

**NOMINATIONS OF THE 112TH
CONGRESS—SECOND SESSION**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

—————
FEBRUARY 7 THROUGH NOVEMBER 28, 2012
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Printed for the use of the Committee on Foreign Relations



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COMMITTEE ON FOREIGN RELATIONS
112TH CONGRESS—SECOND SESSION

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**NOMINATIONS OF ROBERT F. GODEC AND
DEBORAH ANN McCARTHY**

WEDNESDAY, NOVEMBER 28, 2012

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

Hon. Robert F. Godec, of Virginia, to be Ambassador to the Republic of Kenya
Deborah Ann McCarthy, of Florida, to be Ambassador to the Republic of Lithuania

The committee met, pursuant to notice, at 2:25 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher A. Coons, presiding.

Present: Senators Coons, Lugar, and Isakson.

**OPENING STATEMENT OF HON. CHRISTOPHER A. COONS,
U.S. SENATOR FROM DELAWARE**

Senator COONS. I call this hearing to order.

I am honored to chair this hearing for the ambassadorial nominees to serve this Nation in Kenya and Lithuania, Ambassador Robert Godec and Ms. Deborah Ann McCarthy. Both nominees have impressive and long records of service and accomplishment in the Foreign Service of the United States, and I look forward to hearing about their priorities for advancing U.S. policies and interests in the countries to which they may soon go as our Ambassadors.

I am also very pleased to be joined by my good friend and ranking member, Senator Isakson, of Georgia, and particularly honored that Senator Lugar, the ranking member of the full committee, has joined us today; and I understand Senator Durbin, of Illinois, may as well join us shortly.

I apologize for the delay in getting started. We had a vote on the floor of the Senate.

As some know, Kenya has particularly important meaning for me. The first time I ever set foot in Africa was as a undergraduate spending a semester at the University of Nairobi, and I later volunteered at an orphanage in Ngong. My experience there was transformative, and changed my perspective on the world, and gave me a new sense of purpose and focus. And I returned to Kenya, for the first time in 25 years, just a few months ago.

In Nairobi, I had the opportunity to speak at the Kenyan National Prayer Breakfast, as Senator Isakson has, as well, this year, with President Kibaki and others, where I affirmed the centrality for the United States of the upcoming elections and our sincere hope that the violence and chaos of the 2007 elections can be averted. The United States, in my view, is, and should be, closely watching the process surrounding this election, and we'll work closely with Kenyan officials to ensure the elections are peaceful, credible, and transparent. And I emphasized then, as I will again today, that we do not favor any particular outcome or candidate, but, instead, a free and fair process.

Kenya has made remarkable progress in recent years in reforming its constitution, building democratic institutions, expanding press freedoms, and improving its economy. I was particularly impressed, during that visit with the younger generation of Kenyans, in the great potential that exists amongst entrepreneurs.

There are many other things to be concerned about in the process toward the election, and I look forward to hearing about them in more detail from Ambassador Godec.

Several factors may well influence the outcome of the election—ethnic tensions, the balloting registration process, the behavior of the police and security services, messaging of the candidates—all of which I hope we will get into in some more detail.

The other main area of concern for me regarding Kenya is its military involvement in Somalia, the ongoing security challenges, both within and without Kenya and its borders.

Kenya is home to the largest diplomatic mission in Africa, from which a host of government agencies oversee bilateral and regional programs, and serves as a base for humanitarian relief, food security, and global health initiatives, and I'm eager to talk about that, as well as the potential for trade and investment in the region.

To serve as our next Ambassador in this critical post, in my view, President Obama has chosen wisely in nominating Ambassador Godec, who has served as Chargé in Nairobi since August and has been received positively by government, civil society, and NGOs. Having built a strong career as the former Ambassador to Tunisia, he recently served as Principal Deputy Counterterrorism Coordinator in the State Counterterrorism Bureau. Prior to his service in Tunisia, he served as Deputy Assistant Secretary for Near Eastern Affairs. This is Ambassador Godec's second time in Nairobi, following a posting from 1996 to 1999 as Economic Counselor.

Just as Kenya has worked hard to improve and reform its democracy and economy, Lithuania, too, serves, in my view, as a model of democratic transition since the cold war, the first former Soviet Republic to declare its independence, on March 11, 1990. Moscow, however, did not recognize this proclamation until the following year. Since then, Lithuania has experienced a smooth transition, democratic elections, a restructured economy, and has joined NATO and the EU. Having just completed its own elections in October, our incoming Ambassador there, if she is confirmed, must work with the new Lithuanian Government to encourage economic growth, greater cooperation on energy security, and many other regional issues relating to both Russia and other regional actors.

Ms. McCarthy, the nominee to serve as our Ambassador to Lithuania, has a long and distinguished career, having served for 30 years in the Foreign Service, currently as Principal Deputy Assistant Secretary for the Bureau of Economic and Business Affairs, and previously as Deputy Chief of Mission in Embassy Athens, Special Coordinator for Venezuelan Affairs, Senior Advisor for Counterterrorism, and Deputy Assistant Secretary in the Bureau for International Narcotics and Law Enforcement.

Now, I very much look forward to hearing from both nominees, and will encourage them, in time, to introduce their families, as well, who, as we all recognize, are the often unsung true heroes, in terms of supporting through sacrifice and service, but let me first turn to my friend and ranking member, Senator Isakson, for his opening remarks.

Senator ISAKSON. Out of respect for the chairman, I'm going to defer my remarks to the Chair and let him make the opening statement.

Mr. Chairman.

Senator COONS. Senator Lugar.

**OPENING STATEMENT OF HON. RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA**

Senator LUGAR. Likewise, I will ask that my comments and opening be put in the record.

I simply come, as all of us do, to try to affirm how important these two ambassadorial positions are and how important it is we act promptly so that these positions are filled.

[The prepared statement of Senator Lugar follows:]

PREPARED STATEMENT OF RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA

It is a pleasure to welcome Ambassador Godec once again before the committee, in this case as the President's nominee to be Ambassador to Kenya. His stewardship as Chargé over the last several months comes at a very challenging time for our large and important East Africa Embassy. He has brought deft and experienced management to Nairobi and effectively sustained our varied interests and priorities with Kenyans and the Kenyan Government at a critical time.

Among the most important interests is United States support for a free and fair electoral process leading up to national elections in 2013, the first since the abhorrent violence that followed the 2007 elections. United States interests extend broadly in East Africa and recognize the commitment Kenya has made in Somalia under the AMISOM umbrella, as well as its long support for regional peace initiatives. Kenya also has been a key counterterrorism partner in a variety of areas that are of mutual concern with broad global potential for impact. These include Kenyan efforts fighting al-Shabab and building its own counterterror capabilities in maritime and border security. Our extensive cooperation extends to providing a regional platform for the Defense Threat Reduction Agency and the Center for Disease Control in securing biological materials that pose a threat to millions if neglected. I would like to thank Ambassador Godec for his expeditious review of a longstanding request incorporating DTRA into a large Embassy country team.

I am also pleased to welcome Deborah Ann McCarthy, who has been nominated to represent the United States in Lithuania. Lithuania remains a key strategic NATO ally, and I am hopeful that Ms. McCarthy, if confirmed, will advance several key U.S. foreign policy priorities. Among other objectives, it is critical that the United States advance energy security for Lithuania and the entire region by supporting interconnections and the development of alternative sources of energy. We must also reaffirm NATO's Article Five commitments in the region through support of NATO's Baltic Air Policing mission and other means of reassurance.

Thank you Mr. Chairman.

Senator COONS. Thank you very much, Senator Lugar.
 Senator Isakson, did you have an opening comment you'd like to share?

**STATEMENT OF HON. JOHNNY ISAKSON,
 U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Just echo your comments about the importance of both countries to the United States of America. And I, too, have been to Kenya, though I did not go and study or live there, but have been there to visit, understand the importance of it. And, of course, Lithuania, their relationship with Russia and the particular challenges that, economically, they have had, are of tremendous importance to the United States, and I look forward to questioning both Ms. McCarthy, as well as Mr. Godec.

We appreciate your accepting the responsibility of these nominations.

Senator COONS. Thank you, Senator Isakson.

I'd now like to turn to our nominees for their opening statements, starting with Ambassador Godec, followed by Ms. McCarthy. And again, I invite you to introduce your families or other loved ones or supporters you might have with us today, as well.

**STATEMENT OF THE HON. ROBERT F. GODEC, OF VIRGINIA,
 TO BE AMBASSADOR TO THE REPUBLIC OF KENYA**

Ambassador GODEC. Mr. Chairman, Ranking Member Senator Lugar, I am honored to appear before you today as President Obama's nominee to be the next U.S. Ambassador to the Republic of Kenya.

I want to thank the President and Secretary Clinton for their confidence in me. If confirmed, I look forward to working with you and the other Members of Congress to advance U.S. interests in Kenya and the East African region.

Mr. Chairman, I'd like to introduce to you, today, my wife, Lori Magnusson. Lori has been a constant source of strength, support, and wisdom to me throughout my career. I'd also like to introduce my mother, Nancy Dietrich, and to express my profound thanks to her for all she has done for me over the years.

Kenya is a strategic partner for the United States. Our two countries are linked by history and shared values. Kenya is a positive and constructive leader in a region that faces major challenges, including conflict, violent extremism, and poverty.

For 50 years, as friends, Kenya and the United States have stood together to face these challenges. Meeting them is in the interest, not just of Kenya and its neighbors, but of the United States and, indeed, the world. As a consequence, our relationship with Kenya is both broad and deep. We work together with Kenya to resolve regional conflicts, combat terrorism, and provide humanitarian assistance. As a partner, we have a commitment to a strong Kenya and are assisting with Kenyan efforts to reform their political institutions, accelerate economic growth and development, and improve health and education systems. If confirmed, I will continue our work on these challenges, and will engage with Kenyans from across the country to do so.

