

# NOMINATIONS OF THE 110TH CONGRESS—SECOND SESSION

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## HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

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JANUARY 30 THROUGH SEPTEMBER 24, 2008

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Printed for the use of the Committee on Foreign Relations



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S. HRG. 110-777

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U.S. GOVERNMENT PRINTING OFFICE

48-281 PDF

WASHINGTON : 2009

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110TH CONGRESS—FIRST SESSION

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ANTONY J. BLINKEN, *Staff Director*

KENNETH A. MYERS, Jr., *Republican Staff Director*

\*Note: Reassigned to Committee on Finance January 24, 2008.

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COMMITTEE ON FOREIGN RELATIONS  
110TH CONGRESS—SECOND SESSION

JOSEPH R. BIDEN, Jr., Delaware, *Chairman*

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ANTONY J. BLINKEN, *Staff Director*

KENNETH A. MYERS, Jr., *Republican Staff Director*

\*Note: Appointed February 12, 2008.

## NOMINATIONS

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WEDNESDAY, SEPTEMBER 24, 2008

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

Cretz, Gene A., to be Ambassador to Libya  
Jeffrey, James F., to be Ambassador to the Republic of Turkey

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The committee met, pursuant to notice, at 2:38 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. John Kerry, presiding.  
Present: Senators Kerry [presiding] and Menendez.  
Also Present: Senator Warner.

### OPENING STATEMENT OF HON. JOHN KERRY, U.S. SENATOR FROM MASSACHUSETTS

Senator KERRY. Good afternoon. I apologize for being a few moments late. Welcome to this hearing on two very important nominations. We're delighted always to welcome a senior and unfortunately departing colleague, Senator Warner. Let me just make a few statements if I can and then, since there are only two of us here, I'll turn to Senator Menendez, and then we'll invite our colleague to make his introductory comments.

We particularly join in welcoming any family members who are here. We are grateful that you can join us, and particularly so in the case of two distinguished career foreign service officers. Ambassador James Jeffrey, the nominee to be Ambassador to Turkey, I'm pleased to say is a native of Melrose, Massachusetts, a graduate of Northeastern and Boston University. So we're happy to welcome a fellow Bay Stater here. You start way ahead of the game. In fact, let's just pass you out right now. [Laughter.]

Senator KERRY. You've had a very distinguished career in the foreign service, currently serving as Assistant to the President and Deputy National Security Adviser, with previous postings in Iraq, Kuwait, Bosnia, Germany, Bulgaria, Tunisia, as well as serving as our ambassador to Albania. He's also served previously in Turkey three times, most recently as the chief of mission from 1999 to 2002. So he obviously brings a great deal of experience which would serve very well in this important post.

Gene Cretz, the nominee to be our Ambassador to Libya, has also had an equally impressive career, spanning over 25 years in the foreign service. Mr. Cretz knows the Middle East well, currently serving as Deputy Assistant Secretary for the Bureau of Near Eastern Affairs, and has previously served as the deputy chief of mis-

sion in Israel, the charge d'affaires and deputy chief of mission to Syria, and minister-counselor in Egypt.

One important note that I am compelled to address right up front with respect to Ambassador-nominee Cretz—and he's well aware of this—we're holding this hearing despite the fact that as of now Libya has yet to make full payment to the Humanitarian Settlement Fund which was set up under the recent bilateral agreement to resolve terrorism-related claims, legal claims.

It's essential that Libya ensure that these payments are made right away. The committee cannot discharge Mr. Cretz, as much as we might like to on his credentials, and the Senate will not be confirming him, as much as it would on his credentials, until those payments have been made in full.

Mr. Cretz, I know you know this has absolutely nothing to do with you personally and we look forward to Libya fulfilling that component of the agreement so that your qualifications can be put to use and we can move forward with this important shift in our relationship.

At this point I need to read a brief portion of a statement of Senator Lautenberg, who particularly wanted this brought to ours and your attention. He has long fought for the rights of American terrorism victims and been particularly active on this issue. The balance of his remarks will be placed in the record, but this much I would like to quote from his record: "Libya has not yet satisfied its obligations to U.S. victims of its terrorist acts and I"—Senator Lautenberg—"will object to this nomination moving forward until those victims receive justice. I know many of these families and I know the long journey they have taken to find answers and closure. While I welcome the recent progress on settling these claims, process is not complete. We cannot let Libya off the hook and leave U.S. victims with no assurance that they will achieve justice.

"I hope that today's hearing will be an opportunity to seek answers on when we can expect Libya to live up to its responsibilities under the settlement agreement."

[The prepared statement of Senator Lautenberg follows:]

PREPARED STATEMENT OF SENATOR FRANK R. LAUTENBERG,  
U.S. SENATOR FROM NEW JERSEY

Mr. Chairman, Thank you for the opportunity to present my statement before this Committee. I would like to express my strong opposition to the President's nomination of a U.S. Ambassador to Libya. But I want to make clear that my opposition is not personal or based on this particular nominee's qualifications. Rather, it is based on my deeply held belief that we cannot legitimize our future with nations that have committed terrorist acts against Americans until and unless they fulfill their obligations to our citizens. Libya has not yet satisfied its obligations to U.S. victims of its terrorist acts and I will object to this nomination's moving forward until those victims receive justice.

In 1988, 270 people perished in the bombing of Pan Am Flight 103 over Lockerbie, Scotland. Thirty-eight New Jersey families lost a loved one that day. I know many of these families and I know the long journey they have taken to find answers and closure. They weren't the only ones. In 1986, the bombing of the Labelle Discotheque in Berlin, Germany killed two American service members and left many more injured. These heinous attacks and others like them, which were sponsored by the Libyan government exemplify why Libya was forced into a two-decade long isolation by the international community.

In 2003, Libya accepted responsibility for the Pan Am bombing, renounced terrorism and agreed to dismantle its weapons of mass destruction. This put the country on the path to normalizing its relationship with the U.S. Unfortunately, al-

though the U.S. lived up to its end of the bargain in 2006 by removing Libya from the State Department's list of State Sponsors of Terrorism, Libya failed to complete the payments it owes to the families of the Pan Am victims. Libya also went back on its word with the Labelle Discotheque victims, backing out of a negotiated settlement. It was up to Congress to hold up the normalization process and hold Libya accountable.

For the past two years, we have been pressing for these cases to be resolved in order to provide justice for U.S. victims and families. Earlier this year, my legislation for victims of terrorism was signed into law as part of the Fiscal Year 2008 National Defense Authorization Act. This law reaffirmed the rights of plaintiffs to sue state sponsors of terrorism; allowed the seizure of hidden commercial assets belonging to terrorist states; and limited the number of appeals that a terrorist state can pursue in U.S. courts, among other provisions. Congress also prohibited U.S. government assistance to Libya, and the Senate has continued to delay the confirmation of a U.S. Ambassador to Libya.

Over the past few months there have been significant developments on our effort to bring the justice victims have been seeking for decades. The first was passage of the Libyan Claims Resolution Act. This legislation contributed to the creation of a comprehensive claims settlement agreement for Libya to compensate U.S. victims of Libyan terrorism, including the victims of the 1988 Pan Am 103 bombing, victims of the 1986 bombing of the Labelle discotheque, and other cases involving U.S. victims of Libyan-sponsored acts of terrorism. The next development was the signing of the U.S. Libyan claims agreement on August 14th in Tripoli and the establishment of a compensation fund that suggested that Libya is serious about moving ahead with the U.S.-Libya relationship.

While I welcome the recent progress on settling these claims, the process is not complete. The compensation fund must now be paid in full by the Libyans. We cannot let Libya off the hook and leave U.S. victims with no assurance that they will achieve justice. I hope that today's hearing will be an opportunity to seek answers on when we can expect Libya to live up to its responsibilities under the settlement agreement.

Secretary of State Condoleezza Rice recently traveled to Libya. She was the first high-level diplomat to visit Libya in 50 years. I was disappointed that this visit came before the Libyans paid the full settlement amount they owe, and accordingly Senator Carl Levin and I sent Secretary Rice a letter urging her to make the victims' compensation a priority of her discussions.

No U.S. ambassador will make that same trip to Tripoli until these claims are settled. For this reason, I will continue to block consideration of this nomination in the full Senate and I would ask this committee to withhold any further action as well. Our bilateral relationship can truly move ahead only when U.S. victims of Libyan terrorism are fully compensated. Thank you, Mr. Chairman.

Senator KERRY. Mr. Cretz, if we're able to confirm you, you will be the first U.S. ambassador to serve in Tripoli in over 35 years. This would represent a very important milestone in the gradual process of normalizing U.S.-Libyan diplomatic relations that has been taking place since 2003. The Libyan government then renounced its weapons of mass destruction and agreed to stop supporting terrorist groups, and we all hope that Libya can serve as a model for a potential rapprochement with other states with similar histories.

The recent visit of Secretary Rice to Tripoli seems to have brought us to the bring of a long-awaited new era in our relationship, in which we could realize the potential for greater cooperation and counterterrorism, military, and economic matters. It's my expectation that Libya will soon make these payments so that we can truly move ahead with this new chapter.

At the same time, we must note that Libya's human rights practices remain an area of deep concern. Libya's political system remains authoritarian and undemocratic. Opposition groups are marginalized or in exile and the regime is generally suspicious of dissidents. Torture and arbitrary arrest reportedly rank among continuing abuses. Freedoms of speech, press, assembly, and asso-

ciation are curtailed, and several prominent political prisoners, including Fathi El-Jahmi, have yet to be freed by the government of Muammar Qadhafi. These are important issues that must be addressed as we go forward.

