across Africa.

These alliances and partnerships with the private sector advance the impact of sustainable development and foster private sector-led growth in emerging markets, critical to reducing poverty, fighting hunger, and improving nutrition. For example, Feed the Future launched an alliance with Partners in Food Solutions (PFS) and Solutions for African Food Enterprises (SAFE) to link the technical and business expertise from General Mills, Cargill, and DSM to small- and medium-sized mills and food processors. This partnership is transforming the food processing sector in African countries by increasing the availability of high quality, nutritious, and safe foods and helping to expand market access for farmers, traders, and other agribusinesses through engagement with local food processors.

Feed the Future recently launched "Feed the Future Partnering for Innovation," an activity to identify and promote new game-changing technologies for use by pro-

ducers in developing country markets. Interested U.S. companies can submit their concepts through Requests for Expressions of Interest, which will be released at least twice a year.

Feed the Future engagement will help America's long-term economic security. Current estimates state that approximately two-thirds of global company profits are expected to come from the developing world in 10 years. U.S. businesses and jobs will benefit from these gains with healthy, more prosperous consumers in the developing world. Today, a significant portion of U.S. exports go to former Marshall Plan recipient countries, illustrating the significant impact private sector development can have in the U.S. economy.

In order to help business navigate the process finding opportunities to partner with the U.S. Government, Feed the Future developed a "Private Sector Engagement Hub." The goal of the hub is to make it clearer how the private sector can partner with the U.S. Government in this space and to reduce the transaction costs of forming partnerships. This will help businesses of all sizes to engage with Feed the Future.

If confirmed, I will ensure that the State Department's work with USAID continues in support of these key efforts under Feed the Future and continues to engage U.S. companies in bringing the best America has to offer to the rest of the world. By helping create economic opportunities in developing countries, these collaborative food security efforts generate economic growth and promote global stability, which benefits us all and creates a more stable and prosperous world.

Question. As you are aware, the Republic of Argentina has increasingly refused to comply with international treaty obligations, such as those found in the U.S.-Argentina Bilateral Investment Treaty (BIT) and the International Center for Settlement of Investment Disputes. Moreover, Argentina has also introduced stringent import restrictions which are the subject of several pending WTO cases, while continuing to expropriate foreign investments in-country. The failure of Argentina to operate within the confines of the established international economic system is having a profound and negative impact on international trade and investment in a number of areas.

Unfortunately, measures taken by the United States in response to this situation—raising certain issues before the WTO dispute resolution body, withdrawing Argentina's GSP benefits, and voting against the appropriation of additional loans to Argentina in the World Bank and Inter-American Development Bank—have failed to encourage Argentina to comply with its international obligations.

- ◆ What other tools are available to the U.S. Government to compel states that refuse to abide by international obligations and directly harm U.S. businesses and investors, to comply with their international treaty obligations?
- ◆ If confirmed, would you commit to make full use of such tools?

Answer. If confirmed as Secretary of State, I would continue to use bilateral discussions with Argentine officials as an opportunity to reiterate our concerns about Argentina's failure to comply with its international treaty obligations, including those related to the World Trade Organization and the U.S.-Argentina Bilateral Investment Treaty (BIT). I also will continue to raise concerns about Argentina's failure to fulfill its private debt obligations to U.S. creditors, as well as its public debt to the U.S. Government. I will press for resolution to these longstanding bilateral irritants.

I am aware that the Department of State has raised the International Centre for the Settlement of Investment Disputes (ICSID) cases with the Government of Argentina at high levels on many occasions over the past few years, and we continue to urge Argentina to pay the two U.S. companies that hold final and binding awards administered by ICSID.

The Department of State has also expressed concerns that Argentina has failed to make payments on its sovereign debt obligations, including almost \$550 million to the United States, and has urged Argentina at the highest levels to normalize relations with all of its creditors, both public and private. By resolving its obligations to creditors and investors, Argentina will send a strong signal to the international community that it takes its international responsibilities seriously and that it welcomes and encourages the foreign and domestic investment that is crucial for sustained economic growth.

If confirmed, I will continue to raise these issues with the Government of Argentina at the highest levels. I believe it is important for our countries to manage areas of disagreement so that we can begin to rebuild a positive bilateral relationship based on shared values and interests.

Question. The unrest in Mali and the recent terror attack in Algeria underscore the vulnerability of North Africa to jihadist movements. Morocco is a steadfast U.S. ally in a tumultuous part of the world.

- ◆ Will you work with the committee and our Moroccan allies to ensure that Morocco has the adequate level of foreign military assistance to maximize its contribution to our common security objectives in the region?
- ◆ Will you instruct your team to take full advantage of the congressional authority to conduct democratic governance and education programs in the Western Sahara as in other areas of Morocco?

Answer. I remain committed to our strong bilateral relationship with Morocco and to working with Morocco on issues of mutual concern. Morocco is an ally that we will continue to support through security assistance, including foreign military financing, as well as development assistance. On the Western Sahara, we will continue to support ongoing negotiations carried out by the United Nations, which are led by Ambassador Christopher Ross, the Secretary General's Personal Envoy. If confirmed, I will ensure that we use both diplomatic and assistance tools to support and foster the democratic reform process in Morocco and across the region.

Question. Prior to his second Presidential election, President Vladimir Putin of Russia made the creation of the so-called "Eurasian Union" that would comprise Russia and other former Soviet Union Republics an important foreign policy objective. Speaking with civil society advocates on the sidelines of the OSCE Ministerial in Dublin in December 2012, Secretary Clinton expressed U.S. concerns with Russia's attempts to what she called "re-Sovietize the region." We all remember Russia's invasion of Georgia in 2008 and the subsequent recognition by Russia of the secessionist entities of Abkhazia and South Ossetia. Azerbaijan just recently decided to close the Gabala Radar station thus ending the presence of the last Russian installation on its soil.

- ◆ What will be your policy to ensure that independence of our regional allies is preserved and their Western orientation is sustained?

Answer. The United States support for the independence of the states that emerged from the dissolution of the Soviet Union is unwavering and nonnegotiable. The United States stands for the right of every independent country to choose its alliances and associations—political, military, economic, or otherwise—according to its own interests and free from coercion of any kind. We also stand by the principle that states have the right freely to choose whether to allow foreign forces to be stationed on their territory, and that forces that do not have the consent of the host state should be withdrawn. These are principles I supported wholeheartedly in the Senate, and if confirmed as Secretary of State, I will continue to do so.

Question. Despite a change in leadership following the death of North Korean President Kim Jong-il and the rise of his son, Kim Jong-un, North Korean behavior is less predictable than ever. The Bush administration's decision to remove North Korea from the list of State Sponsors of Terrorism in 2008 was, in retrospect, misguided. North Korea continues to support terrorist activity through harboring known terrorists, such as the Japanese Red Army members and is currently listed as "not fully cooperating" with U.S. efforts to reduce terrorism. Additionally, the regime had proven belligerent over the past few years with the 2010 sinking of the *Cheonan* as well as the provocative launches of long range Taepodong-2 rockets.

- ◆ What other actions does North Korea have to take to return to the State Department's list of state sponsors of terrorism?

Answer. As a matter of law, in order to designate North Korea as a state sponsor of terrorism, the Secretary of State must determine that the Government of North Korea has repeatedly provided support for acts of international terrorism. Available information does not indicate that the DPRK government has repeatedly provided support for acts of international terrorism since its designation was rescinded in October 2008. While deplorable, long range missile launches by North Korea would not be considered such support.

Even without being designated as a state sponsor of terrorism, North Korea remains among the most heavily sanctioned countries in the world. It is subject to a wide array of multilateral and unilateral sanctions based on its detonation of a nuclear device, ballistic missile activity, proliferation activities, human rights violations, and status as a communist state. Most recently, in response to North Korea's December Taepodong-2 launch, the Departments of State and Treasury on January 24, 2013, designated two entities and four individuals pursuant to Executive Order 13382, which targets proliferators of weapons of mass destruction and their supporters. These targets included the North Korean entity responsible for orches-

trating the launch and two Beijing-based individuals affiliated with Tanchon Commercial Bank, the financial arms of the Korea Mining Development Trading Corporation, Pyongyang's premier arms dealer and main exporter of goods and equipment related to ballistic missiles and conventional weapons.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR TOM UDALL

Question. Since the 2009 coup in Honduras, the political situation has been understandably polarized. As Honduras prepares for an election this year, I would urge the State Department to work with the Honduran Government, the OAS and other similar organizations to ensure that elections are free and fair.

♦ Will you make this a priority as you begin your work in the State Department?

Answer. If confirmed, I will emphasize the importance of guaranteeing a free, fair, and transparent process for the November 2013 election, in which four new political parties will participate. I will work with the Department's Western Hemisphere team to coordinate with the Organization of American States, the United Nations Development Program, and donors to ensure that Honduran election authorities have adequate funds and technical capacity; civil society groups have access to campaign finance and spending information; election monitoring is widespread; and the national registry is accurate.

Free and fair elections in November 2013 are essential for consolidating Honduras' democratic process and increasing confidence in public institutions. Segments of Honduran society did not recognize the November 2009 election, complicating national reconciliation. In this context, the Honduran Government recognizes the importance of the 2013 election, and it welcomes support from the Department of State to help ensure that its Supreme Electoral Tribunal has appropriate resources and procedures. The U.S. Government is committed to providing this assistance.

For the November 2012 primary election, the Embassy in Tegucigalpa provided 70 election observers covering 13 of Honduras's 18 departments (i.e., states). Voting and ballot counting generally proceeded smoothly. Although there were scattered reports of irregularities—including vote buying and shortages of ballots—they were not widespread.

Question. Like you, I am a strong supporter of Convention on the Law of the Sea. Will you continue to push for ratification, in order to improve our diplomatic capabilities and prevent security issues in the future?

Answer. If confirmed, I will continue to press for U.S. accession, as it is vitally important for the United States to become a party. No country gains more from the Convention than the United States, whether in terms of freedom of navigation, off-shore economic interests, or other oceans interests. We need to be inside the Convention actively promoting and defending those interests, rather than on the outside looking in.

Question. Los Alamos National Labs' Climate, Ocean and Sea Ice Modeling Project is currently working on modeling to determine how melting ice in Greenland and Antarctica will impact specific regions. In your opinion, is there a greater role for our national security labs in helping to put together the scientific background to help mitigate the impacts of climate change, and what kind of work would be beneficial for them to support the Department of State's work to address climate change?

Answer. Climate change is already prompting substantial changes in many parts of the world, and if not effectively addressed, presents a range of security and economic risks, many of them quite serious. The example you give demonstrates the value of U.S. Government research to better understand these impacts. Understanding the behavior of polar ice sheets in a warming planet, for example, is essential to understanding the rate and magnitude of sea level rise, which could have far-reaching economic and humanitarian impacts. Work done by the national labs and other U.S. science institutions therefore play an essential role in ensuring our policies and response measures are underpinned by the best scientific information.

Question. The Quadrennial Defense Review stated that "Assessments conducted by the intelligence community indicate that climate change could have significant geopolitical impacts around the world, contributing to poverty, environmental degradation, and the further weakening of fragile governments. Climate change will contribute to food and water scarcity, will increase the spread of disease, and may spur or exacerbate mass migration."

- ♦ Can you tell me what you will do to ensure that climate change continues to be addressed in the State Department and can you talk about some of the efforts that have been successful in fostering sustainable development in developing countries and reducing emissions in developed nations?

Answer. Climate change is one of the most important challenges we face and if confirmed, I plan to make it a top priority. The administration has helped orient the United Nations Framework Convention on Climate Change (UNFCCC) negotiations in a way that ensures all major economies have obligations to act; launched several important complimentary initiatives, including the Climate and Clean Air Coalition and the Major Economies Forum; and is supporting the drafting and implementation of low emissions development strategies in several countries. If confirmed, I plan to continue and bolster these efforts. I will also look for new opportunities to make progress. I will work with our partners around the world, and with industry and environmental stakeholders, to ensure that we catalyze near- and long-term climate action that makes both environmental and economic sense.

Question. The ongoing friction between India and Pakistan is a strategic concern for the United States and the region. One potential option is Sandia National Labs' Cooperative Monitoring Center, which is a program that works to create trust between countries such as border monitoring. As part of its mission, Sandia's Cooperative Monitoring Center assists political and technical experts from around the world to acquire the technology-based tools they need to implement nonproliferation, arms control, and other cooperative security measures . . . it is a soft power tool that I believe could be utilized in such hot spots.

- ♦ Will you consider using these kinds of science-based tools to help prevent conflicts?

Answer. I share your concerns about the potential consequences of conflict in South Asia and agree that we should utilize a wide range of tools to reinforce the efforts of leaders in the region to reduce friction and build trust between India and Pakistan. Sandia National Laboratory's Cooperative Monitoring Center has been actively supporting these efforts for many years by hosting a variety of workshops, fellowships, and training programs aimed at strengthening nonproliferation, arms control, and cooperative security measures worldwide, including in the South Asia region.

We value the work and contributions of the Cooperative Monitoring Center (CMC) and, accordingly, State continues to fund specific projects at the CMC in support of these important goals. Our national labs are a rich resource we will continue to leverage.

Question. The White House recently called for a resumption of talks between Israel and Palestine. How will you work to encourage direct negotiations between the two parties, in order to get to a resolution that addresses final-status issues and a two-state solution?

Answer. The administration's commitment to resuming direct negotiations and achieving a negotiated Israeli-Palestinian peace agreement based on a two-state solution remains unchanged. As I stated during my confirmation hearing, I strongly believe that we must try to find a way forward in resuming negotiations, without which the possibility of a two-state solution could recede, an outcome that would be disastrous for all involved, including for the United States. Israel's elections and upcoming period of government formation, coupled with ongoing efforts to sustain and deepen the cease-fire in Gaza, provide an opportunity for both the Israelis and Palestinians to step back and consider how they can create a context in the coming months that is conducive to resuming direct talks. If confirmed, I intend to continue working intensively with the parties to resolve issues between them, lay the ground for future direct talks, and bolster Palestinian Authority efforts to maintain and strengthen robust institutions and a viable economy. This is essential to a future Palestinian state that will be a responsible neighbor and contribute to regional peace, security, and stability.

Question. The unresolved Armenia-Azerbaijan Nagorno-Karabakh conflict remains a concern. The United States, along with Russia and France, has cochaired the OSCE Minsk Group. The OSCE Minsk Group is tasked with finding a just and peaceful solution to this conflict. Previous efforts have not yielded the needed results and today the negotiation process is in stalemate. Some, as a result, have criticized the ineffectiveness of the Minsk Group and called for reinvigorated efforts.

- ♦ What is your perspective on the steps that need to be taken to reinvigorate the negotiation process and move forward?

Answer. The United States remains committed to helping the parties find a peaceful resolution to the Nagorno-Karabakh conflict, and the administration continues to believe that the OSCE Minsk Group is the best means to advance that goal. As one of three cochair of the Minsk Group, the United States continues to play a leading role in this process, and if confirmed as Secretary of State, I will maintain our focus on this important issue.

At the OSCE Ministerial Council in December 2012, Secretary Clinton and her Russian and French counterparts together called on the parties to demonstrate the political will needed to reach a peaceful settlement and to take decisive steps toward that end. The administration recognizes that the status quo is unacceptable, and the cochair continue to explore new ideas that could bring the parties closer to a resolution. At the same time, the cochair and the OSCE monitors in the field play a vital role in maintaining stability in the region, and new initiatives are designed to achieve a peaceful settlement without a resumption of hostilities.

If confirmed, I will ensure that the cochair continue their efforts to bring the parties closer to agreement. At the same time, leaders in Armenia and Azerbaijan have a crucial role to play through strong, constructive bilateral engagement and a frank dialogue to prepare their populations for peace.

Question. Over the last 20 years, the U.S. Government played a pivotal role in designing and funding global health programs that save millions of lives each year. In your role as Secretary, how do you plan to continue America's legacy as a leader in global health?

Answer. The U.S. Government has long been a leader in efforts to improve global health, advance development, and save lives. Development is a central pillar of American national security and global health is the largest component of U.S. foreign assistance. If confirmed, I will continue America's legacy of leadership in this arena through the continued support of Presidential Policy Directive on Global Development. I will strongly support the Global Health Initiative, which draws together expertise from across the State Department and other government agencies to build on the significant success of established programs such as the President's Emergency Plan for AIDS Relief (PEPFAR), the President's Malaria Initiative (PMI) and others. The State Department will continue to support efforts in pandemic preparedness and environmental health, as well partnership with other U.S. Government agencies in coordination of our interactions with multilateral organizations to ensure advancement of our health goals.