A democratic Kenya, which embraces national reconciliation and rejects corruption and impunity, is critical for the future of East Africa. Since the deadly violence that swept Kenya following the disputed December 2007 Presidential elections, the United States has focused on supporting political and constitutional reform in Kenya.

Kenya's new constitution, adopted in August 2010, is one of the most progressive in Africa, and envisions nothing less than the complete overhaul of the political system. It holds the promise of anchoring Kenya's democracy firmly in the rule of law.

Facing many other challenges, including internal political disagreements, drought, and the global economic crisis, Kenya has made significant progress passing the legislation necessary to implement the constitution. Kenya's judicial reforms have been a particular bright spot.

The upcoming March 2013 election is the next key moment for Kenya in the implementation of its constitution and in advancing political reform. The responsibility for the election rests squarely with the Kenyan Government and people, and success, frankly, is not assured.

If confirmed, one of my top priorities will be to support Kenyan efforts to make the election free, fair, and peaceful. We have a strong and varied set of programs in place to assist institutions charged with carrying out the most complex election in Kenya's history. We're working with the government, with civil society, religious leaders, community leaders, and youth across the country to promote peaceful participation in the election. We are also coordinating closely with the international community and other partners on our election assistance to ensure the wise and effective use of taxpayer resources.

Beyond the election, Kenya faces many other internal challenges, including devolving power to new county governments, carrying out land reform, improving environmental protection, combating HIV/AIDS, and strengthening its institutions. Kenya needs to make progress to address these challenges, and, if confirmed, I will continue our mission's work to assist the Kenyans to do so.

I will also seek to deepen and strengthen our economic and commercial ties, including the promotion of U.S. exports and the protection of U.S. investment.

Kenya's security remains a major concern. It is inextricably linked to our own, as was clearly illustrated in the 1998 bombing of our Embassy, carried out by al-Qaeda, which left 218 people dead and thousands injured. Kenya has borne a heavy burden from the insecurity and from extremist violence and humanitarian challenges associated with the conflict in Somalia.

As a troop-contributing country to AMISOM, Kenya has helped to establish the security necessary for the new government in Mogadishu to begin serving the needs of the Somali people. In taking a higher profile in Somalia, however, Kenya increasingly has become a victim of violent attacks by terrorists. If confirmed, I will continue to support Kenya's efforts to secure its borders and to protect its citizens while working to ensure that Kenya respects human rights and international law as it fights terrorism.

Kenya also hosts more than 600,000 refugees, primarily from Somalia, which places a burden on its limited resources. The United States will continue to assist Kenya to meet its international obligations with respect to refugees.

Finally, Mr. Chairman, a tangible indicator of Kenya's importance to the United States is the fact that the United States mission in Nairobi is now our largest in Africa. The staff at the Embassy has recently weathered a period of transition and uncertainty. In my brief time as Chargé d'Affaires, I've been impressed by the professionalism, dedication, and integrity of the mission staff, both Kenyan and American.

Mr. Chairman, members of the committee, if confirmed, I would be honored to serve as the next United States Ambassador to the Republic of Kenya and to lead the capable and committed public servants at our mission there.

I'd be pleased to answer any questions you might have today.

Thank you very much.

[The prepared statement of Ambassador Godec follows.]

PREPARED STATEMENT OF ROBERT F. GODEC

Mr. Chairman, ranking member, and members of the committee, I am honored to appear before you today as President Obama's nominee to be the next United States Ambassador to the Republic of Kenya. I want to thank the President and Secretary Clinton for their confidence in me. If confirmed, I look forward to working with you and the other Members of Congress to advance United States interests in Kenya and the East African region.

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As a consequence, our relationship with Kenya is both broad and deep. We work together with Kenya to resolve regional conflicts, combat terrorism, and provide humanitarian assistance. As a partner, we have a commitment to a strong Kenya and are assisting with Kenyan efforts to reform their political institutions, accelerate economic growth and development, and improve health and education systems. If confirmed, I will continue our work on these challenges and will engage with Kenyans from across the country to do so.

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The upcoming March 2013 election is the next key moment for Kenya in the implementation of its new constitution and in advancing political reform. The responsibility for the election rests squarely with the Kenyan Government and people, and success, frankly, is not assured. If I am confirmed, one of my top priorities will be to support Kenyan efforts to make the election free, fair, and peaceful. We have a strong and varied set of programs in place to assist institutions charged with carrying out the most complex election in Kenya's history. We are working with government, civil society, religious leaders, community leaders, and youth across the

country to promote peaceful participation in the election. We are also coordinating closely with the international community and other partners on our election assistance to ensure the wise and effective use of taxpayer resources.

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Finally, Mr. Chairman, a tangible indicator of Kenya's importance to the United States is the fact that U.S. Mission Nairobi is now our largest in Africa. The staff at the Embassy has recently weathered a period of transition and uncertainty. In my brief time as Chargé d'Affaires, I have been impressed by the professionalism, dedication, and integrity of the mission staff, both American and Kenyan. Mr. Chairman and members of the committee, if confirmed, I would be honored to serve as the next United States Ambassador to the Republic of Kenya and to lead the capable and committed public servants at our mission there.

I would be pleased to respond to any questions you might have.

Senator COONS. Thank you, Ambassador Godec.
Ms. McCarthy.

**STATEMENT OF DEBORAH ANN McCARTHY, OF FLORIDA,
TO BE AMBASSADOR TO THE REPUBLIC OF LITHUANIA**

Ms. McCARTHY. Thank you.

Members of the committee, it is indeed a privilege and honor for me to appear before you today.

I am very grateful to the President and the Secretary for their confidence in nominating me as the United States Ambassador to Lithuania. If confirmed, I pledge to represent the United States to the best of my ability, and to work with this committee, your staff, and your congressional colleagues to advance U.S. interests.

With your permission, I would like to introduce my daughter, Natalia; my sisters, Linda Malone and Diana Bernard; and my brother-in-law, Paul Malone, as well as my extended Foreign Service family, which includes colleagues at the Foreign Service Institute and new members of the United States mission in Lithuania who are here today.

Over the last 14 years, I have served in a number of positions, which you mentioned. I believe that these experiences have prepared me well, if confirmed, to lead our mission and to exercise American leadership in Lithuania.

We enjoy a close relationship with Lithuania. It's a relationship founded on 90 years of unbroken diplomatic relations, transatlantic ties of the many American citizens of Lithuanian ancestry, and the

energetic engagement of Lithuania with the United States in addressing challenges to freedom and security worldwide.

Since it established its independence in 1990, Lithuania has embraced democracy and the principles of a free market. In addition to its active role in NATO and the EU, Lithuania successfully has chaired the Community of Democracies and the OSCE in 2010–2011, demonstrating its growth into a leading promoter of democratic values, on a global scale. Moreover, the fact that Lithuania has one of the highest rates of voting with the United States at the U.N. is evidence of the principles it shares with us.

Lithuania's particularly dedicated to advancing democracy in the countries of the former Soviet Union, sharing the experience and expertise it has during its hard-won reintegration into the West. It is actively helping the Belarusian people to build civil society in the face of terribly difficult circumstances. It is vigorously supporting Georgia's territorial integrity and accession into NATO. And it's working, on the grassroots level elsewhere in Eastern Europe, to build stronger democratic institutions.

When Lithuania takes on the presidency of the European Union in July of next year, it plans to make the EU's Eastern Partnership Initiative a key priority in that very region. Lithuania is a committed ally of the United States, sending troops to Afghanistan, leading a Provincial Reconstruction Team, deploying Special Operation Forces, and it has pledged to help financially sustain the Afghan National Security Forces beyond 2014. It is doing this as it has also undergone an economic downturn through the global economic crisis. It lost over 14 percent of its GDP in 2009, alone.

However, the economy has rebounded and has become one of the fastest growing in the EU. The energy sector, in particular, has been growing as it seeks to diversify its sources of power. This presents opportunities to support the President's National Export Initiative and help create jobs in the United States. I've spent the last 2 years in the Economic Bureau directing State's efforts to carry out the National Export Initiative, and, if confirmed, I will work actively with United States businesses to expand their opportunities in Lithuania and the region.

Addressing issues that linger from the days of war and totalitarian occupation has been difficult for Lithuania, but, during the past several years, the government has made significant progress in doing so. To name a few developments: the Lithuanian authorities have granted protection to a historic cemetery considered sacred by Jews worldwide, dedicated 2011 to the remembrance of Holocaust victims, passed legislation to compensate for Jewish communal property seized, and approved the resumption of the International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania.

If confirmed, I will work closely with the government to monitor and encourage effective implementation of these agreements, as well as to promote tolerance and historical understanding.

Thank you, again, for the opportunity to appear before you today. Should the Senate confirm my nomination, I will dedicate myself to protecting and advancing United States interests in Lithuania. And I would be pleased to answer any questions that you may have.

[The prepared statement of Ms. McCarthy follows:]

PREPARED STATEMENT OF DEBORAH A. MCCARTHY

Members of the committee, it is a privilege and an honor for me to appear before you today. I am grateful to President Obama and Secretary Clinton for their confidence in nominating me to be the United States Ambassador to Lithuania. If confirmed, I pledge to represent the United States to the best of my ability and to work with this committee, your staff, and your congressional colleagues to advance U.S. interests.

With your permission, I would like to introduce my daughter, Natalia, and my sister, Diana McCarthy Bernard.

Over the last 14 of my 30 years of government service, I have served as Deputy Chief of Mission in Nicaragua, consul general in Montreal, Deputy Assistant Secretary of State for Narcotics, Deputy Chief of Mission in Greece, and now Principal Deputy Assistant Secretary for Economic and Business Affairs, responsible for global economic engagement. I believe that these experiences have prepared me well, if confirmed, to lead our mission—and to exercise American leadership—in Lithuania.