Turkey is, we all know, a key NATO ally, playing an increasingly important role in attempting to resolve some of the world's most critical issues. I was recently in Turkey this February at meetings with President Gul, Prime Minister Erdogan, Foreign Minister Babajan and I was deeply impressed with Turkey's commitment to advancing our mutual interests. One couldn't help but be impressed by the level of activity, economic and otherwise, and outreach that Turkey is making within the region. They've taken the lead in efforts to improve relations between Pakistan and Afghanistan. They've served as host to an international summit on Iraq and most recently mediated dialogue between Israel and Syria.

They're also playing a critical role as our partner in Afghanistan, where they've been a very significant contributor to NATO efforts, and in supporting our troops in Iraq, where Turkey serves as the conduit for some 70 percent of the air cargo supplying our forces.

I was in Turkey the day they sent troops across the border into Iraq to deal with the PKK and I believe strongly that we need to continue to work closely with Turkey to address this threat in an appropriate manner.

Turkey also does have some important issues that still need to be resolved, starting with Armenia. I was a co-sponsor along with many of my colleagues and with Senator Bob Dole of legislation introduced over 20 years ago that recognized the events of 1915 as genocide. I know this remains a sensitive and very difficult issue. It is an emotional issue as well.

But almost a century later, it's in the best interests of the modern states of Turkey and Armenia to resolve this issue as part of a process of normalizing diplomatic relations. It's encouraging that both sides recently took important steps toward improving relations when Armenian President Serzh Sargsian and Turkish President Gul attended a soccer match together in Armenia. In addition, there are currently bilateral meetings between Turkey and Armenia and trilateral talks with Azerbaijan going on in New York. The United States should be prepared to do whatever we can to help move these important efforts at reconciliation forward.

We also hope to see further progress in the coming months in resolving the dispute with Greece over Cyprus. The leaders of the Greek and Turkish Cypriot communities in Cyprus are currently engaged in direct talks, with a goal of ending the division and reunifying the island and its people. I understand it's the policy of the United States to support the current process under the auspices of the United Nations to find a Cyprus settlement that would lead to a bizonal, bicomunal federation. I'd be interested to hear from Mr. Jeffrey about the role the United States could play in moving that forward.

So with that, let me turn to Senator Menendez for any opening comments he has, and then I'd turn to Senator Warner.

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

Senator MENENDEZ. Thank you, Mr. Chairman. I'll be brief because I'd like to have a little flexibility on the questions. So I'll keep this time very short.

Let me congratulate both of you on your nominations and thank you for the service you have provided to our country to date. I want to echo the chairman's comments, Mr. Cretz, about our position on Libya. My colleague from New Jersey Senator Lautenberg has been at the forefront of this issue and neither he nor I will yield on it until Libya does the right thing and meets its obligations to Americans who were victims of the Pan Am bombing.

That has nothing to do with your background, but it is a reality of the process. It's our only way to get the Libyans to pay final attention and make the payments that they need to make under the agreement that we agreed to in fact and expedited with an understanding. Yet that understanding remains void.

Secondly, with reference to Ambassador Jeffrey, I have a series of questions about our U.S. relations with Turkey. It is a very important NATO ally, but I don't believe that gives us *carte blanche*—or I should say, gives Turkey *carte blanche*. That means I have serious questions about Armenia-Turkey relations. I have serious questions about issues of genocide. I have serious questions about religious freedom, and of course the continued occupation of northern Cyprus, to mention a few. And I look forward to hearing your answers to those questions.

Thank you, Mr. Chairman.

Senator KERRY. Senator Warner, thank you, sir. You honor us and the nominees by being here and we appreciate your presence enormously. Thank you.

**STATEMENT OF HON. JOHN WARNER,  
U.S. SENATOR FROM VIRGINIA**

Senator WARNER. Chairman Kerry, Senator Menendez, I thank you very much for this opportunity. It's one I looked forward to. I have been in this room many, many times over my 30 years and this represents my last appearance. I just calculated that, probably 100 times.

But it ends with the nomination of someone I've come to know through the years and have enormous admiration for and think the President has chosen very wisely, this eminent public servant and career diplomat to take responsibilities representing the United States in Turkey. As was mentioned by you, Senator Menendez, it's a NATO country, both of you. And I enjoyed your dissertation and your historic background on the region, Senator.

I too have visited Turkey a number of times, and particularly in the context that we have our NATO air headquarters in that nation. You're fully aware of that, and that's pivotal to our operations.

I wonder if it's time that the nominee could be invited by the chair to introduce his family.

Senator KERRY. Absolutely, it's a great time for that.

Ambassador JEFFREY. Senator, I'd like to introduce my wife Gudrun, daughter Julia, son Jahn, and daughter-in-law Darbana Kruka.

Senator KERRY. Thank you. We welcome you all. I was a foreign service brat for about 10 years, so I'm always admiring what the families put up with in the process, and we thank you.

Senator WARNER. I thank the chair.

You have given a very important observation here with regard to his distinguished career of some 31 years as a public servant. I first met him while he was deputy chief of mission and charge d'affaires to Iraq in trips that I made there during 2004 and 2005. That was my first impression of this distinguished gentleman.

During our CODEL visit I remember to Baghdad on one occasion, we had the opportunity to discuss the situation in Iraq and the U.S. role there in great detail, and you briefed the delegation that I was heading at that time. I was indeed deeply impressed, as I am today, with your professional grasp of knowledge.

You've covered a good deal of his background, having spent time in Turkey as deputy chief of mission '83-'87 and 1999 to 2002. Currently, however, he is serving in a very key position with the National Security Council and working closely with Steve Hadley, the Assistant to the President. As a matter of fact, in Mr. Hadley's absence he is often the stand-in acting chief of that section.

He served in the Army from 1969 to '76, with posts in Germany and Vietnam, and his academic credentials are equally impressive. You have covered those.

I mentioned the importance of Turkey as a NATO ally and an ally in many other ways in that region. I'd like to thank Ambassador Ross Wilson, whom I've also known, the current U.S. Ambassador to Turkey, and his family for their service and we wish them well as he continues his legacy of public service. Following in the footsteps of Ross Wilson, I can think of no one better qualified or suited than Jim Jeffrey.

I'm pleased to be the one who's given him whatever value a Senator contributes. Each of the times that I've been here I've said the same thing as I conclude: You're on your own.

Senator KERRY. Well, Senator, before you get up and leave, which we know you have to do, and respect the schedules around here, if Senator Biden were here I know he would want this committee to be on record and I'm going to take the liberty of just putting it on the record how unbelievably grateful we are for your service. You have been just an extraordinary colleague. We have a bad habit sometimes around here of blowing smoke at each other, but I'll tell you, our relationship goes way back to 1970-whatever, but here in the Senate since '85. And there is nobody whose word is more reliable, nobody who more calmly and thoughtfully reaches out across the aisle, nobody who consistently puts country's interests ahead of party's interests and works our Nation.

It's been just an extraordinary pleasure to have you as a colleague.

Senator MENENDEZ. Mr. Chairman, I just want to join you in those sentiments. I am privileged that I got to the Senate in time to serve with John Warner. I really do not believe that this will be the last time that we will see you in this hearing room. You may be a nominee, and we will be judging on whether or not—I think it will be an easy confirmation. But nonetheless, I have no doubt that somehow your service to this country is not just finished.

But we are honored by the time we have had here to serve with you.

Senator WARNER. Well, I thank you. Give my very best to Senator Lautenberg. He's an old crony. There are five of us left in the Senate who served in World War II. He served with far greater distinction. But the chairman is too remiss—not remiss, but too modest to say that we served together during the Vietnam period. He was on the front line serving with distinction with the Navy and I was back as Secretary in my swivel chair. But I did visit your region on a number of occasions.

I wish you both well. And I'd like to thank the staff of this committee, particularly that gentleman in the back room whose hair is about the same color as mine. He has always greeted me, as well as other members of the staff of this committee. This committee has served the Senate magnificently, and really the eyes of the world have focused here so often on the issues that come before this committee to be resolved.

I thank you.

Senator KERRY. Thank you so much, Senator Warner. We appreciate it. Thank you.

Senator WARNER. Oh, by the way, by pure coincidence, I brought my wife with me today and I'm glad she heard what you had to say. [Laughter.]

Senator KERRY. There you go.

Gentlemen, thanks so much. Ambassador Cretz, why don't you begin. Do you want to lead off, and then we'll go to Ambassador Jeffrey. Thanks.

**STATEMENT OF GENE A. CRETZ, NOMINATED TO BE  
AMBASSADOR TO LIBYA**

Mr. CRETZ. Mr. Chairman and Senator Menendez: I am deeply honored to appear before you today as President Bush's nominee to be Ambassador to Libya, the first in 36 years. I want to express my profound gratitude to the President and Secretary of State Rice for the trust and confidence they have shown in nominating me for this challenging position.

With your permission, Mr. Chairman, I would like to introduce my wife Annette, a registered nurse from Union City, New Jersey, Senator, who has helped manage the health care of several of our embassy communities overseas. My daughter Gabrielle is a graduate of James Madison University and works in the private sector. My son Jeffrey, a captain in the United States Air Force Reserves who has honorably served his country in two combat deployments to Afghanistan.