Question. In particular how will you keep the promise to end preventable child and maternal deaths, stimulate groundbreaking U.S.-funded global health research, and maintain the enormous success of PEPFAR, PMI, and other efforts to combat infectious diseases?

Answer. If confirmed, I will continue to strengthen and expand our strategic focus on, and support for, our investments in global health to build on the enormous success of these efforts. This includes ensuring that we stay focused and continue our progress toward creating an AIDS-free generation, ending preventable child deaths and investing in women, and saving mother's lives by mobilizing the full force of the State Department and other government agencies. We have the evidence-based tools and interventions to continue to see dramatic improvements in global health. I am committed to expand their use in the countries where they are most needed. I will also work to include other key U.S. Government agencies that have an important stake in global health, including the Department of Health and Human Services (HHS) and its agencies like the Food and Drug Administration (HHS/FDA), the Department of Defense, and the Department of Treasury in our whole-of-government approach to addressing these important issues.

The work of the State Department, USAID and its partners is delivering real results. Through PEPFAR, as of September 2012, the United States directly supported nearly 5.1 million people on antiretroviral therapy. That number is up from 1.7 million in 2008—a threefold increase in only 4 years. The “PEPFAR Blueprint: Creating an AIDS-free Generation” provides a sound vision for us to follow—that by making smart investments based on sound science, and a shared responsibility, we can save millions of lives and achieve an AIDS-free generation. Moreover, the number of people receiving malaria-prevention measures is up to 58 million, an increase of 132 percent since 2008. The maternal mortality rate in our partner countries has dropped 15 percent in the past 4 years, and it is on track to drop a total of 26 percent by next year. USAID is working closely with UNICEF and partner countries to develop sharpened plans to accelerate reductions in child and maternal mortality. These plans are increasingly funded by the countries themselves, allowing for more specialized use of our own funds, such as supporting data analysis for program plan-

ning, advocacy, and monitoring. I will continue to support these and other successful efforts, such as those in tuberculosis and neglected tropical diseases.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR CHRISTOPHER MURPHY

Question. I am sure that you will agree that Poland is one of our strongest allies and closest friends. As a Polish-American, I am deeply concerned by Poland's continued exclusion from the Visa Waiver Program. This program would allow Polish citizens to travel to the United States for tourism or business without having to go through the often difficult and costly process of getting a visa. While I understand that the program is administered by the Department of Homeland Security, not State, this issue is of significant importance to our bilateral relationship with Poland.

♦ If confirmed as Secretary of State, will you commit to working with Congress to advocate passage of meaningful legislation that would assure Poland's entry into the program?

Answer. If confirmed, I will support the administration's position that Poland be included in the Visa Waiver Program (VWP).

In December 2010, the President committed to working toward Poland's inclusion in the VWP and in May 2011 publicly supported proposed legislation introduced in the House and in the Senate to expand the criteria for VWP designation. At the request of Congress, the administration submitted letters on May 18, 2012, confirming that it fully endorses proposed VWP expansion legislation. If confirmed, I commit to working with Congress, if new legislation is introduced and passed in the 113th Congress, to enable Poland's designation as a VWP country.

Poland is indeed one of our strongest allies and closest friends. While Poland does not qualify under existing laws for VWP nomination, many Polish citizens have been able to travel to the United States under our existing laws. Currently, over 90 percent of Polish citizens who apply for a nonimmigrant visa receive one, and that number has been trending higher. Polish citizens enjoy maximum visa validity (10-year, multiple-entry for visitors), which allows them to travel to the United States many times without visiting a U.S. consulate or embassy.

Expanding VWP status to include countries like Poland, which has one of the fastest-growing economies in Europe, will provide a boost to both of our economies. Modernizing the VWP will not only preserve our national security through secure travel, but also enhance relationships with important allies like Poland.

In order for Poland to qualify for VWP status, we would need legislative action to adjust one current prerequisite for VWP eligibility—the requirement that Poland have a nonimmigrant visitor refusal rate below 3 percent. As you may know, in the 112th Congress, legislation was proposed to revise nonimmigrant visa refusal rates to allow Poland to qualify given its current refusal rate. This legislation was not acted upon and new legislation has to be introduced in the 113th Congress.

If a change to that VWP provision were enacted, I note that Poland is well under way to meeting existing VWP statutory requirements. For example, Poland has met the requirements for sharing information related to terrorism, and we have nearly reached agreement on text of a second security-related agreement involving the exchange of information related to serious crimes. Other requirements, such as biometric passports and sharing data on lost and stolen passports, are already in place and functioning well. We continue to collaborate with Poland on law enforcement cooperation criteria.

Question. What are your views on how the United States can best strengthen Lebanese state institutions and support moderate allies as a means to preserve Lebanese sovereignty and as a bulwark against Hezbollah domination of the government? Would you consider traveling to Lebanon and meeting with members of the March 14 coalition? How can we work together to cut off Hezbollah's financial and military resource so they cannot maintain undue influence in the Lebanese political system?

Answer. The top priority of U.S. policy in Lebanon is to bolster Lebanon's stability and sovereignty and counter extremist influences, both foreign and domestic, through: our robust security assistance programs to the Lebanese Armed Forces (LAF) and Internal Security Forces (ISF) (\$106 million in FY 2012); our longstanding community-based USAID programming (\$85 million in FY 2012); our strong support for moderate political actors, such as President Michel Sleiman and Prime Minister Najib Mikati; our continuous engagement with mainstream political

actors, including March 14 leaders; and our whole-of-government approach to countering Hezbollah activity around the world.

In addition to helping ensure Lebanon's stability in the face of immense tensions arising from the conflict in neighboring Syria, our support to the LAF and ISF supports the implementation of United Nations Security Council Resolutions 1559, 1680, and 1701. Working closely with the United Nations Interim Force in Lebanon (UNIFIL), the LAF's performance in southern Lebanon has helped ensure stability along the Blue Line with Israel. The U.N. mandate includes efforts to disarm Lebanon's militias—a goal we support through our training and equipping of the LAF and ISF as the sole legitimate defense forces in Lebanon.

In response to the collapse of the Cabinet of Saad Hariri in January 2011 and the formation of a new government with a majority of ministers aligned with the March 8 grouping in June 2011, we reoriented U.S. assistance away from government ministries and toward civil society and local government. We have limited our engagement with the March 8 Cabinet to working with more centrist politicians, including President Sleiman and Prime Minister Mikati, to advance U.S. foreign policy goals. These leaders have worked with other moderate actors over the past 18 months to ensure Lebanon's adherence to its international obligations, including affording assistance to more than 223,000 Syrian refugees in Lebanon displaced by the conflict in Syria and fulfilling Lebanon's funding commitments to the Special Tribunal for Lebanon (STL), which indicted four suspected Hezbollah operatives in 2011 (the trial in absentia commences in March 2013).

Our Ambassador in Beirut, visiting senior U.S. Government officials, and members of visiting CODELs regularly meet leaders of the March 14 bloc, and we routinely welcome March 14 leaders at high levels for official visits to Washington. The United States is calling for Lebanon's parliamentary elections to be held on time in June 2013 and will provide technical support to promote a free and fair vote. Should March 14 and its allies win a majority of seats on Parliament, the bloc will be in a position to form the next Cabinet.

Countering Hezbollah's worldwide terrorist and criminal activities remains a major counterterrorism objective for the entire U.S. Government. Spearheaded by the Department of State's Counterterrorism Bureau, the administration is currently focused on a major diplomatic initiative, in partnership with the United Kingdom, to encourage governments around the world to take steps to crack down on Hezbollah's activities, including through sanctions, increased law enforcement and intelligence focus, and strong public statements. Our Embassy in Beirut, in coordination with the Departments of State and Treasury, is also working closely with the Lebanese Central Bank to ensure adherence to antimoney laundering regulations and enforcement of sanctions, including those against Hezbollah.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR RON JOHNSON

Question. Did Diplomatic Security personnel in Tripoli or elsewhere debrief any of the evacuees flown from Benghazi to Tripoli after the attack?

Answer. As the tragic events of September 11 occurred while I was serving in the Senate, I was not involved in the Department's response. In the days that followed, in my capacity as chairman of the committee, I was in close contact with officials in the State Department and across the administration. I attended the September 20, 2012, interagency briefing for Senators, as well as additional briefings and hearings that the Foreign Relations Committee held in the following weeks. I have been informed by relevant State Department offices of the following facts:

The primary concern of the Department was the safety and well-being of the personnel evacuated from Benghazi to Tripoli on the morning of September 12. These individuals were not debriefed by Department officials in Tripoli, as the Embassy team's primary consideration was getting the evacuees urgent medical care and transport out of Libya.

I would add that the tragedy hit home for all of us in the Senate. One of the victims was a son of Massachusetts, and Ambassador Stevens was well known, too, and admired by our committee since his time as a Pearson Fellow working with former Senator Lugar. I was particularly moved by the ceremony at Andrews Air Force Base as our fallen patriots returned home to American soil. That ceremony underscored for me the importance of the Foreign Relations Committee and the role we must play in the process of determining, not just what went wrong, but what we can learn and what can be done to prevent tragedies like this one in the future.

Question. Did anyone from the State Department debrief evacuated personnel?

Answer. Because the events on the night of September 11 occurred while I was serving in Congress, I was not involved in the Department's response. Relevant State Department officials have advised me that the Department did not interview any of its evacuated personnel prior to their appearance before the grand jury on September 20, 2012, pursuant to discussions with the U.S. Attorney's Office.

Question. Personnel from which agencies or departments debriefed the evacuees and on what dates?

Answer. Because the events on the night of September 11 occurred while I was serving in Congress, I was not involved in the Department's response. However, I have been advised by relevant State Department offices of the following information:

The Federal Bureau of Investigation (FBI) spoke with the evacuees in Germany on September 15 and 16. The FBI also recently interviewed a Diplomatic Security (DS) agent in the United States.

The State Department first interviewed its evacuees after their grand jury appearance on September 20.

Question. Were there phone calls, e-mails, in-person contacts or any other contact made with the evacuees concerning any aspect of the attack? Please list which agencies had these contacts with the evacuees about aspects of the attacks and the precise time and date of the contact.

Answer. Because the events on the night of September 11 occurred while I was serving in Congress, I was not involved in the Department's response. However, I have been advised by relevant State Department offices of the following information:

Once the attack commenced, the Diplomatic Security (DS) agent in Benghazi's Temporary Mission Facility Tactical Operations Center (TOC) was in periodic telephone contact with Embassy Tripoli, the Benghazi Annex, and the Diplomatic Security Command Center (DSCC) in Rosslyn, VA, until he joined the Annex response force moving from the TOC to the main building to search for the Ambassador. Upon arriving at the Annex, the DS agents reestablished contact with Embassy Tripoli and the DSCC until they departed Benghazi on the morning of September 12.

The Federal Bureau of Investigation (FBI) spoke with the evacuees in Germany on September 15 and 16. The FBI also recently interviewed a Diplomatic Security (DS) agent in the United States.

The State Department first interviewed its evacuees after their grand jury appearance on September 20.

Question. Please provide to the committee the transcripts of any such contacts.

Answer. Because the events on the night of September 11 occurred while I was serving in Congress, I was not involved in the Department's response. However, I have been advised by relevant State Department offices of the following information:

Once the attack commenced, the Diplomatic Security (DS) agent in Benghazi's Temporary Mission Facility Tactical Operations Center was in periodic telephone contact with Embassy Tripoli, the Benghazi Annex, and the Diplomatic Security Command Center (DSCC) in Rosslyn, VA, until he joined the Annex response force moving from the TOC to the main building to search for the Ambassador. Upon arriving at the Annex, the DS agents reestablished contact with Embassy Tripoli and the DSCC until they departed Benghazi on the morning of September 12.

The Department did not record these conversations and thus there are no transcripts.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR JEFF FLAKE

Question. The reports of the Accountability Review Board (ARB) and the Senate Homeland Security and Government Affairs Committee on Benghazi both address resources available for embassy security. As Congress works with the President to address our mounting debt and deficit—a chief national security concern according to former Chairman of the Joint Chiefs of Staff, Admiral Muller—how will you seek to address the recommendations in the reports to increase spending for embassy security?

Answer. Diplomacy, by nature, must be practiced in dangerous places. The State Department takes significant measures everyday to protect personnel, their families, and U.S. interests overseas. If confirmed, I will ensure that the Department's efforts to respond to the recommendations of the ARB are vigorous, complete, and timely. I am also committed to reviewing the findings of the Senate Homeland Security and Government Affairs Committee to ensure that recommendations rise to the senior levels in the Department that are responsible for balancing worldwide embassy security requirements against the fiscally constrained environment in which the Federal Government is currently operating.

If confirmed, I will seek your help in obtaining the funding necessary to do so. One immediate way to help meet the reports' recommendations to increase spending for embassy security is through the Department's Increased Embassy Security proposal. The Department urgently needs Congress' support to provide the transfer authority needed so that funds can be moved between the Department's operations accounts to provide better security at a number of our embassies around the world. This transfer of funds is a repurposing of existing funds, it incurs no additional cost to the taxpayer.

Question. The ARB is supportive of the notion to increase the presence of the Marines at American embassies worldwide. However, given current end-strength levels for the Marine Corps and the threat of sequestration, what assurances can you give that the Marine Corps will not be further stretched in terms of dollars and manpower should the Marine Security Program expand?

Answer. The security of U.S. personnel at overseas missions is of utmost importance. As proposed in the Department's Increased Security Proposal, Marine Security Guard Detachments would be assigned to posts that do not currently have detachments. The proposed expansion of the number of Marine Security Guard Detachments would have an impact on the resource requirements of the Department of State (DOS) and the Department of Defense (DOD).

Pursuant to the Memorandum of Agreement (MOA) between the U.S. Department of State and the United States Marine Corps, the Marine Corps is responsible for salaries, benefits, and a number of other costs of the Marine Guard Program. Therefore, the ultimate authority for determining the number of Marines assigned to the DOS/MSG program rests with the Commandant of the Marine Corps. The Department has been in active and ongoing discussions with the Marine Corps on this issue.

Question. Fiscal year 2012 was the first year in which the administration requested Overseas Contingency Operations (OCO) funds for the Department of State. What is your view on how OCO funds should be used by the Department of State? For what accounts do you plan to request OCO funds in fiscal year 2014? How do you plan to budget for accounts that have received OCO funds in the past once the United States is no longer engaged in "overseas contingency operations?"

Answer. OCO funding supports the efforts of the Department in meeting the extraordinary demands of operating in the frontline states of Iraq, Afghanistan, and Pakistan, and to a limited extent in other fragile regions. OCO funding represents those resources needed to support the personnel, programs, and projects that are essential to meeting the national security challenges of operating in especially challenging environments. It is used to address short-term, emerging requirements in very limited circumstances. It is focused on near-term security and stability in these still fragile regions. The FY 2014 budget request is currently under review within the administration. Decisions regarding funding requests for particular accounts are not finalized at this time. The OCO funding provided to particular accounts in years past may or may not remain at similar levels in future years, depending on circumstances on the ground at the time and national security requirements.

Question. In 2011, the Palestinian Authority (PA) was granted full membership status in the United Nations Educational, Scientific, and Cultural Organization (UNESCO), prompting a cutoff of U.S. aid to that entity as is required by statute. In 2012, the PA's status was upgraded to "non-member observer state" by a vote of the General Assembly.

- ◆ As Secretary of State, what will you do to prevent future efforts by the PA to conduct end-runs around negotiations with Israel, further delaying the prospect of peace in that region?
- ◆ Will you fully support and enforce current statute which prohibits U.S. contributions to the United Nations or any associated organization that awards the Palestinian Authority the same standing as full Member States? What steps will you take as Secretary of State to prevent the Palestinian Authority from taking action against Israel at the International Criminal Court?

