

NOMINATIONS

TUESDAY, JUNE 13, 2023

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

The committee met, pursuant to notice, at 2:06 p.m., in Room SD-419, Dirksen Senate Office Building, Hon. Chris Van Hollen presiding.

Present: Senators Menendez, Kaine, Van Hollen [presiding], Duckworth, Romney, Ricketts, and Hagerty.

Also Present: Senator Mark Warner.

OPENING STATEMENT OF HON. CHRIS VAN HOLLEN, U.S. SENATOR FROM MARYLAND

Senator VAN HOLLEN. Good afternoon, everybody. The nominations hearing of the Senate Foreign Relations Committee will come to order.

Congratulations to each of you on your nominations and for your ongoing service to our country and commitment to our country. I also want to thank the family members who have joined you today and feel free to also introduce them when you provide your testimony.

I grew up in a Foreign Service family. I am aware that this is a family endeavor, and we are grateful to all of your loved ones for traveling across the globe with you in many instances.

In the interest of giving all of you, our nominations, more time to answer questions Senator Romney and I have agreed that we are going to forego any opening statements. That said, I think you have been told if you could keep your opening statements to three minutes it would be much appreciated, given the current congressional schedule.

I do want to say at the outset that I know a lot of Chiefs of Mission are here in Washington right now and I have been hearing from them about how much they value the work done by Foreign Service nationals in our Embassy and consulates abroad and how they could not do their good work and you could not do your good work without their support. I raise that because these individuals put themselves at great risk.

We had a number of members of our Foreign Service family killed in the line of duty in Nigeria not that long ago. We have a commitment to them that after a long—period of long and faithful service they can emigrate to the United States with their families.

But right now even after they serve 20 years there is a 17-year waiting period, which is why Senator Tillis and I have introduced

bipartisan legislation called the GRATEFUL Act that I hope will pass through this Senate as quickly as possible.

With that, let me also welcome Senator Ricketts, Senator Hagerty, and now I am going to – unless you have any opening remarks?

**STATEMENT OF HON. MITT ROMNEY,
U.S. SENATOR FROM UTAH**

Senator ROMNEY. No opening comments other than what you are doing is more important than it has been in a long, long time.

When I was a young man we were competing with the Soviet Union and the members of our various foreign delegations, our Ambassadors and so forth, were playing a very active role, a key role, in promoting our interests, and today we are competing with authoritarians generally and authoritarianism is on the rise, according to a number of people who follow that, and the work that you are doing takes on a special significance at this time, and I appreciate your willingness to step forward and that of your families.

And with that, Mr. Chairman, please introduce our panelists.

Senator VAN HOLLEN. Well, thank you. Thank you, Senator Romney.

And we have a number of member Senators who want to introduce a number of you and so in the interests of their convenience I am going to start with them unless, Senator Hagerty, you would like me to introduce some of those others first.

It is up to you. I know you are here to introduce one of our nominees.

**STATEMENT OF HON. BILL HAGERTY,
U.S. SENATOR FROM TENNESSEE**

Senator HAGERTY. Well, Chair Van Hollen, I would very much appreciate it if it is okay to go ahead and make an introduction of somebody who I had the great pleasure of working with when I served as U.S. Ambassador to Japan.

Joel Ehrendreich was my consular general to Okinawa and did a fantastic job. He is now here before us today to be, hopefully, our next U.S. Ambassador to Palau. So it is my great honor to introduce him and thank you for giving me the opportunity to do so.

Throughout Joel's impressive 20-year career he has held significant positions in Tokyo, New Delhi, Singapore, Manila, and Sydney, and he has been the foreign policy adviser to someone whom we both admire greatly, General Neller, who was commandant of the Marine Corps and I had the great pleasure to work with in a prior life.

All of this experience, I believe, has imbued Joel with a deep understanding of the regional dynamics of the Indo-Pacific and I feel certain that Joel is going to do a tremendous job if he is confirmed.

As I mentioned, I had the pleasure of working with Joel when I served as U.S. Ambassador to Japan and he served as consular general to Okinawa. In working together Joel and I handled a number of highly sensitive diplomatic issues related to our military presence in Okinawa related to the strategic positioning of Okinawa and, frankly, relative to the CCP's pressure on Okinawa.

In each case Joel demonstrated himself, as he has throughout his career, to be adept both at protecting and advancing America's national security interests abroad.

In fact, Joel was the first person to suggest that my family and I attend the Hiroshima Peace Memorial Ceremony. It is a very important statement that we made as Americans and I appreciate Joel's sensitivity to that issue and him bringing it to my attention.

Most recently as the director of the State Department's Office of Japanese Affairs within the Bureau of East Asia and Pacific Affairs Joel is involved in negotiating—in negotiations that are aimed at strengthening and modernizing the alliance as Japan's Government pursues new national security strategies and an increased investment in defense.

During the course of his career Joel has received numerous prestigious awards including the Rivkin Award for constructive dissent. Joel has also demonstrated a special knack for baseball diplomacy. I have seen this in action.

Notably, he organized the first ever Embassy Diet baseball game, forming a team with U.S. generals in Okinawa. He established a Little League team in India and even served as an umpire for the Little League Asia Pacific qualifying tournament in Manila during 2013 and 2014.

I know that Joel loves the Milwaukee Brewers and Joel was quite pleased to inform me that the Brewers' AAA team is our very own Nashville Sounds in Nashville, Tennessee, my home state.

Joel's passion for baseball is also evident in his sons' names, Cooper and Calvin, who are respectively named for Cooperstown and Cal Ripken with each of their middle names paying tribute to the legendary Jackie Robinson.

I hope today that the committee will come to know Joel as I do, as someone who brings solid and relevant experience, as someone with a track record of achieving results for our country and as someone—someone who will lead on the field if he is confirmed to serve as America's Ambassador to Palau.

Palau's location in the Western Pacific Ocean holds significant strategic importance given the CCP's aggressive moves in the region. It is situated at the crossroads of major maritime routes. Palau serves as a critical gateway between Asia and the Americas.

I know Joel will diligently work to deepen U.S.-Palau defense and economic cooperation under the Compact of Free Association, especially at this critical time for U.S. national security in the Indo-Pacific, and from my personal experience I believe Joel will make an outstanding Ambassador.

So I urge you all in joining me to support his confirmation today. Thank you.

Senator VAN HOLLEN. Thank you, Senator Hagerty. Welcome, Mr. Ehrendreich.

And now I am going to introduce some of our other nominees who are here today until our other colleagues arrive.

And, Cynthia Kierscht, congratulations on being nominated as Ambassador to the Republic of Djibouti. Ms. Kierscht is a career member of the Senior Foreign Service. She serves as Ambassador to the Islamic Republic of Mauritania, and Ambassador Kierscht was previously deputy assistant secretary in the State Depart-

ment's Bureau of Western Hemisphere Affairs and the director of the bureau's Office of Canadian Affairs.

She has served across Africa in embassies from Rabat to Cairo and the newly established U.S. interest section in Tripoli. Her career has also taken her to Bogota in Colombia where she held positions—such positions as deputy management counselor, cultural affairs officer, and coordinator for the Summit of the Americas.

Welcome, Ambassador Kierscht, and we look forward to your testimony once all the introductions are complete.

Next, let me introduce Mark Libby. Mark Libby has been nominated to be our American Ambassador to Azerbaijan. He is a career member of the Senior Foreign Service.

He serves as a State Department faculty advisor at the National War College in Washington. Previously, he was Deputy Chief of Mission and Chargé d'Affaires at the U.S. Mission to the European Union in Brussels.

He has also served as a political counselor at our embassies in Warsaw, Nassau, Nicosia, and Baghdad. Here in Washington he has served as a watch stander and later deputy director for crisis management in the State Department Operations Center. I had an opportunity to visit it briefly just last week.

He has also served as director of the Office—the deputy director in the Office of Central European Affairs, director of the Office of Southern European Affairs, director of orientation at the Foreign Service Institute, as well as spending time on the State Department secretariat staff. Welcome, Mr. Libby.

Now, since we do not have our other members here yet they are going to be free to say a few words when they arrive but I am going to go ahead and introduce the other members who are here.

Let me begin with you, Nisha Desai Biswal, who was nominated—has been nominated by the President to serve as deputy CEO of the U.S. International Development Finance Corporation.

She has over 30 years of foreign policy and international development experience, having served in roles across the executive branch, Congress, and the private sector.

She currently serves as the senior vice president for international strategy and global initiatives at the U.S. Chamber of Commerce where she oversees the U.S.-India Business Council and U.S.-Bangladesh Business Council.

She served—previously served as assistant secretary for South Asia and Central Asian Affairs at the State Department from 2013 to 2017, and during her tenure as assistant secretary she initiated the C5+1 Dialogue with Central Asia and the U.S.-Bangladesh Partnership Dialogue. Welcome, Ms. Biswal.

Next, we have Mr. Edgard Kagan, who is nominated to serve as our Ambassador to Malaysia. He is a career member of the Senior Foreign Service class of minister-counselor. He currently serves as special assistant to the President and senior director for East Asia and Oceania at the National Security Council.

His career has taken him to U.S. Embassies in New Delhi and Kuala Lumpur where he served as Deputy Chief of Mission. He has also served overseas in Australia, China, Israel, Hungary, and Cote d'Ivoire.

Prior to his Deputy Chief of Mission roles he served as deputy assistant secretary for Australia, New Zealand, and the Pacific in the State Department's Bureau of East Asian and Pacific Affairs, and as counsel general at the U.S. Consulate General in Mumbai, India.

He was also deputy director of the Washington office of the U.S. Mission to the United Nations and director of Korean affairs and acting deputy assistant secretary for Japan and Korea in the Bureau of East Asia and Pacific Affairs.

So welcome to all of you. I think I have—everyone has been introduced now. So why do I not turn it over to all of you for your testimony, beginning with Ambassador Kierscht?

STATEMENT OF HON. CYNTHIA KIERSCHT, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF DJIBOUTI

Ms. KIERSCHT. Chairman Van Hollen, Ranking Member Romney, distinguished members of the committee, I am honored to appear before you as President Biden's nominee to serve as the U.S. Ambassador to the Republic of Djibouti.

I am grateful to the President and the Secretary of State for the confidence they have placed in me with this nomination.

If confirmed, I look forward to working closely with this committee and with the Congress more broadly to advance American interests in Djibouti.

Mr. Chairman, I would first like to express my gratitude for the love and support of my family, friends, and colleagues throughout my career.

In particular, I would like to recognize my mother, Dr. Marcia Kierscht, here with me today, who has been an excellent role model, best friend, and who has visited me at every post, and my late grandmother, Cynthia Selland, who was a North Dakota public school teacher for 45 years, taught geography, from whom I no doubt got much inspiration for this journey.

I am also grateful for the love and support of my brother, Matthew, and his family, Brenda and Kennedy, and to the great team at U.S. Embassy Nouakchott who are streaming this live at the Embassy. My deepest thanks for your support.

It has been my honor and privilege for more than 32 years of public service to represent the American people, protect American citizens, and promote American interests overseas as a career member of the Foreign Service.

If confirmed, I will proudly lead our interagency team in Djibouti on behalf of the United States, leveraging my experience in North Africa and the Sahel in Egypt, Libya, Tunisia, Algeria, Morocco, and most recently as U.S. Ambassador to Mauritania.

Djibouti holds significant strategic importance for the United States. Its location at the mouth of the Red Sea makes it the trade and humanitarian gateway for the Horn of Africa.