Senator KERRY. Thank you very much for that.

Mr. CRETZ. Without my family's love, support, sacrifice, and spirit of adventure, shown through our 27 years in foreign service, I would not be here today.

Mr. Chairman, Secretary Rice's just completed historic visit to Libya marks a milestone in our relationship. She is the first sitting Secretary of State to visit Libya since 1953. Most importantly, her visit included the most senior and only cabinet-level meeting with Libyan leader Colonel Muammar Qadhafi since he took power in 1969.

Libya is in the midst of an historic process of reengaging with the broader world after nearly 30 years of isolation. It is in our national interest to do all we can to help Libya and its people transition back into the international community. Over the past 5 years our bilateral relationship, as well as Libya's place in the international community, has drastically changed. Libya is now a vital partner in the common effort against terrorism. It is a leader on the African continent and a non-permanent member of the UN Security Council.

We had an extremely contentious relationship with Libya for several decades owing to its past acts, namely its involvement in acts of terrorism that took the lives of hundreds of Americans and others, which led to the imposition of U.S. and UN sanctions and its designation as a state sponsor of terrorism. As Libya has turned away from terrorism and the pursuit of WMD, we have worked hard over the past 5 years to turn a new page in our bilateral relationship.

The comprehensive claims agreement provides a process through which outstanding claims pending against Libya for past acts of terror can be resolved and bring a measure of justice for the many American families who have been waiting for this outcome for over 20 years. It will constitute a milestone event in our relationship and will provide a clear signal of this administration's commitment to fulfill its pledge to our citizens.

Together, the Secretary's visit, the claims settlement, and Libya's historic 2003 decisions to voluntarily rid itself of its WMD program and forswear terrorism facilitated the country's reintegration into the international community and have opened the door to broader and deeper engagement with Libya and its people.

All of these efforts were taken to advance Libya's interests. We continue our important and significant cooperation on counterterrorism, further strengthening regional efforts to combat al Qaeda's presence in North Africa. We are beginning a defense relationship so that we can work toward a more stable and peaceful African continent. We will continue to work closely with the international community to ensure that Libya complies with its WMD obligations and are providing technical assistance to help it do so.

In Libya today there are calls for political reform. We will closely observe how calls for the opening of further political space and greater respect for human rights will be implemented and how they will affect the Libyan people. We believe a strong civil society and greater political space would also contribute to these efforts to strengthen Libya.

As we do with all nations, the United States will maintain an open and honest dialogue with Libya to discuss human rights and good governance. This dialogue will be a necessary element of our future relations with Libya. We continue to call for the immediate release of all political prisoners, including the unconditional release of Fathi El-Jahmi and the group of self-described regime critics led by Dr. Idriss Boufayed, as it constituted an important part of the Secretary's visit.

Libya is in the midst of a major infrastructure development initiative and has undertaken economic reforms. We have begun technical assistance programs in the banking sector and are committed

to helping Libya grow its economy for the wellbeing of its people and the region.

Our commercial ties are growing and the majority of U.S. exports to Libya are outside the hydrocarbon sector. U.S. companies have won sizeable contracts for infrastructure and construction projects and are competing for contracts in other sectors, such as communications and aviation.

As our relationship deteriorated in the 1980s, our ties with the Libyan people were all but severed. Rebuilding these links is an integral part of our re-engagement with Libya, whether through USG-sponsored public diplomacy program or promoting private initiatives between our two peoples.

Since 2003, the breadth and depth of our bilateral relationship with Libya have expanded greatly, but the resources we have committed to support those efforts have, frankly, not kept pace. I commend the women and men serving at Embassy Tripoli. One of my key priorities as ambassador if confirmed will be to oversee efforts to build a new and secure embassy and to identify the appropriate human and material resources to meet our critical mission goals.

Mr. Chairman, we have come a long way in this relationship with a former adversary. Acting in accordance with its own national interests, Libya has in fact said yes to the United States on the critical issues of abandoning its WMD aspirations, renouncing terrorism, and implementing the claims agreement. In that regard, Libya affords a potentially positive model for other countries that might make similar choices. If confirmed as ambassador, I look forward to the challenge of setting a firm foundation for future relations with this important country. We have a Libyan government and populace that are eager to engage with the United States and we should immediately seize on that opportunity. It is in the interest of both sides to do so.

Thank you very much.

[The prepared statement of Mr. Cretz follows:]

PREPARED STATEMENT OF GENE A. CRETZ, NOMINEE TO BE AMBASSADOR TO LIBYA

Mr. Chairman, and members of the committee, I am deeply honored to appear before you today as President Bush's nominee to be Ambassador to Libya, the first in 36 years. I want to express my profound gratitude to the President and Secretary of State Rice for the trust and confidence they have shown in nominating me for this challenging position.

With your permission, Mr. Chairman, I would like to introduce my wife, Annette, a registered nurse, who has helped manage the health care of several of our embassy communities overseas. My daughter, Gabrielle, is a graduate of James Madison University and works in the private sector. My son, Jeffrey, a captain in the United States Air Force Reserves, has honorably served his country in two combat deployments to Afghanistan. Without my family's love, support, sacrifice, and spirit of adventure shown throughout 27 years in the Foreign Service, I would not be here today.

Secretary Rice's just-concluded historic visit to Libya marks a milestone in our relationship. She is the first sitting Secretary of State to visit Libya since 1953. Most importantly, her visit included the most senior and only cabinet-level meeting with Libyan Leader Colonel Muammar Qadhafi since he took power in 1969.

Mr. Chairman, Libya is in the midst of a historic process of reengaging with the broader world after nearly 30 years of isolation. It is in our national interest to do all we can to help Libya and its people transition back into the international community.

Over the past 5 years, our bilateral relationship, as well as Libya's place in the international community, has drastically changed. We started with no relationship,

and now we are well on the way to normal diplomatic relations. We had no presence in Libya, and now we have an embassy that is creating new ties with the Libyan Government and its people while advancing critical American interests. Libya is now a vital partner in the common effort against terrorism. It is a leader on the African continent and a nonpermanent member of the U.N. Security Council.

We had an extremely contentious relationship with Libya for several decades owing to its past acts—namely, its involvement in acts of terrorism that took the lives of hundreds of Americans and others—which led to the imposition of United States and U.N. sanctions and its designation as a state sponsor of terrorism. As Libya has turned away from terrorism, and the pursuit of WMD, we have worked hard over the past 5 years to turn a new page in our bilateral relationship. The comprehensive claims agreement provides a process through which outstanding claims pending against Libya for past acts of terror can be resolved and bring a measure of justice for the many American families who have been waiting for this outcome for over 20 years. It will constitute a milestone event in our relationship and will provide a clear signal of this administration's commitment to fulfill its pledge to our citizens. Together, the Secretary's visit, the claims settlement and Libya's historic 2003 decisions to voluntarily rid itself of its WMD program and forswear terrorism facilitated the country's reintegration into the international community and have opened the door to broader and deeper engagement with Libya and its people.

All of these efforts were taken to advance United States interests, and they have cemented Libya's important and significant cooperation on counterterrorism, further strengthening regional efforts to combat al-Qaida's presence in North Africa. We also anticipate beginning to develop military-military lines of communication and expect to conclude a Defense Contacts and Cooperation Memorandum of Understanding for that purpose soon so that we can discuss how to work toward a more stable and peaceful African continent.

We will continue to work closely with the international community to ensure that Libya complies with its WMD obligations, and are providing technical assistance to help it do so. We are cooperating with Libya to engage its former WMD scientists into peaceful and economically viable pursuits such as water management and desalination, to convert its former chemical weapons factory into a pharmaceutical plant and to transform nuclear reactor facilities previously fueled with weapons-grade uranium into centers for scientific research with no such proliferation risk. Additionally, we are partnering with Libya to establish a regional nuclear medical center. The center is a tangible example of the type of cooperation that would not have been possible before Libya's historic 2003 decision.

In Libya today, there are calls for political reform. We will closely observe how calls for the opening of further political space and greater respect for human rights will be implemented and how they will affect the Libyan people. We note that Libya has identified prison reform and relaxing of press restrictions as focus areas for political reform. We will work cooperatively with the Libyan Government and people to support these initiatives. We believe a strong civil society and greater political space would also contribute to these efforts to strengthen Libya. As we do with all nations, the United States will maintain an open and honest dialog with Libya to discuss human rights and good governance. This dialog will be a necessary element of our future relations with Libya. We continue to call for the immediate release of all political prisoners, including the unconditional release of Fathi El-Jahmi and the group of self-described regime critics led by Dr. Idriss Boufayed, as it constituted an important part of the Secretary's visit.

Libya is in the midst of a major infrastructure development initiative and has undertaken economic reforms. We have begun technical assistance programs in the banking sector, and are committed to helping Libya grow its economy for the well-being of its people and the region.

Our commercial ties are growing, including those outside the hydrocarbon sector. United States-Libyan trade in 2007 grew over 17 percent from the previous year and the majority of United States exports to Libya are outside the hydrocarbon sector. U.S. companies have won sizable contracts for infrastructure and construction projects, and are competing for contracts in other sectors, such as communications and aviation. With respect to the oil sector, Libya, which has the largest proven oil reserves on the continent of Africa, hopes to increase its daily production from 1.7 million barrels per day to 3 million barrels per day with the help of United States expertise.