Answer. Since the November 29 vote, the administration has sought, in coordination with Israeli officials, to persuade the Palestinian leadership to refrain from further action that could deepen the sense of crisis, further damage U.S. interests in the U.N. and other bodies as well as our relationship with the Palestinians, and set back prospects for direct negotiations. If confirmed, I will continue the administration's policy of opposing firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudice the very outcomes that can only be negotiated, including Palestinian statehood. In addition, the United States will continue to stand up to every effort that seeks to delegitimize Israel or undermine its security.

If confirmed, I will fully adhere to U.S. laws. I will also seek congressional support for legislation that would provide authority to waive restrictions on paying U.S. contributions to U.N. specialized agencies that grant the Palestinians full membership as a state or equivalent standing. I believe that our country cannot afford to be on the sidelines of organizations that help advance American national interests.

I support the administration's commitment to active engagement across the U.N. system to protect and promote American interests and values. From bringing together the international community to impose the toughest multilateral sanctions ever against Iran, to intervening to protect civilians in Libya in a moment of crisis, to feeding the hungry and helping create a new nation of South Sudan, the work of the U.N. is vital to America's national security and to peace and the stability of the international system. By withholding our contributions to important U.N. specialized agencies, not only would we cut off support for important programs that advance U.S. interests, we would weaken our ability to promote our priorities, risk losing altogether our voting rights, and effectively empower others to change how and when America engages. When the United States steps back, states with conflicting agendas can and do step in, and we could easily find ourselves sidelined and impotent at multiple U.N. agencies and unable to advance U.S. interests.

I believe that a more effective approach is to work constructively within international organizations to ensure that we can wield influence to promote U.S. interests, including advancing Middle East peace. I believe that constructive diplomacy, both bilateral and multilateral, will better assist in achieving our shared goals.

Question. Foreign Aid is a useful tool available to us to help further national security goals. However, there is little dispute that our mechanisms used to determine and administer foreign aid are badly broken and in need of reform.

- ◆ For what goals do you support the use of foreign aid? Where do you think spending cuts in foreign aid should be targeted? Will you support Secretary Clinton's efforts to push a Quadrennial Defense and Diplomacy Review? What do you think the proper role of USAID should be—do you believe that it should be represented at the Cabinet level?

Answer. Foreign assistance programs further U.S. national security, advance America's economic interests, and protect Americans at home and abroad. If confirmed, I will continue the Department's prioritization of programs that:

- Advance peace, security, and stability around the world;
- Open new markets for Americans goods and services and promote U.S. exports to help drive job creation at home;
- Fight disease and hunger and invest in global health;
- Provide humanitarian assistance;
- Lift people from a state of hunger and poverty through investments in agriculture;
- Reduce the threats of climate change; and
- Support the establishment of open and accountable democracies to advance freedom, dignity, and development.

The Department of State and USAID undergo rigorous planning and assessment of policy priorities, program goals, and the resources required to achieve them when building annual budgets. In addition, both the Department and USAID are implementing robust evaluation policies developed using U.S. and international best practices. They are committed to monitoring and evaluating ongoing programs to identify any weaknesses, gaps, or room for savings, and then adjusting when necessary to ensure programs are meeting their objectives as efficiently and effectively as possible.

The Quadrennial Diplomacy and Development Review (QDDR) undertaken by the State Department under Secretary Clinton's leadership has successfully identified ways the Department and USAID can be more effective, efficient, and accountable. If confirmed, I will continue to strive toward this goal by both implementing the findings of the QDDR and regularly reviewing our programs to better direct and co-

ordinate our resources. I would hope to work with Congress to see that the QDDR process is enacted into law. And I certainly can assure you that this process will be coordinated with Congress.

I fully support the administration's ongoing efforts to reestablish the United States as the global leader on international development. The U.S. Government has a long history of providing foreign assistance to respond to global needs, assist people overseas struggling to build a better life, and make the world safer, and we rely on USAID's expertise to accomplish these goals as part of an integrated foreign assistance strategy. I support the administration's long-term commitment to rebuilding USAID as the world's premier development agency. USAID programs improve the lives of millions of men, women, and children by:

- Investing in agricultural productivity so countries can feed their people;
- Combating maternal and child mortality and deadly diseases like HIV, malaria, and tuberculosis;
- Providing life-saving assistance in the wake of disaster;
- Promoting democracy, human rights, and good governance around the world;
- Fostering private sector development and sustainable economic growth;
- Helping communities adapt to climate change; and
- Elevating the role of women and girls throughout the world.

Question. Right now, the United States, France, and other nations are assisting Mali as it seeks to oust Islamist extremists in the northern part of that country. And just last week terrorists attacked an oil field in Algeria.

- ♦ What role did the revolution in Libya, and subsequent removal of the previous regime, play in the spread of Islamist extremism across Northern Africa? As Secretary of State, what steps will you take to mitigate the spread of extremism?

Answer. Al Qaeda in the Islamic Maghreb (AQIM) is an al-Qaeda-affiliated group that evolved from the remnants of extremist groups that fought a brutal decade-long civil war against the Algerian Government during the 1990s. As a result of the Algerian Government's success in countering AQIM within its borders, these extremists sought sanctuaries outside of Algeria, including northern Mali. Taking advantage of long and porous borders, AQIM and other extremists spent many years capitalizing on instability in the Sahel region to recruit fighters and build stockpiles of money from kidnapping for ransom and smuggling. Following the fall of Qadhafi's dictatorship in Libya, a security vacuum developed in the country as the new Libyan authorities sought to reconstitute gutted institutions and prepare for the first free and fair elections in Libya in over 42 years. As a result, AQIM—and other militant groups in North Africa—was able to acquire and move significant quantities of arms.

If confirmed as Secretary of State, I will work with our international partners to provide significant support to the African-led International Support Mission in Mali (AFISMA), which was authorized in U.N. Security Council Resolution 2085 (2012) adopted unanimously on December 20. We look forward to working with Congress to ensure the support necessary to make our policy in Mali successful, including any funding needs. While military efforts continue, we must also press for real and sustained political progress in Mali, including implementing a roadmap to restore democratic governance and holding elections as soon as technically possible. U.S. support is critical, but all efforts to return security and stability to Mali and to dislodge extremists from Mali and the region must be African-led and African-owned. Only an African-led and -owned solution will be sustainable.

Beyond northern Mali, I will continue to support counterterrorism programs, though mechanisms including but not limited to the interagency Trans-Sahara Counterterrorism Partnership, with countries in north and west Africa. These long-term efforts are designed to upgrade the capacity of regional security forces, and include programs such as antiterrorism training, border security management training, countering violent extremism messaging, prison reform, military-to-military conferences and training, conventional weapons proliferation abatement, and law enforcement assistance.

Question. In her testimony before the Senate Foreign Relations Committee on January 23, 2013, Secretary Clinton spoke of “warehouses” full of weapons that the former Libyan regime had stockpiled over the years. She then went on to describe how many of these weapons have found their way onto the black market and into the hands of terrorists, confirming that weapons from Libya were used in the attack on the oil field in Algeria last week. Secretary Clinton called the spread of these weapons “one of our biggest threats.”

- ♦ Do you agree, and if so, what will you do to stop the spread of these weapons?

Answer. The spread of loose weapons across Libya's porous borders threatens the stability of north Africa and the broader Sahel. These weapons can end up in the hands of extremist groups, which threaten our partner governments in the region, as well as U.S. national security interests. The State Department has provided counterterrorism assistance to north and west African governments for years, and since the 2011 revolution in Libya, the United States has led an international effort to support the Government of Libya as it accounts for advanced conventional weapons. Through these ongoing programs, the Department and the United States partners have accounted for, secured, or destroyed more than 5,000 man-portable air defense systems (MANPADS) and components. In coordination with the U.S. interagency, the State Department is currently providing border security training and also developing a border security assistance plan to help the Government of Libya better monitor and stop the flow of weapons and people across its borders.

The United States Government has engaged the governments of all the countries across the region, offering additional assistance to build their capacities to address these threats. For example, the State Department has assisted the Governments of Niger and Chad to mitigate the threat of weapons proliferation, expanding assistance for their efforts to comprehensively patrol their borders and interdict weapons traffickers. As an essential element of this approach, the United States is also cooperating closely with the U.N., the European Union, and key international partners including the United Kingdom, Canada, the Netherlands, Belgium, and France, to support the governments of Libya and its neighbors to address these threats.

If confirmed, I will continue to work with the democratically elected government in Libya and the other regional governments to prevent the proliferation of MANPADS, advanced conventional weapons, and Weapons of Mass Destruction (WMD) and WMD-related items that can destabilize the region and harm U.S. interests. I will also continue to support U.S. programs to assist these regional governments in border security management training and conventional weapons proliferation abatement.

Question. The U.S. military withdrawal from Afghanistan is fast approaching. As we prepared to withdraw from Iraq, there was some discussion with the Iraqis of leaving behind a military force in an advisory role. Failure to secure a deal on immunity for American troops resulted in a full withdrawal, as had been laid out in the previous Status of Forces Agreement.

- ♦ As Secretary of State, what provisions for immunity, or lack thereof, would lead to failure to secure a deal? What will you consider when negotiating terms of any potential immunity?

Answer. As the President clearly stated during his joint press conference with President Karzai on January 11, 2013, "it would not be possible for us to have any kind of U.S. troop presence [in Afghanistan] post-2014 without assurances that our men and women who are operating there are [not] in some way subject to the jurisdiction of another country." If confirmed, I will work to reach agreement with Afghanistan on terms that meet our requirement for jurisdiction over U.S. forces consistent with the position set out by the President.

Question. What kind of diplomatic presence do you expect to retain in Afghanistan after the withdrawal of forces? How do the diplomatic facilities being constructed there reflect that assessment? What steps will you take to make sure that taxpayer dollars are not being wasted on the construction of facilities in Afghanistan that will either be underutilized, or utilized for purposes other than those for which they were constructed?

Answer. The residual U.S. Government presence, including the diplomatic presence, has not yet been determined as the President is reviewing various options. The State Department has developed plans to support the various options and is applying lessons learned from Iraq. We want to get the footprint right to support the post-2014 Diplomatic and Development Mission in Afghanistan and are partnering with other government agencies in a whole-of-government approach to do so.

Question. The New START Treaty sets the number of strategic nuclear warheads at 1,550. Deployed strategic launchers are limited to 700. Under what circumstances do you believe these numbers would be changed? What are acceptable levels for the U.S. nuclear arsenal? At what point will U.S. allies begin to question our ability to keep them under our "nuclear umbrella?"

Answer. When signing the New START Treaty—a treaty that was roundly praised by our NATO and non-NATO allies—President Obama established the U.S. goal of seeking to negotiate further reductions in all nuclear weapons: strategic and non-strategic, deployed and nondeployed.

The President also pledged in Prague to maintain a safe, secure, and effective nuclear deterrent sufficient to deter any adversary and guarantee the defense of our allies, as long as nuclear weapons exist.

The President directed the Nuclear Posture Review (NPR) Implementation Study as part of the 2010 NPR and this study is ongoing. The study will inform the President's guidance to the Defense Department on nuclear planning to determine force structure, force posture, and stockpile requirements needed to protect the United States and our allies and partners, and to inform plans for employing nuclear weapons should deterrence fail. The results of this study, when concluded, will inform our position in future discussions with Russia on further nuclear reductions.

A key objective of the 2010 Nuclear Posture Review is to strengthen regional deterrence and reassure U.S. allies and partners. As part of the U.S. commitment to our Asian allies, the United States has institutionalized bilateral strategic dialogues on extended deterrence with the Republic of Korea and Japan.

Question. In his first term, President Obama took some steps so that Cuban-Americans could visit their relatives in Cuba without severe restrictions. There were more than 400,000 Cuban-American trips to visit relatives last year taking advantage of this Executive order and all the reports are that families there are eager to see their American relatives. The President also made it easier for other Americans to do academic and religious and other nontourist travel to Cuba while also allowing Americans to send remittances to relatives and friends in Cuba without restrictions. Anecdotal reports indicate that money seems to help families on the island and it apparently is a big part of the financing for the new small business-people that are emerging in Cuba.

♦ Do you agree that these were positive steps, and where should the administration go over the next 4 years on travel and contact between the Cuban and American people?

Answer. These administration actions were positive steps to increase purposeful travel in support of private enterprise and civil society in Cuba; to enhance the free flow of information to, from, and among the Cuban people; and to help promote their independence from the Cuban state.

If confirmed, I will strive to ensure that necessary resources flow to the Cuban people, consistent with U.S. law and regulations, in order to bolster Cuba's nascent private sector and fuel the emergence of a market economy that can free the Cuban people from their reliance on the state.

The administration has said it will continue to advance policies that will enable the Cuban people to freely determine their own future. If confirmed, I will work diligently with Congress to ensure that these policies are implemented and strengthened.

Question. The United States has had some modest cooperation between our Coast Guard and Cuban authorities on drug interdiction. Over the last year, there have been some conversations about planning for how to respond if there was an oil spill in the Florida Straits. We have, over the years, had conversations with Cuba about how to handle migration issues.

♦ Where, if anywhere, do you think we can go next in talking with the Cubans about these matters of self-interest? And if we're in conversations with them about these kinds of issues, do you think we can use that dialogue to talk with them about some other things we'd like to get, including some kind of deal that would bring home Alan Gross, the USAID subcontractor who's serving a prison sentence in Cuba?

Answer. If confirmed, I will keep the United States focus on bringing Alan Gross back to his family. This is, and will continue to be, a top priority for this administration.

The primary U.S. policy objective in Cuba is to support the Cuban people's desire to freely determine their own future. While keeping this objective at the forefront, we continue to promote other U.S. policy interests in Cuba whenever possible. U.S. officials meet periodically with Cuban officials to discuss issues affecting U.S. national interests. These include oil spill prevention and response in multilateral fora, immigration, aviation and maritime security, and the operations of our respective interests sections. If confirmed, I will work with Congress to ensure that an appropriate level of engagement continues.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR JOHN BARRASSO

Question. Yesterday, Secretary Clinton explained that there are programs at the Department of State that can be reduced and are in need of improvements. Secretary Clinton said, “Are there programs that we can reduce—make more efficient? Yes, that is part of what I have been trying to do. But, there are also a lot of very essential programs, first and foremost the security of our personnel in dangerous places, that we can’t afford to cut more of.”

- ♦ (a) With the state of the U.S. economy and current budgetary pressures, what specific programs at the Department of State would you scale back or eliminate in order to ensure that funding can go to the very essential programs?

Answer (a). This remains a time of economic recovery for our country. The Department of State and USAID undergo rigorous planning and assessment of policy priorities, program goals, and the resources required to achieve them when building annual budgets. If confirmed, I will continue to work to ensure the Department and USAID’s annual budget requests seek to stretch every taxpayer dollar as far as possible without compromising our core national security mission. The FY 2014 budget request will reflect our efforts to fund national security and foreign policy priorities while meeting humanitarian needs as effectively and efficiently as possible.

- ♦ (b) Are you committed to eliminating duplication and redundancies within the Department of State?

Answer (b). Both the Department and USAID are implementing robust evaluation policies developed using U.S. and international best practices. Both agencies are committed to monitoring and evaluating ongoing programs in order to identify any weaknesses, redundancies, gaps or room for savings, and adjusting when necessary to ensure programs are meeting their objectives as efficiently and effectively as possible. Building on the Quadrennial Diplomacy and Development Review (QDDR), the Department and USAID have undertaken a further series of reforms to improve both development results and the sustainability of U.S. foreign assistance.

I place great value on congressional oversight of the State and USAID assistance programs, as it helps ensure that U.S. taxpayer funding goes to programs that meet our national security, foreign policy, and development objectives.

- ♦ (c) What specific types of international institutions or organizations should not receive U.S. funding?

Answer (c). Organizations that operate outside the parameters of current U.S. laws or do not advance the interests of the United States and its allies should not benefit from U.S. funding.

- ♦ (d) Given the incredible amount of debt facing our Nation and the need to take steps to address the out of control spending, would you support the creation of new bureaus and further expand the U.S. Department of State?

Answer (d). If confirmed, I will review the Department’s organizational structure very carefully to determine where efficiencies and streamlining of operations may occur.

- ♦ (e) What measures would you take to improve efficiency and target fraud in the foreign aid programs to prevent wasteful spending?

Answer (e). If confirmed, I would continue to support and prioritize the strong monitoring and evaluation policies currently in place at the Department of State and USAID. I would also welcome the helpful oversight of the inspectors general of State, USAID, the Government Accountability Office, and Congress.