The United States enjoys a close relationship with Lithuania. It is a relationship founded on America's 90 years of unbroken diplomatic relations with Lithuania, the transatlantic ties of the many American citizens of Lithuanian ancestry, and the energetic engagement of Lithuania with the United States in addressing today's challenges to freedom and security worldwide.

Since Lithuania reestablished its independence in 1990, it has embraced democracy and the principles of a free market. In addition to its active role in the North Atlantic Treaty Organization (NATO) and the European Union (EU), Lithuania successfully chaired the Community of Democracies and the OSCE in 2010–2011, demonstrating Lithuania's growth into a leading promoter of democratic values on a global scale. Moreover, the fact that Lithuania has one of the highest rates of voting with the United States at the United Nations is evidence of the principles it shares with us.

Lithuania is particularly dedicated to advancing democracy in the countries of the former Soviet Union, sharing the expertise it gained during its hard-won reintegration into the West. It is actively helping the Belarusian people build a strong civil society in the face of terribly difficult circumstances, vigorously supporting Georgia's territorial integrity and accession into NATO, and is working on the grassroots level elsewhere in Eastern Europe, including in Ukraine and Moldova, to build stronger democratic institutions. When Lithuania takes on the Presidency of the European Union in July of next year, it plans to make the EU's Eastern Partnership Initiative a key priority, hosting the Eastern Partnership Summit in November 2013.

Lithuania is a committed ally of the United States, volunteering to send troops to Afghanistan even before joining NATO. It leads a Provincial Reconstruction Team in Ghor province, deploys Special Operations Forces to Regional Command–South, and has pledged to help financially sustain the Afghan National Security Forces beyond 2014.

The global economic crisis had severe effects on Lithuania. GDP shrank by 14.8 percent in 2009. Through the government's implementation of strict austerity measures and active trade and investment efforts, the economy has rebounded and become one of the fastest growing in the EU, with a 5.9 percent increase in GDP in 2011 and 2.5 percent forecast for 2012. The energy sector in particular has been growing as part of the Lithuanian Government's strategy to diversify its sources of power. Such growth offers opportunities to support the President's National Export Initiative (NEI) and help create jobs in the United States. I have spent the last 2 years in the Economic Bureau directing State's efforts to carry out the NEI and, if confirmed, I will work actively with United States businesses to expand their opportunities in Lithuania and the region.

Addressing issues that linger from the days of war and totalitarian occupation has been difficult for Lithuania, but during the past several years, the government has made significant progress in doing so. To name a few developments: the Lithuanian authorities granted protection to a historic cemetery considered sacred by Jews worldwide, dedicated the year 2011 to the remembrance of Holocaust victims in Lithuania, passed legislation to compensate for Jewish communal property seized under Nazi and Soviet rule, and approved the resumption of the International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania. If confirmed, I will work closely with the government to monitor and encourage effective implementation of the afore-mentioned agreements as well as to promote tolerance and historical understanding.

Thank you for this opportunity to appear before you today. Should the Senate confirm my nomination, I will dedicate myself to protecting and advancing United States interests in Lithuania. I will be pleased to answer any questions you may have at this time.

Senator COONS. Thank you very much, Ms. McCarthy and Ambassador Godec.

I'll now begin—5-minute round? Seven minutes. How about 7-minute rounds? Fine.

Senator Lugar, do you need to leave us early? Should I defer—I welcome you to ask the first round of questions.

Senator LUGAR. Well, thank you. I thank the Chair.

And, first of all, I appreciate the testimony of both of the witnesses.

Ambassador Godec, a year ago, at Thanksgiving time, it was my privilege to accompany Ash Carter, of the Defense Department, and Kenny Myers, of the Defense Threat Reduction Agency, to Kenya and Uganda for the purpose of working with the governments of those two countries in behalf of the security for laboratories in which they were collecting blood samples from farm animals, attempting to create pathogens that might be of assistance in the event of an Ebola epidemic, or Marburg, or Anthrax, with the fear that al-Shabaab personnel, or others, might come into these wooden laboratories, scoop up the pathogens, and create problems in those countries, or perhaps even in our own. We were successful, in terms of gaining the cooperation, in terms of mutual assistance. And I believe that that has occurred. But, I would appreciate it if you, after your confirmation, would check on the progress of that security, and familiarize yourself—you may already be familiar, but—with the progress that the Defense Threat Reduction Agency has had. Because one of these laboratories was on a hillside—overlooking very low-cost housing for about 300,000 people, in which even the residues from the laboratory might be a risk to that population.

And I mention all of this because there are ways in which we can provide security assistance to each other in this particular case, even as we work on the democratic institutions that you already have fostered so well and have mentioned in your testimony today. And so, I simply mention this as we have an opportunity to visit during this hearing.

Now, I'm hopeful the transition, now—how long has the Ambassador been away, in Kenya? Have you been—you've been serving, obviously, over in that country now, but has been there been no ambassador for a period of time?

Ambassador GODEC. Senator, the previous Ambassador left in July. Another Chargé, Steve Nolan, was sent out immediately after Ambassador Gration's departure, and then I arrived at the end of August, and have been there since then.

Senator LUGAR. Yes.

Ambassador GODEC. I might just add, on the issue of DTRA and the threat, I am quite concerned about the risks, as you suggest, that some of these pathogens could fall into the hands of terrorists. I have discussed this issue with our team, our staff there. I have also approved the stationing of a representative, of an official from

DTRA, at the mission in Nairobi to work with CDC, and I promise you that we will be focused on this issue.

Senator LUGAR. I thank you. I thank you very much.

Ms. McCarthy, you've emphasized, in your testimony, the energy situation in Lithuania; likewise, progress there. This has been a critical problem for some time. I was in Poland over the Thanksgiving weekend. And, of course, they are attempting to do a number of things there that would make them less vulnerable from the days in which the natural gas cutoff, which affected a number of countries in the area, really imposed a severe dilemma; and still does, for that matter. What percentage of—after all of the activities you described are achieved, to what extent will Lithuania have a degree of energy independence? What percentage will be independent? What will still be dependent on somebody else?

Ms. MCCARTHY. Senator, you raise a very important question. Lithuania, like many other countries in the region, as you mentioned, is heavily dependent, still, on Russia for electricity and gas. Heavily dependent. It has been seeking, through its own national strategy, but also through EU directives, to unbundle and to diversify. We have worked in the Baltic region on that issue as various options are considered, and support the EU directive, which, as I said, is forcing them to unbundle. And, in fact, it's led to a number of lawsuits that are taking place, and legal issues. And it is a key factor for that country's future, and for linking it to the West. It has, right now on its electrical grid, no connection to the West. So, if confirmed, that would be a key issue to focus on, for myself and working with my colleagues in the region.

Senator LUGAR. Well, I appreciate your testimony. And, very frankly, as you pointed out, no ties to the West—and that that is something that would be a major achievement, if you are able to move that situation onward, because the dilemma for, not only the Baltic States, but still for Poland and maybe for others, is obvious. Many of us have been working for years, through the Baku-Ceyhan pipeline or through various other situations, to try to think how our European allies and NATO could come out from underneath what really could be a critical hobbling situation, in the event of conflict, or even a misunderstanding. So, I wish you every success, and, likewise, Lithuanians, because until that is solved, the problems for that country will be enormous, and I just simply hope that we, in the Congress, will understand that, and will be able to work with you, as you have suggested.

I thank the Chair very much for giving me this opportunity.

Senator COONS. Of course. Thank you, Senator Lugar, for your leadership and service, and for those insightful questions that reflect your personal engagement with both countries over a very long period of time. And I know you've got commitments from both potential ambassadors to follow through on the areas that you've raised.

If I might now move to some questions for Ambassador Godec. The upcoming elections in Kenya, as you mentioned, are essential. They have one of the most progressive and sweeping constitutional reform efforts on the continent underway, both the devolution of power to counties and the election of completely new county leadership, and some very real challenges, in terms of the dynamics of

registration and police accountability, and so forth. What's your perspective on the pace of preparations for the March elections, what additional challenges remain, and what we can and should be doing to help prevent violence in the upcoming elections?

Ambassador GODEC. Thank you, Mr. Chairman. Those are all very important questions.

The pace of preparations. First, the IEBC, the electoral commission in Kenya, faces a major challenge getting ready for this election. This is the most complex election in Kenyan history. They have been moving forward.

They have just started, a little over a week ago, biometric voter registration, and they've been moving to put in place a number of the systems which are necessary. That said, there is little room left for slippage in the schedule. They face a number of major challenges, including identifying all of the final polling places, doing all of the preparatory work related to the ballots and other challenges along the way, in addition to the security issues which surround the election.

So, there are a number of challenges in front of the IEBC to get this election right. It is critically important that they do so. They are receiving significant support from the international community, generally. They're receiving significant support from the United States. The total donor support for this election will be over \$100 million, of which the United States is currently over \$30 million.

We are assisting the IEBC directly, through IFES, with technical support in a wide range of areas. We're also assisting with the process of putting together a domestic election observation team. There is a domestic organization called ELOG, which will do domestic observation. And we're also planning for international observers, as well.

In addition, we are assisting with civic education and voter education, contributing to it in a variety of ways, and there are some ongoing campaigns to help educate Kenyans. We have done training of, now, more than—or now roughly 1,000 party members, on issues like how to draft a platform, how to actually put together a set of policies for a political party. We've also trained journalists, in the media area, to help them cover the elections. So, there's a variety of things that are underway to assist in getting the election, frankly, as good as it can be—make it as good as it can be, make it free, fair, and peaceful.

As I said, though, at the end of the day, this election rests squarely on the shoulders of the Kenyan people and the Kenyan Government. We can assist. We are assisting. There are a number of things that we are doing, and will continue to do in the coming months, but, at the end of the day, the Kenyans are responsible for the election. And it's important, frankly, for the country, and for the entire region, that the election be a success.