Djibouti has been a key partner in U.S. efforts to improve security and stability in the region, including hosting Camp Lemonnier, the U.S. military's only enduring presence on the African continent.

Our military presence in Djibouti is particularly critical to ensuring the safety of our Missions in Africa as recently illustrated by the successful evacuation of U.S. Embassy staff from Sudan.

Djibouti has been a strong partner to the United States in upholding the rules-based international order at the United Nations and in other multilateral fora and, as host of the Intergovernmental Authority for Development, Djibouti plays a leading role in the region.

Djibouti is also a key location for the United States to work with strategic partners in Africa and the Western Indian Ocean to counter efforts by other nations, such as the People's Republic of China, to undermine the rules-based order.

If confirmed, I will work hand in hand with the full spectrum of the U.S. Government to protect American national security interests in Djibouti.

Over the past several years Djibouti has faced economic headwinds from the pandemic, the disruption to global shipping, the conflict in northern Ethiopia, and the resulting reduction in trade through Djibouti's ports and the historic drought affecting millions in the region.

The Djiboutian people have shown remarkable resilience in the face of these multiple crises, and in spite of these challenges the economy is showing potential, driven by the Djiboutian Government's strategy to diversify and engage private sector-led growth.

If confirmed, I am committed to working with the U.S. private sector and government colleagues to support Djibouti's sustainable development and provide U.S. alternatives to investment by our strategic competitors.

Mr. Chairman, protecting U.S. national security and advancing our interests in the region requires a secure, prosperous, and democratic Djibouti.

If confirmed, I am committed to working with the U.S. agencies and likeminded allies to promote the ideals of good governance, including in advance of its 2026 presidential elections.

The United States has enjoyed a strong relationship with the republic of Djibouti for decades and I see potential for even stronger ties as we work together towards a more secure, prosperous, and democratic future for all.

If confirmed, I will work with the Embassy team to build on their efforts to partner with the Djiboutians to advance regional peace and security, support sustainable economic development, strengthen democratic institutions and promote good governance, while ensuring critical access and influence for our broader regional security efforts.

Mr. Chairman, ranking member, and members of the committee, thank you for considering my nomination. I welcome your questions.

[The prepared statement of Ms. Kierscht follows:]

PREPARED STATEMENT OF HON. CYNTHIA KIERSCHT

Chairman Van Hollen, Ranking Member Romney, distinguished members of the committee, I am honored to appear before you as President Biden's nominee to serve as the U.S. Ambassador to the Republic of Djibouti. I am grateful to the President and the Secretary of State for the confidence they have shown in me with this nomination. If confirmed, I look forward to working closely with this committee, and with the Congress more broadly, to advance American interests in Djibouti.

Mr. Chairman, I would first like to express my gratitude for the love and support of my family, friends, and colleagues throughout my career. In particular, I would like to recognize my mother, Dr. Marcia Kierscht, who has been an excellent role model and who has visited me at every post, and my late grandmother, Cynthia Selland, who, as a North Dakota public school teacher for 45 years, taught geography and from whom, no doubt, I got much inspiration for this journey. I am also grateful for the love and support of my brother, Matthew, and his family.

It has been my honor and privilege for more than 32 years of public service to represent the American people, protect American citizens, and promote American interests overseas. If confirmed, I will proudly lead our interagency team in Djibouti to do the same, leveraging my experience in North Africa and the Sahel—in Egypt, Libya, Tunisia, Algeria, Morocco and most recently as U.S. Ambassador to Mauritania.

Djibouti holds significant strategic importance for the United States. Its location at the mouth of the Red Sea, through which 12 percent of all global trade passes, makes it the trade and humanitarian gateway for the Horn of Africa. Djibouti has been a key partner in U.S. efforts to improve security and stability in the region, including hosting Camp Lemonnier, the U.S. military's only enduring presence on the African continent. Our military presence in Djibouti is particularly critical to ensuring the safety of our Missions in Africa, as recently illustrated by the successful evacuation of U.S. Embassy staff from Sudan. Djibouti has been a strong partner to the United States in upholding the rules-based international order at the United Nations and in other multilateral fora. As host of the Intergovernmental Authority for Development, Djibouti plays a leading role in the region.

Djibouti is also a key location for the United States to work with strategic partners in Africa and the western Indian Ocean to counter efforts by some other nations, such as the People's Republic of China, to undermine the rules-based order. If confirmed, I will work hand-in-hand with the full spectrum of U.S. Government partners to protect American national security interests in Djibouti.

Over the past several years, Djibouti has faced economic headwinds from the COVID-19 pandemic, the consequent disruption to global shipping, the conflict in northern Ethiopia and the resulting reduction in trade through Djibouti's ports, and the historic drought affecting millions in the region. The Djiboutian people have shown remarkable resilience in the face of multiple crises, and despite these challenges, the economy continues to show potential, driven by the Djiboutian Government's strategy to diversify and engage private sector-led growth. Djibouti is already a key international telecommunications hub as a landing point for numerous undersea cables, hosts the best port infrastructure in the region, and has significant and untapped renewable energy potential. If confirmed, I am committed to working with the U.S. private sector and government colleagues to support Djibouti's sustainable development and provide U.S. alternatives to investment by our strategic competitors.

Protecting U.S. national security and advancing our interests in the region requires a secure, prosperous, and democratic Djibouti. If confirmed, I am committed to working with the U.S. agencies and like-minded allies to promote the ideals of good governance and political freedom in Djibouti, including in advance of its 2026 presidential elections. Djibouti is also a major transit point for migrants. If confirmed, I will work with Djiboutian officials to seek ways to assist and protect vulnerable migrants, especially to combat trafficking in persons.

The United States has enjoyed a strong relationship with the Republic of Djibouti for decades and I see potential for even stronger ties, as we work together towards a more secure, prosperous, and democratic future for all. If confirmed, I will work with the Embassy country team to build on their efforts to partner with the Djiboutians to advance regional peace and security, support sustainable economic development, strengthen democratic institutions, and promote good governance, while ensuring critical access and influence for our broader regional security efforts.

Mr. Chairman, ranking member, and members of the committee, thank you for considering my nomination. I welcome your questions.

Senator VAN HOLLEN. Thank you for your statement.

Mr. Ehrendreich?

STATEMENT OF JOEL EHRENDREICH, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU

Mr. EHRENDREICH. Chairman Van Hollen, Ranking Member Romney, members of the committee, good afternoon. I am honored to appear before you today and grateful for the confidence shown by the President and Secretary Blinken in nominating me to be Ambassador to the Republic of Palau.

I want to give a special thank you to Senator Hagerty, someone who I greatly admired as Ambassador and whose mentorship I am grateful for. You honored me, Senator, Ambassador, with that introduction.

I would also like to take a moment to thank my loved ones who are here today, my sons Cooper and Calvin, both of whom I am so proud of and who have brought me joy every day of their lives, and happy birthday, Calvin; my daughter-in-law Nada, who has been a wonderful addition to the family, and our newest wonderful addition, our grandson, Zayn; and, of course, Rachel, my wife of 33 years, my love, my soul mate, the person who makes me a better person.

I also want to thank my brother, Josh, my in-laws, Jackie and Scott Alter, my mother-in-law, Janice McClelland. I am truly blessed to have so many wonderful people in my life.

And here I am also compelled to try to right a wrong in my official nomination bio. It mentioned where I was born—Omaha, Nebraska, but it left out where I grew up and the place that I still consider home to this day, Milwaukee, Wisconsin. So a shout out to the town I love and to all of my friends there.

And if I could add just one special request from my fellow Whitefish Bay High School alum, Milwaukee Brewers manager Craig Counsell, if you could sprinkle just a little extra of that magic on the Brewers this season I would love it just one time before I die to know what it feels like to cheer for the World Series champion.

[Laughter.]

Senator VAN HOLLEN. All right.

Mr. EHRENDREICH. Senators, a couple weeks ago when we concluded the 2023 Compact Review Agreement with Palau, Palau's President Surangel Whipps said on his Facebook page, "God bless Palau, God bless the United States of America, God bless us all."

I share President Whipps' enthusiasm for our partnership and potential for our future. I believe the United States and Palau have a real convergence of interests at this time, and if confirmed, I am eager to continue to advance our special relationship.

To do so, I would first turn to our National Security Strategy and Indo-Pacific strategy. These documents describe in no uncertain terms that the United States faces unprecedented challenges from the People's Republic of China.

We have seen that while the PRC's provocative actions span the globe, they are most acute in the Indo-Pacific. The strategies highlight the importance of enhancing our relationships with allies and

partners to include a specific focus on deepening ties with Pacific Island countries.

Regarding the 2023 Compact Review Agreement, I urge Congress to quickly take up the relevant implementing legislation, appropriate funds, and allow for the entry into force of the agreement.

If confirmed, I would work to ensure both sides live up to the obligations made in the new agreement, which will enhance our relationship for the next 20 years and beyond.

I would also point to our Embassy's integrated country strategy, which cites the need to address Palau's top priority, the existential threat from rising sea levels and increasing natural disasters.

The people of Palau are counting on their partner, the United States, and the international community to unite with them in confronting this challenge.

If confirmed, I would continue to work closely with the Government of Palau and others to support disaster preparedness and response.

Mr. Chairman, Mr. Ranking Member, members of the committee, thank you again for your consideration and the opportunity to appear before you today. I look forward to your questions and comments.

[The prepared statement of Mr. Ehrendreich follows:]

PREPARED STATEMENT OF JOEL EHRENDREICH

Chairman Van Hollen, Ranking Member Romney, members of the committee, good afternoon. I am honored to appear before you as President Biden's nominee for Ambassador to the Republic of Palau.

I want to give a special thank you to Senator Hagerty, someone whom I greatly admired as Ambassador and whose mentorship I am grateful for. You honor me, Senator, by providing that introduction.

I am grateful for the confidence shown by the President and Secretary Blinken in nominating me. I have spent the bulk of my nearly 30-year career in the Indo-Pacific region, and, if confirmed, I look forward to working with Congress to advance U.S. interests in this region that I and so many others believe is fundamental to America's future.

I would like to take a moment to thank my loved ones who have contributed to me ending up here today. My sons, Cooper and Calvin, both of whom I'm so proud of and who have brought me joy every day of their lives. My daughter-in-law Nada, who has been a wonderful addition to the family, and our newest wonderful addition, our grandson Zayn, born just a few weeks ago. And of course, Rachel, my wife of 33 years, my love, my soul mate, the person who makes me a better person. I also want to thank my brother, Josh, in-laws Jackie and Scott Alter, and mother-in-law Janice McClelland. I am truly blessed to have so many marvelous people in my life.

And here I'm compelled to also try and right a wrong. My official nomination bio mentioned where I was born, Omaha, but left out where I grew up and the place that still feels like home to this day: Milwaukee, Wisconsin. So a shout-out to the town I love and all my friends there, and if I could just add one request for my fellow Whitefish Bay High School alum, Milwaukee Brewers manager Craig Counsell: If you could sprinkle just a little extra of your magic on the Brewers this season, I would love it, just once before I die, to know what it feels like to cheer for the World Series champion.

Senators, a couple weeks ago, when we concluded the 2023 Compact Review Agreement, Palau's president, Surangel Whipps, Jr., posted on his Facebook page "God bless Palau! God bless the United States of America. God bless us all!"

I share President Whipps' enthusiasm for our partnership and potential for the future. I believe the United States and Palau have a real convergence of interests at this time. If confirmed, I am eager to continue to build on our special, unique relationship, and would look forward to advancing win-win opportunities for our two countries.