Question. Like many U.S. industries, soda ash faces significant trade barriers around the world. It is a key manufacturing component of glass, detergents, soaps, and chemicals. Soda ash is also used in many other industrial processes.

U.S. “natural soda ash” is refined from the mineral trona. It has long been regarded as the standard for quality, purity, and energy efficiency in production. The Green River Basin in Wyoming is the world’s largest area for naturally occurring trona.

- ♦ As part of your effort to promote U.S. industries in international markets, can you commit to me that you will be an advocate for eliminating trade barriers for soda ash and other important U.S. industries in the international marketplace?

Answer. If confirmed as Secretary of State, I will prioritize the Department’s promotion of U.S. exports and the facilitation of U.S. industries’ participation in international markets. I understand that the Department is aware that some countries

have pursued actions against the importation of soda ash, including trade remedy actions and other barriers to trade. I will ensure that State continues working closely with the Department of Commerce and the Office of the U.S. Trade Representative on this issue as well as to address other trade-distorting measures. I will also require that State advocate more broadly for U.S. firms and U.S. industries by ensuring that our trading partners adhere to their international trade obligations to provide nondiscriminatory market access for all of our exporters, including those in the soda ash industry.

Question. In July 2012, the United Nations Conference on the Arms Trade Treaty failed to agree on a legally binding arms treaty. This treaty would cover major military weapons systems all the way down to small arms and ammunition. The United States has agreed to continue to participate in the conference negotiations being held in March 2013.

This treaty is very concerning to gunowners in Wyoming and across the Nation. The draft treaty proposes establishing a Secretariat. The Secretariat will effectively be the administrative body of the treaty. Article 10 of the draft requires signatories to maintain records for 10 years on all firearm imports, shipments, and purchasers and share this information with the United Nations. Signatories will be required to submit this information on an annual basis.

With the collection, storage and reporting of all gun transfers, this sounds like a gun registry to me.

- ♦ If confirmed as the U.S. Secretary of State, will you support any treaty that allows the United Nations to establish and maintain a gun registry on law abiding U.S. gunowners?
- ♦ Would you support the proposed U.N. Arms Trade Treaty?

Answer. If confirmed, I will only support an Arms Trade Treaty that is consistent with U.S. law, including the Second Amendment rights of U.S. citizens, and that advances U.S. foreign policy interests.

Specifically, the United States supports an ATT that enhances global security by stemming illicit arms transfers and ensures other nations adopt high standards in evaluating international arms transfers. We will not support a treaty that impacts domestic arms transfers or creates a U.N. gun registry.

As the administration stated at the conclusion of the July conference, we supported convening a second conference in 2013 to allow sufficient time for a thorough review and further refinement of the text. If confirmed, I look forward to working toward a text that is consistent with the administration's positions and redlines and which the United States could support.

Question. In 2012, the Global Zero organization released the U.S. Nuclear Policy Commission Report which recommended significantly reducing our nuclear deterrent.

I believe these recommendations would undermine our national security and empower our enemies.

The report called for the elimination of the Intercontinental Ballistic missile (ICBM) leg of the nuclear triad, even though the ICBMs are the most stabilizing leg in the nuclear triad.

It also calls for the cancellation of the Analysis of Alternatives (AOA) which has been set up to study the next generation nuclear ICBM.

Finally, this report suggested that the United States consider unilaterally reducing our strategic weapons.

- ♦ Do you support the recommendations outlined in the Global Zero Report?
- ♦ Do you believe that the United States should unilaterally cut our nuclear deterrent at a time when Russia and China are modernizing their nuclear weapons?

Answer. As outlined in the 2010 Nuclear Posture Review, the United States is reducing both the number and role of nuclear weapons in our national security strategy. At the same time, the President has made clear that, as long as nuclear weapons exist, we will maintain a safe, secure, and effective nuclear arsenal that guarantees the defense of the United States and our allies. If confirmed, I will work with Congress to that end. As long as nuclear weapons exist, the administration will maintain a strong nuclear deterrent.

Question. During the New START Treaty debate, there were a number of Senators including myself who were extremely concerned that the treaty did not include tactical nuclear weapons.

Throughout the debate, we were told that we must ratify this treaty in order to begin the conversation of reducing tactical weapons.

On December 16, 2012, you stated on the floor of the U.S. Senate that: “I hope our colleagues will stand with our allies and stand with common sense and ratify this treaty so we can get to the issue of tactical nuclear weapons.”

- ♦ Should you be confirmed, where will your priorities be as Secretary of State with respect to nuclear weapons reductions?
- ♦ Will you push for further reductions in strategic weapons or take on the real issue of tactical nuclear weapons?

Answer. In Prague, President Obama established the U.S. goal of seeking to negotiate further reductions in all types of nuclear weapons: strategic and nonstrategic, deployed and nondeployed.

Consistent with the New START Resolution of Ratification, the President certified to the Senate in February 2011 that the United States would seek to initiate negotiations on an agreement to address the disparity between the nonstrategic nuclear weapons stockpiles of Russia and the United States and to secure and reduce tactical nuclear weapons in a verifiable manner.

The President reiterated his Prague statement in Seoul in March 2011: “Going forward, we’ll continue to seek discussions with Russia on a step we have never taken before—reducing not only our strategic nuclear warheads, but also tactical weapons and warheads in reserve.”

The administration is conducting a bilateral dialogue with Russia on strategic stability and consulting with allies to lay the groundwork for future negotiations.

Question. What was the total amount of appropriations in fiscal year 2012 used by the Department of State on global climate change programs? What accounts did the funding come from? Please provide me specific details about all of the global climate change programs, including the objectives, results, and amounts of FY 2012 appropriations spent.

Answer. It is my understanding that the State Department administered \$133 million in support of global climate change programs during fiscal year 2012. Of this amount, \$96 million came from the Economic Support Funds account, and \$37 million came from the International Organizations and Programs account. These funds are critical to U.S. diplomatic objectives, open up trade and investment opportunities for U.S. businesses, conserve forests, and help the poorest countries build resilience to extreme weather events. Specific details include:

- *Putting developing countries on a clean energy path, increasing trade and investment opportunities for U.S. businesses and improving air quality and human health around the world:* The State Department’s FY 2012 funding has supported international initiatives such as the Global Methane Initiative, which includes a project network of more than 300 U.S.-based private sector organizations and has cut greenhouse gas emissions by more than 100 million metric tons of carbon dioxide equivalent since its inception in 2004.
- *Conserving forests, fostering sustainable land management, and combating illegal logging:* The State Department provided support to the Forest Carbon Partnership Facility (FCPF), a multilateral initiative that has supported 36 developing countries to put into place the necessary institutional frameworks to engage on Reducing Emissions from Deforestation and Forest Degradation (REDD+) activities. Contributions to the FCPF have allowed us to leverage our funding nearly twentyfold and are contributing to dramatically strengthened forest governance worldwide.
- *Building resilience in developing countries to reduce the risk of damage, loss of life, and broader instability that can result from extreme weather and climate events.* The State Department invested in two climate adaptation funds: the Least Developed Countries Fund (LDCF) and the Special Climate Change Fund (SCCF). Since November 2004, these funds have helped nearly 50 vulnerable countries identify their most urgent needs for preventing climate-related disasters and damages. The most important sectors of engagement have been agriculture and food security, water supply, coastal management, and public health. U.S. contributions to these funds leverage additional program support from other donors.

Question. The Accountability Review Board recommended an increase in funding to \$2.2 billion per year for security and facilities. The U.S. Department of State has said that they have spent more than \$4.7 billion of appropriated funds over the past 3 years to fund United Nations’ climate change commitments. Adequate funding for the safety and security of U.S. Department of State personnel working around the globe must be our highest priority.

- ♦ To comply with the recommendations of the Accountability Review Board, will you support redirecting Department of State funds used for U.N. climate change

commitments to the security and facilities programs at the Department of State?

Answer. It is my understanding that, in fact, the U.S. State Department directly administered \$459 million in climate-related funding over the past 3 years. The \$4.7 billion figure you cite refers to all congressionally appropriated assistance that supports climate change objectives and includes funding administered by other U.S. Government agencies, such as USAID and the Treasury Department.

The safety and security of U.S. personnel and facilities have been a top priority of mine during my time in the U.S. Senate and will continue to be if confirmed as Secretary of State. Strong and effective foreign assistance programs are a key tool to achieve core U.S. diplomatic objectives and defend our overseas interests, and I strongly believe that climate change is one of the most important challenges our country faces. If confirmed, I will be firmly committed both to ensuring the safety of Americans serving abroad and using smart and targeted foreign assistance programs that enhance global stability, expand economic opportunities, and promote American values.

Question. On January 28, 2009, you supported U.S. policies to address climate change, stating: "This is a moment of enormous opportunity for new technology, new jobs, for the greening and transformation of our economy. We simply can't afford not to act." Two weeks later, you voted for President Obama's \$787 billion economic stimulus plan which committed \$90 billion in spending on "green" energy technologies. Four years later, as many as 50 "green" energy companies receiving federal stimulus funds are failing or have already declared bankruptcy, most famously Solyndra. And so few "green" jobs have been created that Jay Leno joked: "You know what's kind of ironic? This will be the fourth St. Patrick's Day of Obama's Presidency. He still hasn't created a green job. What happened to those? President Obama has added over \$6 trillion to our national debt in just 4 years, almost \$1 trillion of it from the economic stimulus alone. Unemployment remains largely unchanged at 7.8 percent. We have anemic economic growth."

- ◆ Do you believe the President's "green" energy agenda has been a success? Do you believe we should spend billions more given the results of the last 4 years?
- ◆ What happened to those "green" energy jobs—that "green" energy prosperity—the President promised? Do you have an answer for Jay Leno and millions of other Americans concerned about the first-term results of the President's economic agenda? Are you concerned that U.S. stimulus tax dollars ended up funding jobs overseas?

Answer. I have long advocated that the United States invest in becoming a clean energy economy to decrease carbon pollution, create jobs, and build resilience in vulnerable communities. Clean energy investments made by the President during his first term, created or saved hundreds-of-thousands of jobs. Furthermore, as it develops, the clean and alternative energy sector has the potential to become a multitrillion dollar marketplace of opportunity that employs significant numbers of American workers and spurs the creation of new technologies. The President has said, and I agree, that we cannot cede the jobs and industries of the next-generation energy sector to other nations. And I am confident that continued efforts to develop our domestic energy supplies, promote energy savings through increased efficiency, and support advanced research and technological breakthroughs will deliver increased growth and employment.

Question. President Obama launched his National Export Initiative in 2010 to double U.S. exports by 2015. He reasoned: "Because the more products we make and sell to other countries, the more jobs we support right here in America." The United States exports coal and is poised to become a net exporter of oil and natural gas products.

- ◆ Do you support U.S. exports of coal, oil, and natural gas?
- ◆ Do you recommend the administration approve pending applications for permits to export liquefied natural gas?
- ◆ Do you support construction of additional coal export facilities in the United States?

Answer. I strongly support increasing U.S. exports as part of our efforts to bolster U.S. economic growth. There are certain legislative requirements that affect the export of oil and gas, including that the Department of Energy make a public interest determination before approving individual applications to export liquefied natural gas (LNG). The Department of Energy has posted for public comment an independently completed study that assesses U.S. national interests in exporting natural gas. The comment period on that study closes 45 days from when it was posted in the Federal Register (December 11, 2013), followed by a 30-day period when it accepts

reply comments. It would be premature for me to comment publicly while the legislatively mandated process is still underway.

According to preliminary estimates, coal exports more than doubled between 2007 and 2012. The role of coal in national fuel supplies has been a part of the U.S. energy dialogues with countries such as China and India and with the European Union. I am not aware of a State Department role on the construction of coal export facilities in the United States.

Question. Many foreign policy analysts believe America's energy bounty can increase its economic competitiveness and enhance its power around the world. Senator Lugar, former chairman of this committee, proposed the United States use its newfound abundance of natural gas to help its NATO allies diversify their energy imports in order to "break Russian dominance" over them through its control of their natural gas supplies. Other experts agree, arguing that U.S. natural gas exports can diminish the "cartel behavior" of rival suppliers like Iran and Russia; help persuade allies to isolate rogue states like Iran; and encourage the decoupling of international gas prices from oil prices which would reduce gas prices around the world.

♦ Do you agree that natural gas exports can serve as an important diplomatic tool for the United States to strengthen its relationships with its allies and restore its standing throughout the world?

Answer. The development of significant new resources of natural gas, in North America as well as in other regions of the world, is already having an impact on global gas markets and on relationships between natural gas producers and consumers, including between Russia and Western Europe. Increasingly, more and more gas is traded as LNG. That has begun to stimulate competitive markets in gas to counterbalance the type of point-to-point monopolies that traditionally existed between suppliers at one end of the pipeline and consumers at the other. Extensive natural gas finds in Israel, expected to come on line later in 2013, are but one example of the impact that increased natural gas production might have on geopolitical relationships. The effect that U.S. exports of liquefied natural gas (LNG) might have on global gas markets is a subject that is receiving significant scrutiny, including as a part of the Department of Energy's ongoing review of the study it commissioned on the cumulative impact of LNG exports. I would add that the decision on whether to license LNG exports is, by law, one which the Department of Energy is charged with making. It would be premature to comment on LNG exports until DOE completes that review.

Question. On June 4, 2009, you said: "In a sense, China and the United States find themselves in a similar kind of strategic box. Both of us have increasing economic demand, increasing power-production demand, and both of us are predominantly dependent on foreign sources of fuel. So, to the degree that we both move aggressively to create bioalternative, renewable, wind, solar, clean coal, et cetera, we are significantly advantaged." Since then, we have figured out how to produce sufficient oil and natural gas resources here at home to satisfy all U.S. demand with enough left over to export overseas—and no taxpayer dollars required.

♦ Do you still think China and the United States find themselves in a "similar kind of strategic box"? Or would you agree that America's newly accessible, abundant, reliable, affordable oil and gas resources have changed the game, enabling us to meet the "increasing economic demand, increasing power-production demand," and wean us off "foreign sources of fuel," that you worried about 4 years ago?

Answer. The development of significant new resources of natural gas and oil in North America is certainly a boon to our country, in terms of economic development and in our balance of payments, as well as for U.S. energy security. However, even if North America produces all the hydrocarbons it consumes at some point in the future, oil prices for Americans will still be influenced by developments in the global market and the overall global economy. Given that China, like the United States, is a top energy consumer as well as a major energy producer with inextricable links to the world economy, we do share a number of similar strategic concerns, something that could be an area of opportunity for us.

From a climate change perspective, the United States and China remain firmly in the same strategic box. As the two largest global emitters of carbon dioxide, it is absolutely critical that we work together to address this global concern.

Question. Would you agree that America is "significantly advantaged" by these fossil fuel resources in its relationship with China and other foreign nations? Do you believe the Obama administration should pursue policies that restrict America's car-

bon emissions even if it makes the U.S. economy less competitive with China and other nations?

Answer. The competitive advantages the United States enjoys are broad and economy wide, stemming from natural resources, human capital, technological innovation, and economic freedom, which combine to create the world's leading economy. There is no single aspect that can be singled out as the principal driver of our growth or success.

The administration's energy policies through the first term have led to dramatic growth and investment in new energy resources and technology. One of the State Department's priorities is to ensure U.S. companies have access to global markets and investment opportunities, thereby ensuring the United States remains a global leader and innovator, particularly in new and emerging technologies.

Question. On June 4, 2009, you said: "Earlier this year, while America Spent \$80 billion in green stimulus measures, the largest such investment in our history, China invested \$200 billion."

- ◆ In light of the results, do you believe the \$90 billion commitment was enough?
- ◆ How about the \$150 billion the Brookings Institution reports the Obama administration will spend between 2009 and 2014?
- ◆ Do you want us to spend \$200 billion like China? How much is enough? How much must we spend, how high must our debt go, how expensive must our gasoline and electricity get, before it is too much?

Answer. President Obama has made it clear that leading the world in clean energy is critical to strengthening the American economy and winning the future; the countries that lead the clean energy economy will be the countries that lead the 21st century global economy. We can get there by creating markets for innovative clean technologies that are ready to deploy, and by funding cutting-edge research to produce the next generation technologies.