Senator COONS. In my view, the Kenyan judiciary—and some of the recent reforms there have been a bright spot—there needs to be more and greater progress toward security-sector reform and police accountability. The new Independent Police Oversight Authority is also somewhat encouraging. What are you doing, or what do you think the mission can and should do, overall, between now and next year, to provide more support to ensure that both judicial

reforms and police reforms continue? And would you agree they are, in some ways, essential to the integrity and success of the elections?

Ambassador GODEC. Mr. Chairman, I agree, entirely, that both judicial reform and police reform are essential. And judicial reform is, as you said—and as I indicated, as well, in my statement—it is a bright spot, it is an area of, frankly, significant change; it's one of the success stories since the passage of the new constitution in 2010.

We are doing a variety of things to assist the judiciary, everything from training for personnel in the judiciary to, for example, assisting them with the computerization of their records. I visited a courthouse in Mombasa, a few weeks ago, and saw the paper files in the courtroom in Mombasa. It was quite extraordinary. And I think the computerization, putting this into electronic form, will be a significant advance in, frankly, the ability of the judiciary to do its job.

The Chief Justice there, Willy Mtunga, is an extraordinary individual, who deserves, I believe, considerable praise for his work. He's expanded the number of judges. He is putting in place reforms to make the judiciary more efficient. And I think that the success of the judiciary is both critical and, I think, offers some hope, the progress that has been made so far.

On the police front, the police have significant problems. Frankly they have been implicated and involved in human rights abuses, in some instances. There are a lot of concerns about the things that have happened over the course of many years. We are providing a range of assistance to them. I think it's critical that we continue to do so. The new constitution did reform the police, in the sense that it created a new civilian oversight structure, which is beginning to operate. And we're providing assistance, for example, on the standup of an internal affairs unit, which will help to review police abuses—potential abuses or things that may have been abuses.

So, we're doing a number of things to assist with the police reform, as well, but it is a critical area, because, at the end of the day, the Kenyan people need to have confidence in their police force.

Senator COONS. Thank you, Ambassador.

Senator Isakson.

Senator ISAKSON. Well, thank you, Mr. Chairman. And thank you for your acknowledgment of Chairman Lugar, at the outset. And I'll take the same liberty, if I can.

I wouldn't be the ranking member of this Subcommittee on Africa, had it not been then-Chairman Lugar's decision to offer me the opportunity, which has been a great opportunity, and one I've enjoyed a lot. But, I think the committee will greatly miss the leadership of Dick Lugar, but I want to thank him, publicly and personally, for what he's done for me and what he's done for the country.

So, with that said, Ms. McCarthy, you are the current Under Secretary for Economic and Business Affairs at the State Department. Is that right?

Ms. MCCARTHY. Sir, I'm the—I'm lower down in the rank—I'm the Principal Deputy Assistant Secretary. So, two ranks below.

Senator ISAKSON. But, it is of Economic and Business—

Ms. MCCARTHY. Correct.

Senator ISAKSON [continuing]. Affairs?

Ms. MCCARTHY. Correct, sir.

Senator ISAKSON. I appreciate your humility, but your qualifications for this job, given Lithuania's economic situation, probably is very helpful.

Senator Lugar's question on energy—energy is a huge problem in Lithuania, but also, the most recent election, the overturning of the old Parliament and the center-right government to a—I think, a four-party coalition government, and they—the whole issue was over austerity programs the previous administration had put in place, as I understand it. I fear, with countries in Europe and in the EU moving away from austerity back to old practices—it's going to compound the problems of the economic demise in Europe. Would you comment on that?

Ms. MCCARTHY. Certainly, Senator.

In the case of—in the larger context, yes, Europe has moved, particularly in the eurozone, to a situation where key issues of growth and creation of jobs are extremely important. That is why our new U.S./EU High Level Working Group, that is looking into these issues and is seeking to deepen the relationship to address those issues, is going to be a valuable discussion. In that context, obviously, Lithuania will participate, especially as it takes on the presidency.

Lithuania itself managed to go through the trough and begin to take off again, balancing out growth and austerity measures, which were actually quite interesting to review, in my preparation. So, unlike some other countries, it is poised for new growth. It's actually doing quite well. And the challenge that it will face, as others are facing, is: export markets are declining as demand decreases in areas such as China and so forth.

So, it will be something that I will be closely following, drawing on my expertise, noting that, as I said, this new High Level Working Group is a great opportunity for us to speak to all of the EU members the challenges of creating growth in jobs in both in the United States and in Europe, because it is a long-term challenge, I agree with you, and I will be working on this issue, should I be confirmed.

Senator ISAKSON. Well, good luck, and we appreciate your accepting the challenge.

Ambassador Godec, how is the morale of the Embassy staff, given the transition, so far this year?

Ambassador GODEC. Senator, the morale of Mission Nairobi is obviously a very important concern for me, and would be, going forward, if I am confirmed by the Senate.

Obviously, the morale of the mission is really, at the end of the day, best assessed, or best evaluated, by the members of the mission itself, both Kenyan and American. I will tell you, though, that, since my arrival, I have focused on this issue and made it a priority. Within 24 hours of my arrival in Nairobi, I had met with the full country team and held a townhall meeting with all members of the mission staff. Since then, I have met with every section and agency head, and their senior staffs. I have walked the entire

mission, greeting people in their workplaces. I've visited the staff at our Peace Corps offices in Nairobi and at CDC in Nairobi, and I traveled to Kisumu to visit with CDC and MRU officials there. I've met with the FSN, the local employee committee. I met with our first- and second-tour personnel. I've attended a number of community events.

My objective in all of this is really to build a team at Embassy Nairobi, to give a sense of a mission, as a whole, that's operating together. Obviously, we have many objectives, many goals that we have to accomplish, but, at the end of the day, we have to be part of one team, all working there on behalf of the U.S. Government and the U.S. people. That's been my goal, and I hope I've been successful in starting that process.

Senator ISAKSON. Well, I appreciate your answer. And the reason I asked the question is, the morale of the Embassy is critical to the mission of the Embassy. And I know they've been through a difficult time, and I want to compliment you on the leadership you've initiated, since you got there, to actually touch those people, to understand their job, and call them in to have them comment on the mission of the Embassy. And that's good leadership, and you'll continue that, that Embassy will continue to be a critical part of our State Department.

As I expressed to you before the hearing, I have a real concern with Dadaab. I've been to Darfur and seen what can happen in these camps that become permanent isolation places, if you will, for folks. And we've had a part of the drought that's taken place in Ethiopia and Somalia—it's gone down as far as Dadaab. There's a lot of hunger, food shortage. Although Somalia is trying to stabilize, certainly, many of the people in that camp are not going back to Somalia.

Is there a working group, or is there a—is the Kenyan Government and the United States Government and the African Union working together for a Plan B, in terms of a transition, eventually, out of Dadaab, for those people? Because, if not, it runs the risk of becoming another Darfur. Maybe not—some of the elements that are around Darfur aren't there, but it still has the potential, and I worry about a half a million people struggling in that tiny camp, with all the hunger and famine they've got going right now.

Ambassador GODEC. Senator, thank you, that is a very important question, and it's a very important issue. It's one I have discussed, on many occasions, with senior Kenyan Government officials.

The conditions in Dadaab are, indeed, very difficult. It also, I think, is not a place that anyone would want to stay long term. Nevertheless, the conditions there have been better, in many instances, of course, than inside Somalia itself.

The Kenyan Government has been quite welcoming, over time, of the refugees, and has served as a place of first asylum, obviously enough, and we encourage them to continue to do so, as long as is necessary.

We are discussing—UNHCR, the Kenyans, the United States, others—the question of what might come next, at some point. Obviously, the refugees cannot go back to Somalia until the conditions permit that. Any return would have to be under circumstances

where there was adequate security in Somalia and where the return was voluntary.

But, efforts are underway to begin to discuss the question; in some small programs, to provide training and the like to some refugees, to perhaps give them an opportunity to have a livelihood, if and when they were to choose to return.

But, this is an issue that is a focus. There is concern about it, and there is ongoing discussion about how to address this in the long term, because—I agree with you, Senator—ultimately, I don't think it's in anybody's interest to have that camp stay where it is.

Senator ISAKSON. Thank you very much.

Mr. Chairman.

Senator COONS. Thank you, Senator Isakson.

I'll start a second round of questions, if I might.

First, Ms. McCarthy, I was interested and encouraged to hear about your very active role in the National Export Initiative, and, as Senator Isakson referenced, eager to hear about the leadership you may be able to bring to the Embassy in Vilnius and in Lithuania to export opportunities for the United States and to helping Lithuania with energy development opportunities. What sort of opportunities are there for United States economic partnership or exports to Lithuania?

And do you know whether the United States plans to be an active participant in the Center of Excellence on Energy Security that, if I understand right, NATO is standing up in Lithuania?

Ms. MCCARTHY. Thank you, Senator.

I'll respond to your question in two ways. One, in terms of supporting U.S. business overseas, often we are looking at a regional model instead of just focusing on one country. So, if confirmed, I would use my knowledge, energy, to look to regional opportunities, and then beyond, as Lithuania, as other countries, is looking to make itself a hub for activity going even further east—much further east, in fact. So, that would be one aspect.

The Center of Excellence, yes, we are participating in the Center of Excellence, which we think was a valuable addition for looking at the challenges of uses of energy within the NATO context. It has been approved as an official Center of Excellence. And, to my knowledge—and I will confirm this with you, Senator—I believe we are going to billet someone there. But, I will confirm that. So, therefore, we definitely will be participating.

Energy, as I note, is an area, but there are other exports that take place—cars and other things.

So, again, when I get there, I'll get the full breakdown of everything. But, it'll be focused regionally, as the individual markets are quite small.

Senator COONS. Being from a modestly scaled State, myself, I think I understand the importance of regional integration. The economy of Delaware would probably scale comparably to Lithuania.