To do so, I would first turn to our National Security Strategy, Indo-Pacific Strategy, and Pacific Partnership Strategy. These documents describe in no uncertain terms that the United States faces unprecedented challenges from the People's Republic of China. We have seen that while the PRC's provocative actions span the globe, they are most acute in the Indo-Pacific. The strategies highlight the importance of enhancing our relationships with allies and partners, to include a specific focus on deepening ties with Pacific Island Countries.

Regarding the 2023 Compact Review Agreement, I urge Congress to quickly take up the relevant implementing legislation, appropriate funds, and allow for the entry into force of the agreement. If confirmed, and once the agreement enters into force, I would work to ensure both sides live up to the obligations made in the new agreement. The new agreement addresses investment and economic prosperity, oversight, and numerous other areas that will enhance our relationship for the next twenty years and beyond.

I would also point to our Embassy's Integrated Country Strategy, which cites the need to address Palau's top priority: the existential threat from rising sea levels and increasing natural disasters. The people of Palau are counting on the international community to unite with them in confronting this challenge. If confirmed, I would continue to work closely with the Government of Palau and other partners to support disaster preparedness and response.

Mr. Chairman, ranking member, and members of the committee, thank you again for your consideration and the opportunity to appear before you today. I look forward to your comments and questions.

Senator VAN HOLLEN. Thank you, Mr. Ehrendreich. And while you have something in your prayers can you put a plug in for the Orioles, too?

[Laughter.]

Senator VAN HOLLEN. All right. Mr. Libby?

STATEMENT OF MARK W. LIBBY, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN

Mr. LIBBY. Thank you.

Mr. Chairman, Ranking Member Romney, distinguished members of the committee, I appreciate the confidence President Biden and Secretary Blinken have placed in me by nominating me to be the next U.S. Ambassador to Azerbaijan and it is a great privilege to appear before you today.

If I am confirmed I pledge to work closely with this committee and with all members of Congress to advance U.S. interests in and with Azerbaijan.

I first would like to introduce my wife, Dinousha, who joins me as we celebrate our 26th wedding anniversary this summer. Polish by birth, a naturalized U.S. citizen, Dinousha is an American by choice.

She inspires me with her patriotism through decades of behind the scenes public service, training U.S. diplomats in some of the world's most strategically important foreign languages.

She is a wonderful mother to our wonderful son, Andrew, who is also here today together with his partner, Sophie Prager.

Missing today are my father, Pete, who died 12 years ago, my sister Diane, brother Steven and mom, Marjorie. Their love has sustained me throughout my life.

I would also like to acknowledge the teams at Georgetown University Hospital here in Washington and the Dana Farber Cancer

Institute in Boston. They have cured me of disease repeatedly since I was 20 years old and I literally owe them my life. Thanks to them I am able to be here today and I have been able to serve my country for so many years.

All U.S. diplomats have a core duty to protect American citizens and if I am confirmed that will be my top priority. In my three decades of public service I have seen the persistence of and sacrifices made by U.S. Foreign Service, civil service, military, and other interagency partners and by our locally engaged staff.

As you pointed out, Mr. Chairman, these dedicated colleagues often face danger and hardship to safeguard their fellow Americans and to pursue U.S. national interests.

If I am confirmed it will be the honor of a lifetime to lead the team at Embassy Baku in pursuit of those same goals. If confirmed I will also support U.S. efforts to facilitate a just and sustainable peace agreement between Azerbaijan and Armenia.

This tragic conflict has produced a bitter legacy of pain and mistrust. I know many members of this committee have concerns about Azerbaijan. I share and understand them.

Solving issues of territorial integrity, sovereignty, and the rights and securities of everyone in the region, including those residing in Nagorno-Karabakh, is vital to any durable and dignified peace.

There is no military solution to this conflict and the U.S. must continue to condemn violence or threats of violence. But with the help of the United States and of our European partners the parties are closer than ever to reaching an agreement and if I am confirmed I commit to help to get them there through active and persistent engagement in Baku.

But signing a peace deal is only the first step. If I am confirmed I will lead Embassy Baku's interagency team to support the implementation of an eventual settlement. Successful implementation of a peace agreement would pave the way for deeper ties between the U.S. and Azerbaijan that will stabilize the region and thwart hostile competitors who seek to expand their malign influence by capitalizing on conflict.

A peace deal would allow us to take to the next level much of what already works well in our relationship with Azerbaijan. Cooperation in counterterrorism, border security, energy security, and maritime security serves the U.S. national interest in security.

If confirmed, I will redouble our efforts in these areas. I will seek to foster further economic development and create more numerous and diverse opportunities for U.S. companies to compete and generate jobs at home.

Democracy and human rights are core to U.S. foreign policy not just because they reflect our values but because they have proven to be the best foundation for peace and prosperity.

If confirmed, I pledge to engage in a respectful but very frank dialogue with a wide range of Azerbaijani leaders and citizens and to advocate persistently for those values, rights, and freedoms in Azerbaijan and in the wider region.

If confirmed, I will work in full and open consultation with this committee, which has shown such leadership advancing our values and interests in this complex region.

I commit to cooperation with you to advance our goals of a stable, democratic, peaceful, and prosperous Azerbaijan that is a strategic partner to the United States.

Thank you for your time and I look forward to your questions.
[The prepared statement of Mr. Libby follows:]

PREPARED STATEMENT OF MARK W. LIBBY

Chairman Van Hollen, Ranking Member Romney, distinguished members of the committee: It is a great privilege to testify as the President's nominee to be the next U.S. Ambassador to Azerbaijan. I appreciate the confidence President Biden and Secretary Blinken have placed in me with this nomination. If confirmed, I pledge to work closely with this Committee and all Members of Congress to advance U.S. interests in and with Azerbaijan.

I first would like to introduce my wife, Danusia, who joins me as we celebrate our 26th wedding anniversary this summer. Polish by birth; as a naturalized U.S. citizen, Danusia is American by choice. She inspires me with her patriotism through decades of behind-the-scenes public service, training U.S. diplomats in some of the world's most strategically important foreign languages. She is a wonderful mother to our wonderful son Andrew, who is also here today with his partner, Sophie Prager.

Missing today are my father, Pete, who died 12 years ago, my sister Diane, brother Stephen, and mom Marjorie. Their love has sustained me throughout my life. I'd also like to acknowledge the teams at Georgetown University Hospital in Washington and the Dana Farber Cancer Institute in Boston. They have cured me of disease repeatedly since I was 20. I literally owe them my life; thanks to them, I have been able to serve my country for so many years and can be here today.

All U.S. diplomats have a core duty to protect American citizens—and if I am confirmed, this will be my most important task. In my three decades of public service, I have seen the persistence and sacrifices made by U.S. Foreign Service, civil service, military and other interagency partners, and by our locally engaged staff. These dedicated colleagues often face danger and hardship to safeguard their fellow Americans and pursue U.S. interests. If confirmed, it will be the honor of a lifetime to lead the team at Embassy Baku in pursuit of these same goals.

If confirmed, I will also support U.S. efforts to facilitate a just and sustainable peace agreement between Azerbaijan and Armenia. This tragic conflict has produced a bitter legacy of pain and mistrust. I know many Members of this Committee have concerns about Azerbaijan—and I share them. Solving issues of territorial integrity, sovereignty, and the rights and security of everyone in the region—including those in Nagorno-Karabakh—is vital to any durable and dignified peace. There is no military solution to this conflict and the U.S. condemns violence or threats of violence. But with the help of the United States and of our European Union partners, the parties are closer than ever to reaching agreement. If confirmed, I commit to help them get there through active and persistent engagement in Baku.

But signing a peace deal is only the first step. If confirmed, I will lead Embassy Baku's interagency team to support the implementation of an eventual settlement. Successful implementation of a peace agreement would open new horizons for trade and investment that will lead to greater prosperity throughout the South Caucasus and beyond. It also would pave the way for deeper ties between the United States and Azerbaijan that will stabilize the region and thwart hostile competitors seeking to expand their malign influence by capitalizing on the conflict.

A peace deal would allow us to take to the next level much of what already works well in our relationship with Azerbaijan. Cooperation with Azerbaijan in counterterrorism and border, energy, and maritime security is noteworthy and serves the U.S. national interest. If confirmed, I will redouble our efforts in these areas.

Energy is of particular importance. Cooperation with Azerbaijan has brought more energy to market, helping our European partners diversify sources and routes away from Russia and stabilizing global supply. If confirmed, I will seek to foster further economic development and create even more numerous and diverse opportunities for U.S. companies to compete and generate jobs at home.

Democracy and human rights are core to U.S. foreign policy - not just because they reflect our values, but because they are the best foundation for peace and prosperity. They also are integral to international commitments and obligations that both we and Azerbaijan have undertaken. If confirmed, I will advocate for democracy, responsive governance, and the rights and freedoms necessary to realize the full potential of all of Azerbaijan's people. I pledge to engage in respectful, but frank

dialogue with a wide range of Azerbaijani leaders and citizens to advocate for these values, rights and freedoms in Azerbaijan and in the wider region. If confirmed, I will work in full and open consultation with this committee, which has shown such leadership advancing our values and interests in this complex region. I commit to cooperation with you to advance our goal of a stable, democratic, peaceful, and prosperous Azerbaijan that is a strategic partner to the United States.

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

Senator VAN HOLLEN. Thank you, Mr. Libby. I see we have been joined by Senator Warner and Senator Kaine, who is a member of the committee.

Senator Warner is here to say a few words on behalf of Ms. Desai Biswal and, Senator, we have gone through the bios of all of our nominees and so we understand their credentials.

But we would love to have some personal testimony as why you think this nominee is important to the country.

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

Senator WARNER. Well, thank you, Mr. Chairman, and I apologize. Senator Kaine and I were away on another issue that you care very dearly about as well and we were standing up for your interests.

And I would not, though, have been if I had realized, I have to tell you that—Senator Romney on this subcommittee was actually ranking member—I would have never been late. That matter would have been put aside.

So we have got a very distinguished group of nominees here. Nisha I have known literally for years. I have known her when she worked in the Obama administration and had the expertise to deal with all of the issues around South Asia, her prior time at AID and American Red Cross.

She brings a distinguished governmental career but she also brings enormous activities. Probably where I got to know her the most was when she went over on the business side and worked for USIBC.

Matter of fact, Senator Cornyn and I, we were still the co-chairs of the India Caucus, the largest single country caucus in the Senate, 42 members, bipartisan.

Nisha did a great, great job at USIBC and so I can recommend her without reservation and particularly because I think the position she is nominated for as being—helping our friend, Scott Nathan, over at DFC.

DFC, I think, is one of the real assets we have, particularly as we compete against China on issues like Belt and Road and others.

We cannot simply do it with military and other supports. We have to have a strong active international finance organization that can go toe to toe with—against Belt and Road and against other initiatives.

We all know our country on a per capita basis does much, much smaller than most other first world nations and Nisha will bring that combination of both business side, AID side. She started her career at the American Red Cross. She served in the administration.

No one is better situated for this position. I just met with the senior leadership of DFC last week as we look at some of this tech-

nology competition. There are a host of deals and areas that they are trying to pursue that Nisha would add value day one.

So I hope—not only do I recommend her but I hope the committee will act with great speed in moving her through and I know she will have—I have talked to a number of folks who have dealt with her as well in the past—broad bipartisan support.

With that I will defer to my colleague, Senator Kaine, who is here for somebody else but he was going to put a—you are going to put a good word in for Nisha as well, are you not, Tim?

Senator VAN HOLLEN. Thank you, Senator Warner.
Senator Kaine.