Our relationship with Libya is as old as our republic. With the Barbary States, during Italian colonization, through the travails of World War II, the subsequent period of cooperation and in the cold war era we engaged with Libya on important issues of security and commerce while building bridges of understanding with the

Libyan people. At one time during the 1970s, there were over 4,000 Libyan students studying at American universities, many of whom are now senior Libyan Government officials and business leaders. However, as our relationship deteriorated in the 1980s, these ties were all but severed. Rebuilding these links is an integral part of our reengagement with Libya whether through USG-sponsored public diplomacy programming or promoting private initiatives between our two peoples. Today, over 1,000 Libyan students are studying at United States universities, and that number continues to grow. To promote greater engagement between the American and Libyan people, our two countries have been working on a Protocol on Educational and Cultural Cooperating to facilitate the exchange of individuals and ideas. This is one way we are reconnecting with the Libyan people after a 24-year hiatus that was previously characterized by animosity, mistrust, and misinformation.

Since 2003, the breadth and depth of our bilateral relations with Libya have expanded greatly, but the resources we have committed to support those efforts have frankly not kept pace. I commend the men and women serving at Embassy Tripoli. Their hard work, dedication, and sacrifice have made our relationship what it is today and they have done so in trying circumstances. The embassy, initially established in a hotel, has only recently moved into a collection of houses that serves as an interim embassy site. One of my key priorities as ambassador, if confirmed, will be to oversee efforts to build a new and secure embassy and to identify the appropriate human and material resources to meet our critical mission goals.

Mr. Chairman, we have come a long way in this relationship with a former adversary. Acting in accordance with its own national interests, Libya has in fact said "yes" to the United States on the critical issues of abandoning its WMD aspirations, renouncing terrorism, and implementing the claims agreement. In that regard, Libya affords a potentially positive model for other countries that might make similar choices. If confirmed as ambassador, I look forward to the challenge of setting a firm foundation for future relations with this important country. We have a Libyan Government and populace that are eager to engage with the United States, and we should immediately seize on that opportunity—it is in the interests of both sides to do so.

Senator KERRY. Thank you very much, Mr. Cretz.  
Mr. Jeffrey?

**STATEMENT OF HON. JAMES F. JEFFREY, NOMINATED TO BE  
AMBASSADOR TO THE REPUBLIC OF TURKEY**

Ambassador JEFFREY. Thank you very much, Mr. Chairman, Senator. I am honored to appear before you today as President Bush's nominee to serve as ambassador to the Republic of Turkey. I am grateful to both President Bush and Secretary Rice for their trust and confidence in me. I have submitted a statement for the record and what I would like to do with your permission now is to summarize briefly my points.

Sir, let me begin with Turkey's role in relation to our foreign policy priorities. Turkey was very quick to respond to the crisis in Georgia, for example, and was vocal in its support for Georgia's territorial integrity. As was mentioned, Turkey is our close partner in working for success in Iraq. Turkey understands that success or failure there will have an immediate impact on its security.

As you mentioned, Mr. Chairman, Turkey along with Iraq and the United States are engaged in joint efforts against the PKK terrorist organization, which has cost the lives of some 30,000 Turks since the 1984 outbreak.

Our military ties with NATO ally Turkey, as was mentioned, remain very strong and very important. I want to thank the Turkish people for the hospitality that they have shown entire generations of American military men and women.

In Afghanistan, Turkey has sent large contingents from the very beginning of the International Security Assistance Force and has

been a leader in both the civilian and the military side of that mission, and has also been a major assistance contributor.

Turkey is concerned as well as we are with the situation in Iran, particularly Iran's pursuit of nuclear enrichment, and it supports the IAEA's efforts to investigate this nuclear program. We support Turkey's efforts to normalize its relations with its neighbors and thus have been encouraged new developments in Cyprus and Armenia. As you have mentioned, Mr. Chairman, we were very, very pleased to see the courageous invitation by President Sargsian of Armenia to President Gul to travel to Armenia and we were very pleased with his courageous decision to accept that.

The election of a new president in Cyprus has given a new impetus to the discussions between the two sides there and we are hopeful to contribute to that. You asked what we're doing. We're working with both sides, and this would be one of my most important priorities, sir, were I confirmed.

We strongly urge Turkey to work with Armenia to establish diplomatic relations, to open the border, and to have an open and honest dialogue concerning the tragic events at the end of the Ottoman Empire.

The United States also supports Turkey's aspirations to join the European Union. We think this is very important also for our own relations, although it's a decision for the two in the end to take themselves. To its great credit, the current ruling Justice and Development Party is implementing the reforms necessary for eventual EU membership. We encourage Turkey, in doing so, to protect the civil rights of all religious and ethnic groups, such as by opening the Ecumenical Patriarchate's Halki Seminary.

Our economic cooperation with Turkey would be a key priority were I confirmed, Mr. Chairman. In particular, the United States and Turkey are working closely together on oil and gas pipeline projects that will help both Europe and Turkey respond to the very significant energy shortages and energy dependency that we see in the future if we don't develop new sources.

Mr. Chairman, Senator, many Americans, including my family and me, have had wonderful experiences living and working in Turkey, and in the case of our daughter graduating from a Turkish high school. It would be an honor to return to Ankara to represent our Nation.

Thank you.

[The prepared statement of Ambassador Jeffrey follows:]

PREPARED STATEMENT OF JAMES JEFFREY, NOMINEE TO BE  
AMBASSADOR TO THE REPUBLIC OF TURKEY

Mr. Chairman and members of the committee, I am honored to appear before you today as President Bush's nominee to serve as ambassador to the Republic of Turkey. I am grateful to Secretary Rice and President Bush for their trust and confidence in me. With me today are my wife, Gudrun, daughter, Julia, son, Jahn, and daughter-in-law, Dardana Rruka. During my 31-year career in the Foreign Service, my family and I have had the pleasure of serving in Turkey three times previously, most recently as the deputy chief of mission from 1999 to 2002. I have seen firsthand the remarkable transformations in Turkey over the last few decades as it has become more democratic, more open, and more economically vibrant. If confirmed, I look forward to working with you and your colleagues on how best to advance the many shared interests of the United States and Turkey in the years ahead. In doing

so, I would keep constantly in mind the heavy responsibility I would assume as ambassador responsible for this critically important and very complex relationship.

Throughout my career, during the times I was not working in Turkey, I was often working with Turkey—on Iraq, Iran, Greece, Bulgaria, and Albania. Turkey is a key friend and strategic partner of the United States in the Middle East, the Caucasus, the Balkans, Central Asia, and beyond, and a crucially important member of our NATO alliance. For decades, Turkey has worked with the United States on issues such as regional stability, trade, democracy promotion, energy security, and counter-terrorism cooperation. The events over the past 2 months in Georgia underscore Turkey's importance as a democratic bulwark, a military partner, and a strategic ally in a dynamic and challenging region.

Even among close allies, however, there are occasional differences. While Turkey and the United States have shared values and goals, our tactics and methods are not always the same and have caused some misunderstandings. Our diplomatic and military exchanges were strained when the Turkish parliament failed to approve, in March 2003, the United States request to use Turkey to launch operations into Iraq. Starting in 2004, after several years of a cease-fire, the Kurdistan Workers Party (PKK) terrorists once again began attacking Turkish soldiers and civilians, both from its safe haven in northern Iraq and from inside Turkey. Turkey was frustrated by what it perceived as American hesitation concerning its plight in a struggle that has cost more than 30,000 Turkish lives over the last few decades. The unfortunate result of these differences was that the Turkish public, according to the 2007 and 2008 Pew Global Attitudes Surveys, had the lowest favorable opinion of the United States out of all the countries that were surveyed.

Thankfully, we started to see important improvements in our bilateral relations in 2007. First, Turkey's democracy was tested when challenges to its Presidential election led to early parliamentary elections. These elections ultimately led to a strengthened mandate for Prime Minister Erdogan's ruling Justice and Development Party. Second, the United States responded to the growing PKK threat to the region when President Bush pledged last November to provide assistance to help Turkey defend itself against this terrorist organization, a common enemy of Turkey, Iraq, and the United States. Now Turkey, Iraq, and the United States are working together more closely than ever before to root out the PKK. Turkish public opinion of the United States is also now improving. If I am confirmed as ambassador, I will do everything possible to maintain and enhance this momentum and build stronger ties with this strategic partner.

Let me describe Turkey's role in relation to our foreign policy priorities. Turkey has been quick to respond to the crisis in Georgia and vocal in its support for Georgia's territorial integrity, independence, and sovereignty. Prime Minister Erdogan carried that message to both Moscow and Tbilisi and has been working to garner regional support for Georgia. The Turkish Red Crescent provided needed humanitarian assistance with tents, food, and water, and the Turkish Government has assisted the United States in approving the transit of our naval vessels that have delivered assistance to alleviate the suffering of the Georgian people. We are looking to Ankara for its thoughts on how its Caucasus stability initiative can integrate with efforts by the Euro-Atlantic community to advance peace, prosperity, and freedom in Georgia.