Ambassador Godec, I'd be interested in the same question, or topic, if I might, with regard to Kenya. It's one of the more promising diversified, robust economies in Africa. What are we doing to promote U.S. direct investment in Kenya, a vibrant export/import relationship between the United States and Kenya with the East

African community? And, in particular, how well is AGOA being utilized? And, beyond the third-party fabric provisions and the apparel that's going on now, what else might we do, through AGOA, that would help with this relationship?

Ambassador GODEC. Mr. Chairman, Kenya is an important trade and investment partner for the United States, an important partner in Africa. Our two-way trade, last year, was about \$850 million, and the United States did enjoy a trade surplus. The Kenyans have taken strong advantage of AGOA, particularly the third-party fabric provisions, where they're manufacturing apparel and shipping it on to the United States. And I think that the Kenyans would certainly welcome the renewal of that provision in AGOA, generally. I think it would be helpful, broadly speaking, to the Kenyan economy.

The promotion and, frankly, the support for U.S. trade and investment, and Kenyan trade and investment here in the United States, would be, if I was confirmed, a very important priority for me. It is an area where I worked before, when I was in Kenya, as economic counselor, and I have a lot of experience and background in that area. I've already engaged with the American Chamber of Commerce there on a number of occasions, and would continue to do so.

We do get, in Kenya, an interest from a lot of American businesses. Just a couple of weeks ago, we had a trade delegation from Florida that I met with—was looking at doing trade and investment. Acting Commerce Secretary Blank is, in fact, visiting Kenya today, and will—actually, it's tomorrow and Friday, excuse me—and will be there to help deepen the U.S. trade and investment relationship with the country. And I understand that this is the first visit by a Secretary of Commerce in quite some time—about a decade or so—and so, I think it's a very important development.

The East African community is obviously a focus of attention. We're providing considerable support to the East African community through USAID at the moment, in a wide range of areas, to include trade and investment. And part of Acting Secretary Blank's visit to Kenya is focused on the EAC, and she'll be doing some EAC-related events there, some signing ceremonies.

But, I think there are a number of things that the mission is doing to support business, whether it be sort of the concrete advocacy efforts that our commercial section is undertaking or whether it be the work that our economic section is doing, for example, to improve the business climate in Kenya. There are a number of issues there with, obviously, nontransparency, corruption, poor business practices that, frankly, do impede business.

So, there's a range of things, I think, that need to happen. And, if confirmed, I would certainly pursue all of them, whether it be assistance to U.S. business, working on the business environment, encouraging our companies to come, and assisting them, as they need it.

Senator COONS. Great. I know Senator Durbin had hoped to join us. I understand he may not be able to. He has particularly focused on the role of the Foreign Commercial Service and the promotion of exports from the United States to Africa. That's been an area of

great and persistent interest from him. He may well submit questions for the record.

Last question, if I might. In terms of monitoring, you made a somewhat passing reference, in the first round of questions, to National Democratic Institute. I also understand the Carter Center might be involved. There's a multinational election monitoring effort, both domestic and foreign. But, what else needs to happen? What other steps might the Embassy take to fund and facilitate foreign election observers, and to sustain them through what may well be a second round, what may be a fairly complex election, both at the national and at the county level?

Ambassador GODEC. Mr. Chairman, election observation is critically important, I think, for this upcoming election, and it's something I've been very focused on in my time as Chargé d'Affaires out there.

I really see sort of three, kind of, components to the election observation effort:

The first is the Kenyan domestic election observation effort that I mentioned earlier. And we, through USAID, are supporting the Kenyan civil society group, ELOG, which is organizing the domestic observation. We've arranged for training for 9,500 election observers—short-term election observers—another 450 long-term election observers. And we're doing a variety of things to support them.

The second component of this is the—kind of, the missions that are in Nairobi—the U.S. mission and other partners plan to organize, are working toward doing direct election observation; and not just the election itself, in March, but also the party primaries, which will take place in January, and, of course, any runoff that might take place, if there is one, in April. So, there's a robust effort underway to do that.

The U.S. mission is chairing a group in Nairobi, a coordination group among donors, to put that together. And I'm actively engaged in that particular effort. I see the U.S. mission field itself fielding perhaps as many as 50 teams on election day.

And the third part of this is the international observation component. And we are in the process—USAID is in the process of potentially soliciting for an international group. And there are some possibilities—you mentioned two of them; there may well be others that might be interested. We see putting perhaps 25 or 30 fairly long-term observers, international individuals of stature who have some experience in this area, out in the field to observe the elections. Again, I think this is a critical component. There are other groups, of course—the EU, various African groups, and others—which will be doing election observation. So, it looks set to be a fairly robust effort.

Senator COONS. Great. Thank you, Ambassador.

And I note the Kenyan Ambassador has joined us.

If I could, Senator Isakson.

Senator ISAKSON. Thank you. Thank you, Mr. Chairman.

I have a couple of quick questions.

One, the largest investment of the American taxpayer on the continent of Africa has been the PEPFAR program, which has been a hugely successful program, too. There was a problem, in Kenya,

with a lot of the funds getting backed up in the pipeline, and the deployment of some of that aid not going smoothly; in fact, backing up in the pipeline, as I understand it. How is that working now, in terms of PEPFAR programs? That's part one.

And part two is: Is the Kenyan Government doing its share of the job of taking over the delivery-system responsibilities of the PEPFAR program, in terms of the antiretrovirals going to the people?

Ambassador GODEC. On the PEPFAR pipeline, you're quite correct, there had been some backup. There's been a robust effort to address that, and I believe it's been addressed. We will be spending down some of the funds that have been backed up in the pipeline. I believe we were over the, kind of, 18-month limit that we were supposed to be at. So, we have been very focused on that, the PEPFAR team out in Nairobi and, I know, the folks here, as well, in Washington, as part of the PEPFAR operation here. So, I believe it's been addressed, but obviously it's something that is worth keeping a close eye on; and, if confirmed, I would do so.

The second part of this is—I agree entirely about the importance, ultimately, of the Kenyans assuming responsibility for this program. That has got to be, and is, a long-term goal. It is a subject I have discussed with the PEPFAR coordinator and with others in Nairobi, and it is something that we will continue to focus on.

I will say that this particular challenge is further complicated by the fact that under the devolution of power to the county system, responsibilities for health care is going to be moved from the central government down to the county level. At the same time, there has been a fair amount of planning by the Ministries of Health, two of them, on this issue, already, of devolution, and there are ongoing discussions about how to handle this, this problem, to ensure good delivery of—frankly, of PEPFAR services.

But, PEPFAR has been a big success. There are 600,000 Kenyans on antiretrovirals, as a consequence of the program.

Seven million Kenyans have received treatment or counseling, and—well, received counseling or some sort of assessment under the program. And so, I think it is a—it's a very important program for the Kenyans, it's a very successful program, but it is something that requires continued attention and, ultimately, transition.

Senator ISAKSON. Well, as I mentioned to you earlier, I hope you'll take a moment to go up to the Nyumbani Orphanage, in Nairobi, where a wonderful lady named Sister Mary, is making life wonderful for some kids who were born to AIDS-infected moms, but, because of PEPFAR, they were born without the virus, and they're living a healthy, happy life, and she does a great—it's a good example of an American NGO that's delivered quality service.

Ms. McCarthy, my worst subject, in college and in high school, was foreign language. I almost died on French. [Laughter.]

I just didn't have the connection.

You speak six languages, I noticed, if you include English as a—which I know you speak well, because you did it. What do they speak in Lithuania? Lithuanian?

Ms. MCCARTHY. Sir, they speak Lithuanian. I have had five lessons. The two people who are going to get me to, hopefully, the level I have in others are with me today, and watching.

Senator ISAKSON. Well, when you gain a seventh language, you'll be seven times smarter than I ever was in foreign language. [Laughter.]

Senator ISAKSON. Congratulations on your nomination. And best of luck to both of you.

That's all I have.

Senator COONS. Thank you. Thank you, Senator Isakson.

And thank you, to Lori and Nancy, to Natalia and Diana, to Linda and Paul, and everyone else who has joined us here today who are friends, family, and supporters.

To Ms. McCarthy, to Ambassador Godec, you go to take on a great challenge and a great opportunity to represent this Nation in countries that are long allies of ours, but where they are in the midst of vital transitions. So, know that you've got our enthusiasm and—I speak for myself—support as you move forward.

There may be other members of other committee who were not able to join us today—I'll keep the record open for a week, in the event that they choose to submit questions for the record.

But, I'm grateful for the opportunity to have been joined by Senator Lugar and Senator Isakson in today's hearing.

And we are, thereby, adjourned.

[Whereupon, at 3:20 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF HON. ROBERT F. GODEC TO QUESTIONS SUBMITTED BY SENATOR JOHN F. KERRY

Question. Kenya is approaching Presidential elections in March 2013 and there are significant concerns about the potential for civil unrest. Electoral violence represents a unique subset of mass atrocities in that major milestones are actually posted on the calendar months in advance.

- What are the most important steps that the Kenyan Government, Kenyan civil society, and the international community can take to avert electoral violence?
- What do you see as the role of the United States in supporting free, fair, and peaceful elections?
- What are the potential flashpoints that most worry you?

Answer. The March 2013 elections represent an important next step in the process of political reform in Kenya, and it is crucial that they be free, fair, and peaceful. Responsibility for carrying out a successful election rests squarely with the Kenyan Government and people. The Kenyan Government must ensure that technical and security preparations for the most complex election in Kenya's history are in place, and the Kenyan people and politicians must be committed to peaceful participation in the political and electoral process. Kenyan civil society is playing an important role in supporting civic education, election observation, and a variety of local and national efforts to create effective early warning and early response mechanisms to prevent or mitigate tension or violence.