**STATEMENT OF HON. TIM KAINE,
U.S. SENATOR FROM VIRGINIA**

Senator KAINE. Well, I guess I better put in a good word for Nisha. No, we have worked together very well and I am strongly supportive. Echo what Senator Warner said.

I was asked to say a few words about another proud Virginian, Edgard Kagan, who is nominated to be the Ambassador to Malaysia, and, Mr. Chair, mindful of the notion that you have already gone through the bio, just really quickly, I mean, this is a tremendously talented public servant who has already served once in Malaysia as DCM, as well as DCM in India.

He currently is the senior director for East Asia and Oceania at the National Security Council at the White House and he is the kind of person that makes me feel like a complete underachiever in life because he is a recipient of a presidential meritorious award, speaks French, Mandarin Chinese, Hungarian, Spanish—not the easiest languages to master.

But he has—the challenges of trying to deal with China in the region are very, very significant and Malaysia can be very critical in helping us deal with those challenges and that is what he has been doing already. So he is eminently qualified for the post and I am glad to say a word on his behalf.

Senator VAN HOLLEN. Thank you. Thank you, Senator Kaine. I do want the record to show what deference this Maryland senator showed to my colleagues from the other side of the Potomac River.

With that, Mr. Kagan?

**STATEMENT OF EDGARD D. KAGAN, OF VIRGINIA, A CAREER
MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, NOMINATED TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA**

Mr. KAGAN. Certainly.

Chairman Van Hollen, Ranking Member Romney, distinguished members of the committee, thank you so much for the opportunity to appear before you today.

It is an honor to do so as President Biden's nominee for the position of United States Ambassador to Malaysia, and I am grateful to the President and to Secretary Blinken for their confidence.

I am also grateful to State Department colleagues past and present who have given me a lifelong education in diplomacy and public service.

I have spent 32 years in the Foreign Service, 14 of which were representing the United States in the Indo-Pacific. But across the six administrations in which I have served I have seen the critical role of cooperation and alignment with Congress.

If confirmed, I commit to working with you and the Congress as a whole to advance U.S. strategic interests in Malaysia, ASEAN, and the Indo-Pacific.

I am so happy to be accompanied today by my family. My mother, Peggy Kagan is here, joined by my sister, Dr. Isabelle Kagan, both visiting from Lexington, Kentucky. Also here are my wife, Cynthia Gire, and my children, Marshall, Anne-Sophie, and Daniel.

They have shared the challenges, pleasures, and opportunities of living in six cities in five countries on three continents. For our children that has meant attending nine schools. I am far luckier than I deserve and could not be here today without their love, support, and forbearance.

Sadly, my father, Jacques Kagan, passed away last year. He would have been so proud to have seen this day.

I became familiar with Malaysia when I served there as Deputy Chief of Mission from 2014 to 2017. If confirmed, I would look forward to building on our strong relationship in several key areas.

First, we are one of Malaysia's largest foreign investors and our bilateral trade last year supported an estimated 58,000 U.S. jobs. If confirmed, I would prioritize further strengthening our economic ties.

Second, the United States and Malaysia work together to combat terrorism and transnational crime and to promote maritime security. I will continue to support these shared priorities, if confirmed.

Third, standing for our values is at the heart of America's global role. If confirmed, I will work to strengthen the rule of law, transparency, good governance, and respect for human rights in Malaysia.

I am particularly concerned about human trafficking, including forced labor and migrant labor—migrant worker rights. I will work with Malaysia on these issues, if confirmed.

None of this, however, can be accomplished without the amazing U.S. Embassy team in Kuala Lumpur. I will make their safety and that of U.S. citizens my highest priority, if confirmed.

Mr. Chairman, ranking member, members of the committee, the U.S.-Malaysia partnership is strong. I believe it can grow even stronger. If confirmed, working closely with Congress, I will do all I can to strengthen this relationship.

Thank you, and I welcome your questions.

[The prepared statement of Mr. Kagan follows:]

PREPARED STATEMENT OF EDGARD D. KAGAN

Mr. Chairman, ranking member, and distinguished members of the committee, Thank you for the opportunity to appear before you today. It is an honor to do so as President Biden's nominee for the position of United States Ambassador to Malaysia. I'm grateful to the President and to Secretary Blinken for their confidence.

I'm also grateful to State Department colleagues, past and present, who have given me a lifelong education in diplomacy and public service. I have spent 32 years in the Foreign Service, 14 of which were representing the United States in the Indo-Pacific. Each post, from New Delhi to Canberra; Beijing to Kuala Lumpur, held its own lessons. But across the six Administrations in which I have served, I have seen the critical role of cooperation and alignment with Congress. If confirmed, I commit

to working with you to advance U.S. strategic interests in Malaysia, ASEAN, and the broader Indo-Pacific region.

I am grateful to be accompanied today by my family. My mother, Peggy Kagan, is here, joined by my sister, Isabelle Kagan, both visiting from Lexington, Kentucky. Also here are my wife Cynthia Gire, and children Marshall, Anne-Sophie and Daniel. They have shared the challenges, pleasures, and opportunities of living together in six cities in five countries on three continents. For our children, that meant attending nine schools. I am far luckier than I deserve and could not be here today without their love, support, and forbearance. I particularly want to highlight Anne-Sophie, who is graduating from high school this week. I am so proud of you and so grateful you are here today.

I became familiar with Malaysia, its vibrant multicultural society, dynamic economy, beautiful landscapes, and exceptional people—while serving there as Deputy Chief of Mission from 2014 to 2017. Since its independence in 1957, Malaysia and the United States have forged an enduring partnership based on shared interests and mutual respect. We see the breadth and depth of our relationship in the Comprehensive Partnership between our countries. We see it, too, in our extensive trade and investment relationship, broad security cooperation, and people-to-people ties. If confirmed, I would look forward to building on this foundation in several key areas.

First, we are one of Malaysia's largest foreign investors, and our \$79.4 billion of bilateral trade in goods and services last year supported an estimated 58,000 U.S. jobs. Critical to supply chains, especially in semiconductors, Malaysia accounts for 24 percent of U.S. semiconductor trade. Last year, in my capacity as National Security Council Senior Director for East Asia and Oceania, I was proud to work to bring Malaysia on as a founding partner of the Indo-Pacific Economic Framework. If confirmed, I will prioritize further strengthening our economic ties and promoting inclusive and sustainable growth, including in new industries.

Second, our security and law enforcement cooperation with Malaysia has grown. We work together to combat terrorism and transnational crimes, and to promote maritime security. We have also increased our cooperation on cybersecurity. Our countries hold regular military exercises to improve our ability to work together and build capacity. I will continue to support these shared priority areas, if confirmed.

Third, standing up for our values is at the heart of America's global role. If confirmed, I will work to further strengthen the rule of law, transparency, good governance, democracy, and respect for human rights in Malaysia. I am particularly concerned about human trafficking, including forced labor, and migrant worker rights. Following Malaysia's downgrade to Tier 3 in the 2021 Trafficking in Persons Report, we have encouraged Malaysia to significantly increase its efforts to protect victims and hold traffickers and complicit officials accountable. If confirmed, I will work with Malaysia to improve investigations and prosecutions of trafficking allegations, including forced labor, and to increase victim identification and support. I will also work with the Malaysian Government, UNHCR, and civil society to support the nearly 186,000 refugees and asylum-seekers in Malaysia.

None of this, however, can be accomplished without the amazing U.S. Embassy team in Kuala Lumpur. I will make their safety and that of U.S. citizens my highest priority if confirmed.

Mr. Chairman, ranking member, members of this committee—the U.S.-Malaysia partnership is strong; I believe that it holds potential to grow still stronger. Mounting challenges in the region demand no less. If confirmed, in partnership with Congress, I will do all I can to realize it. Thank you, and I welcome your questions.

Senator VAN HOLLEN. Thank you, Mr. Kagan.
Ms. Biswal?

**STATEMENT OF HON. NISHA DESAI BISWAL, OF VIRGINIA,
NOMINATED TO BE DEPUTY CHIEF EXECUTIVE OFFICER OF
THE UNITED STATES INTERNATIONAL DEVELOPMENT FI-
NANCE CORPORATION**

Ms. BISWAL. Chairman Van Hollen, Ranking Member Romney, members of the committee, thank you so much for this opportunity to appear before you today as the nominee for Deputy CEO of the United States International Development Finance Corporation.

I am deeply honored and humbled by the nomination and grateful for the trust placed in me by the President for this important role.

I particularly want to thank Senator Warner for his friendship and support. Having grown up in Virginia, I consider it my home state and we are blessed to have exceptional leadership in Senator Warner and Senator Kaine.

I am here today with my husband, Subrat—he is my rock and my North Star—our two daughters, Safya and Kaya, who are the light of my life, and my father, Kanu. It is their unflagging belief in me and that of my mother and my in-laws and my extended family that makes all things possible and I am ever grateful for their love.

Our extended family and friends are watching online, and I also want to thank my colleagues at the U.S. Chamber of Commerce, both in the room and online, from whom I have learned so much.

I am grateful for the opportunity to return to public service, if confirmed. I learned the importance of service at a very early age from my grandparents, who took part in India's fight for independence and who served time in British jails.

My grandparents saw public service as the highest of callings, an investment in country and community, and they instilled those values in me.

In Congress, at USAID, in the State Department, and most recently with the Chamber of Commerce, my own career in public service has allowed me to work at the nexus of foreign policy, development, and economic interests.

DFC represents the amalgamation of all those experiences and an opportunity to apply the lessons I have learned.

Mr. Chairman, I first want to commend this body and your colleagues in the House for passing the BUILD Act. In establishing DFC Congress sought to create a best-in-class development finance agency that will both advance U.S. strategic interests and create positive development impact in the countries in which it operates.

We have seen how the lack of access to adequate financing has led many developing nations to lean too heavily on state capital from authoritarian nations, often at unsustainable and predatory rates that yield poor development outcomes and undermine their sovereignty.

The BUILD Act has enabled the United States to offer a more compelling finance alternative, one that is consistent with our values and catalyzes private investment.

If confirmed, I will work with our outstanding CEO, Scott Nathan, and the DFC staff to advance three key pillars: enhancing our strategic focus, advancing impact-driven investments, and focusing on collaboration and partnership.

And, Mr. Chairman, if confirmed as Deputy CEO of DFC, I am committed to working collaboratively with Congress and other key stakeholders to fulfill the mission of DFC.

I am ready to serve the American people in this critical role and I thank you for your time and consideration. I look forward to your questions.

[The prepared statement of Hon. Nisha Desai Biswal follows:]

PREPARED STATEMENT OF NISHA DESAI BISWAL

Chairman Van Hollen, Ranking Member Romney, and members of the committee, thank you for the opportunity to appear before you today as the nominee for Deputy CEO of the United States International Development Finance Corporation (DFC). I am deeply honored and humbled by the nomination and grateful for the trust placed in me by the President for this important role.

I am here with my husband Subrat and our two daughters Safya and Kaya. It is their unflagging belief in me that makes all things possible, and I am ever grateful for their love. Our extended family and friends are watching on-line and I want to thank them for their love and support that carried us through some challenging times.

I am grateful for the opportunity to return to public service, if confirmed. I learned the importance of sacrifice and service at a very early age as I listened to my grandparents talk of their activism in support of India's independence and the time spent in British jails for participating in civil disobedience. They saw public service as the highest of callings an investment in country and community.

For me, it has been a privilege to have spent most of my career working alongside talented and dedicated colleagues in both parties.