Turkey recognizes that our success or failure in Iraq will directly impact Turkey's domestic and economic security. Turkey is helping to ensure Iraq's progress, including by hosting the second Enlarged Ministerial Neighboring Countries Meeting in Istanbul November 2-3, 2007. Turkey, in fact, was instrumental in starting the Neighbors Process. Turkey also provides political party and military training, assists with reconstruction, and is helping to develop Iraqi oil and electricity infrastructure. We have seen increasing dialog between leaders in Ankara and Baghdad, including critically important visits of PM Erdogan to Baghdad and Iraqi President Talibani to Turkey in 2008, opening the way to further regional contacts with Iraqi democratic leaders. We are seeing, as well, growing contacts between Ankara and officials in the Kurdistan Regional Government. Finally, over 70 percent of the air cargo for our mission in Iraq transits Incirlik Air Base, which is also the primary refueling stop for flights to Afghanistan. Our military ties with Turkey remain vital to both countries, and I thank Turkey for its long tradition of hospitality to our military men and women. In short, Turkey is setting an example for the region.

Turkey's soldiers have been in Afghanistan since the beginning of the International Security Assistance Force. Turkey currently retains about 800 troops there, has a provincial reconstruction team in Wardak, and just upped its original \$100 million humanitarian assistance during the Paris Conference, for a total now of \$200 million in aid. Turkish firms have invested \$1.5 billion in projects in Afghanistan since 2002, including schools and mosques, hospitals and health clinics, bridges

and water wells. Turkey has also worked to facilitate talks between the leaders of Afghanistan and Pakistan and to press for greater cooperation in rooting out terrorism emanating from the Federally Administered Tribal Areas of Pakistan.

Turkey has been a partner in the search for a comprehensive peace in the Middle East. Ankara hosted Israeli President Peres and Palestinian Authority President Abbas for an historic joint address to the Turkish Parliament just before the Annapolis Conference, which Turkey also attended and actively supports. Turkey followed up at the Paris Conference with a \$150 million pledge for Palestinian institution building to be used in 2008–2010. Most recently, Turkey began facilitating peace talks between Israel and Syria. We welcome Turkey's constructive engagement and hope the talks bear fruit.

Turkey is concerned, as well, about Iran's efforts to develop nuclear enrichment capabilities in direct violation of Iran's obligations in three Chapter VII U.N. Security Council resolutions, and Turkey supports the IAEA's ongoing investigation of Iran's nuclear program. While we understand Turkey's desire to maintain good relations with its neighbor, we work with Turkey to ensure full enforcement of all of U.N. Security Council resolutions, and to pressure Tehran to comply with international obligations. Turkey implements all relevant UNSCRs (1737, 1747, and 1803), which help stem Iran's nuclear and missile proliferation efforts. One concern I will emphasize in Ankara, if I am confirmed, is Iran's hydrocarbon sector, and our legislative obligations to oppose foreign investment of over \$20 million in it.

The United States strongly supports Turkey's aspirations to join the European Union. To its great credit, the ruling Justice and Development Party is implementing political and economic reforms necessary for EU membership, and we hope that process continues. We, like the EU, want to see Ankara expand further its democratic and human rights reforms. We welcomed recent changes to Article 301, the provision of the Turkish penal code that criminalized "insulting Turkishness," and amendments to expand non-Turkish broadcasting, including in Kurdish. We encourage Turkey to protect civil rights of all religious and ethnic groups, such as by reopening the Ecumenical Patriarchate's Halki Seminary as a vocational school. Turkey and the United States share the values of democracy and the rights of individuals, and we continue to see that reflected in the reforms that Turkey is undertaking.

We support Turkey's efforts to normalize relations with its neighbors and have been encouraged by new developments concerning both Cyprus and Armenia. The election of the new Cypriot President has led to talks between the two sides and a willingness to renew efforts with the U.N. on a bizonal, bicomunal federation. Turkish leaders welcomed their new counterparts after the Armenian elections, and President Gul just made a historic visit to Yerevan at Armenian President Sargsian's invitation. We strongly urge Turkey to work with Armenia to reestablish diplomatic relations and to have an open and honest dialog about the tragic events at the end of the Ottoman Empire.

Our economic cooperation with Turkey would be a key priority, were I confirmed, with emphasis on supporting United States firms and investment. The United States recently ratified a Peaceful Uses of Nuclear Energy agreement with Turkey, which should provide new opportunities for United States businesses to invest in Turkey. The United States and Turkey are also working together on oil and natural gas pipelines, including the Baku-Tbilisi-Ceyhan, Turkey-Greece-Italy Interconnector, and the Nabucco pipelines, to develop a new generation of infrastructure that will help both Turkey and Europe secure and diversify their energy supplies. One of my proudest accomplishments on my last tour in Turkey was to help move the Baku-Tbilisi-Ceyhan oil pipeline forward, paving the way for these further efforts benefiting both Turkey and global consumers.

Many Americans, including my family and me, have had wonderful experiences living and working in Turkey and, in the case of our daughter, graduating from a Turkish high school. It would be an honor to return to Ankara to represent our Nation, promote U.S. interests, and ensure that we are providing needed services for American citizens in Turkey. If confirmed for this post, I will ensure all members of United States mission Turkey work effectively to advance United States goals in Turkey and the region, do our utmost to support our private American community, and remain safe in the face of terrorist threats.

Mr. Chairman, if confirmed as ambassador, these are only a few of the many items that would be on my agenda in Turkey. If confirmed, I hope I can count on the help and advice of you and your colleagues. I look forward to working with you and urge you to travel to this beautiful and fascinating country.

Thank you.

Senator KERRY. Well, thank you, both of you, very, very much. I appreciate it.

We'll just run—Bob, is 10 minutes okay? We'll do 10-minute rounds and sort of bounce back and forth here.

Let me begin by asking just a couple pro forma questions. Do either of you have any conflicts of interest which have required you to divest of anything that we should be aware of in the performance of the responsibilities in either of your assigned countries? Ambassador Cretz?

Mr. CRETZ. No, I don't, sir.

Senator KERRY. Ambassador Jeffrey?

Ambassador JEFFREY. No, sir.

Senator KERRY. Is there any issue on which either of you would have to recuse yourself because of any potential conflict of interest?

Ambassador JEFFREY. No.

Mr. CRETZ. No, Mr. Chairman.

Senator KERRY. Thank you. Thank you both.

Mr. Jeffrey, with respect to the PKK, what would you—how would you characterize the current state of relations between Turkey and the Kurdish regional government?

Ambassador JEFFREY. The Kurdish regional government and the Iraqi government both acknowledge the PKK is a terrorist organization and they're working with both us and the Turks to deal with that. There have been some strains and tensions, as you mentioned, at the beginning of the cross-border operation. There were some concerns from the Iraqi side, including from the side of the Kurdistan regional government. The Turks have been working both with the folks in Irbil in the Kurdistan regional government and in Baghdad to smooth over these concerns and I think that they have made considerable progress, particularly with Prime Minister Erdogan's recent visit to Baghdad and President Talabani's visit earlier this year to Ankara.

It requires constant exchanges, but we are seeing progress, sir, and I think that the two sides understand better now what the purpose of these operations are and the limits of these operations.

Senator KERRY. Where do you understand the Turkish government's influence and position with respect to any Kurdish independence issues?

Ambassador JEFFREY. The Turkish government, sir, like we and like the Iraqi government, supports the territorial integrity of Iraq as laid out in UN Resolution 1546 and subsequent ones. We're very strong on this, as are the Turks.

Senator KERRY. So you would see the problem as really one of self-defense and legitimate national security concern with respect to the PKK trans-boundary initiatives?

Ambassador JEFFREY. Yes, sir, very much so. President Bush met with Prime Minister Erdogan in November of last year and agreed to provide a variety of intelligence and other support for the Turkish operations and we do so fully cognizant that this is a self-defense operation, it is not designed for anything else, and the Turks have lived up to that, sir.

Senator KERRY. Fair enough.

With respect to the Turkish initiative regarding Syria and Israel, there have been no direct talks yet between Syria and Israel. Presi-

dent Assad is pushing those off pending, needless to say, U.S. engagement in some more direct way. How would you characterize the state, sort of what the accomplishment to date would be of that initiative, and where do you see it playing out?

Ambassador JEFFREY. First of all, sir, the United States, this administration, supports this effort. We encourage Turkey to continue what it's doing. The talks, as you said, have been at some distance, with the Turks functioning as an intermediary. The subjects are borders, security, water, and overall political-diplomatic relations between the two.

We think that this is a very important step in an overall comprehensive solution to the Arab-Israeli conflict and we hope that this effort continues. We are encouraging both the Israelis and the Turks to continue.

Senator KERRY. Do you see a role that we could play more proactively?

Ambassador JEFFREY. We review this from time to time, Senator. We are—at this point we're comfortable where we are in terms of reaching out to Syria.

Senator KERRY. Well, I'm not going to push you on that because I know that's a policy being made at a higher level, but one that the committee has had some concerns about, as I think you know.

Many of us on this committee are deeply concerned about how we move Turkey and Armenia to resolve the outstanding issues, including the opening of the border, the Nagorno-Karabakh, obviously the events of 1915, and so forth. How would you assess the progress made in the recent diplomatic initiatives, beyond the soccer initiative? How would you assess that?

Ambassador JEFFREY. Sir, looking back at where I was I was last in Turkey from 1999 to 2002, we've seen considerable, albeit not yet sufficient, progress. For example, a few years ago the Turks began issuing essentially immediate 90-day visas for Armenians traveling to Turkey. There are some 70,000 Armenians living and working in Turkey today. There are weekly commercial flights between Erevan and Istanbul. There are contract flights between Erevan and Antalya during the summer. During the Georgian crisis the Turks opened up the air space between the two countries, and there's about 60 to \$120 million in annual trade between the two.