In support of Kenya's efforts, the international donor community has pledged approximately \$100 million to assist with the elections and electoral reform. Of this amount, the U.S. Government has contributed approximately \$30 million for elections preparation and civic voter education programs, including assistance to the Independent Electoral and Boundaries Commission to enable the Kenyan Government, civil society, and the Kenyan people to engage peacefully and constructively in the election process. We are supporting local community efforts to put into place mechanisms and lines of communication to prevent and mitigate violence in several potential hotspots. We have also intensified our diplomatic and communications efforts to highlight the importance of the election to Kenya's future stability and prosperity.

Independent election observation is a key element in ensuring free, fair, and peaceful elections. We are supporting the Kenyan Election Observation Group, a coalition of Kenyan nongovernmental organizations, which plans to field 9,500 ob-

servers for the actual election, including to conduct a parallel vote tabulation, and approximately 450 observers to monitor developments for a longer period of time before and after the election. In coordination with international donors, the U.S. Embassy will monitor party primaries and the election environment over several months, and provide Embassy staff to serve as observers.

Major challenges and potential flashpoints include: the potential for technical problems in conducting the elections; tension at local levels from contests for power under the newly decentralized government; political hate speech; a court decision on the eligibility of individuals indicted by the International Criminal Court to run for the Presidency; and continuing security threats from both within Kenya and abroad. We constantly monitor progress and adjust our programs, as needed.

Question. Section 620M of the Foreign Assistance Act of 1961 imposes restrictions on assistance to any unit of a foreign country's security forces for which there is credible evidence that the unit has committed gross violations of human rights. U.S. Embassies are heavily involved in ensuring compliance with this requirement. In August 2012, an Office of the Inspector General (OIG) report identified two specific weaknesses in Embassy Nairobi's Leahy vetting process: the political section only checked names against the 2008 Kenya National Commission on Human Rights and not more updated sources, and there was no reporting mechanism to verify that individuals who are vetted and cleared are the same persons who receive training.

- If confirmed, what steps will you take to ensure that the Embassy effectively implements section 620M and rectifies the weaknesses cited by the August 2012 OIG report?
- In particular, what actions will you take to ensure, in a case in which there is credible evidence that a gross violation of human rights has been committed, that assistance will not be provided to units that committed the violation?
- What steps will you take to ensure that the Embassy has a robust capacity to gather and evaluate evidence regarding possible gross violations of human rights by units of security forces?

Answer. Embassy Nairobi already has taken steps to address the issues regarding Leahy vetting that the Inspector General's Report raised. In consultation with the State Department's Bureau of Democracy, Human Rights, and Labor and the Bureau of African Affairs, the Embassy has developed new standard operating procedures (SOP) for Leahy vetting that address the OIG recommendations. The new SOP has been in full operation since mid-October.

The Embassy, through its extensive network of government and nongovernment contacts, continually monitors and evaluates allegations of human rights violations on the part of Kenyan security forces. The Embassy's political section maintains a dynamic database of credible gross human rights violations. Sources for this database include the Kenya National Human Rights Commission report on Post-Election Violence, the State Department's Annual Reports on Human Rights, credible reports from nongovernmental organizations, and names provided by other Embassy agencies. As part of the new SOP, the political section updates the database on a continuous basis, when credible allegations of human rights violations come to light. Other agencies and sections provide updates to the political section's vetting database on a quarterly basis.

In cases in which there is credible evidence that a potential beneficiary of U.S. training or equipment has committed a gross violation of human rights, we exclude that individual or unit from participating in or benefiting from U.S. training and equipment. If confirmed, I will ensure that the mission remains vigilant in this effort. The State Department maintains database records of individuals and units who have undergone vetting. This centralized database enables us to identify individuals or units that have been excluded, should they be proposed in the future as candidates for training or receipt of equipment.

Consistent with the new SOP and section 620M of the Foreign Assistance Act of 1961, no training or assistance funded by the U.S. Government can commence until vetting is completed. Agencies that carry out training of Kenyan security forces are responsible for verifying the identities of the trainees and ensuring that only those individuals who have been vetted receive training.

Question. The August 2012 OIG report also raised concerns that the Embassy is not fully informed of U.S. Africa Command's Combined Joint Task Force for the Horn of Africa (CJTF-HOA) civil affairs activities in Kenya and is not positioned to make decisions on how to focus civil affairs projects.

- What can the Embassy do to better coordinate and integrate U.S. efforts in Kenya? Specifically, how can we measure the impact of projects such as those undertaken by CJTF-HOA?

Answer. Coordination of all activities in a large mission that includes many U.S. Government agencies is a challenge, but one that Embassy Nairobi has been working to address for some time. Embassy Nairobi has a "3D" (Diplomacy, Development, and Defense) coordination process in place to ensure that CJTF-HOA civil affairs activities are fully integrated into the mission's broader diplomatic and development objectives. The 3D committee, chaired by the Deputy Chief of Mission, meets at least monthly to review proposed and ongoing civil affairs projects. Members of the committee include the Department of Defense (CJTF-HOA and the Kenya-U.S. Liaison Office), USAID, the Department of State political, economic, and public affairs sections, and the Centers for Disease Control. The 3D committee submits recommendations on proposed civil affairs projects to the Ambassador for his approval. If confirmed, I will work to further strengthen interagency coordination to ensure that we pursue an integrated, whole-of-government approach.

In support of the 3D process, USAID and CJTF-HOA have also taken a number of steps to coordinate and integrate civil affairs projects with U.S. foreign assistance programs. Upon arrival in country, new civil affairs teams receive a comprehensive orientation and a briefing from the interagency country team, to understand fully U.S. diplomacy, development, and defense objectives in Kenya. Civil affairs teams are provided contact information for USAID project teams active in their area of operations, to facilitate civil affairs team networking with local communities and officials and to shape project development. In reviewing civil affairs teams' project proposals, the Embassy 3D committee places high priority on projects that are linked directly to USAID longer term projects. For example, the 3D committee tries to ensure that a civil affairs team school renovation project will be at a school participating in USAID's longer term education assistance program. USAID and CJTF-HOA conduct regular partnership and planning meetings in Nairobi and Djibouti to ensure full information-sharing and to explore opportunities for joint programming, both in Kenya and the region. For example, CJTF-HOA-organized medical capacity-building missions in Kenya now include a full array of USAID health partners, which has both increased community participation and enhanced the missions' impact.

To assess the effectiveness of its civil affairs projects, CJTF-HOA conducts regular visits to sites of previous activities to determine whether the projects are still being used as proposed. Advisory teams perform assessments of CJTF-HOA activities in the communities. These teams coordinate with the political section and USAID, whose staff members accompany the teams on such missions, when possible. CJTF-HOA has an assessments branch to assess the effects of civil affairs and other efforts in Kenya and the region, which works closely with these advisory teams.

RESPONSES OF HON. ROBERT F. GODEC TO QUESTIONS SUBMITTED
BY SENATOR RICHARD G. LUGAR

POLICING AND POLICE PROFESSIONALISM

Repeated reports indicate that the Kenyan police have a history of excessive force and abuse of authority to include political and criminal acts.

Question. What can the Embassy do to support the newly independent prosecution service (Office of the Director of Public Prosecutions or ODPP) and the Independent Police Oversight Authority (IPOA) in their efforts to increase accountability for the use and abuse of police power?

Answer. The United States Government supports both the Office of the Director of Public Prosecutions or (ODPP) and the Independent Police Oversight Authority (IPOA) through a variety of programs and partnerships. Under the new constitution, the Kenyan ODPP has become an independent agency. The U.S. Embassy supports efforts of the ODPP to improve its ability to investigate, prosecute, and try complex cases, including money laundering, terrorism, and terrorism financing offenses. For example, we have provided ODPP new hires "induction" training that included an intensive trial advocacy workshop for lawyers with little or no trial experience, emphasizing case preparation, courtroom skills, and ethics. In December, we are co-sponsoring a colloquium that will bring together Kenya's 84 prosecutors, 26 new hires, and selected guests. Topics covered will include elections preparedness, using technology to promote effective prosecutions and international security, interagency collaboration and cooperation, the role of the police and prosecutor, and new legislation.

As the ODPP works to implement its 5-year strategy, we are assisting it with efforts to strengthen engagement with civil society, track and handle complaints,

develop key documents, such as prosecutorial guidelines and manuals, and formulate an information and communications technology strategy and implementation plan. We are also partnering with U.S. judges and nongovernmental organizations to provide training for prosecutors on key aspects of Kenya's National Prosecution Policy, case management, and advocacy skills.

The IPOA is a newly established entity that will provide independent civilian oversight of the police. The United States Government is already helping IPOA to establish operational capability; create public awareness of IPOA; establish real-time police abuse tracking through a digital platform; and conduct a study to understand the nature and degree of police abuse in Nairobi. We support police reform and accountability through a contribution to the U.N. Office of Drugs and Crime and through a 5-year, \$3.5 million dollar program to support internal and external accountability mechanisms for the police in accordance with the new constitution. If confirmed, I will work through our country team to help build IPOA's organizational structure and investigative staff, support development and implementation of complaint-taking mechanisms within both IPOA and the Police Internal Affairs Unit (IAU), and assist with coordination between IPOA and the IAU. The project will help develop public awareness campaigns that inform the public about filing complaints against the police and will develop an effective referral mechanism between police oversight bodies and the judiciary.

Question. The Kenyan Executive appears to be dragging its feet on forming the constitutionally mandated National Police Service Commission. The Executive has not followed the nominating process, which is meant to give the police more independence from the President and his Cabinet. It is vitally important that the police are independent of the Executive in light of upcoming elections. What can the United States do or what is it doing to push the Kenyan Executive to facilitate the establishment of the National Police Service Commission?

Answer. While there were delays and political wrangling surrounding the formation of the National Police Service Commission (NPSC), the commissioners were formally appointed in early October. They began their work immediately, interviewing candidates for police leadership positions. The NPSC has already forwarded to the President and Prime Minister for their consideration a list of recommended candidates for the Inspector General and the two Deputy Inspector General positions.