In Congress, at USAID, in the State Department and most recently with the Chamber of Commerce, my own career in public service has allowed me to work at the nexus of our foreign policy, development, and economic interests. DFC represents the amalgamation of all those experiences and an opportunity to apply the lessons learned.

I believe that DFC plays a crucial role in catalyzing private sector investments, fostering new and existing partnerships, and driving positive change in emerging markets. If confirmed, I will bring my passion, experience, and leadership skills to bear on the challenges and opportunities that lie ahead.

But let me start by commending this body and your colleagues in the House for passing the BUILD Act. In establishing DFC, Congress sought to create a best-in-class development finance agency that will both advance US strategic interests and create a positive development impact in the countries in which it operates.

We have seen that lack of access to adequate financing has led many developing nations to lean too heavily on state capital from our strategic competitors, often at unsustainable and predatory rates that yield poor development outcomes and undermine their sovereignty. The BUILD Act has enabled the United States to offer a more compelling financing alternative, one that is consistent with our values, and catalyzes private investment.

DFC has a dual mandate to focus on making positive development impact in the poorest countries of the world, and, at the same time, advance the strategic interests of the United States. DFC mobilizes private capital to build infrastructure that connects local producers to markets, to enable companies to expand their production and hire new staff, and to deliver essential services like telecommunications, energy, water, and sanitation.

If confirmed, I will work with CEO Scott Nathan and DFC staff to advance three key pillars: strategic focus, impact-driven investments, and collaboration.

I recognize that DFC is a critical tool in advancing our national security interests, and as such, must maintain a strategic focus aligned with U.S. foreign policy priorities. By focusing on key sectors and regions where our investments can have the greatest impact, we can maximize our contribution to sustainable development, economic growth, and poverty alleviation. I intend to work with DFC staff and with our interagency colleagues to ensure that our investment decisions align with U.S. strategic interests and development goals.

Second, DFC must prioritize investments that create tangible, measurable, and sustainable outcomes for local communities. By promoting transparency, accountability, and responsible business practices, we can ensure that our investments deliver not only financial returns but also positive development impacts.

Lastly, I strongly believe in the power of collaboration. If confirmed, I will actively engage with international organizations, governments, civil society, and the private sector to forge strategic alliances, leverage resources, and amplify the impact of our investments. And drawing upon my experience at the U.S. Chamber of Commerce, I will engage new private sector partners, building upon DFC's existing partnerships and adding new avenues for cooperation, both domestically and internationally.

I am deeply passionate about international development, private sector engagement, and sustainable economic growth. If confirmed as Deputy CEO of DFC, I am committed to working collaboratively with Congress and other stakeholders to fulfill the mission of DFC.

I am ready to serve the American people in this critical role. Thank you for your time and consideration. I look forward to your questions.

Senator VAN HOLLEN. Thank you, Ms. Biswal, and thank all of you for your testimony here and now we will start a period of questioning.

And, Mr. Kagan, if I could start with you. Malaysia is home to the largest rare earths processing facility outside of the PRC and recent reports show that Malaysia is also home to deposits of strategic and criminal—excuse me, critical minerals, including tin.

As we look to our ongoing efforts to both friendshore and develop more stable supply chains of critical minerals and rare earth minerals what role can you play if you are confirmed as our Ambassador to Malaysia?

Mr. KAGAN. Thank you very much for your question, Mr. Chairman.

I think the question of rare earths and, more broadly, critical minerals is one that is a very high priority to this country and I think that you have seen that the administration has done a considerable amount of work on this.

I think that the importance of working on these arrangements with countries where we have good relationships and trying to develop new sources so that we can have reliable supply chains and diversified supply chains is absolutely critical and I think that we have real potential to do that in countries like Malaysia.

So, if confirmed, I would want to work closely with the American private sector, with different parts of the U.S. Government, and with the Malaysian Government to ensure that we are able to continue expanding the areas of cooperation in this, support development of resources, and above all make sure that we do this in partnership with Malaysia in ways that are sustainable and that promote our values.

Thank you, sir.

Senator VAN HOLLEN. No, I appreciate that. I was recently on a trip with Senator Merkley and we stopped in Indonesia, where this is also, as you know, a very important issue.

Ms. Biswal, let me turn to you. The DFC, as you described well, is a critical agency to our efforts to invest overseas in a way that also strengthens our supply chains, serves American interests and those of our partners overseas.

Scott Nathan and, I think, you would make a great team. Let me—let me ask you about an issue that is a little bit of inside baseball but very important, which is the issue of how we currently—we, the Congress, and our budget agencies score the DFC. I am sure you are familiar with this issue.

We are having a debate here in Congress right now. Senator Coons has introduced a bill—I am a co-sponsor—to try to make sure that we get all the—all the punch that we can out of the DFC. Could you—could you talk a little bit about that issue and the importance of resolving it?

Ms. BISWAL. Sure. Thank you, Mr. Chairman.

I believe you are referring to, in particular, the scoring with respect to equity financing at DFC. Congress and the BUILD Act provided DFC with authority to do equity investment in order to ensure that we could—that DFC could invest in countries where per-

haps debt financing was not as much of an option, and I believe that in so doing created an opportunity for DFC to create more compelling investments in perhaps sometimes riskier regions.

However, the lack of scoring or the inability to score DFC's equity financing in ways that allow it to advance that I think has held up how much equity financing DFC is able to do.

Congress can look at the scoring issue in a number of different ways. For example, the President's budget, I believe, has requested a revolving fund of \$2 billion to be able to put towards equity financing—\$2 billion in mandatory spending—or changing the scoring to be consistent with how, for example, other development finance institutions score equity would enable DFC to be more forward leaning in this area.

Senator VAN HOLLEN. I appreciate that, and I hope that this committee and our colleagues will get this done as quickly as possible because I think it hinders DFC from being able to maximize its resources.

There is a vote on now so I am going to turn it over to Senator Ricketts for questioning. I am going to turn the gavel over to Senator Kaine or Senator Menendez, whoever wants to have it—Senator Kaine.

Senator RICKETTS. Great. Thank you very much.

First of all, to all of our folks here I want to say thank you for your service to our country and especially our career Foreign Service people.

I know that you all have sacrificed to be able to serve our great nation. It involves a lot. You have put your families through a lot. I just want to say thank you very much. As a governor who went on a lot of trade missions I very much appreciate all the help I got when I was at the Embassy. So just have nothing but the highest respect for you.

What I would like to talk about is Djibouti. In 2017 Djibouti became the first country to host a People's Republic of China military base outside, obviously, the People's Republic itself; and earlier this year it was announced that Djibouti had reached an agreement with the People's Republic of China for a billion dollars to have a spaceport in that country, and this is obviously a part of the PRC's larger effort to commercialize space but also to extend its Belt and Road Initiative.

And, of course, there is two concerning things about this. One, Djibouti is already heavily in debt to the People's Republic of China to the tune of about a billion dollars—it represents about 43 percent of its GDP—and puts them at risk to be a part of what we have seen consistently around the world from the People's Republic of China, this debt trap.

But perhaps more concerningly, at least for the United States—I am going to read to you from the DNI's 2023 threat assessment—it said that China is steadily progressing towards its goal of becoming a world-class space leader with the intent to match or surpass the United States by the year 2045.

It continues—counter space operations will be integral to potential PLA military campaigns and China has counter space weapons capabilities intended to target the U.S. and our allies.

One of the fears with this spaceport outside of the People's Republic of China is they will use that to sidestep or outright reject international space rules with regard to how we do this and, of course, this matter is incredibly important to all of us. From using ATMs to harvesting our food we all rely on satellite technology.

In my home state of Nebraska, for example, we rely heavily on satellite technology to run our harvesting machines, the tractors and so forth. In fact, one farmer told one of my staff members that if it was not for satellite technology he was worried that his equipment would be useless.

So, Ambassador Kierscht, let us talk about do you believe that the space launch facility will this push Djibouti more into this debt trap that the PRC has?

Ms. KIERSCHT. Thank you for that—raising that important issue, Senator.

You are absolutely correct that there was a base established—their first military base was established in 2017 and there has been a deal on the table for this \$1 billion spaceport that you reference.

As Secretary Blinken has said, China represents the most consequential geopolitical challenge of our time, and as diplomats we are going to be facing this around the globe.

In terms of the spaceport, it is clear that Africans, including the Djiboutians, have an aspiration to develop further in the space field as well as the advanced technology field.

As recognized during the Africa Leaders Summit this past December the U.S. recognized that interest and held the first U.S. Africa space forum to meet together to discuss these very issues that you are raising and, if confirmed, I would certainly work closely with the Djiboutians to make sure that we identify ways for them to act responsibly in this field here on Earth so that we can make sure that our space is free and remains that way.

Senator RICKETTS. What can we do to incentivize Djibouti from staying away from these risky debt deals? What can the United States—what more can we do?

Ms. KIERSCHT. Well, I think one of the best ways we can incentivize them away from delving into these areas is to engage our own private sector and that is something, if confirmed, I would be very much interested in doing and I am happy to be sitting here with my co-panelist who may be placed at the DFC because I think that is one of the good tools that we are able to use to leverage our U.S. businesses overseas.

We have other U.S. Government agency tools also that we can be using, including the EXIM and USTDA. But, really, I think we need to look at engaging our private sector to give them opportunities to compete.

Senator RICKETTS. Why do you think the PRC selected Djibouti for the spaceport facility?

Ms. KIERSCHT. Well, it is an interesting question. I think if you actually look at some of the specifics of it, it does not actually give the Chinese much of an advantage in terms of where it is and compared to what they have within their own country.

As you identified, the Djiboutians are heavily debt reliant on China, and this is something that we will keep a very close eye on.

Senator RICKETTS. What can we do to encourage Djibouti to ratify a space law treaty so that this cannot be used as a loophole by the People's Republic of China?

Ms. KIERSCHT. Well, that is something, if confirmed, I would be talking to them on a regular basis about. That is something that we would have to have regular conversations about.

Senator RICKETTS. Great. Thank you, Ambassador. I appreciate it. Mr. Chairman?

Senator KAINE [presiding]. Chairman Menendez?

The CHAIRMAN. Thank you, Mr. Chairman, and to Senator Van Hollen for presiding over these nominations. It is an important task that we ask all of our members on both sides of the aisle to engage in. So I appreciate your willingness to do it.

Let me congratulate all the nominees before us today. We want to thank you and your families for your commitment to service to our country because it really truly is a family affair and so we appreciate your willingness to serve the nation.

These are critical posts that we need to carry out U.S. foreign policy abroad and I hope we will be able to work through your nominations both at the committee and on the floor in a reasonable time so we can get you to the post.

Let me go to just a couple of questions.

Mr. Libby, one of the most challenging issues on the ongoing peace talks between Armenia and Azerbaijan is the rights and security for the people of Nagorno-Karabakh. I have deep concerns that without robust international guarantees the people of Nagorno-Karabakh will be extremely vulnerable.

What do you see as the different possible outcomes for the people of Nagorno-Karabakh and do you share my concerns about their physical safety as well as their protection for their cultural rights?

Mr. LIBBY. Mr. Chairman, thanks for the question.

I do share your concerns about the future of that region, including the people in Nagorno-Karabakh. That is why I think Secretary Blinken has really put his shoulder to the wheel to try and come up with and facilitate a settlement.

And the good news is that for the moment at least all of the parties seem to be engaging and engaging seriously. It is not going to be easy but a settlement that we want to reach and we want to help them reach is one that addresses issues of sovereignty, rights and security for all the people in the region, and territorial integrity.