There are also, beyond the fairly dramatic events of last month, sir, with President Gul's trip, there are also diplomatic exchanges at various levels. The Armenians have a diplomat in the Black Sea Cooperation Council in Istanbul and there have been a variety of talks at other levels. However, we have not achieved yet what we need, which is, as I said, the establishment of diplomatic relations and the opening of the border.

Senator KERRY. Let me go to one of the sort of tricky questions here. I'm not trying to, literally not trying to trip you up or anything. I'm just trying to get the record as clear as we can going forward. At a House Foreign Affairs Committee hearing on June 18, 2008, Assistant Secretary of State Dan Freid stated, quote, "the brutality against the Armenians starting in 1915 was, quote, "extraordinarily well documented," and that the assessment of former Ambassador to the Ottoman Empire Henry Morgenthau, who docu-

mented the Armenian genocide, was, quote, "accurate, that is there is no question the intent was not to remove people in a peaceful way."

In a letter dated this year, July 29, Assistant Secretary of Leg Affairs Matt Reynolds wrote to Chairman Biden saying, quote: "Our goal in bringing archivists from Turkey and Armenia to the United States for training is not to open a debate on whether the Ottomans committed these horrendous acts. It's to help preserve the documentation that supports the truth of those events."

Reynolds further added, quote: "The administration recognizes that the mass killings, ethnic cleansing, and forced deportation of over 1.5 million Armenians were conducted by the Ottoman Empire. We indeed hold Ottoman officials responsible for those crimes."

That is the administration's position. Based on those statement—I'm not going to go into the historical details, but based on those statements can you assure the committee that the administration is not supporting rhetorically, financially, or otherwise an effort to convene a commission to settle an historical debate that in effect is not a debate?

Ambassador JEFFREY. Mr. Chairman, as you've indicated, the administration recognizes and mourns and is very, very, very concerned about the historical facts, which include, as you said, the mass killing and the forced exile of up to 1.5 million Armenians at the end of the Ottoman Empire. We support, as President Bush made clear in his recent statement on March 24, the open effort by both sides to get to the bottom of the historical facts and to move forward as part of a reconciliation process both to establish closer and eventually full relations and to work out these dark chapters in the past.

Senator KERRY. So do I interpret that as, are you in fact going farther than Assistant Secretary for Legislative Affairs Reynolds did? Are you in effect saying that we are supportive of the historical commission itself and its goal, or are we supportive of simply maintaining the historical record?

Ambassador JEFFREY. We are supportive of anything that the two sides mutually agree on, sir. And as part of any process, we think that there should be a full and open review of the events of that time.

Senator KERRY. Providing its mutually agreed on?

Ambassador JEFFREY. Providing its mutually agreed on.

Senator KERRY. Senator Menendez?

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me first say to Mr. Cretz, now that I know your wife is a Union City native and as a Union City native, we've just got to get the Libyans to put their money up really quick so you can go there.

I mentioned the Pan Am bombing victims, of course. There's the LaBelle victims and others as well. So we look forward to the Libyans meeting their responsibility and hopefully your opportunity once you're there after they meet their responsibility to continue to engage in that respect.

Ambassador Jeffrey, I'm dismayed as I heard your answer to Senator Kerry because that puts us before where we were when we had the ambassador-designee to Armenia being interviewed, and

the statements that Senator Kerry read to you are the response to this committee and to Chairman Biden from the State Department because of great angst that was created as a result of her testimony. Now you've taken us back to where we were before, when you say we support whatever the commission does to get to the bottom of the historical facts.

Well, that's not what the administration has said to us. The administration in their letter—unless we're not to believe letters sent to this committee now. The administration in their letter said: "Our goal is not to open a debate on whether the Ottomans committed these horrendous acts. It is to help preserve the documentation that supports the truth of those events."

That letter by Assistant Secretary of Legislative Affairs Mr. Reynolds further went on: "The administration recognizes that the mass killings, ethnic cleansing, forced deportation of over 1.5 million Armenians were conducted by the Ottoman Empire. We indeed hold Ottoman officials responsible for those crimes."

Now, what I heard you respond to the question is quite different. So do you want to clear it up for me or are you sticking with your statement that we support whatever it is to get to the bottom of the facts? The historical facts as I see it have now been admitted to by the State Department and clearly stated as such. And I don't get a sense that's what you're telling us, so that puts a complication in this process. Maybe you can help us.

Ambassador JEFFREY. I'll try, Senator. Certainly everything that Assistant Secretary Reynolds wrote is U.S. Government policy and we stand by it. What I was trying to communicate was it's also important for Turks and Armenians to move forward on a joint effort to work on these issues and to come to some kind of, to the extent they can, common view of the historical facts.

Senator MENENDEZ. Well, if in fact we already have come to the conclusion that the historical facts as outlined by Mr. Reynolds on behalf of the State Department in July of this year are that we indeed hold Ottoman officials responsible for those crimes, why would we support an initiative that ultimately doubts whether those are the historical facts? If the Turks seek to do it that's one thing, but why would we be supportive of an effort that ultimately undermines the very position that our State Department has?

Ambassador JEFFREY. In conflicts such as this, Senator, we believe that as a general rule—and we apply this across the board in the many conflicts that I've been involved in—we have—and it's our obligation to our own citizens and to the historical record to have—our own views, but it's also important to try to encourage the various sides on a dispute, be it this one, be it others, to try to come to some sort of joint understanding of the past and a joint way forward for the future.

Senator MENENDEZ. Let me ask you one last question on this. Would you then as the ambassador be someone who would advocate rhetorically, financially, or otherwise that the commission should be constituted and move forward?

Ambassador JEFFREY. Senator, every effort that can be taken for people to review openly the facts of that period would be supported by me.

Senator MENENDEZ. Let me ask you, do you believe that—despite some painful legacy of the Armenian genocide, continued illegal Turkish blockade, Armenia has repeatedly offered to open diplomatic relationships with Turkey without preconditions. Do you believe that Turkey should accept Armenia's offer to establish full diplomatic and economic relations without any precondition?

Ambassador JEFFREY. We believe that Turkey should establish relations with Armenia, sir, that is correct.

Senator MENENDEZ. Without any preconditions?

Ambassador JEFFREY. Without any preconditions.

Senator MENENDEZ. Thank you. Let me ask you with reference to the State Department's international religious freedom report. One of my concerns reading from the report is minority religious groups, particularly the Greek and the Armenian Orthodox communities, have lost numerous properties to the state in the past and continued ongoing efforts from the state to expropriate properties.

Most particularly, the Ecumenical Patriarchate, the spiritual leader of 6 million Christians here in the United States and 300 million in the world, finds themselves constrained, having his church's properties confiscated—you mentioned the Halki school—not being able to have new ordinations of priests at that location, and most recently U.S. citizens who are affiliated with the church, the Greek Orthodox Archbishop of America Demetrius, Metropolitan Isaiah of Denver, Metropolitan Nikitas from San Francisco, and others who attended the holy synod in Istanbul, were ultimately treated in a way in which we would want no United States citizen to be treated.

What is it that you would intend to do as our ambassador to Turkey to get Turkey to understand the importance of religious freedom and the respect of the Ecumenical Patriarchate, which represents the spiritual leader of millions of Americans here at home?

Ambassador JEFFREY. Senator, we would continue the progress and continue the pressing that we have done in the past. This was one of the biggest issues when I was there last time. It's something that I know that Ambassador Wilson and his predecessors have put a lot of time and effort into. We have seen some success. In 2002 the Turks changed the property law to allow the foundations for the Greeks, the Armenians, and the Jewish groups in Turkey to purchase property. That was a step forward, but not an adequate one. They changed the law again in 2006. Unfortunately, it was found unconstitutional and it is back being reviewed.

We need to move forward on that law consistent with the Turkish constitutional system and we need to take further steps. This is something that I will, if confirmed, put a great deal of effort into because I believe that it is absolutely essential for the kind of relationship that we want to continue to have.

In the case of the synod, we were pleased that non-Greek members of the synod were appointed in 2004 and we hope that they can exercise their full rights as members of the synod.

Senator MENENDEZ. Are you aware of the European Court of Justice's unanimous determination last July—

Ambassador JEFFREY. Yes, sir.

Senator Menendez:—which condemns Turkey's confiscation of the orphanage of the Ecumenical Patriarchate? Are you aware of that?

Ambassador JEFFREY. Yes, sir. This is the Kachuk Adaf Orphanage. It is another of the lines of operation, if I will, if I can, that we are pursuing. One of the reasons that we urge Turkey to establish closer relations with the European Union is to help folks resolve these sorts of problems that complicate both our relationship, as you pointed out, with Turkey, but also the European Union's.

Senator MENENDEZ. Let me ask you this. On Cyprus there are currently more than 40,000 Turkish troops in Northern Cyprus occupying that part of the country. Since 2003 when I was one of the first people to cross from the Greek Cypriot side into the occupied side, there have been more than 13 million free crossings from the occupied area to the Cypriot government and vice versa.

Is that not a clear repudiation of the Turkish position that you need to have 40,000, the most militarily—in terms of square footage, the most militarily occupied part of any part of the world?

Ambassador JEFFREY. We would be delighted to see any step towards reconciliation, any step to further defuse that situation, Senator, including withdrawals of troops. The previous effort in 2004 had a very significant withdrawal of foreign troops from the island as part of the Annan plan. We fully support a comprehensive solution and we think that any comprehensive solution would deal successfully and effectively with the troop issue.