We are providing technical assistance to the NPSC to help it refine its mandate and organizational structure and to define its relationship with the National Police Service (NPS). We emphasized at a recent meeting with police leadership and members of the Internal Security Ministry that, while we are willing to support the NPSC, the Government of Kenya must do so as well, and must provide funding and access so that the NPSC can do its job.

If confirmed, I will continue the mission's engagement with the NSPC and will press for further action on election security and continued support for ongoing police reforms. I will explore options for providing additional support, as appropriate.

ARBITRARY ARREST AND FALSE IMPRISONMENT IN PARALLEL TO CRIMINAL IMPUNITY

One of Kenya's most serious human rights problems is the detention of hundreds of innocent men in remand centers with no legitimate evidence to support the crimes police have charged them with. They may spend years in jail before they come before a judge, at which point they are released. In the meantime, actual crimes go unsolved by police. Police misconduct and judicial incapacity or unwillingness is at the heart of Kenya's increasing lawlessness which poses a threat not only to the human rights of Kenyans but also to U.S. antiterrorism and security interests.

Question. What can the United States do to work with the prosecution service (ODPP) and IPOA to review records of existing detainees and release those for whom there is no credible evidence?

Answer. Unjustified detention of Kenyans is a symptom of the need for broad criminal justice reform and strengthening of the rule of law, which we are supporting through U.S. programs and diplomacy. Provided reforms move forward, over time they will lead to increased police accountability and a reduction in illegal detention. If confirmed, I will continue to press the Kenya Government to implement meaningful reform of the criminal justice sector to help ensure that the rights of Kenyan citizens enshrined in the constitution are protected.

On the specific issue of reviewing records of existing detainees, the United States has provided a grant to the International Justice Mission, a nongovernmental organization that is helping the Office of the Director for Public Prosecutions (ODPP) increase capacity to screen cases, so that cases of individuals held without evidence

supporting detention are disposed of quickly. The U.S. Government also provides extensive training for the ODPP.

Question. Recognizing the link between public confidence in its law enforcement institutions and the stability of the government, what can the United States do to help the Kenya Government make law enforcement more accountable for its exercise of power?

Answer. There is a broad recognition in Kenya of the need for police reform. Decades of poor management and abuses have undermined the credibility of the institution with the Kenyan people. Police were both ineffective in preventing and complicit in carrying out the 2007–2008 post-election violence. Consequently, the reform agenda of the 2008 National Accord that both President Kibaki and Prime Minister Odinga endorsed explicitly included police reform.

After a slow start, Kenya is implementing the framework and institutions necessary for police reform. Parliament has passed key legislation to underpin police reform and the Kenyan Government has put in place the National Police Service Commission that will oversee the reform process. A Police Service Internal Affairs Unit will investigate allegations of police misconduct and corruption by other police officers and misconduct against civilians. The government has also formed an Independent Police Oversight Authority Commission (IPOA), a civilian-led oversight body. IPOA's mandate includes investigating all deaths and serious injuries caused by police or as a result of police action; receiving and investigating complaints from members of the public as well as from police officers; investigating police misconduct on its own initiative; and making recommendations for disciplinary action or prosecution and recommendations to prevent future misconduct.

In September, we signed a letter of agreement with the Government of Kenya, in which we anticipate providing \$3.5 million over 5 years to support Kenya's internal and external accountability mechanisms for the police in accordance with the new constitution. We are also providing support to the Internal Affairs Unit through a contribution to the U.N. Office on Drugs and Crime.

In addition to this direct support for new accountability mechanisms for the police services, several U.S. agencies and offices at Embassy Nairobi, including the State Department (Bureau of Diplomatic Security), the FBI, Department of Homeland Security, and Department of Justice, provide training to improve the capacity and professionalism of the police services. Such capacity-building is essential to improve effectiveness and to prevent abuses from occurring in the first place. U.S. training for Kenyan police officers covers a broad range of skills from basic crime scene investigation, to human rights awareness, to specialized skills, such as managing a bomb scene and conducting maritime operations. Our training, while important, reaches only a small percentage of working level police officers. Achieving fundamental reform and accountability in the police services will require structural changes such as those underway, committed leadership and the political will to carry out reform, and continued monitoring and support from Kenyan civil society and the international community.

PARLIAMENT AS ENRICHMENT SCHEME

Since quadrupling their salaries in 2003 and providing for luxury vehicles and residences for themselves, the Members of Parliament have repeatedly increased their salaries to rival or exceed most other parliamentarians around the world. In a troubling repeat of past efforts to enrich sitting Members of Parliament, the National Assembly's recent ploy to increase Members' salaries yet again, were met with public fury and was withdrawn. Given that Kenya remains a poor country with significant internal political and social tension, it is incumbent upon the donor community to guard its resources from fueling such excess and irresponsibility.

Question. How does the United States monitor and modify its assistance, and how does it condition such assistance on blatant misuse of government resources?

Answer. The oversight of U.S. assistance is a top priority of the U.S. Mission in Kenya. As Chargé and, if confirmed, as Ambassador I want to ensure that U.S. taxpayer funds are used only for their intended purposes and in accord with U.S. foreign policy goals in Kenya.

The U.S. Government does not provide direct budget support to the Kenyan Parliament; rather we provide assistance through implementing partners. For example, our Parliamentary Strengthening Program is implemented through the State University of New York (SUNY). We take very seriously our role as a steward of U.S. foreign assistance funding, particularly in a challenging implementation environment such as Kenya, where corruption is pervasive.

We apply a variety of measures to ensure that our funding is fully protected and that we fulfill our fiduciary and oversight responsibilities, in line with U.S. Government rules and regulations and the expectation of implementation results. These measures include:

- Conducting pre-award financial and management assessments to determine an implementing partner's internal control structure and overall ability to effectively manage U.S. Government funds;
- Throughout the life of the activity, performing regular field monitoring visits to review the progress of programs and compliance with U.S. Government rules and regulations;
- Requiring periodic audits of implementing partners and sharing the audit results with the Regional Inspector General/Pretoria for audits and the Regional Inspector General/Cairo for investigations;
- Carrying out comprehensive risk assessments of Kenya's overall public financial management system and specific government entities to determine opportunities and constraints to moving toward a government-to-government assistance framework;
- Structuring the implementation of programs and the flow of funds from the U.S. Government to the Kenyan Government in a manner that minimizes and mitigates fiduciary risk; and
- Requiring performance plans with indicators and benchmarks that must be achieved by the implementing partner before we can disburse funds, thereby holding the partner accountable.

In cases where there have been indications of fraud or lack of performance, the U.S. Government has taken actions to recover funding, modify procurement instruments, or, as appropriate, terminate activities. If confirmed, I will ensure that we continue to exercise strong oversight of the use of U.S. taxpayer resources.

Question. What parliamentary programs provide any assistance to National Assembly or its Members' offices?

Answer. The U.S. Government supports Kenya's Parliament through a 10-year, \$9.8 million program scheduled to end in March 2014. The program is designed to strengthen Parliament's capacity to perform its legislative and oversight role effectively, build the capacity and skills of parliamentary committees, and support engagement with civil society and public participation in the legislative process.

The program has produced a number of important results. For example, U.S. assistance and training facilitated new House Rules that transformed the way Parliament does business by enhancing the independence of the legislature, improving Parliament's oversight role, and providing greater access for civil society organizations and private citizens to their parliamentarians. The program supported internships for 100 young professionals, who gained valuable experience and provided much-needed assistance to parliamentary committees. The U.S. Government supplied television and radio broadcast equipment to the Kenyan Parliament in 2009 to support public broadcasting of all parliamentary proceedings, and built a media center inside the Parliament building so that press conferences could be held in a dedicated space. Live audio and television broadcasting of parliamentary proceedings is now commonplace and widely followed by the Kenyan public.

Question. What can the United States do to ensure the donor community is not fueling such legislative activity and is actively countering the tendency to destabilize the environment through such budgetary manipulation?

Answer. Donor coordination is strong in Kenya. The United States engages formally and informally with international development partners and multilateral institutions to ensure that the international community speaks with one voice on key issues and that donor programs are fully coordinated.

The donor community discussed the recent attempt to embed salary increases for Members of Parliament within the Finance bill. In light of President Kibaki's strong public statement rejecting the proposed pay raise, the donor community agreed that public statements on our part or confrontation were not warranted. The group agreed that bilateral diplomatic engagement with key Kenyan leaders was the best strategy to register our concerns about parliamentary salaries and to emphasize the need for continued transparency in the budgeting process in Kenya. In my role as Chargé d'Affaires, I raised with senior Government officials and Members of Parliament our very serious concerns about the proposed, new pay increase. If confirmed, I will continue to stress to Kenyan officials the importance of transparent budgeting processes and the need to manage the country's limited resources in a responsible and effective manner that benefits all Kenyans.

Question. What organizations does the United States work with to empower civil society to build its capacity to hold their government accountable?

Answer. Kenya's new constitution envisions robust and active engagement of civil society in public discourse, and facilitating such engagement is an essential component of the U.S. Government's activities in Kenya. Through direct and indirect assistance to U.S. and Kenyan nongovernmental organizations, we work with and support the activities of hundreds of civil society organizations in Kenya. Our work, which is facilitated primarily through USAID, helps strengthen Kenyan civil society's ability to advocate for democratic reforms, provide input on key legislation, and hold the government accountable. Among the many organizations the United States works with and supports are the following:

- Well Told Story, Inuka Trust, and the International Rescue Committee, which carry out civic and voter education;
- Internews, which is strengthening the capacity of Kenyan media to understand key issues and report objectively;
- The Elections Observation Group (ELOG), a consortium of Kenyan nongovernmental organizations that will field more than 9,000 elections observers in March 2013;
- Mercy Corps, which is helping to strengthen District Peace Committees throughout the Rift Valley; and,
- Transparency International, which is promoting accountability and transparency through active citizen engagement.