With regard to the situation of Nagorno-Karabakh I do not necessarily want to prejudice what that looks like. That is a matter for the parties to decide. But a situation in which their rights and securities have not been considered or not factored in and taken care of in some fashion strikes me as something that would not be durable.

The CHAIRMAN. It is for the parties to decide but we, clearly, have a role in trying to advocate the process forward. I am deeply concerned by the ongoing blockade of Nagorno-Karabakh, which severely limits the basic goods and aid entering the region.

Azerbaijan's more than 180-day blockade has threatened famine for the local Armenian population, causing rationing resulting in pharmacies running out of medicine. Will you publicly condemn the

blockade today and unequivocally urge Aliyev to open the Lachin corridor to normal traffic?

Mr. LIBBY. Sir, the U.S. position on this has been it really consists of sort of three elements. The U.S. has criticized any unilateral action that hurts trusts, raises risks, or damages people's safety and security.

The way to approach this is really three elements. First, over the short term, that is to monitor the situation and continue our calls and pressure for the restoration of civilian and commercial traffic into and out of the territory.

In the medium term we are looking at questions of assistance. We do not have access to the territory at the moment but my understanding is that the U.S. Government has already put forward \$21 million of food assistance, medicine, medivac, and family reunification assistance. That is a medium term solution or a medium term tool to address it.

But the long-term really is going to be in the context of a settlement and agreement between all the parties that stipulates how the rights and securities of everyone in the region are—

The CHAIRMAN.. Well, let me just say—let me just say we can monitor it while people die. That is not satisfactory to me.

Mr. LIBBY. If people are dying that is a big problem and we need to—

The CHAIRMAN.. Well, people are dying.

Mr. LIBBY. Yeah. This is why—

The CHAIRMAN. So I urge you to engage with the department in a more forceful forthright response because having a corridor closed to humanitarian assistance that is because of Aliyev. Even our humanitarian assistance is having difficulty getting in.

And so you are going to be going, if confirmed, to a challenging post. But the fact that it is challenging does not mean that the United States should not be speaking out for the basic human rights principles that we observe globally.

And I hope you will be a vigorous force in that regard. I am going to send you some follow-up questions I would like to see your answers to.

Mr. LIBBY. For sure, Senator.

The CHAIRMAN. Ms. Biswal, in the President's fiscal year '24 budget request there is a proposal for \$2 billion to create a new revolving fund for equity investments at the DFC.

While I agree that the DFC's ability to deploy equity is an effective yet underutilized tool for us to compete with China around the world many of my colleagues have expressed concerns with pursuing this revolving fund through mandatory spending and outside the normal discretionary appropriations process.

Now, I recognize you are not at the DFC yet but how important is this mandatory spending proposal to the DFC's strategic plans?

Ms. BISWAL. Mr. Chairman, thank you for that question.

I think there are many different ways in which Congress may choose to address the issue of equity financing at DFC, whether it is through a change to the scoring, whether it is through creating the revolving fund as is in the President's budget request, or the total amount of exposure allowed to DFC to be able to lean in more to equity financing.

I, if confirmed, would be willing to work with Congress to determine the most appropriate measure that Congress would feel comfortable with in order to enable DFC.

The CHAIRMAN. What happens, whether it is the mandatory funding that I understand the administration is seeking or some other process that you suggest, if we are not able to get DFC's equity tools off the ground?

Ms. BISWAL. Mr. Chairman, I believe DFC will continue to advance financing to the best of its abilities with the tools that it does possess.

I believe if we find a way around the equity challenges, it will allow DFC to lean in much more, particularly in more high-risk environments, which are unable to take on additional debt financing, which I think is commensurate with the intent of DFC that the BUILD Act had.

The CHAIRMAN. Well, I do not want to overstay my welcome here. I am going to follow up. I know—can I?

Senator KAINE. Yes.

The CHAIRMAN. Oh, okay. All right. Because my dear and distinguished colleague often comes to these hearings and does not get to ask this question in a timely fashion. So I do not want to impinge upon him. Can I have another minute?

Thank you. Development finance is an important tool to realize U.S. foreign policy objectives and they can be especially effective in countering the malign influence of China and other adverse nations.

Most developing countries would prefer to work with the U.S. and our private sector partners as opposed to the PRC's predatory development financial institutions.

The DFC's strategic foreign policy objectives and focus on advancing development are mutually reinforcing and part of your role, if confirmed, to evaluate and articulate how the DFC is selecting deals that achieve both outcomes.

So this is why we are getting into how we are going to fund the DFC because in part that will speak to what we are going to be able to do. How will you work within DFC's balanced development and strategic outcomes to its investments?

Ms. BISWAL. Mr. Chairman, I believe the dual mandate that Congress imbued DFC with to both advance our strategic goals and objectives and to ensure development impact are very important and mutually reinforcing.

If confirmed, I would work, drawing upon my own experience working both within the State Department and at USAID, to help identify ways in which we can advance development impact in ways that are aligned with our very important strategic goals and objectives, particularly as we seek to provide a more compelling alternative to the capital provided by some of our strategic competitors, which does not often advance the interests of the countries which it is financing, unlike our program.

The CHAIRMAN. A final question for the moment. How do you believe DFC's proposed reorganization will achieve that dual mandate?

Ms. BISWAL. Mr. Chairman, if confirmed, I would work with DFC to help align the organization around the mandates that have been conferred upon it by Congress.

As we have seen DFC transition from OPIC to the Development Finance Corporation increase in both its budget and its staff, I believe there is an effort underway to look at what kind of realignment internally will help it better achieve its mission and mandate and, if confirmed, I look forward to working to further that process.

The CHAIRMAN. We need DFC to be—play a bigger role if we are going to compete with China.

I have questions for both you, Mr. Libby, as well as the other nominees. As I always say at our hearings when I preside over them, I would urge you to answer them expeditiously when you get them, and fully because if not what will happen is a member will come back and say you really did not give me an answer.

So up front I want you to know that when you get questions you should answer it fully and expeditiously because then we can consider you at a business meeting.

Thank you, and thank you, Senator Romney, for your courtesy.

Senator KAINE. Senator Romney?

Senator ROMNEY. Thank you, Mr. Chairman, and I want to pursue the discussion which Chairman Menendez began with regards to the DFC.

I have watched, if you will, through business lens, economic lens, as China has carried out what many would consider a brilliant strategy of investing in critical minerals and materials that are essential for the technologies of today and tomorrow, and their Belt and Road has not been randomly carried out providing opportunities for development but instead has been focused on securing those resources such as buying mines, then putting in place rail lines that take the materials from that mine to the—to a port, then buying the port to make sure that they can have access to take those materials to China.

It is a—it is a series of actions which would probably be illegal for a corporation to take under U.S. law but they are not subject to U.S. law.

And we look to DFC to counter this, although with a fraction of the resources that China has already employed, and also historically with less focus on our strategic objectives and more on simply development and helping lift people out of poverty, a noble goal in and of itself.

But I wonder if you could expand on the extent to which you believe it is an important role for DFC to pursue America's economic interests and strategic interests in securing for us many of the minerals and resources that are necessary to be competitive.

Ms. BISWAL. Thank you, Senator.

I do believe that not only is it critically important for the United States but it is important for the global community that there not be monopolistic reliance on any single actor for critical minerals, critical and essential supply chains, and I think, if confirmed, I would want to work with DFC to continue to support the diversification of important supply chains to invest in projects that build capacity on critical minerals and build the ability of nations to carry out trade in those minerals in multiple different directions.

I believe that DFC is already doing some important work in that respect, not only in Africa, but also a nickel mine in Brazil that DFC is working with in parts of Asia, et cetera, and, if confirmed, Senator, I would want to continue to lean into that direction as well.

Senator ROMNEY. I would hope that as you consider various alternatives—and I am sure the list of projects that you might invest in is enormously long—that in carrying out those evaluations and the selection of various projects that in each write-up there is an element that deals with the strategic either military or economic or political interests of the United States of America. Do you agree with that?

Ms. BISWAL. I do, Senator, and I do think that as we are advancing those strategic objectives, they are very much aligned with the development impact of the projects that we are financing, and I would want to showcase that as well.

Senator ROMNEY. Mr. Kagan, with regards to Malaysia—thank you for those responses. With regards to Malaysia what is their feeling right now? I know we in this country take great pride in the fact that we have lots of friends and our foes around the world do not have a lot of friends.

But I would submit that one of the reasons we have so many friends is because we have been the superpower—the sole superpower—and when there become alternatives and, in fact, in a region where we might not even be the strongest that friendship ends up being strained.

What is your sense now of the Malaysian people as well as its Government in terms of their sentiment with regards to the U.S. and with regards to the PRC?

Mr. KAGAN. Thank you very much for that question, Senator.

I think you have put your finger on what is our broader challenge across the region and I think, certainly, in Malaysia and that is that there is a great reservoir of goodwill towards the United States. At least when I served there from 2014 to 2017 I was constantly struck at the web of connections and web of ties that we have between our peoples and how powerful they are.

And the U.S. has been a very important investor and a very important trading partner in Malaysia and I think the quality of U.S. investment in Malaysia has had a particular impact, in particular the amount of training, the amount of investment that American companies have made in developing their staff and you see that in the number of companies that have been started by people who used to work at U.S. companies.

But at the same time there is no question that they are looking to see what we can do now and I think that they—my experience has been that they are eager to do more with the United States but at the same time that they are looking to other opportunities in the region and they are open to the significant inflows of investment and trade with China.

That creates a challenge for us. I think that we can meet that challenge by being engaged and, if confirmed, I would want to help lead that from the position of U.S. Ambassador to Malaysia.

But, look, we are going to be—we are going to be working very hard at this for a long time to come. I think that we are going to

need to be flexible, we are going to need to be engaged, and we are going to need to work with our allies and partners to strengthen our hand as we try and meet these challenges. Thank you, sir.

Senator ROMNEY. Thank you, Mr. Chairman?

Senator VAN HOLLEN [presiding]. Thank you, Senator Romney. And Senator Kaine, thank you for spelling me in the chair for a little while.

Senator KAINE. Absolutely. Thank you, Senator Van Hollen, and to all of the nominees, congratulations. You are well suited for your positions.

Mr. Libby, let me start with you. I just want to follow up a little bit on Senator Menendez with respect to Nagorno-Karabakh and the Lachin corridor being closed.

You talked about the peace process, the path forward as having a short-, medium-, and long-term component, which we completely get.

My worry, though, is the closure of the corridor should definitely be on the short-term, not for resolution of the long-term issues because it strands 120,000 ethnic Armenians without access to medical care, gasoline, food.

The U.S. has been pretty full throated in condemning the closure. Administrator Power with USAID, other U.S. officials, UNICEF, U.N. agencies have called for it to be open and I just would want your commitment that you will continue that clear U.S. message that however it takes to get us to a medium- and long-term solution the closure of this Lachin corridor by the Azerbaijani activists, likely with the backing of the Azerbaijan Government, is a clear and present challenge to those citizens and we should be doing all we can to expeditiously seek its reopening.

Do you agree with me on that?

Mr. LIBBY. Yes, Senator, I do, and thank you for that question.

That has a been a strong point by the administration, as you noted, by Administrator Power, and I share that sense of urgency. We have got to solve that problem and get traffic flowing again. I absolutely agree with that, sir.

Senator KAINE. Thank you very much.

Mr. Kagan, I want to ask you a question dealing with an issue that is important in Malaysia but also very important in Virginia, and it deals with the Chinese treatment of Uyghurs.