The clean energy investments included within the 2009 American Recovery and Reinvestment Act were domestically focused, and so the leaders of those Departments and Agencies that were responsible for executing the associated investments and programs would more appropriately describe their successes. Looking to the future, the President is committed to making the investments and advancing the policies that will position the United States to win the global clean energy race. I have been clear in my support for this stance throughout my time as Senator, and I will continue to do so if confirmed as Secretary of State.

A related point that I want to stress are the opportunities for American business. The International Energy Agency estimates that the world will invest \$10 trillion in power generation through 2030, and that 60 percent of this will be in renewable energy. Ensuring that the United States can compete in this market is of great interest to creating jobs for American workers.

Question. In Europe, generous government subsidies to the renewable energy industry have failed to provide it with enough of an advantage to win in the global marketplace. In response to a cascade of green energy insolvencies, Germany, Italy, and other European nations are slashing subsidies to solar companies to spare their taxpayers from losing billions more. Spain is reworking its "green" energy spending policies after experiencing lost jobs and growing liabilities.

- ◆ Do you think the Obama administration should rethink its "green" energy agenda in light of its failures and the failures in other countries?

Answer. Several countries in Europe have in recent years made some changes to their subsidy programs for a number of policies, including some for renewable and alternative forms of energy. These changes in many cases are related to the fiscal difficulties a number of European countries face. However, the EU Commission as well as several EU Member States have voiced their continuing commitment to supporting the increasing use of clean energy.

The administration remains committed to an "all of the above" strategy that emphasizes the use of a wide range of energy sources for the United States, including clean energy and energy efficiency, as well as hydrocarbons, nuclear energy and other sources. This "all of the above" approach has reduced U.S. oil imports from about 60 percent of total consumption in 2005 to 40 percent in 2012. That reflects cohesion between domestic energy policy and our international strategy for energy security which supports U.S. domestic and foreign policy interests.

Question. Do you believe the United States should financially support offshore oil and gas drilling in Brazil and other countries while restricting it on Federal lands here at home?

Answer. The United States does not directly support offshore oil and gas drilling in other countries, as this is the realm of the private sector. However, the Export-Import Bank of the United States (ExIm) does have the ability to provide loans to foreign enterprises that have a high likelihood of stimulating the export of U.S. goods in strategic sectors and creating jobs for Americans. As Brazil ramps up its oil production, we support their efforts to ensure the safe, reliable, and efficient exploration and production of those reserves. American oil and gas companies are present in Brazil, which has one of the world's largest oil reserves. Oil and gas production is a potential source of revenue for those companies, and it will contribute to global supplies that help maintain stability in global oil markets, and that affects prices that consumers pay here at home. Helping Brazil access U.S. technology is likely to bring long-term benefits to U.S. industry, and foster an even stronger bilateral relationship between our two countries. We also actively seek out avenues to collaborate on scientific research in deep off-shore energy.

It is my understanding that the U.S. Department of State does not govern domestic oil and production. If confirmed, I would defer to the U.S. Department of Interior and Department of Energy for discussions permitting and licensing.

Question. Do you believe the United States should refill the Strategic Petroleum Reserve to pre-2011 levels, or do you think it has sufficient barrels to provide import protection in America in the case of a severe supply disruption overseas?

Answer. The U.S. Strategic Petroleum Reserve is administered by the Department of Energy. According to the U.S. Department of Energy's Office of Petroleum Reserves, the reserve holds approximately 695.2 million barrels of oil as of January 11, 2013, which corresponds to about 80 days of U.S. imports of crude oil (based on 2012 EIA data of net petroleum imports of 8.72 million barrels per day). The U.S.'s International Energy Agency requirement is 90 days of import protection (both public and private stocks). The United States fulfills its commitment with a combination of SPR stocks and industry stocks.

As the United States in recent years has continued to reduce its overall imports of crude oil, the Strategic Petroleum Reserve is providing an increasing number of days of import cover in the case of a severe supply disruption overseas. The U.S. Government stands ready to take appropriate actions, including possibly release of reserves, in the case of a supply disruption.

Question. As Secretary of State, you will decide whether or not the Keystone XL pipeline is in the "national interest."

- ◆ Do you believe it is in our national interest to reduce gasoline prices for American consumers, as IHS CERA and other analysts' project crude oil imports through the Keystone XL pipeline would do?
- ◆ Do you believe it is in our national interest to cut U.S. reliance on Venezuela and Middle East crude oil by up to 40 percent?
- ◆ Do you believe it is in our national interest for the United States to delay the Keystone XL pipeline to the point that Canada, our top trading partner and closest ally, has begun courting China and other alternative markets?
- ◆ Do you believe it is in our national interest for the U.S. Government to deny Americans 20,000 truly "shovel-ready" jobs?

Answer. There is an ongoing review process under Executive Order 13337 of the application for a Presidential permit for the Keystone XL pipeline. The next step in the process will be the release of a Supplemental Environmental Impact Statement for public comment, consistent with the National Environmental Policy Act. The Department continues to conduct its review of the Presidential Permit application in a rigorous, transparent, and efficient manner. Because that process has not been completed, the administration is not done with its analysis of the issues raised by your specific questions.

The United States remains committed to ensuring economic growth. Energy security and increased energy development cooperation and integration with our energy trading partners contribute to stable energy markets that support economic growth. Gasoline prices are largely derived from global crude oil prices. We support transparent and efficient market mechanisms that lead to adequate accessible and reliable oil supplies.

The United States is taking vigorous steps to use less oil, and to use the oil we have even more efficiently. Together with increased U.S. oil production, these steps have reduced U.S. oil imports from 60 percent of consumption in 2005 to less than 40 percent in 2012. Americans and Canadians have worked together on energy exploration and production, energy efficiency, new energy technologies, emissions standards, and environmental management for decades. Both countries benefit from

a reliable and robust bilateral trade in energy resources that flow in both directions, north and south, across our border.

Helping create jobs for Americans is a priority for the Department as demonstrated by its worldwide advocacy on behalf of American businesses abroad.

Question. The Obama administration continually claims one of its signature foreign policy achievements is the “reset” in relations with Russia. You have said in the past the reset is “paying off.” Russia has vetoed U.N. Security Council resolutions pertaining to the slaughter in Syria, has armed the Assad regime there, serves as the protector at the United Nations for Iran’s illicit nuclear program, held a parliamentary election in 2011 your own Secretary of State assessed to be “neither free nor fair,” and terminated all USAID programs in Russia. Just last week the Washington Post in a news article called the Russia reset a “failure” in its opening sentence.

- ♦ What exactly was reset with Russia?
- ♦ Is the reset still paying off?

Answer. The United States current policy toward Russia grew from the recognition that the state of the U.S.-Russia relationship as the President took office did not serve the United States foreign policy interests. The administration’s policy is premised on the recognition that we should cooperate with Russia in those areas that advance our mutual interests, engage Russia in a frank discussion of our policy differences, and firmly stand by our principles, our partners, and our allies. As the past 4 years have shown, this policy has produced significant results, including the New START Treaty to reduce strategic nuclear weapons, military transit arrangements to support our efforts in Afghanistan, the toughest multilateral sanctions to date on Iran and North Korea, and Russia’s WTO market access commitments that will benefit U.S. exporters and grow American jobs. We have also created a bilateral commission—encompassing a wide range of cooperation in areas as diverse as energy efficiency, environmental protection, and defense and military cooperation—which continues to deliver results that benefit both our countries.

At this moment, the United States is clearly going through a more difficult phase in our relations with Moscow. We have real and continuing differences with the Russian Government, and not just on human rights and the state of democracy in Russia but on how to address the crisis in Syria, and other issues.

If confirmed, I will continue to work with Russia in areas where our interests overlap because it is in America’s long-term strategic interest to do so. I will also continue to raise U.S. concerns with human rights and democracy, and discuss how to bridge our differences on issues of strategic importance to the United States.

Question. The administration is negotiating a Bilateral Security Agreement with Afghanistan. In 2007, you introduced a bill, along with Senators Obama and Clinton, expressing the sense of the Senate that any bilateral agreement between the United States and Iraq “involving ‘commitments or risks affecting the nation as a whole’” would not have the force of law if it did not receive Senate consent via the treaty process or was not authorized by legislation (presumably as a Congressional-Executive Agreement).

- ♦ Will you insist that any Bilateral Security Agreement with Afghanistan be submitted to the Congress for its approval in some form?

Answer. As President Obama and President Karzai affirmed in January, the Bilateral Security Agreement (BSA) is in both countries’ interests. The BSA negotiations are a joint effort to define the mutually agreed “ground rules” for a possible U.S. military presence in Afghanistan after 2014, in the limited roles of training, advising, assisting and equipping security forces, and supporting counterterrorism efforts.

The BSA is expected to include provisions similar to provisions included in status of forces agreements that the United States negotiates with countries around the world. These include the terms for U.S. Forces’ access and use of facilities, as well as the full legal protections they require, and which President Obama clearly described following his January meeting with President Karzai. The BSA may also address broader aspects of continuing defense cooperation between the United States and Afghanistan.

If confirmed, I will ensure that Congress continues to be kept fully informed of our progress. As you know, the BSA remains under negotiation and it is thus premature to make a final determination on the form of the agreement. Such a determination will be guided by established law and practice.

Question. In your capacity as chairman of the Senate Foreign Relations Committee, at a hearing in March 2011 on what initiatives the United States should

take with North Korea, you said we should “launch bilateral talks with North Korea.” You counseled the same a few months later, saying we should “engage North Korea directly.”

President Obama did just that, completing on February 29, 2012, an agreement “to implement a moratorium on long-range missile launches” in exchange for 240,000 metric tons of food aid. The ink was barely dry on this agreement when North Korea announced it would conduct a long-range missile test, which it did on April 13, 2012.

Over the past 20 years, North Korea has made frequent promises to halt long-range missile launches and nuclear activities. It has broken those promises every time. This Obama administration effort at engaging North Korea was similar to a Bush administration effort in 2008, which resulted in an agreement that North Korea promptly violated. During the Obama administration, North Korea has conducted at least one nuclear test, several long-range missile tests, and murdered 46 South Korean sailors by sinking the South Korean ship *Cheonan* in May 2010.

When the Bush administration completed its agreement, Senator Obama was clear at the time what the consequences should be if North Korea did not live up to its agreement. He said, “If the North Koreans do not meet their obligations, we should move quickly to reimpose sanctions that have been waived, and consider new restrictions going forward.” He later added, “[W]e should lead all members of the six-party talks in suspending energy assistance, reimposing sanctions that have recently been waived, and considering new restrictions.”

It is clear that North Korea completes agreements with no intention of implementing them.

♦ Do you believe the United States should still engage directly with North Korea?

Answer. The United States should remain committed to authentic and credible negotiations to implement the September 19, 2005, joint statement and bring North Korea into compliance with applicable Security Council resolutions through irreversible steps leading to denuclearization. However, North Korea must live up to its commitments, adhere to its international obligations, deal peacefully with its neighbors, and refrain from provocations. As President Obama stated in his speech last November in Rangoon, the United States is willing to extend its hand should the leadership in Pyongyang choose the path of peace and progress and let go of its nuclear weapons.

Question. If you are confirmed, will you work with President Obama to implement his previous position that tougher sanctions should be imposed on North Korea for its continued violation of all its nonproliferation agreements?

Answer. If confirmed, I would continue to call on North Korea to completely and verifiably denuclearize, cease its pursuit of nuclear weapons and related proliferation, and choose the path toward peace and prosperity for its country and its people. North Korea would certainly face additional consequences from the international community if it continued to recklessly disregard its international obligations and commitments and to threaten the security of the region.

Question. What consequences have there been, if any, for North Korea’s long-range missile test last month?

Answer. In response to North Korea’s December 12, 2012, launch, the U.N. Security Council on January 22 unanimously adopted Resolution 2087, which tightened sanctions on North Korea to impede the growth of its nuclear, other WMD, and ballistic missile programs. This resolution, which follows public statements by more than 60 countries condemning the launch, demonstrates North Korea’s growing isolation and sends a clear, united signal that provocations such as its December 2012 launch will have consequences.

To implement UNSCR 2087 and to impede the DPRK’s illicit WMD and ballistic missile programs, the Departments of State and the Treasury on January 24, 2013, designated several entities and individuals directly tied to North Korea’s proliferation activities. The Department of State designated one entity and two individuals pursuant to Executive Order 13382, which targets proliferators of weapons of mass destruction (WMD) and their supporters.

Question. Secretary Panetta has taken the position that arms reductions would take place in the Obama administration only as a result of an arms control treaty process. He said, “reductions that have been made, at least in this administration, have only been made as part of the START process and not outside of that process; and I would expect that that would be the same in the future.” This makes sense, as nuclear reductions are almost always completed by treaty. As the Congressional Research Service has observed, “[a]rms control treaties are the only category of

agreement in the political-military field that have been concluded primarily in treaty form.”

- ♦ Do you commit to support and implement nuclear reductions only under the treaty-making power of the President articulated in Article Two, Section Two, Clause Two of the Constitution, requiring consent of two-thirds of the Senate?

Answer. Having served proudly in the U.S. Senate since 1985, I have the utmost respect for the Senate’s role in the treaty process. I am mindful of the language in the Arms Control and Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and the laws of the United States.

If confirmed, I would see to it that the Department of State will continue its consultations with the Congress on arms control-related issues.

Question. Russia is essentially a serial violator of arms control treaties. When President Obama completed New START there were a number of issues outstanding on the original START. The State Department is unable to verify Russian compliance with the Biological Weapons Convention or the Chemical Weapons Convention, while it affirmatively finds Russian noncompliance with the Conventional Forces in Europe Treaty and the Treaty on the Open Skies.

In his April 2009 speech in Prague promising to rid the world of nuclear weapons, President Obama proclaimed “rules must be binding. Violations must be punished. Words must mean something.” In 1985, Congressmen Les Aspin, Harry Reid, and others wrote to Soviet General Secretary Gorbachev to assert that if compliance issues are not “resolved in a satisfactory manner, it will have serious consequences for the future of the arms control process.”

Indeed, it is self-evident that parties must adhere to the commitments they have made for arms control to have any meaning and credibility. When Russia violates arms control agreements while the United States adheres to them, Russia gains a military advantage that puts U.S. national security at risk. For example, the former commander of U.S. Strategic Command, General Chilton, predicated his support for U.S. nuclear levels and New START on the assumption “that the Russians in the post-negotiation time period would be compliant with the treaty.”

- ♦ Do you agree with the position that for the arms control process to have any meaning, parties must adhere to the treaty commitments they have made?

Answer. As President Obama said in his 2009 Prague speech, “Rules must be binding. Violations must be punished. Words must mean something.” Verification, the process by which we gather and analyze information to make a judgment about parties’ compliance or noncompliance with an agreement, is an integral part of arms control. The administration, as well as previous administrations, evaluates effective verification of arms control agreements based on our ability to detect militarily significant violations before they become a threat to our national security. Treaty compliance is essential for creating the stability and predictability that aids international security efforts.

- ♦ Do you agree with the position of Les Aspin and Harry Reid that noncompliance should have consequences for future arms control negotiations?

Answer. Verifiable noncompliance with treaty obligations is a very serious issue. I believe it is important to look at the current arms control regimes holistically when considering future negotiations.

- ♦ Do you agree with the position of President Obama that violations of arms control obligations must be punished?

Answer. Verifiable noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances.

- ♦ If we have evidence of a major arms control violation, shouldn’t we resolve that issue prior to negotiating future arms control treaties?

Answer. Consequences of noncompliance with treaty obligations should be appropriate to the specific circumstances. When dealing with specific issues of possible noncompliance, decisions can be made about whether those issues do or should affect future agreements. Given the large number of pressing international security issues on the agenda, it is important to be able to work on many issues at once. If confirmed, I personally look forward to tackling these many issues with the help of the Senate.

- ♦ Is Russia currently in compliance with its arms control, nonproliferation, and disarmament agreements and commitments?

Answer. For issues relating to Russian compliance, I refer you to the Annual Compliance Report produced by the Department of State. Both the unclassified and classified versions of that report provide a view of issues regarding compliance with all our treaty partners, including Russia.

Question. The 2009 Enhanced Partnership with Pakistan Act, also known as Kerry-Lugar-Berman bill, authorized the President to provide \$1.5 billion in economic (nonmilitary) assistance to Pakistan each year for 5 years. The United States also provides significant military (security) assistance to Pakistan. Among the act's stated purposes of assistance was to help prevent Pakistani territory from being used as a base for terrorist attacks and to work with Pakistan to coordinate action against extremist and terrorist targets.