Through USAID's Office of Transition Initiatives, we have made more than 100 small grants to support the work of individuals and civil society at the national and grassroots level to hold the Government of Kenya accountable. An important example of this work was the effort to return to the public in Kisumu an illegally seized private park. USAID support to the Nyanza Youth Coalition engaged thousands of Kisumu residents, especially youth, to conduct a non-violent campaign to reverse the illegal acquisition. The title for the land has since been returned to the city and the park is available for public use. The successful campaign sent the government a clear signal that corruption and impunity would not be tolerated.

TRADE AND INVESTMENT

Kenya is at the juncture of a critical region as it relates to its neighbors and the rest of the continent as well as its ability to leverage investment for broader economic growth. U.S. private investment interest is significant.

Question. What role does Kenya play in the massive regional infrastructure planning and execution associated with International Financial Institution and Multi-Lateral Development Banks?

Answer. Kenya is the economic and transportation hub of East Africa. Its Vision 2030 development plan foresees major infrastructure development within Kenya and, through improved road and rail linkages to neighboring countries, in support of regional integration and economic growth. International Financial Institutions play a key role supporting Kenyan and regional infrastructure development plans through projects such as the World Bank-funded National Urban Transport Improvement Project for Kenya and the African Development Bank-funded Power Transmission Improvement Project.

Question. What if any specific U.S. assistance for Kenya or the region is intended to develop the national/regional infrastructure, including transport/logistics, energy, etc.

Answer. Infrastructure development is critical to Kenyan and regional economic development. The International Financial Institutions such as the World Bank and the African Development Bank, in which the United States is a major shareholder, undertake significant infrastructure development investment in Kenya. The United States is encouraging U.S. private sector investment in infrastructure, including through trade missions and dialogue with Kenya and East African governments on putting into place the regulations and business climate necessary to attract private sector investment in infrastructure. As detailed below, the Overseas Private Investment Corporation (OPIC) recently made a \$310 million financing facility available to support geothermal energy development in Kenya. Further, the United States is diligent in efforts to ensure that these infrastructure projects are environmentally and financially sustainable. In the transport and logistics sector, we are supporting efforts in Kenya and the region to make procedures at border crossings more efficient and transparent in order to facilitate trade and reduce transactions costs.

In the energy sector, the United States is supporting Kenya's efforts to broaden sources of generation, specifically renewables, attract private investment, and to extend the grid to the 85 percent of the population without electricity. One of our programs has provided capacity-building assistance, including advisory assistance for its negotiations over the commercial arrangements, to the government-owned Kenya Electricity Transmission Company Limited (KETRACO) as it builds a new transmission line to move power from the 300-megawatts (MW) Lake Turkana Wind Power Project (LTWP) in northwestern Kenya to the population centers. Program assistance will facilitate the LTWP in generating up to 25 percent of Kenya's electricity needs from renewable energy and potentially displace 650,000 tons per year of CO₂ generation.

Renewable energy, especially geothermal, offers attractive investment opportunities for U.S. companies. OPIC recently provided \$310 million in financing to Nevada-based Ormat Technologies for a two-phase 52 MW expansion of its existing geothermal powerplant in Kenya. Of Kenya's roughly 200 MW of geothermal capacity, 48 MW is produced by OrPower4, a subsidiary of Ormat Technologies.

In the coming days, we expect to sign a Memorandum of Cooperation with the Kenya Geothermal Development Company to provide capacity-building support. In addition, through USAID Development Credit Authority (DCS) funding we are promoting lending for small-scale clean and renewable energy opportunities.

Question. What are the goals in terms of Kenya's development and in terms of regional development? Please include a timeline and a list of associated reports.

Answer. In recognition of Kenya's critical role in the Horn of Africa and in line with the President's new U.S. Strategy Toward Sub-Saharan Africa, our engagement with Kenya focuses on advancing key political and governance reforms through implementation of the new constitution and by fighting corruption and impunity, boosting health, education, economic growth and food security, and assisting youth empowerment. We support Kenyan efforts to strengthen its democracy, establish conditions for long-term stability, improve economic and social opportunities for all Kenyans, and increase the country's capacity to provide basic services for its people.

U.S. Government foreign assistance goals are fully aligned with the Government of Kenya's long-term development goal of transforming the country into a middle-income nation by 2030, as foreseen in Kenya's Vision 2030 strategy.

Regional integration is a key issue in Kenya and throughout the East Africa Community (EAC). As President Obama's Strategy Toward Sub-Saharan Africa directs, we are working through various government agencies, including USAID, to advance the U.S.-EAC Trade and Investment Partnership to promote regional economic growth and integration and rising incomes by removing barriers to trade, improving transit facilitation, linking producers to markets, encouraging free competition, and promoting improved agricultural policies, standards and practices. Since 2009, USAID has had a bilateral assistance agreement with the EAC Secretariat. To date, the U.S. Government has provided almost \$10 million directly to the Secretariat to address health, trade and investment, agriculture, environment, and climate change. The agreement has been extended to 2017, with a new ceiling of \$18 million that the United States will provide over the next 5 years to support regional economic integration.

On November 30, 2012, as part of the U.S.-EAC Trade and Investment Partnership, Acting Secretary of Commerce Dr. Rebecca Blank will launch a new EAC-U.S. Commercial Dialogue in Nairobi. The Commercial Dialogue will create important new paths for U.S. and EAC governments to jointly engage private sector leaders in conversation about both the opportunities and challenges that they experience as they do business.

Links to associated reports and timelines: Kenya's Vision 2030:

http://www.vision2030.go.ke/cms/vds/Popular_Version.pdf.

Foreign Operations Congressional Budget Justification:

<http://www.state.gov/documents/organization/185014.pdf>.

EMBASSY MANAGEMENT

It is well understood that the Nairobi mission is the largest in Africa in terms of its range of U.S. agencies and offices represented. As a regional hub and key partner in peace and security, Kenya provides an unrivaled environment for a significant footprint in the region. However, there are limits to the efficacy and efficiency of such an outside commitment in such a developing country.

Question. What are the primary inhibitors to mission size and growth as experienced by the mission over the last several years?

Answer. A lack of office space is the primary constraint to adding U.S. and local staff personnel to augment our capacity to carry out our mission in Kenya. The Chancery offices have been reconfigured to accommodate mission growth over the past few years, but we have reached the limit on what we can do to use space efficiently; the space in the Chancery is completely filled and there is minimal potential to increase space in the USAID Annex.

As non-State Department agencies have grown in the Embassy, the State International Cooperative Shared Services (ICASS) positions that are necessary to support them administratively have not increased proportionately. This limits the amount of support services that can be provided to the Embassy personnel and creates morale issues for them and their dependents. Agencies are reluctant to fund additional ICASS positions in the current budgetary environment, and the Embassy lacks office space for them.

In addition to physical space and other resource limitations, Nairobi remains a critical threat Post for crime and terrorism. The mission takes into account the ongoing threat of crime and terrorism as it makes decisions about increasing staffing.

Question. What can be done to mitigate the challenges? Would increased operational funding, administrative funding, technical assistance, personnel, expertise, physical construction, resolve the issues or are there fundamental structural impediments in Kenya?

Answer. Additional office space is essential to any further expansion of Mission Nairobi. A planning effort has been initiated to ensure we are making the best possible use of existing space, identify future requirements, and develop options for growth, should a decision to do so be made. New office space at the mission will almost certainly require additional facility funding. With additional space, Mission Kenya could grow as necessary to support U.S. Government priorities in Kenya and East Africa. Once space issues are resolved, growth in staff would require increased operational funding, administrative funding, personnel, and training. While there are always going to be challenges working in a developing country, with adequate resources these challenges are not insurmountable.

Question. Has or does the mission expect to see deteriorating effect due to its size, and if so, would it be in the area of security or bilateral cooperation, etc?

Answer. Our Embassy in Nairobi is currently our largest in Africa. Its size is a clear indicator of Kenya's importance to the United States and the broad scope of bilateral and regional responsibilities assumed by mission personnel. Despite facilities' challenges, we engage effectively with our Kenyan and regional counterparts in a secure environment.

Managing an embassy the size of Embassy Nairobi is a significant challenge, but it can be done effectively. We must constantly balance a range of goals, including ensuring security for our staff while maintaining our outreach in Kenya. Mission personnel currently do an excellent job of reviewing and anticipating security needs—and making adjustments as needed—and are committed to working together to support our core U.S. Government objectives.

If confirmed, I will exercise inclusive leadership and keep open lines of communication to all Embassy elements to ensure we maintain high standards of security and work seamlessly together to support U.S. foreign policy objectives. If confirmed, I will also be committed to ensuring that U.S. Government resources are used wisely. I will regularly review staffing levels and operating procedures to ensure we operate as efficiently and cost-effectively as possible, and will request the level of resources necessary to provide appropriate administrative support and secure working and living space for all Embassy personnel.

Question. How has State incorporated the experience of the Chief of Mission into a ready and useful resource for existing and prospective Chiefs of Mission and deputies?

Answer. New Chiefs of Mission (COM) and deputies have extensive consultations and training in Washington (including a 2-week course for COMs run by the Foreign Service Institute) before going to post. This allows them to talk to experts familiar with all the internal challenges a post faces, including personnel, facilities, and country infrastructure, as well as experts who can provide a thorough review of the substantive issues the new COM and/or deputy will face at post. The briefings

cover both current issues as well as lessons learned from previous COMs. This allows each COM to develop his or her own game plan and discuss issues with their peers before arriving at post. In many cases the Deputy Chief of Mission (DCM) who will work with the new Ambassador is already at post and he or she will ensure the new COM has a smooth transition upon assuming his or her ambassadorial duties.