Senator MENENDEZ. Thank you, Mr. Chairman.

Senator KERRY. Thank you, Senator Menendez.

Mr. Cretz, what's your understanding at the moment of the Libyan contributions to the fund?

Mr. CRETZ. Currently, Mr. Chairman—first I would point out that the agreement was signed on August 15 between the United States and the government of Libya. On September 3 the fund that will receive the contributions was established.

Right now my understanding is that contributions to the fund are being solicited and that we expect that the fund will be capitalized in the near future.

Senator KERRY. Do you have any expectation on the time frame?

Mr. CRETZ. I can't give you a definite date, Mr. Chairman, but we believe that it will be in the very near future.

Senator KERRY. When you say funds are being solicited, do you know where they're being solicited from?

Mr. CRETZ. This is a humanitarian fund which is open to anyone who wants to contribute. I do not know myself what the actual sources of the funds will be.

Senator KERRY. Do you—is there any expectation that American businesses anxious to secure contracts or do business may contribute to the fund?

Mr. CRETZ. Mr. Chairman, we have had three clear red lines with respect to the solicitation or the capitalization of the fund: number one, that there will be no United States taxpayer dollars involved; number two, that we will not pressure U.S. companies to contribute to the fund; and number three, that we will not tolerate any pressure being brought to bear on any U.S. companies to contribute to the fund.

Senator KERRY. Pressure is to be distinguished from an invitation?

Mr. CRETZ. Since the fund is—

Senator KERRY. Or request?

Mr. CRETZ. Yes, I would say that it is. If U.S. companies wish to make a contribution, just as any other companies, Libyan companies, European companies wish to make a contribution to that, it's certainly up to them. We have offered that, if asked, we would facilitate any contact with them about contribution with the Department of Justice with respect to any regulations and laws that might apply.

Senator KERRY. Have you been briefed on or do you have any concerns yourself as an incipient ambassador with respect to the arms sales and potential nuclear agreements between France and Libya?

Mr. CRETZ. I have not, Mr. Chairman.

Senator KERRY. And you have no opinion with respect to them? You don't have to. I'm just curious.

Mr. CRETZ. I don't have an opinion on that.

Senator KERRY. What about potential natural gas cooperation between Libya and Russia?

Mr. CRETZ. I think as we—if we are able in fact to expand our relationship with the Libyans, we would hope that as part of that there would be more investment in the exploitation of Libyan oil as well as Libyan natural gas, not only for the benefit of the United States Government and people at some point, because it offers perhaps more stability in the oil markets, but also because it would—as we look at the situation with respect to Europe and the need to diversify sources of oil and gas, I think we would look on that as—we would look on the contacts between the Europeans and Libya as positive, as a way to diversify from any one source of oil and gas which they have now, and perhaps the Russians is a good example of that.

Senator KERRY. Do you expect the United States to try to—is there any discussion that you're aware of of our offering similar kinds of deal opportunities or engaging in discussions, regarding either arms sales or energy production?

Mr. CRETZ. With respect to energy production, we know that our companies are involved in that. We know that several American companies would like to gain further business with Libya, especially with respect to oil recovery techniques. We know that the Libyans would welcome further American investment in this area.

With respect to arms, with respect to our own potential arms sales to Libya, I would say that we hope that once we overcome—once the problem with respect to the claims is overcome fully and satisfactorily, that we will be able to begin a defense relationship with Libya at some point. This would be a relationship that would be based on—as we begin to see the prospects of whether or not we would be able to sell arms to Libya, it would be done on a case by case basis and in response to positive Libyan behavior, as we have seen in the past in what it's done with respect to WMD, renunciation of terrorism, and we hope with the fulfillment of the claims agreement.

Senator KERRY. To what degree does Libya's opposition to the presence of non-African military forces, i.e., AFRICOM, presence complicate that? And how do we anticipate their being cooperative in those efforts that we obviously face on the continent with respect

to counterterrorism, and yet they're opposed to the AFRICOM presence?

Mr. CRETZ. When the Secretary was in Libya for her historic visit a few weeks ago, she actually did engage in a discussion with the Libyans with respect to AFRICOM. I think that we discovered in that discussion that what they thought our intent was with respect to AFRICOM was really quite mistaken. I think the Secretary told the Libyans that we needed to do more work with respect to explaining to them that this was not only a security-based United States effort in Africa, but in fact it was an effort to help Africans help themselves, especially with respect to countering terrorism on the continent, and also to helping Africans help themselves with respect to maintaining and fostering political stability.

So we have work to do in that area, but I think the Secretary's visit went at least some measure in terms of dispelling what we thought—what appears to be a misconception on the Libyans on the part of AFRICOM.

Senator KERRY. Does that play out in some positive way with respect to conflicts in Chad or Darfur, Niger, and-or the other regional sort of concerns that we have?

Mr. CRETZ. Mr. Chairman, I think that we in the past, where we might have seen elements of adventurism with respect to Libya's actions in Africa, I think we've had a pretty good indication over the past few years of a willingness by the Libyan government to play a very favorable and positive role in the conflicts in Africa, specifically in Darfur and most recently as a participant, Libya's participant as a member of the Dakar Accords with respect to the conflict between Sudan and Chad.

While we may have had a difference of opinion at times with Libya with respect to tactics in bringing these conflicts to resolution, I think that the overall goal that we share with the Libyans is similar in those cases. So I think that Libya—one of the reasons I think that we want to settle the claims agreement fully and satisfactorily is that we see a lot of areas of potential cooperation with Libya in the future, specifically with respect to counterterrorism and certainly with respect to conflicts on the continent.

I would note also that Libya has been helpful in establishing a humanitarian corridor to allow goods to Darfur, and my understanding is that they have also opened up routes to help refugees in the Sahel as well.

Senator KERRY. Those efforts, obviously we appreciate them and they're important, but how do you square those—what leverage do we have to address some of the internal abuses that I cited, the human rights issues internally? Obviously, we always have to try to prioritize some of these things, but we never turn away from that no matter what our priorities. How do we leverage that?

Mr. CRETZ. Mr. Chairman, I think that first of all we recognize, we should recognize, that we have not had a high level dialogue or any dialogue basically with the Libyans for almost 25 years. So I think that we need to—as we move forward with the Libyans, I think we have made it clear that the—and they have in fact expressed a willingness to engage in a human rights dialogue with us.

When the Secretary was in Tripoli she specifically raised the case of Fathi El-Jahmi and she also told the Libyans that we would be eager to engage on a human rights dialogue on the basis of mutual respect. I think that if confirmed as ambassador I certainly would take a lead from what the Secretary did. I think that we have an opportunity to start a human rights dialogue on a high level.

Also I would note that Colonel Qadhafi's son himself, Seif al-Islam, has also publicly spoken about the need to reform parts of Libyan society. I think it will be an evolutionary process, but I think that it's one that could yield fruit in the future if we engage at with the proper means, the proper attitude, and the proper time.

Senator KERRY. Thank you, Mr. Cretz.

Senator MENENDEZ?

Senator MENENDEZ. Thank you, Mr. Chairman.

Ambassador Jeffrey, I focused on—you have a big charge. It's a big country. It's very important to us, and there's a whole host of issues. So that's why I'm focused on getting a good sense of what your thinking is on some of these.

If Turkey were to recognize the Armenian genocide, would the United States be willing to do so?

Ambassador JEFFREY. We would have to see at that time, Senator. I can't commit the administration to any future action.

Senator MENENDEZ. No, I realize you can't. But would you as the U.S. Ambassador to Turkey say to the administration, whoever that is in the next administration, that in fact we should recognize it as well?

Ambassador JEFFREY. We constantly review. We constantly review many things in our foreign policy processes. This one, because of the great interest in the American public and Congress, is one that gets reviewed all of the time. That would certainly be a very major factor in any review if the two sides could come to an agreement on that particular term or other issues related to the past, sir.

Senator MENENDEZ. Well, if Turkey on its own came to the evolution that in fact it made a decision that, yes, a previous, not even Turkey as we know it today but the Ottoman Empire, did what the State Department says it has and said, yes, there was a genocide, would it not be in the interests of the United States to recognize what Turkey itself has recognized?

Ambassador JEFFREY. It would be, as I said, Senator, a very important factor. But aside from being concerned about committing this or the future administration to a specific course of action or predicting it, there would be other factors that would have to be weighed, such as our general approach to other conflicts and taking positions.

The relationship between Turkey and Armenia is a major factor in the policies we take, the words we use. But there are other factors as well, sir.

Senator MENENDEZ. When you take the oath, should you be confirmed by the Senate as the Ambassador of the United States to Turkey, do you know what that oath says?

Ambassador JEFFREY. Yes, sir.

Senator MENENDEZ. Does that oath speak to an administration or does it speak to the country?

Ambassador JEFFREY. It speaks to the country, Senator.

Senator MENENDEZ. In that respect, one of the things that I look when we have nominees here is that when we have our—understanding fully that the State Department to a large degree is going to, and whatever administration you work for is going to, define your parameters. But when I have an ambassador here I want to be able to get straight talk so that in fact I know and can make judgments as one member of the United States Senate and of this committee, and I can't get that straight talk if I hear a constant constraintment of what is the truth or the realities and the opinions you might have in a country as it relates to questions being posed to you by members of this committee.