In order for the United States to be able to provide certain security assistance to Pakistan, the President has to certify under the act, among other things, that Pakistan is committed to combating terrorist groups, ceasing the support of its intelligence agency to terrorist groups, and preventing terrorist groups from carrying out cross-border attacks into neighboring countries. In his final appearance before the Senate Armed Services Committee, outgoing Chairman of the Joint Chiefs of Staff, Admiral Mullen essentially charged Pakistan with giving aid and comfort to U.S. enemies, namely the Quetta Shura (leadership of the Afghan Taliban) and the Haqqani Network. It was in that statement that he charged the Haqqani Network is an "arm" of the Pakistani intelligence service, long enjoying "the support and protection" of the Pakistani Government. The Haqqani Network is responsible for, among others, attacks on the U.S. Embassy in Kabul and an attack on the Inter-Continental Hotel. And of course Osama bin Laden was found in Pakistan.

♦ Has the U.S. relationship with Pakistan improved under the Kerry-Lugar-Berman bill?

Answer. The signal sent by the Kerry-Lugar-Berman Act of a sustained U.S. commitment to the relationship with Pakistan is an important and useful one; Pakistan's long-term trajectory and cooperation is important to our national security interests and those of the region. As you know, our relationship with Pakistan has been very difficult over the last 2 years, based on events unrelated to our assistance. Following the reopening of the supply lines to Afghanistan through Pakistan in July 2012, we have worked to put the relationship on firmer, more positive footing based on the belief that we ought to be able to identify shared interests and act on them jointly.

Continued implementation of the principles expressed in the Kerry-Lugar-Berman Act (KLB) is one way we are building a constructive relationship with Pakistan based on joint actions to achieve progress on our shared interests, which include a secure, stable, and prosperous region. Civilian and security assistance are important parts of our policy of engagement.

Through our civilian assistance we are making measurable progress with Pakistan in the sectors most important to Pakistan's stability: energy, economic growth, stabilization of the border areas, education, and health. For example, energy remains a key priority due to critical shortages that undermine Pakistan's economic and political stability; since October 2009 U.S. assistance has added 500 MW to Pakistan's electricity grid, benefiting over 6.8 million people. U.S. funded-projects will add over 900 MW, or almost half the installed capacity of the Hoover Dam, by end of 2013. Our stabilization initiatives aim to make communities in conflict and post-conflict border regions inhospitable to insurgents and extend the writ of the government, supporting our goal of national and regional security. USAID and the State Department have funded the construction of over 750 km of roads in these extremism-prone border regions, increasing commercial activity and stability.

In this same vein, our security assistance programs focus on strengthening Pakistan's capabilities in counterterrorism and counterinsurgency, and on promoting closer security ties with the United States. We continue to engage Pakistan on the need for progress on these fronts, including engagement on nuclear nonproliferation, sustained commitment and efforts on countering terrorism, and reducing security force intervention in civilian governance. While cooperation is not at the level we would like, we have seen positive steps in each of these areas, particularly in counterterrorism, and Pakistan continues military operations against terrorist threats. There is no denying that safe havens on both sides of the border continue to pose a serious threat to Afghans, Pakistanis, and Americans alike. It is in our mutual interest to work together to tackle these challenges, as well as the problem of the proliferation of improvised explosive devices and the regional threat arising from Lashkar-e-Taiba (LeT) and other Pakistan-based terrorist groups. With over 30,000 people killed since 2001, no country has suffered more from terrorism than Pakistan. It is in Pakistan's clear interest to address terrorism and we will continue

to work with Pakistan to eliminate the threats in the border areas and the region, to make both of our nations more secure.

These are core U.S. objectives and we must maintain a constructive relationship to ensure sustained progress. If confirmed, I will apply the resources available to me to continue deepening our cooperation on our shared interests.

Question. Last year, the U.S. Department of State and U.S. Department of Defense initiated a process to remove a war memorial in Wyoming. It honors the lives of 48 soldiers who were massacred in their sleep by insurgents in the Philippines on September 28, 1901. The Department of State and Department of Defense intentionally withheld information about the commencement of its removal from Congress.

- ◆ Do you support deconstructing our war memorials, which honor our fallen soldiers, and moving them to foreign countries?
- ◆ What is your position on providing Congress with information and notice about these types of actions?

Answer. As a veteran myself, I believe it is a sacred duty for us to honor those who made the ultimate sacrifice on behalf of our country. I do not support transferring any war memorials to a foreign country without informing Congress and veterans and taking their views into account.

Question. What are your views on the need for management reform at the United Nations?

Answer. A strong and effective United Nations is critical to advancing America's national security interests, promoting our values, and buttressing the global economy. At its best, the U.N. can help prevent conflict, keep the peace, combat weapons proliferation, isolate terrorists and criminals, care for the neediest of the world, smooth the channels of global commerce, and promote universal values that Americans hold dear.

Over the past 4 years, the Obama administration has demonstrated that the best way to achieve a strong and effective U.N. system is through robust U.S. engagement. As President Obama has said, the U.N. is both "indispensable" and "imperfect"—so with our robust engagement comes the obligation to push for a more effective and efficient U.N.

The administration continues to be committed and to lead efforts to achieve a reformed and renewed U.N. that saves lives, keeps the peace, seeds development, finds common solutions to the urgent problems of a new century, operates effectively—and lives within its means. The administration has fought hard for critical reforms, because business as usual is not acceptable. To live up to its founding principles, the U.N. must protect its reputation from actions that discredit the organization. In an era of financial crises and austerity, the U.N. must learn to do more with less. Finally, we will push for the U.N. to make wider and better use of public and private sector "best practices."

Question. How will you work to address barriers to advance U.N. management reforms, especially those caused by the different priorities among Member States?

Answer. Implementing reforms requires the United States to work with other Member States to build consensus, which is often a time consuming process that is slower than we might like. The U.N.'s other major financial contributors typically have similar views on reform priorities, and the United States works closely with these like-minded states. However, the Group of 77 (G77), which includes 132 self-described "developing" states, represents the largest voting bloc in the General Assembly, and our views on U.N. reform priorities often differ with the G77s. By virtue of size, the G77 wields considerable influence during negotiations and has at times taken action to impede progress on reform.

If confirmed, I would work with our Permanent Representative to the United Nations in New York, Ambassador Susan Rice, to continue our efforts to engage developing states—both in New York and bilaterally in capitals—to identify ways to engage the G77 constructively, and minimize opportunities for negative impacts on U.S. foreign policy objectives at the United Nations.

Question. How will you measure and assess the progress made in advancing or implementing management reforms at the U.N.?

Answer. In 2011, the administration successfully launched Phase II of the U.S.-sponsored United Nations Transparency and Accountability Initiative (UNTAI) to verify that concrete improvements in management and accountability are being made at 24 U.N. organizations. The previous administration launched Phase I to promote reforms adopted by the U.N. Secretariat throughout the rest of the U.N.

system. Phase II deepens U.S. efforts to advance systemwide reforms and includes the U.N. Secretariat as well as other U.N. organizations.

The State Department assesses progress annually. The results are used to determine weaknesses and set reform priorities for oversight and accountability, ethics and integrity, and financial management and good governance.

In addition to this systemwide effort, Ambassador Rice and her team are advancing a robust agenda of reforms specific to the United Nations in New York. They continually seek opportunities to advance a robust reform agenda and monitor progress. If confirmed, I will work with Ambassador Rice to build on her efforts and push for continued U.N. reforms, including looking at possible improvements to the way that progress is being tracked and reported by the U.N.

Question. What policies need to be implemented to maintain fiscal accountability within the U.N.?

Answer. The United States is working with other U.N. Member States to limit growth in the U.N. regular budget and ensure that the U.N. Secretariat makes more efficient use of its existing resources. In December, the U.N. General Assembly agreed to a 2014–2015 budget planning level that is \$100 million less than the amount that the Secretary-General requested and currently reflects no budget growth over three consecutive biennium budgets (2010 through 2015). This is resulting in a U.N.-wide effort to reduce costs and make better use of existing resources.

In March, Member States will resume consideration of the U.N.'s accountability system. In this context, Member States are pressing the U.N. Secretariat to do a better job of producing and reporting on results, implementing recommendations of oversight bodies such as the U.N.'s Board of Auditors and the Office of Internal Oversight Services, implementing measures to prevent potential conflicts of interest, and making better use of monitoring and evaluation tools to determine whether resources are being put to their best use.

The administration also pushed hard for public disclosure of internal audit reports to increase transparency and accountability throughout the U.N. system. Member States and the general public should be able to see to what extent programs are delivering results and whether resources are being adequately safeguarded against waste and abuse. The United States turned a corner last year with the adoption of the public disclosure decisions at the World Food Programme and the NY-based funds and programs. Ambassador Rice and her team continue to press vigorously for a similar decision by the U.N. General Assembly. If confirmed, I would work with Ambassador Rice to achieve the same standard of transparency for the U.N. itself.

Question. In November, the Palestinians took action to circumvent the peace process and seek a change in status at the United Nations.

♦ (a) Do you believe this action promotes the peace process and serves the needs of the Palestinian people?

Answer (a). The administration firmly opposed the Palestinians' initiative to gain nonmember observer state recognition in the United Nations General Assembly (UNGA). The administration's entire senior foreign policy team, working in close coordination with Israeli counterparts, engaged with international partners at multiple levels to galvanize support for an alternative path that would have averted a vote and brought Palestinians and Israelis back to direct negotiations. This effort built on the administration's success since 2011 in blocking Palestinian attempts to seek full U.N. membership, which would have required a favorable recommendation from the U.N. Security Council. The administration consistently made clear that such action did not serve the interests of peace and would only serve to push the parties further apart, rather than provide concrete benefits to the Palestinian people, build trust between the parties, and advance peace efforts. Despite the administration's efforts to dissuade him and encourage a return to direct negotiations, Palestinian Authority (PA) President Mahmoud Abbas would not waver from his publicly stated position that he would approach the General Assembly.

♦ (b) How would you oppose these types of efforts and encourage a return to talks?

Answer (b). Since the November 29 vote, the administration has sought, in coordination with Israeli officials, to persuade the Palestinian leadership to refrain from further action that could deepen the sense of crisis, further damage U.S. interests in the U.N. and other bodies as well as our relationship with the Palestinians, and set back prospects for direct negotiations. If confirmed as Secretary of State, I will continue the administration's policy of opposing firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudice the very outcomes

that can only be negotiated, including Palestinian statehood. In addition, the United States will continue to stand up to every effort that seeks to delegitimize Israel or undermine its security. The administration's commitment to resuming direct negotiations and achieving a negotiated Israeli-Palestinian peace agreement based on a two-state solution remains unchanged. As I stated during my confirmation hearing, I strongly believe that we must try to find a way forward in resuming negotiations, without which the possibility of a two-state solution could recede, an outcome that would be disastrous for all involved, including for the United States. Israel's elections and upcoming period of government formation, coupled with ongoing efforts to sustain and deepen the cease-fire in Gaza, provide an opportunity for both the Israelis and Palestinians to step back and consider how they can create a context in the coming months that is conducive to resuming direct talks. As Secretary, I intend to continue working intensively with the parties to resolve issues between them, lay the ground for future direct talks, and, simultaneously, bolster Palestinian Authority efforts to maintain and strengthen robust institutions and a viable economy—essential to a future Palestinian state that will be a responsible neighbor and contribute to regional peace, security, and stability.

- ♦ (c) In your view, what consequences should the Palestinians face if they attempt to gain membership in United Nations agencies or seek to bring charges against Israelis at the International Criminal Court?

Answer (c). Since the November 29 vote, the administration has sought, in coordination with Israeli officials, to persuade the Palestinian leadership to refrain from further action that could deepen the sense of crisis, further damage U.S. interests in the U.N. and other bodies as well as our relationship with the Palestinians, and set back prospects for direct negotiations. If confirmed as Secretary of State, I will continue the administration's policy of opposing firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudge the very outcomes that can only be negotiated, including Palestinian statehood. In addition, the United States will continue to stand up to every effort that seeks to delegitimize Israel or undermine its security.

Question. International Religious Freedom: To what extent does international religious freedom factor in to your priorities as Secretary of State?

- ♦ What do you believe is the U.S. Government's role in advocating on behalf of minority religious communities in the particularly vulnerable areas of Pakistan, Iran, Egypt, Iraq, and Afghanistan?
- ♦ Are you supportive of a Special Envoy on Religious Freedom that would focus specifically on these areas in coordination with the Ambassador at Large for International Religious Freedom?

Answer. I am committed to promoting religious freedom and tolerance, which must remain central in our bilateral diplomacy. For example, I have raised the importance of religious tolerance and diversity with President Morsi of Egypt and, if confirmed, will continue to urge him to respect the universal rights of Egyptians of all faiths.

The administration and I fully share your concerns about religious freedom and protecting religious minorities in the Middle East and South Central Asia. However, I agree with the administration's view that the responsibilities of the proposed special envoy would dilute our ability to integrate this issue into our broader foreign policy agenda. It would also duplicate and potentially conflict with other senior-level engagement, including that of the Ambassador at Large for International Religious Freedom.

The administration has been actively engaged in promoting and protecting the rights of members of religious minorities in the Middle East and South and Central Asia. The Department has taken the lead in coordinating and applying intense international pressure on Iran—including through statements by President Obama and Secretary Clinton and financial sanctions—that has highlighted Iran's religious freedom abuses. U.S. officials regularly raise religious freedom concerns in Pakistan and Afghanistan with high-level officials in Islamabad, Kabul, and Washington. Senior administration officials have addressed the pressing need for religious freedom and protection of minorities with the Government of Iraq and the Kurdish Regional Government. If confirmed, I plan to continue that active engagement.

Question. On December 28, 2012, Russian President Vladimir Putin signed into law a bill ending the intercountry adoptions between the United States and Russia. The law prevents U.S. citizens from legally adopting Russian children. The Russian law went into effect on January 1, 2013.

On January 1, 2013, the United States Senate unanimously passed Senate Resolution 628, which voiced disapproval of the Russian law. It also urges Russia to re-

consider the law and prioritize the processing of intercountry adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law.

There are numerous families across this Nation who are already in the process of adopting children from Russia, including a family in Sheridan, WY. According to the Department of State, there are currently between 500 and 1,000 U.S. families in various stages of the adoption process.

- ◆ If confirmed, what actions will you take to persuade the Russian Government to allow those families already in the process of adopting children from Russia to be able to complete the adoption process?
- ◆ Are you committed to urging the Russian Government to allow the completion of all pending adoptions?
- ◆ Will you continue to ensure that the U.S. Department of State works with impacted U.S. families to provide them with updates and information regarding their individual cases?

Answer. I deeply regret Russia's passage of Federal law No. 272-FZ which bans the adoption of Russian children by U.S. citizens, restricts Russian civil society organizations working with U.S. partners, and requires termination of the U.S.-Russia Adoption Agreement. While Russia has the sovereign right to ban the adoption of its citizens, if confirmed, I will continue to underscore that this approach hurts the most vulnerable members of Russian society.

The U.S.-Russia adoptions agreement, which entered into force last year, was negotiated under a shared understanding that while all efforts should be made to place children with families in their country of birth, when this is not possible, properly safeguarded intercountry adoption should be another valid path to finding children permanent homes. If confirmed, I will endeavor to remind Russian officials at the highest levels of this principle and urge them to reconsider this law.

I am also committed to urging the Russian Government, on humanitarian grounds and in the spirit of our bilateral agreement, which remains in force through January 1, 2014, to permit all adoptions initiated prior to the law's enactment to move forward.

If confirmed, I will make it a priority for the State Department to work with all U.S. families impacted by this ban and to keep them fully informed.

RESPONSES OF SECRETARY-DESIGNATE JOHN F. KERRY TO QUESTIONS
SUBMITTED BY SENATOR RAND PAUL

Question. In the recent past, our military has relied heavily on technology—airial bombardment and drones—to engage, rather than putting U.S. troops into harm's way. If aerial bombardment and drone strikes were used against the United States, we would certainly consider it an act of aggression and a declaration of hostility, if not war.

- ◆ Do you agree that drone strikes, aerial bombardment, and the other technical means of war constitute authorization of force? Should these actions be subject to congressional approval?