Malaysian Prime Minister Ibrahim has refrained from publicly criticizing China on the Uyghur genocide. But Malaysia has been a rare Muslim majority country that has been granting safe passage to Uyghurs and refusing to extradite them back to China.

Virginia is home of one of the largest Uyghur-American communities in the U.S., and many of those families have family members in the Uyghur area of China who are being persecuted.

We have been working with a number of Virginia families because their relatives have been unjustly imprisoned by the Chinese Communist Party simply for being Uyghur.

The CCP's widely documented genocide against Uyghurs and other ethnic and religious minority groups in Xinjiang remains a clear affront to human rights. You have been in Kuala Lumpur in the past. You know well Malaysia does appear more willing than

most Muslim countries to offer support to Uyghurs escaping persecution from the CCP.

What do you attribute that to and what more can we do to support the Malaysian Government in those humanitarian efforts?

Mr. KAGAN. Thank you very much for your question, Senator, and I want to start off by just saying I was remiss in not thanking you earlier for your very kind introduction, which I appreciate very much.

I think that there is a couple of things that you have put your fingers on. I think one is that Malaysia has a long history of tolerance and support for victims of political violence and for refugees.

I am going back to the large numbers of Vietnamese boat people who were harbored in Malaysia and many of whom then came on to the United States from there.

I think that there is also no question that Malaysians are very sensitive to the dynamics of oppression of Muslims around the world and I think that they are aware of the genocide and the repression and human rights abuses against Uyghurs.

So I think that this is an area where, if confirmed, I would want to do a couple of things. One is work with the Malaysian Government. But I think that in this it is also very important to work with Malaysian civil society to promote greater awareness and understanding of what is happening, and I think that we are lucky that in Malaysia there is a partner that is not turning a blind eye to the terrible things are happening in Xinjiang.

Thank you, Senator.

Senator KAINE. I think you are right. We are lucky to have a partner that recognizes that there is an awful lot of backsliding in the world against protection of those who are persecuted for human rights reasons and there is also, if not backsliding often a coldly business calculation that we could stand up for values but it might cost us in other ways and so people are not willing to stand up for values. Governments are not willing to stand up.

And so since Malaysia has a history of doing this that needs to not only be encouraged but even spot lit so that nations around the world understand the value that they are providing.

The last thing I will just say, Ms. Biswal, the OIG issued a report in fiscal year 2023 with sort of four top management challenges for your agency, and they are not really management challenges in the sense of big problems—I think morale was pretty high—but a new agency getting off the ground that is grappling with making the structure really work.

And I just would like your commitment. I think that OIG report was a solid one and I would just like your commitment that you would take that very seriously in working with this new agency to help it be all it can be.

Ms. BISWAL. Yes, Senator, you absolutely have that commitment and I, if confirmed, intend to focus quite a bit on the management aspects of the job.

Senator KAINE. Great. Thank you so much. Thanks to all the witnesses. I yield back.

Senator VAN HOLLEN. Thank you, Senator Kaine.

Senator Romney?

Senator ROMNEY. Mr. Libby, I am interested in your perspective of the people of Azerbaijan and how in the region there is a reaction to Russia's invasion in Ukraine, whether that has changed public opinion, whether that has changed political sentiment there, perspective of the Government, and what you see in terms of that dynamic.

Mr. LIBBY. Thanks, Senator. That is one of the things that makes this region so fascinating and so critically important.

Azerbaijan is, to my knowledge, the only country that borders both Russia and Iran and so it sits right smack in the middle of a strategic region and its role in the former Soviet space is, obviously, very important.

Azerbaijan has had an interesting balancing act to play but they have been quite helpful with regard to supporting Ukraine, fuel, food assistance, and even after this dam was destroyed last week sending in new packages of aid. They voted for the U.N. General Assembly resolution condemning the invasion and reaffirming Ukraine's territorial integrity.

This is an interesting and fairly forward leaning place for a country in the former Soviet space. If I am confirmed I think part of my job is going to be to try and get Azerbaijan further down that track.

Obviously, there is ties of kinship and ties of trade and so forth. But Azerbaijan has its own potential role as a conduit, as an energy source, and as a counterbalance to Russian influence in the region and that is one of the reasons that makes it so important.

Senator ROMNEY. Thank you, Mr. Libby.

Mr. Ehrenreich, help me understand what it means to be engaged in a free association with the United States for Palau. What does that mean to us, what does that mean to them, and are they broadly satisfied with that relationship at this point or is there some sentiment of concern?

Mr. EHRENDREICH. Thank you, Senator Romney, for the question.

The Secretary—I would refer to what Secretary Blinken said a couple weeks ago when he was in Port Moresby. The Compact of Free Association that we have with all three FAS states is the bedrock of our engagement in the Pacific, and I think in the Palau context that could not be more true.

Like I said in my opening statement, when we signed the agreement—the review agreement just a few weeks ago, President Whipps said, “God bless Palau, God bless the United States of America, God bless us all.”

This is the—not only is it the framework for our relations for the next 20 years and beyond, it is also a powerful symbol of the strength of the relationship for the United States—people of the United States and Palau and for any adversaries in the region who want to question how strong our relations are.

Senator ROMNEY. Thank you.

Ambassador Kierscht, my understanding is that Djibouti has recently agreed to allow China to build a enormous facility in the port to accommodate an aircraft carrier or substantial military resources that China might have. Clearly, the PRC is making a play to have greater and greater influence in Djibouti.

What should we be doing? And I know there is only so much an Ambassador can do and you want to have relationships with the people there and you want to interact with them.

But do we need to making far more private sector investments? Do we need to have more of an industrial policy where we are investing in projects in that country ourselves to be more competitive?

What actions do we need to take to make sure that this key player at the gateway to the Red Sea remains a friendly nation?

Ms. KIERSCHT. Thank you, Senator Romney, for raising that very critical question.

I would like to identify several things that in my current role as Ambassador to Mauritania we are working on because I think we do need to look at ways that we can push back against China.

For example, in Mauritania we have just launched a new project to help the Mauritians combat illegal, unregulated, and unreported fishing done by the PRC in their offshore waters, which robs Mauritania, really, of one of their prime natural resources.

If confirmed, I would seek to pursue similar avenues. But I think the U.S. has a really good story to tell about what we bring to the table, our transparency, our values, working with civil society, listening and learning from our partners in Djibouti.

In particular, we are working together with them to achieve their, as stated, economic development goals, which seek to develop their human capital and create jobs.

Through our USAID colleagues there right now we are working on several large programs in order to do just that. We are helping them do job creation as well as youth employment through workforce development programs, energy, education, and health programming.

We are also providing them with very robust security assistance in addition to our base. They have the only bilateral FMF allocation on the continent of Africa and we provide them with other state and DOD security assistance as well.

But, again, as you noted, we should probably also lean into engaging our private sector, using the tools that we have such as the development finance corporation, EXIM, USTDA, to really bring our private sector into that market as well. And, if confirmed, I would seek to leverage all of those tools.

Senator VAN HOLLEN. Thank you.

Senator Duckworth?

Senator DUCKWORTH. Thank you, Mr. Chairman. I would like to start by thanking all of our nominees for your lifelong dedication to public service and for making yourself available today. I am going to start with Ms. Biswal.

I have long argued that in order to meet the strategic challenge of the People's Republic of China we need to address the needs of our partners and allies around the world.

As the development financing arm of the United States the DFC plays a critical role in this effort. Nowhere is this more true than in Southeast Asia and, in particular, mainland Southeast Asia where the Belt and Road Initiative has financed billions of dollars for railroads, ports, and industrial projects.

On my regular visits to the region I repeatedly hear about a desire for more U.S. engagement and for alternatives to PRC's financing for major infrastructure projects.

How do you assess the initial success of the DFC and engaging in this area and what are your priorities in ensuring that the United States is competitive with the PRC in the infrastructure space in Southeast Asia?

Ms. BISWAL. Senator Duckworth, thank you so much for that question.

I agree wholeheartedly with you that this region is extraordinarily important and a priority for DFC. I believe to date DFC has projects nearly \$6 billion in financing in the Indo-Pacific region.

If confirmed, I would look to see how we can further scale up our programs, our project financing, particularly with respect to Southeast Asia and the nations of mainland Southeast Asia.

I do believe that there are many opportunities with a robust private sector to be able to address core priorities, including in energy security, in telecommunications, in building private enterprise, and I look forward to working with you, if confirmed, in understanding your priorities on these in this region as well.

Senator DUCKWORTH. Thank you. Well, following—the Blue Dot network—the Blue Dot network is a joint project with the United States, Japan, and Australia that supports investment in high-quality infrastructure projects around the world.

I think that is a great example for our regional—how our regional partners can increase our regional infrastructure area. It does not have to be all United States. I think our partners are important as well.

Is there more that the DFC can do to leverage our ability to convene allies to advance our goals globally and in the Indo-Pacific specifically? And I am looking to Japan and South Korea, for example.

Ms. BISWAL. Senator, I know that DFC has already created trilateral frameworks and agreements to work with Japan and Australia. They have a Quad framework through which they are working with Australia, Japan, and India in the region, and I know that there is a desire to be able to do additional programming with, for example, Taiwan.

And, if confirmed, I would look to see how we can further enhance our partnership and collaboration, including with South Korea, with multilateral institutions as well and leverage the investments of partners and allies to advance financing in the region.

Senator DUCKWORTH. Thank you. Thank you.

I want to return to Malaysia a little bit. I know we have talked a little bit already but, Mr. Kagan, as you well know economic and trade issues and climate change are major concerns for many of our Indo-Pacific partners.

According to the 2023 ASEAN survey carried out by Singapore's ISEAS—Yusof Ishak Institute Malaysian respondents cited the economy and climate change as their top two concerns.

Moreover, 60 percent expressed concerns about the growing economic influence of the PRC. But at the same time when those same respondents were asked whether the administration's premier eco-

conomic initiative of the Indo-Pacific Economic Forum, the IPEF, would be beneficial to Malaysia 60 percent of respondents answered either unsure or no.

Mr. Kagan, how do you assess current U.S. efforts to engage Southeast Asia and Malaysia, in particular, in the economic realm? What economic initiatives would you prioritize, if confirmed?

Mr. KAGAN. Thank you very much, Senator Duckworth, and I think it is an excellent question and it is one that is a major challenge for the administration but one that we have put considerable effort into trying to address.

I mean, one element—and we see this here with Nisha—is DFC. DFC is a very, very important tool and one that I think we can use more in the region as we expand the capacities that it has.

I think another one, obviously, is Indo-Pacific Economic Framework—the IPEF—which you referred to. I totally take the point that many—that a significant percentage of folks in Malaysia were either unaware of it or did not think it would be positive.

I think part of that is because it is very new and I think that the effort that we are trying to do with IPEF is to address challenges that traditional trade approaches have not always addressed, the kinds of challenges that we saw come to the fore during the pandemic where we realized over dependence on supply chains that run through one area have their own problems completely separate from whatever political issues are involved.

And so I think that IPEF is trying to address in four key areas things which we think really are important to the region and, clearly, it is not yet well known and often I think the jury is out in Malaysia in terms of the impact.

On the other hand, Malaysia was one of the partners that did sign on to pillar two, the supply chain pillar which was brought to conclusion in Detroit several weeks ago, and I think that is a sign that Malaysia recognizes there are different opportunities.

So, if confirmed, I would want to keep using the tools that we have that has strengthened DFC, IPEF engagement by other U.S. Government agencies, EXIM, USAID, though they do not do things directly in Malaysia but I think their efforts in the region are of value to the region and to ASEAN, of which Malaysia is a member.