So I hope that we recognize that the oath is to the country and this is an institution of the country at the end of the day.

So let me ask you this question. There are a series of media accounts—I won't take them all here—that reported that Under Secretary of State Edelman and Assistant Secretary of State Dan Fried traveled to Turkey in October of 2007 to, quote, "express regret" over the adoption of the Armenian genocide resolution by the U.S. House Foreign Affairs Committee, one that I sat in at one time.

Is it your view, should you ultimately be approved by the Senate as an ambassador, to express regret of what an institution of the United States Congress does?

Ambassador JEFFREY. Senator, I never have and I never will express regret. This is an independent and equal organ of the United States Government. It deserves the respect of everyone in the world.

Senator MENENDEZ. I appreciate that answer.

Let me ask you one last, two last questions, and I may submit some for the record, but not to belabor your appearance here today. You know, I have spent a lot of time on the question of Cyprus and Turkey and reunification of the island. Many New Jerseyans are of descent from that country, American citizens now.

Overwhelmingly in the years that I have spent focused on this, probably the better part of 16 years in the Congress, there is a very deep belief that the solution is not between Greek and Turkish Cypriots, although that's what we would desire it to be, but that a lot of this has to do with what goes on in Ankara, and particularly the military in Ankara. How do you see your role as the United States Ambassador in trying to help what is clearly an interest of the United States to have a country that is now part of the European Union, the unoccupied part, but also that accepted our citizens when we were finding the difficulties that were taking place when our citizens had to be evacuated from Beirut in Lebanon, and accepted them with open arms and helped us—how do you see playing a role to try to move that in the right direction?

Ambassador JEFFREY. Certainly, sir. As one who was working that evacuation, I do want for the record to thank again the people of Cyprus for taking on thousands of Americans. It was a magnificent and immediately crucial effort.

Sir, on the issue of Turkey, Turkey is a major player obviously in this. Both Turkey and Greece are technically guarantor powers under the 1960 set of accords. But far more importantly, they're

both political players in this. In the case of Turkey, which is where if confirmed I would focus my efforts, it would be my job, as it has been the job of my predecessors in various positions there, to convince the Turks that it is in their own interest to find a solution to that, that their own relations, not just with us, importantly with us, but also with Greece, not with Cyprus, of course, but with the European Union, and with the region would be helped.

The more the Turks move closer to their neighbors, the better their relations, the better their trade. We see this with Greece, where, while there are still some issues, they've recently had very high-level exchanges. They have now a gas pipeline between Turkey and Greece. They have possibilities of joint military units. This is exactly what we want to see happening with Cyprus, with Armenia as well, Senator.

Senator MENENDEZ. A final question if I may. I read your statement, your full statement, and your 5-page statement, 14 paragraphs, has 2 that talk about all these challenges combined together, particularly in the context of Turkey's desire to enter the European Union and how there are obstacles to that.

If you were to receive the support of the Senate and be confirmed, can you give me a sense, within the myriad of issues that you will be facing, as to what type of import, attention of your time and calibration will you give to the issues that I've raised with you

Ambassador JEFFREY. Senator, in my last job in Turkey the issues you raised occupied a very large part of my, if you will, policy time, the time we spend into diplomatic contacts with the Turks, certainly on the order of 20, 30, 40 percent. The crisis of the day—as you pointed out, it's a large country; it borders on a lot of problem areas—sometimes push the press of business to the side. But this has been and if confirmed it will be very important elements of our policy, sir.

Senator MENENDEZ. Thank you, Mr. Chairman.

Senator KERRY. Thank you for a set of important, good questions, Senator.

Just a couple more if I can. How would you characterize, Mr. Jeffrey, the relationship right now between the AK Party and the military establishment that's so important in Turkey?

Ambassador JEFFREY. Senator, I know enough about Turkey to say that a question of that detail requires on-the-ground talking with all of the people. If confirmed, that would be one of my priorities, and I wouldn't want to go into it in detail now. I would simply like to sketch out a few guideposts, if you will.

First of all, there was the recent constitutional court decision concerning the AK Party and the concerns that many in Turkey had about whether it was going too far in challenging the secular basis of the Turkish constitution and state. The outcome was to fine the party but not challenge the party's rule. I think that that is—the European Union has greeted that decision and, while we don't get into constitutional decisions in any real detail, I think that that portends well for stable relations between the various key elements of Turkish society, including between the military and this party.

Senator KERRY. Do you think that that relation—is that relationship tricky with respect to the ability of the Cyprus issue to be resolved?

Ambassador JEFFREY. Senator, my bias is almost everything involving Turkey is tricky to one or another degree. But I would have to say that it is a—that has always been in the past when I was involved in this an issue of some concern. As in many other cases of countries with important national security demands, challenges, and issues, the Turkish military has a say in political decisions, and that's something that we have to work with all of the actors.

Senator KERRY. Is it your judgment that Turkey would accept the withdrawal of its forces in exchange for the unification of the island?

Ambassador JEFFREY. Turkey supported in—

Senator KERRY. In a bizonal, bicomunal, federated concept?

Ambassador JEFFREY. Turkey accepted in 2004, sir, the Annan plan, which called for the withdrawal of most of the forces. I think they would go down to roughly 6,000 on each side. I think that if you could find a, as you said, bizonal, bicomunal federal solution that both sides could agree to, I think that Turkey as a whole would go along with it, as it was ready to do in 2004.

Senator KERRY. And UE accession? What's your sense of the status of that?

Ambassador JEFFREY. Sir, I didn't catch the beginning?

Senator KERRY. The EU accession.

Ambassador JEFFREY. Right now—there are 35 chapters that a country has to work its way through, and it often takes 10 or 15 years. Turkey has eight chapters opened. They have eight chapters closed. Again, as in many other cases, because of the Cyprus situation the Turks do not open their ports to Cypriot trade. They have their own arguments on why, based upon what they have explained is EU commitments before the Annan referendum on the island in 2004 concerning the Turkish Cypriots.

But in any case, the EU has decided to freeze those eight chapters. The EU is also very concerned about the constitutional court case. Because of the way that that case came out, I think, and because of the new movement on Cyprus, we would hope and expect that there would be a new impetus to moving forward on the EU.

Senator KERRY. Mr. Cretz, are you satisfied with the current state of the consular relationship between us and Libya, both the rate of travel, rate of visas, etcetera?

Mr. CRETZ. Mr. Chairman, I think there needs to be an improvement on both sides with respect to the consular issues. Because of lack of facilities, we've only been able to offer official visas in Libya, and in fact Libyans have to travel to Tunis to get their U.S. visas adjudicated. We hope that as our facility is able to that we can offer that at some point to the Libyans.

At the same time, I would hope, and certainly if confirmed as ambassador, to convince the Libyans to open up with respect to the issuance of visas for Americans and to facilitate certainly in a more productive way our official people who are going there to do certain kinds of work, and also with respect to tourism.

Senator KERRY. Are there any—have there been any closings with respect to any deals, either cultural or science or otherwise?

Mr. CRETZ. Mr. Chairman, in February I believe we signed a science and technology agreement. But as of right now we have several agreements pending, including cultural exchange agreement, a defense relationship framework agreement, a potential trade and investment framework agreement. So all these agreements in effect are in certain stages of being resolved, and I expect that if confirmed as ambassador I would hopefully oversee the conclusion of these agreements in the next several months, pending of course the—

Senator KERRY. We want you obviously to do that, and I think that progress in those areas could be awfully important. So that could be helpful to the rest of the process.

Let me just take one minute on process here. I want to check on something. [Pause.]

Senator KERRY. I'm just trying to work through, because obviously there's a good chance we're going to finish this deal on the economic deal and be out of here in a few days. Obviously, we're concerned with the notion of being able to try to move the nominations, though yours, Mr. Cretz, depends on Libya, if Libya can move rapidly.

If we're in a pro forma session here, which we may well be, then it would be possible to try to do this in an expedited fashion. I think, Mr. Jeffrey, our plan is to try to discharge you almost immediately, and then see how we can pull the pieces together in the following days.

Therefore, what I will do is I think I'll leave the record open for 24 hours only and we'll close the record out tomorrow. If there are any additional questions in writing, it'll have to be done in that time. Then I hope Libya is listening and can write a big check quickly and transfer money by wire and get an ambassador.

But we're very grateful, we're very grateful to both of you. Again, I regret, Mr. Cretz, but obviously it's beyond our control.

Let me thank you both again and your families. This is a tough time to be abroad for anyone in the foreign service at any level, may I add. This committee is particularly sensitive to that and has a lot of respect for everything that people have to put up with in that effort. We are trying—yesterday we passed out of the committee an effort to try to equalize the pay for foreign service officers, particularly in those areas where families don't follow them because their families are back here and they're paying Washington prices at lower scale. We need to address those kinds of inequities of we're going to continue to ask people to serve in these kinds of complicated places and times.

But the committee is deeply grateful to you and obviously I think the committee, both bipartisanly, has expressed deep concerns about a number of policies that have made life more complicated for the members of our foreign service and we're very hopeful that over the course of the next months, either way, that that's going to change. We look forward to continuing to work at that.

So we thank you for your presence. We thank you for your willingness to serve, and I am confident in the willingness of the Senate to confirm both of you. It's really a matter of scheduling.

We stand adjourned. Thank you.

[Whereupon, at 3:58 p.m., the hearing was adjourned.]

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