Answer. The respective roles of the President and the Congress in authorizing particular uses of force by the United States are governed by the Constitution and other applicable U.S. law. For example, in the context of the ongoing armed conflict with al-Qaeda and its associated forces, the United States has taken action in reliance on the congressional authorization provided in the Authorization for Use of Military Force (AUMF), Public Law 107-40, as well as the President's authority as Commander in Chief to protect the Nation from any imminent threat of violent attack. In the AUMF, Congress authorized the use of all "necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons."

Question. Right now there is hardly any congressional oversight over the use of drones—when we use them, how, where, or why. And yet, these drones constitute the bulk of our hostile engagement overseas. I would go so far as to say that our aerial capacity is defining our new terms of war. Yet, there has been little congressional engagement on this issue—what we know about the use of these drones comes from the Washington Post and the New York Times.

- ♦ It would seem appropriate that Congress have an oversight role into the use of drones. Do you agree?

Answer. I agree that congressional oversight of U.S. operations abroad, including the use of remotely piloted aircraft to conduct targeted strikes, is critically important. U.S. Government agencies responsible for carrying out such operations are regularly engaged on these matters with the congressional committees that oversee them, and I believe this engagement should continue.

Question. Senator Kerry, the Kerry-Lugar-Berman Act (The Enhanced Partnership with Pakistan Act of 2009), authorizes \$7.5 billion in nonmilitary aid to Pakistan through 2013.

- ♦ How would you, as Secretary of State, exert pressure onto Pakistan for giving haven to Taliban-allied insurgents who have killed American troops in Afghanistan?

Answer. There is no denying that safe havens on both sides of the border continue to pose a serious threat to Afghans, Pakistanis, and Americans alike. We have long expressed our view that we are especially troubled by the safe havens the Taliban, Haqqani Network, and groups such as Lashkar-e-Taiba (LeT) have in Pakistan. The United States and Pakistan have a strong, shared interest in working together to tackle these safe havens from which terrorists threaten both of our countries. Pakistan has suffered greatly at the hands of extremists, with more than 6,000 military and civilian casualties in the past year. Pakistani leaders—civilian and military alike—understand that Pakistan's security and economic interests will be best served by a more stable region free from violent extremism.

Pakistan is a key ally in the fight against extremism. Through our mutual efforts with Pakistan, we have been able to substantially weaken al-Qaeda's leadership and operational capabilities. Pakistan has also publicly called on the Taliban to enter into a dialogue with the Afghan Government, and supported U.N. sanctions against the Haqqani Network.

We continue to press Pakistan to take additional actions against a range of terrorist groups, no matter whom they target or where they strike. This includes LeT, which carried out the horrific attacks in Mumbai in 2008 that killed a number of U.S. citizens.

I support a realistic, clear-eyed dialogue with Pakistan regarding all aspects of the relationship and our shared interests, including security and counterterrorism cooperation. If confirmed, I will engage with Pakistan to expand our cooperation on counterterrorism challenges and pursue a stable, peaceful, and prosperous region. In my conversations with Pakistani leaders, I will underscore that confronting violent extremism is in Pakistan's own interests and in the interest of regional stability.

Question. On top of the billions in annual security assistance we give to Pakistan, we recently learned that the Pentagon will give Pakistan \$700 million in payments for protecting their border with Afghanistan. Yet Pakistan continues to promote hatred toward the United States, double deals with our enemies to kill American troops, and continues to develop nuclear weapons.

- ♦ What has all this aid money bought us in terms of a relationship and a reliable alliance with Pakistan?

Answer. In December, the Department of Defense provided a reimbursement to Pakistan through the Coalition Support Fund (CSF) for its support for Operation Enduring Freedom between July and November 2011. CSF payments are reimbursements—provided to many other countries for their actions to support OEF—and not assistance.

In addition to CSF reimbursements, we provide assistance to Pakistan to advance core U.S. national interests, including advancing our goals in Afghanistan that our forces have sacrificed so much to achieve. We are constantly evaluating our assistance to Pakistan to ensure that it is consistent with our interests. Over the past 2 years, we have closely calibrated our security assistance to ensure what we provide is commensurate with Pakistan's cooperation on our mutual interests. Our military-to-military relationship is now on stronger footing and we are moving forward with a security assistance program that is more realistic and narrowly focused to pursue joint action on areas of mutual interest.

While there are certainly areas of disagreement between our two nations and places where we would like to see further Pakistani action, including against terrorist groups operating on Pakistani territory, we have seen positive steps and Pakistan continues military operations against terrorist threats and maintains close counterterrorism cooperation with the United States. It is in our mutual interest to work together to tackle these challenges, as well as the problem of the proliferation

of improvised explosive devices, safe havens, and the regional threat arising from Laskhar-e-Taiba (LeT) and other Pakistan-based terrorist groups. With over 30,000 people killed since 2001, no country has suffered more from terrorism than Pakistan. We will continue to work with Pakistan to eliminate the threats in the border areas and the region, and make both of our nations more secure.

These are core U.S. objectives, and I believe that sustained assistance supports progress and enhances the opportunities for further cooperation. If confirmed, I will apply all of the resources available to press for continued cooperation on our shared interests.

Question. Both the French and Malian Governments have asked the United States for assistance in combating Muslim extremists. Comments made on January 17 by Defense Secretary Leon Panetta suggest that the United States is contemplating engagement.

- ◆ Given what we know right now, do you believe direct assistance in Mali or Algeria is warranted?
- ◆ What would this assistance entail?
- ◆ Do you intend to advise the President to seek congressional authorization for this assistance?

Answer. Before the French military intervention in January to counter extremists at Mali's request and the recent French and Malian requests for assistance, the United States had begun planning its support for the non-Malian troop contributing countries of the African-led International Support Mission in Mali (AFISMA), which was authorized on December 20 by U.S. Security Council Resolution 2085 (2012). The United States cannot provide direct assistance to the Malian Government or military due to the legal and policy restrictions in effect as the result of the March 2012 coup d'etat. Pursuant to section 7008 of the Department's FY 2012 Appropriations Act, the United States has terminated foreign assistance to the Government of Mali and has imposed policy restrictions on all other support for Mali with limited exceptions for elections support, humanitarian assistance, and other life-saving, critical assistance in the areas of food security and health. U.S. assistance to the U.N.-authorized mission will be provided in a manner consistent with the coup restrictions.

The United States will provide training, equipment, and logistics support for AFISMA troop and Formed Police Unit (FPU) contributing countries. The United States may also pay for advisory support to assist these countries on planning and/or execution of the operation. Equipment may include communications equipment, information technology equipment, individual equipment (such as boots, helmets, body armor), generators, tents, rolling stock (e.g., vehicles, trailers), heavy engineering equipment, field kitchens, field defense stores (e.g., HESCO barriers, concertina wire, sandbags), and armored personnel carriers (APC). Support for FPUs may include the equipment listed above, as well as additional personal protective equipment (e.g., riot-control shields, arm and leg protectors, and facemasks), handcuffs, and nonlethal crowd-control items (e.g., batons). Logistical support will support the provision of rations, equipment maintenance items, spare parts, strategic lift, medical evacuation flights, medical supplies, fuel, and lubricants.

The United States, along with our international partners, is already working to accelerate the deployment of AFISMA given the recent events in Mali. The State Department has consulted with congressional staff about this activity and will submit congressional notifications of our intent to reprogram funds as appropriate.

The United States is already providing the French with increased information sharing, and DOD has transported French troops and equipment to Mali. In addition, DOD currently has AFRICOM planners in Bamako, Mali, to support AFISMA planning efforts.

The United States and Algeria have a strong partnership and I will continue the work of my predecessor to assist the Algerians in their fight against extremists. We support Algeria through Anti-Terrorism Assistance training programs, Trans-Saharan Counter-Terrorism Partnership efforts, and regular exchanges between military officials. Following the first ever Strategic Dialogue and fifth Joint Military Dialogue, which both occurred in October, we look forward to continuing to build even stronger relationships with the Government of Algeria.

Question. Senator Kerry, you recently made comments suggesting that the United States should arm and train Syrian opposition forces, and potentially support the creation and defense of "safe zones" for Syrian civilians.

- ◆ Do you still support taking these actions?

Answer. I am committed to using all available, practical, and responsible means that hasten our goal of ending the violence in Syria and supporting a political tran-

sition in Syria. The U.S. Government continues to condemn the regime's use of air-power against peaceful civilians, especially its indiscriminate attacks in populated areas and apparently deliberate bombing of bakeries, hospitals, and schools. These tactics are outrageous, unacceptable, and will be addressed in future accountability efforts.

There are no easy answers, but if confirmed as Secretary I would support continuing U.S. Government efforts to aid the opposition, address the urgent humanitarian needs, cooperate with international partners, and continue to pressure the Assad regime to end this senseless violence.

Question. Is the United States currently arming Syrian rebels, either overtly or through back channels? Do you feel it is appropriate for the United States to arm Syrian rebels?

Answer. The United States is not providing lethal assistance to the Syrian opposition. We remain committed to providing nonlethal equipment and training to unarmed, civilian-led opposition groups and providing humanitarian assistance to the Syrian people on the basis of need and not political affiliation. If confirmed as Secretary, I would work to broaden and accelerate this assistance to support the Syrian people, consulting with the Congress on associated resource requirements. I would not foreclose any legally available options.

The United States is coordinating with other international partners also supporting the opposition—including those who have made other choices than the non-lethal one—to ensure that international assistance to the opposition is as effective and efficient as possible. In particular, we must be diligent in ensuring aid to the opposition does not benefit extremists.

The United States is focused on facilitating a durable, political solution to the Syrian crisis, and to that end, continues to support U.N.-Arab League Joint Special Representative Brahimi's efforts promote the formation of a transitional governing authority with full executive powers as outlined in the Geneva Communiqué. We continue to believe that a political transition in Syria, led by the Syrian people and supported by the international community, is the best chance for Syria's future and for a stable and democratic transition.

Question. Do you support air strikes on the Syrian military? Who should lead these efforts? Do you feel they require congressional approval?

Answer. The United States has been actively working with international partners, bilaterally and through multilateral fora such as the Friends of the Syrian People, to further isolate the regime and support the Syrian people's calls for Assad to depart from power. We are also tightening sanctions and laying the groundwork for perpetrators of atrocities against the Syrian people to be held accountable. The United States has sent repeated warnings regarding any use of chemical weapons and has joined NATO in defending its ally, Turkey, by providing it with Patriot missile batteries.

The U.S. stance that Assad must go and that a political transition must take place as soon as possible is crystal clear. If confirmed as Secretary, I would examine all available and feasible options to advance our goal of ending the violence and supporting a political transition, in close consultation with Congress. This is not to second-guess current activities, which have seen considerable success in an exceptionally challenging environment, but to ensure that we are doing all we should as this conflict enters its 22nd month.

Question. In Syria, President Assad is Shia, and the rebels are Sunni. This is a similar demographic breakdown as in neighboring Turkey, Lebanon, and Iran. Should we decide to get involved in Syria, what is the chance that we get pulled into a broader regional conflict? Would you support a U.S. role in this conflict?

Answer. We continue to believe that a political transition in Syria, led by the Syrian people and supported by the international community, is the best chance for Syria's future, the stability of the region, and the peaceful coexistence of people from all religious traditions. We are supporting the Syrian Opposition Coalition as it builds capacity and sets a course toward the peaceful, democratic, inclusive future that the people of Syria deserve. However, as I have said, if I am confirmed I am committed to using all available, practical, and responsible means to end the suffering of the Syrian people. Any judgments we make must pass the test of making the situation better for the Syrian people and must also take into account the long-term human, financial, and political costs for us, Syria, and the region.

Question. Are you aware of any U.S. Government involvement in selling or transferring arms to Turkey, other countries, or entities?

Answer. We have a robust defense trade relationship with our steadfast NATO ally Turkey, as well as other partner nations and entities around the world. The statutory role of the Secretary of State is set out in section 622 of the Foreign Assistance Act of 1961, as amended (FAA), and in section 2 of the Arms Export Control Act, as amended (AECA). Under the authority of the President, the Secretary of State is responsible for the continuous supervision and general direction of economic and military assistance, as well as ensuring such programs are effectively integrated both at home and abroad, and that, in doing so, the foreign policy of the United States is best served.

Transfers of defense articles and defense services to Turkey and any other partner are conducted in accordance with the AECA and FAA, including applicable notification to Congress as required.

Question. In response to Israel ejecting Palestinians from a settlement in the West Bank, President Obama is said to have remarked, "Israel doesn't know what its own best interests are." Senator Kerry, do you agree with the President?

Answer. The statement by the President is unsubstantiated and comes from an article in Bloomberg News.

No leader has met more often with or spent more time on the phone with President Obama than Prime Minister Netanyahu. That relationship is strong and it is a relationship that allows for a free and open discussion of ideas and positions. And that is good for United States-Israeli relations.

I think that the underlying foundation of the relationship is very important to understanding the approach that this administration takes and the approach that prior administrations have taken. The U.S. commitment to Israel's security is unshakable, and the administration has demonstrated that commitment in the unprecedented actions that it has taken. The administration is also committed to the peace process and the pursuit of peace. These commitments will not change during my tenure as Secretary of State, if I am confirmed.

Question. What concrete recommendations would you offer the President to bring about national reconciliation in Afghanistan after the American combat role ends in 2014? After all, if the Taliban tries to step into the vacuum created by our departure, it could plunge Afghanistan back into civil war. In which case, what justification exists for having more Americans killed or wounded if what they have fought for comes to naught?

Answer. The United States remains firmly committed to supporting an Afghan-led peace process as the surest way to end violence and ensure lasting stability of Afghanistan and the region. The U.S. role is to help open the door for talks between Afghans about the future of Afghanistan. On January 11, Presidents Obama and Karzai agreed to support the opening of a Taliban Political Office in Doha for the purpose of negotiations between the High Peace Council and the authorized representatives of the Taliban, and urged the Qataris to facilitate this effort. The Qatari Government has publicly affirmed its support for the opening of the office. We hope the Taliban will join a political process, including by taking those steps necessary to open the office.

We have made clear that any peace process must respect the historic achievements that Afghanistan has made over the past decade. As a part of the outcome of any political settlement, the Taliban and other armed opposition groups must end violence, break ties with al-Qaeda, and accept Afghanistan's Constitution—including provisions that protect the rights of all citizens, including women and minorities. If this happens, we believe the Taliban can be a part of Afghanistan's future.

Reconciliation will also require constructive support from across the region, including Pakistan, and we welcome recent steps that have been taken in that regard. A stable and secure Afghanistan is in the interest not only of the Afghan people and the United States, but of the entire region.

The Afghan Peace and Reintegration Program (APRP) is another program that offers an opportunity for the Taliban to reintegrate into Afghan society. To date, more than 6,000 former Taliban have reintegrated through this program.

Question. Senator Kerry, during the conflict in Vietnam, you asked the Senate Foreign Relations Committee, "How do you ask a man to be the last man to die for a mistake?" The mistake made in Vietnam—as in Afghanistan—was the erroneous assumption that such countries constituted a vital U.S. national security interest. You have said in the past that "we still have vital national security interests in this region."

♦ Precisely what vital interests are being served by keeping U.S. soldiers in Afghanistan past 2014? Indeed, some U.S. military officers describe the Karzai

regime's assembly of criminal networks as "VICE"—Vertically Integrated Criminal Enterprise. Is that a regime worth fighting for?

Answer. Our core objective in Afghanistan is to ensure that al-Qaeda can never again use Afghanistan to launch attacks against our country like they did on September 11, 2001. As the President said, any American military presence after 2014 would be at the invitation of the Afghan Government, and we have been clear that any U.S. military presence would be focused on two missions—targeting the remnants of al-Qaeda and training and equipping Afghan National Security Forces to fight insurgents. The President, in consultation with his national security team and commanders on the ground, will determine the size and scope of our military and civilian presence as we continue our responsible drawdown and transition to Afghan lead through 2014. Of all the men and women in uniform in Afghanistan, the vast majority are Afghans who are fighting and dying for their country every day.

We will make decisions based on our national interests, the mission the President has given our troops, the arrangements that can be worked out with the Afghan Government to facilitate our presence, our consultations with our NATO partners, and the conditions on the ground.

President Karzai made a strong public commitment at the Tokyo conference in July to tackle corruption, implement key reforms, and build Afghanistan's institutions. Implementation of these reforms will be critical to Afghanistan's long-term success, and we have made it clear to our Afghan partners that future assistance from the United States depends on progress toward Tokyo commitments. We are working hard with our Afghan partners to address corruption by promoting transparency and good governance while working to prevent fraud, waste, and abuse. And we will continue to support the Afghan ministries, governors, and local leaders committed to combating corruption and delivering services to their people.

Question. In July 2012, the State Department's Office of Inspector General released a report that found serious waste and incompetence in the Department's Office of Global Change. In addition to adopting the IG's proposals, how do you intend to address clear inefficiencies and poor management in this office?

Answer. My understanding is that the Department's Office of Global Change accepted all of the recommendations of the inspector general and that no waste, fraud, or abuse was uncovered in the routine audit of the Department's climate change programs. These programs are a critical component of U.S. foreign policy and, if confirmed, I intend to be committed to their continued strong, effective, and accountable oversight.

Question. Do you view a domestic carbon tax as critical to combating climate change abroad?

Answer. To my knowledge, the administration is not considering any form of carbon tax. I believe there are many potential tools to address climate change. For example, over the past few years the United States has pursued far-reaching efficiency standards for the transport sector, which constitutes roughly one-third of U.S. greenhouse gas emissions. These efficiency standards will lead to a doubling of vehicle and light-truck fuel efficiency between now and the early 2020s. The administration has also put in place emissions standards for new power plants. In addition, there is a whole set of energy efficiency requirements with respect to appliances in buildings, which represent roughly another third of our emissions. Increased deployment of renewable energy sources and breakthroughs in alternative and clean energy technologies will also play an important role in addressing climate change while simultaneously creating new jobs and economic opportunities.

Question. How much influence should the resolutions made at U.N. climate change conferences have on U.S. strategies toward climate change?

Answer. U.S. strategies on climate change are based on what best advances U.S. security, economic, and environmental interests. The United States engages through the U.N. Framework Convention on Climate Change (UNFCCC) and other international bodies to help achieve the kind of global approach necessary to solving our shared climate problem. For example, by engaging in the UNFCCC negotiations, the United States has successfully oriented the climate negotiations in a way that demands participation from all countries, so that no one, including the major developing economies, gets a free pass.

Question. Do you feel that the continued role of the United States in U.N. climate discussions represents a strategic imperative of the State Department?

Answer. Climate change is one of the most important issues the world faces in this coming century, with profound economic and security implications. If confirmed, I plan to continue our leadership in this area, including through active U.S. efforts

in the UNFCCC discussions, to help advance U.S. objectives and interests by promoting an effective global approach to climate change.

Question. Senator Kerry, your strong support for U.S. accession to the United Nations Convention on the Law of the Sea is well known and I expect that you will continue to press for U.S. membership in the Convention if you are confirmed as Secretary of State. I have grave concerns regarding U.S. accession and I submit to you the following questions:

IN REGARD TO NAVIGATIONAL RIGHTS AND FREEDOMS

Question:

- ◆ (1) What would the United States gain by acceding to the Convention in regard to its navigational rights and freedoms? In other words, is there any navigational right or freedom that the United States does not currently enjoy that it would gain by joining the Convention?

Answer (1). The United States needs to become a Party to the Law of the Sea Convention in order to fully protect our navigational rights and freedoms. By becoming a Party, the United States would “lock in” the Convention’s favorable set of navigational rules as treaty rights.

While we have been relatively successful to date in relying on customary international law to protect our interests, it would be risky to assume that we can preserve forever the situation the United States currently relies on. Customary international law changes with the practice of States over time and is ultimately something we cannot control. It does not offer the future stability that comes with being a Party to the Convention. Furthermore, navigational and other rules we depend upon in the Convention are being interpreted, applied, and developed without full U.S. participation. Only as a Party can we exert the level of influence that reflects our status as the world’s foremost maritime power.

The law enshrined by the Convention is highly favorable to the United States and we need to lock it in.

Questions:

- ◆ (2) Has the U.S. Navy ever been prevented from transiting an international strait due to its nonmembership in the Convention? If so, please provide details.
- ◆ (3) Has the U.S. Navy ever been denied access to the territorial sea of any other nation due to its nonmembership in the Convention? If so, please provide details.
- ◆ (4) Has the U.S. Navy ever been prevented from transiting any archipelagic sea-lane due to its nonmembership in the Convention? If so, please provide details.
- ◆ (5) In what way, if any, has the U.S. Navy been hampered in its prosecution of the “Freedom of Navigation Program” due to its nonmembership in the Convention?
- ◆ (6) If the United States accedes to the Convention will the Navy’s operations change in regard to the Freedom of Navigation Program? If so, in what way?
- ◆ (7) Is the U.S. Navy restricted in any manner whatsoever in projecting force around the world or executing any aspect of its mission due to U.S. nonmembership in the Convention?

Answer (2)–(7). Questions related to U.S. Navy operations are best directed to the Department of Defense. I would note that, at the committee’s June 14, 2012, hearing on the Law of the Sea Convention (LOSC), ADM Jonathan Greenert, Chief of Naval Operations, stated the following: “The Navy’s ability to retain access across the maritime domain and adjacent airspace, especially the strategic maritime crossroads, would be enhanced by accession to LOSC. As the world’s preeminent maritime power, the United States has much to gain from the legal certainty and global order brought by LOSC. As a party to LOSC, we will be in a better position to counter the efforts of nations to restrict freedom of the seas. The United States should not rely on customs and traditions for the legal basis of our military and commercial activity when we can instead use this Convention. It is an important element of protecting our Nation’s security and prosperity.”

IN REGARD TO EXPLOITATION OF THE EXTENDED CONTINENTAL SHELF (ECS)

Question:

- ◆ (8) If the United States joins the Convention, pursuant to article 82 it would be required to transfer a portion of its royalties from exploitation of the ECS to the International Seabed Authority (ISA) for redistribution to “developing” countries. Do you believe that is a proper use of dollars that would otherwise be held in the U.S. Treasury for the benefit of the American people?

Answer (8). It is important for the United States to join the Convention to fully secure our rights to an extraordinarily large area of seafloor and its vast resources. Article 82 payments are a small price to pay in exchange for giving U.S. companies the legal certainty to make expensive investments necessary to exploit these resources, and U.S. companies support both article 82 and U.S. accession to the Convention. I would note that payments are to be distributed to States Parties, not developing countries in particular; were the United States a Party, its approval would be required for any decisions relating to the distribution of payments made for oil and gas production on the Continental Shelf beyond 200 nm.

Question:

- ◆ (9) Is there any precedent for the United States paying royalties of any kind for exploiting its own natural resources to an international organization for redistribution to other countries?

Answer (9). There is nothing unusual about payments being made under treaties that benefit the United States. The Law of the Sea Convention provides the United States with multiple benefits including securing sovereign rights with the legal certainty that gives our companies the necessary security to invest.

Question:

- ◆ (10) Is the United States incapable of exploiting the resources of its ECS unless and until it accedes to the Convention?

Answer (10). The clearest, most certain, and most effective means to achieve international recognition of our Continental Shelf beyond 200 nm is as a Party to the Convention. The U.S. Chamber of Commerce, the American Petroleum Institute, and the companies that would potentially be involved in such resource development on the shelf all support accession because they desire the legal certainty and international recognition that is only available to Convention Parties.

Question:

- ◆ (11) The United States has successfully demarcated its ECS boundaries in the "Western Gap" area of the Gulf of Mexico and has begun leasing vast areas of the ECS to American and foreign oil companies for exploration. Does this not demonstrate that the United States may exercise its sovereign rights over the ECS without being a member of the Convention?

Answer (11). The fact that the Western Gap is a small area with an established boundary may lead companies to consider undertaking drilling activities in that area that they are not prepared to pursue without greater legal certainty in other areas beyond 200 nm. However, no companies have actually undertaken any drilling activities in the Western Gap. But the most secure way to gain legal certainty and international recognition of all portions of the U.S. shelf beyond 200 nm is by acceding to the Convention. As noted in the previous answer, the U.S. Chamber of Commerce, the American Petroleum Institute, and the companies that would potentially be involved in such resource development on the shelf all support accession because they desire the legal certainty and international recognition that is only available to Convention Parties.

Questions:

- ◆ (12) By leasing areas of the Western Gap for exploration has the United States violated the Convention or principles of customary international law?
- ◆ (13) May the United States produce oil and natural gas from the Western Gap area without acceding to the Convention?
- ◆ (14) If the United States produces oil and natural gas from the Western Gap area without acceding to the Convention, will the United States be in violation of the Convention or principles of customary international law?
- ◆ (15) Assuming that the United States would be in violation of the Convention or customary international law by exploiting the resources of its ECS without first joining the Convention:
 - a. What country or private entity could bring a legal proceeding against the United States and/or U.S. or foreign oil exploration companies?
 - b. What would be the nature of the cause of action?
 - c. In what forum would such a proceeding be brought?

Answer (12–15). The United States has not taken the position that it would be a violation of international law to explore or exploit resources on the U.S. Continental Shelf without joining the Convention. For U.S. industry to proceed with the massive investments and job creation that exploitation of such resources entails, however, it needs the legal certainty and international recognition of the U.S. Continental Shelf beyond 200 nm that can only be gained if the United States joins the Convention.

Questions:

- ♦ (16) Similarly, may the United States and its authorized mining companies currently engage in deep seabed mining for polymetallic nodules pursuant to the Deep Seabed Hard Mineral Resources Act (DSHMRA) without violating the Convention or principles of customary international law?
- ♦ (17) Assuming that, as a non-party, the United States would be in violation of the Convention or customary international law by exploiting the resources of the deep seabed pursuant to DSHMRA:
 - a. What country or private entity could bring a legal proceeding against the United States and/or its private mining companies?
 - b. What would be the nature of the cause of action?
 - c. In what forum would such a proceeding be brought?

Answer (16–17). The United States has not taken the position that without joining the Convention a DSHMRA license or permit to explore or mine polymetallic nodules in the deep seabed would violate international law. A DSHMRA license or permit does not give U.S. companies the security of title to a mine site they need to mine the deep seabed. A license or permit under DSHMRA gives the holder the exclusive right to explore or mine a specific area of the deep seabed, but only as against other U.S. citizens. A DSHMRA license or permit does not bar a foreign national from exploring or mining the same site.

The Law of the Sea Convention provides the only basis for obtaining security of title to seafloor areas beyond any nation's jurisdiction. Under the Convention, Parties are obligated to recognize only ISA-issued authorizations for deep seabed exploration and commercial recovery. For companies to obtain security of title to deep seabed mining sites, they must be sponsored by a Party to the Law of the Sea Convention. I would note that, in a letter to the committee in 2012 in support of the Convention, Lockheed Martin's Chairman and CEO, Robert Stevens, stated: "the multibillion dollar investments needed to establish an ocean-based resource development business must be predicated on clear legal rights established and protected under the treaty-based framework of the LOS Convention."

Question:

- ♦ (18) According to the Restatement of the Law, Third, of the Foreign Relations Law of the United States and DSHMRA, American citizens and corporations may engage in deep seabed mining regardless of whether the United States accedes to the Convention, provided that such mining is conducted without claiming sovereignty over any part of the seabed and as long as the mining activities are exercised with due regard to the rights of other nations engaged in mining.
 - a. Do the Restatement and DSHMRA accurately reflect the current law of the United States?
 - b. Is it the case that Lockheed Martin currently has secured vast areas of the Clarion-Clipperton Zone pursuant to DSHMRA?
 - c. Has any other country or private entity attempted to infringe upon any area of the deep seabed that is licensed to Lockheed Martin pursuant to DSHMRA?

Answer (18). As discussed above, for companies to obtain security of title to deep seabed mining sites, they must be sponsored by a Party to the Convention. And without such security of title, industry has made it clear that it will not risk the significant investment needed to extract these valuable resources.

Lockheed Martin currently holds DSHMRA Exploration Licenses USA-1 and USA-4, which cover geographic areas in the Clarion-Clipperton Zone. These Exploration Licenses do not confer any security of title internationally with respect to the areas covered by these licenses. The International Seabed Authority is the international organization through which entities seek such security of title at the international level for undertaking activities in any area of the deep seabed area beyond the jurisdiction of any nation.

Given that DSHMRA Exploration Licenses USA-1 and USA-4 do not confer any security of title at the international level, it is possible that a Party to the Law of the Sea Convention could sponsor an entity to explore and exploit seabed minerals in these geographic areas and thereby undercut any investment made by a U.S. company to do so. This is why U.S. industry strongly supports U.S. accession to the Convention.

Question:

- ♦ (19) If the United States joins the Convention, what authority would the ISA and/or the Council have over the operations of U.S. mining companies operating in the deep seabed?

Answer (19). The ISA is the organization through which States Parties to the Convention organize and control activities in the deep seabed area. The Council is the main decisionmaking body of the ISA. There are two key attributes of the Council to note: (1) as a Party to the Convention, the United States would be the only country with a permanent seat on the Council, and (2) important decisions must be made by consensus.

With regard to U.S. or any other entities seeking to explore or exploit the deep seabed, the Council's responsibilities include approval of plans of work and related contracts and oversight of implementation of the contracts. The Council also develops the rules, regulations, and procedures by the Authority controls activities in the deep seabed area. As a Party, the United States would have an unprecedented ability to influence deep seabed mining activities worldwide. No other international organization gives one country, and one country only—the United States—a permanent membership on its key decisionmaking body.

IN REGARD TO THE CONVENTION'S MANDATORY DISPUTE RESOLUTION MECHANISMS

Question:

- ♦ (20) If the United States joins the Convention, it will be obligated to defend itself against lawsuits brought by other Parties to the Convention.
 - a. Would U.S. taxpayers bear the costs of litigating any such lawsuit?
 - b. In the event that a tribunal constituted by the Convention rules against the United States and imposes monetary damages, would U.S. taxpayers be responsible for paying such damages?
 - c. Are the judgments entered by a Convention tribunal subject to appeal?
 - d. Are such judgments enforceable in the United States?

Answer (20). I would note that the United States sought and obtained a dispute settlement system under the Convention to protect and advance its interests. The rules of the Convention, including those guaranteeing freedom of navigation, are highly favorable to our interests. The dispute settlement provisions are a potential tool for helping to ensure that other parties respect those rules. The United States would opt for arbitration under the Convention, which provides for equal sharing of costs. Monetary damages are a rare outcome of dispute settlement under the Convention and would be unlikely; were they to be ordered against the United States, it would be up to the United States how to address such an order. Judgments are not subject to appeal. In accordance with the draft Senate resolution of advice and consent adopted by the committee in 2004 and 2007, decisions of the Seabed Disputes Chamber would be enforceable only in accordance with procedures established by implementing legislation and other decisions would not be enforceable in U.S. courts.

Question:

- ♦ (21) In 2001, the Republic of Ireland initiated a lawsuit against the United Kingdom in a tribunal established by the Convention, claiming that certain actions by the U.K. would cause environmental damage to Ireland and the Irish Sea (the "MOX Plant" case). By joining the Convention, would the United States expose itself to similar environmental lawsuits? If not, why not?

Answer (21). No. The dispute resolution procedures do not provide jurisdiction over marine pollution disputes involving U.S. land-based sources.

Question:

- ♦ (22) Certain countries that are Party to the Convention, joined by international legal and environmental activists, have openly stated their intention to bring a "climate change" legal action against the United States if it accedes to the Convention. Indeed, pursuant to certain environmental provisions of the Convention, including but not limited to the principle of transboundary air pollution and the precautionary principle, the United States could arguably be held liable by a Convention tribunal for contributing to global "climate change".
 - a. Do you give any credence to the threats made by these countries or activists?
 - b. If not, why not?

Answer (22). This is an oceans treaty, not a climate treaty. These kinds of cases would not stand up legally, and the United States would vigorously contest any effort to bring such a case. The Convention contains no obligation to implement particular climate change policies or standards.

Question:

- ◆ (23) Has the State Department or any other executive branch agency conducted a study of any kind regarding potential legal exposure that the United States would take on if it joins the Convention?

Answer (23). The State Department has considerable expertise on the Convention's dispute settlement procedures under the Convention, including how they operate, what they cover, what they do not cover, and the cases that have been brought under the Convention by existing Parties.