And I think we would want, if confirmed, to keep pushing forward in those areas to—so that the region better understands the value of economic engagement with the United States and understands that we are seeking an affirmative agenda on economic engagement that tries to address the region and their concerns in ways that are valuable for them.

Senator DUCKWORTH. I think your mentioning of ASEAN is really important because so many of the powerful players within ASEAN have signed on to IPEF and I think that is a good way forward.

Thank you. I yield back, Mr. Chairman. I am over time.

Senator VAN HOLLEN. Thank you.

Thank you, Senator Duckworth.

As I went over to vote, my team kept me posted on different questions that had been asked. So let me just say to you, Mr. Libby, I associate myself with the questions of Senator Menendez.

So I was going to ask you about the Lachin corridor and how you can help resolve that pretty desperate situation as part of the broader effort you said with respect to Armenia and Azerbaijan.

Senator Romney and others touched on the Djibouti issue. Obviously, we have an important presence there but so does the PRC and, obviously, trying to reconcile those in a way that serves our interest is a priority.

I do have one last question for Mr. Ehrendreich and before I ask it—Senator Romney has to leave. I do want to—I do want to thank your wife, Rachel, who you introduced, who was in Consular Affairs, as you know, but just so others know and who was pivotal in helping an 89-year-old constituent of mine from Maryland get out of Sudan during the violence. So let me thank you for your efforts there.

So here is the question regarding Palau and I just—I should say that I just I gathered with a couple of my colleagues, some from this committee and others, at a meeting that was convened by the Ambassadors of Australia and New Zealand together with Senator Schatz and others, convened with a lot of the Pacific Island country Ambassadors, and some had representatives that serve in the United States and the United Nations.

And it was a great turnout and we had a great meeting, and I think that the Biden administration is doing a good job in signaling the United States wants to engage much, much more with the Pacific Island countries.

And you are going to, of course, play an important role in that effort if confirmed as the Ambassador to Palau. My colleagues have covered the issue of the Compact.

But one of the issues that comes up constantly with some of the Pacific Island countries has to do with encroachment on their EEZs and their fishing rights and the fact that many in the region, including the PRC, do not respect their sovereignty, whereas the United States stands for a free and open Pacific Ocean and respect for sovereignty.

Could you comment a little bit on what we can do to help Palau in particular defend their fisheries against incursions from others? These are countries that do not have a lot of resources, and to what extent is that part of our effort under the Compact?

Mr. EHRENDREICH. Thank you, Mr. Chairman, for the question.

Let me first say, I am very proud of my wife. She has been a wonderful consular officer for about 15 years now and, not only has she helped your constituents, I know she has helped hundreds if not thousands of people get out of Sudan and Ethiopia and Afghanistan and other places. Very, very proud of her.

In terms of Palau and PRC incursions and all, Palau is no stranger to PRC's aggressive and coercive activities in addition to the illegal incursions into their Exclusive Economic Zones, as you mentioned, and the IUU fishing.

Palau has been the victim of economic coercion with China turning off all tourism, I think, to Palau, and Chinese economic activities in Palau have brought allegations of cybercrime, drug, and human trafficking and corruption and money laundering.

What we can do to help Palau in terms of the EEZ and IUU issues is, one, to help Palau build its own capacity and we have

Coast Guard programs in place both to help with maritime domain awareness and the shiprider program in place.

USAID has active programs to help with IUU fishing more on the coastal fisheries management side. We also need to work with partners in the region—Japan, Republic of Korea, Australia. They are all interested in contributing to this—to solving this issue.

And then there is also the international effort, the Port States Measures Agreement, where the United States is trying to help countries like Palau become members and become active, and that is an international effort to end IUU fishing.

Senator VAN HOLLEN. Thank you.

I thank all of you for your testimony today. The record will be open until the close of business tomorrow, June 14th.

And this hearing is now adjourned. Thank you all.

[Whereupon, at 3:29 p.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. CYNTHIA KIERSCHT BY SENATOR JAMES E. RISCH

Question. In your view, what are the top three priorities for the U.S. bilateral relationship with Djibouti that you will advance or maintain as U.S. Ambassador, if confirmed?

Answer. Djibouti is a key strategic partner in accomplishing shared foreign policy and security goals in the region. The United States is committed to maintaining this long-term strategic partnership to counter regional instability and terrorism and thereby assure our enhanced security here at home. As such, our top priorities in Djibouti are maintaining strong support for the U.S. military presence, strengthening Djibouti's own capacity to contribute to regional security, supporting private sector-led economic growth, and reinforcing good governance. If confirmed, I will work with the Embassy country team and U.S. Government partners to pursue these priorities by strengthening civil society and government institutions, leveraging our development tools to support education, health, workforce development, and working to attract private sector investment.

Question. As you know, the U.S.' only enduring military installation in Africa is Camp Lemonnier in Djibouti. China also opened its first overseas base in Djibouti in 2017. As U.S. Ambassador to Djibouti, if confirmed, how will you balance the pursuit of U.S. bilateral interests in Djibouti with the U.S.' regional security interests and great power competition with China?

Answer. The United States is focused on building an enduring strategic partnership with Djibouti. Our African partners can help advance our global foreign policy priorities, including our priority to build lasting peace and security in the region. At the same time, we recognize the serious challenges the PRC presents in Africa. We will continue to counter the PRC's problematic efforts to build up its security infrastructure to project military power from Africa. If confirmed, my priority will be advancing U.S. national security interests in Djibouti and leveraging all available USG tools to counter efforts by our strategic and regional competitors to undermine those interests.

Question. What is your view of the role of a U.S. Ambassador in supporting democratic institutions and democratic governance?

Answer. Supporting democratic institutions and democratic governance is at the core of U.S. foreign policy and will be among my highest priorities. If confirmed, I will engage local interlocutors from all elements of society to advance these goals. I have prioritized these issues throughout my career, including in my current position as U.S. Ambassador to the Islamic Republic of Mauritania, and will continue to do so in Djibouti if I am confirmed.

Question. In your view, how can the United States better support the democratic aspirations of the people of Djibouti?

Answer. Advancement of democracy and human rights in Djibouti is a key component of our bilateral relationship. Our Embassy and high-level U.S. Government officials regularly promote democracy and good governance with Djiboutian officials, including discussions about electoral reforms advocated by the multilateral organizations like the African Union, and maintain dialogue with the opposition and Djibouti's nascent civil society to ensure that we remain in contact with all elements of Djiboutian society.

To promote better governance, our Embassy works to increase civil society participation in public service delivery. We also support programs to combat gender-based violence, protect victims of human trafficking, promote women's empowerment, and promote press freedom by building the capacity of Djiboutian journalists. If confirmed, I will continue to prioritize this important work.

Question. How would you practice commercial diplomacy on behalf of U.S. investments in Djibouti?

Answer. In Djibouti, we are promoting a vision for private sector-led economic development based on democratic governance, respect for human rights, and transparency. Our focus is on strengthening local capacity, creating jobs, and working with our partners and allies on economic development that is beneficial, sustainable, and inclusive over the long term. The Embassy Deal Team has engaged in advocacy on behalf of several U.S. investments and I commit to continuing to prioritize this work.

If confirmed, I would focus on working with interagency colleagues to explore how we can better support U.S. private sector engagement in Djibouti as an alternative to PRC investment. This could include exploring how to better leverage such USG agencies as DFC, EXIM, and USTDA, which support U.S. businesses overseas.

Question. What is your assessment of Djibouti's greatest barriers to increased two-way trade and investment with the United States?

Answer. Expanding our economic partnership with Djibouti is a key priority for both the U.S. and Djiboutian Governments. Djibouti receives trade benefits under the African Growth and Opportunity Act (AGOA), though bilateral trade and investment are relatively low due to the size of the Djiboutian economy and its limited manufacturing base. If confirmed I would work with the Djiboutian Government to ensure it interfaces effectively with the U.S. Government and private sector, U.S. agencies including DFC, EXIM, USTDA, and Prosper Africa, and the U.S. private sector to identify ways to grow trade and investment, particularly in sectors like the digital space, energy, and agriculture.

Question. What is your understanding of the tools at your disposal—including through Prosper Africa - as U.S. Ambassador to Djibouti, if confirmed, to support addressing barriers to trade and investment in the enabling environment, including the need for economic and political reforms?

Answer. The U.S. Government has a number of tools available to improve bilateral trade and investment, including Prosper Africa, DFC, EXIM, and USTDA, as well as AGOA. If confirmed, I will work with the host government and the country team to identify the most significant barriers to trade and investment in the enabling environment and the best tools to remedy them, including economic and political reforms. I would also underscore the importance of economic and political transparency in attracting private sector investment and work with private sector partners to advocate for needed reforms.

Question. How will you work with Prosper Africa leadership to ensure that Djibouti can benefit from Prosper Africa resources, tools and expertise?

Answer. Embassy Djibouti, as part of the Prosper Africa initiative, has an Embassy Deal Team that is very active in promoting U.S. economic opportunities in Djibouti. The Deal Team is engaged with the Prosper Africa Secretariat in Washington and Prosper Africa representatives in Johannesburg to share trade and investment leads and to solicit assistance from Prosper Africa, something I will continue if confirmed. We will continue advocacy work on behalf of U.S. companies investing in Djibouti, examples of which include Creative Energy Systems, a U.S. company which is building a waste to energy plant, and DJIBAH, a seafood processing plant. If confirmed, I commit to continue pursuing these and other opportunities.

Question. As U.S. Ambassador to Djibouti, if confirmed, how will you engage with President Guelleh on his role as the leader of this regional institution at a time of multiple acute crises with significant regional spillover effects, namely in Sudan, Ethiopia, Somalia and South Sudan.

Answer. Djibouti is a key strategic partner in accomplishing shared foreign policy and security goals in the region. As the host of the IGAD Secretariat and now as the chair of the organization, Djibouti will continue to play a central role in IGAD's efforts to support peace and security in the region. IGAD has played a significant role in supporting regional peace processes, including as an observer to the AU-led cessation of hostilities talks for Ethiopia. IGAD has also proactively offered support for peace efforts in Sudan and does essential work in the countering violent extremism space through its Center for Excellence in Countering and Preventing Violence Extremism.

If confirmed, I would engage President Guelleh and the IGAD Secretariat to understand their strategic vision and priorities to identify areas for further cooperation in support of U.S. objectives in the region.

Question. As U.S. Ambassador to Djibouti, if confirmed, how will you coordinate with U.S. Special Envoy for the Horn of Africa Hammer and other U.S. diplomats engaged on the multiple crises in the Horn of Africa?

Answer. I look forward to working closely with the Special Envoy and other stakeholders to promote peace and security in the region if I am confirmed. Djibouti is an essential partner on these issues as the host, and currently chair, of IGAD and has played an important role in past conflict resolution efforts in the region. I would welcome the Special Envoy to continue engaging regularly in Djibouti and to collaborate to identify new ways to advance U.S. peace and security goals.

Question. If confirmed, what concrete steps could you take to help Djibouti operationalize the prioritized recommendations contained in the TIP report?

Answer. If confirmed, I will vigorously engage the Government of Djibouti to meet minimum standards for the elimination of trafficking. In particular, I will highlight the recommendations in the 2023 TIP Report, including the need to increase efforts to investigate and prosecute trafficking crimes, improve victim identification and protection, and increase awareness of human trafficking among officials and the public. I will also work closely with the State Department's Office to Monitor and Combat Trafficking in Persons and other sources on programmatic opportunities to assist in promoting proactive action on this key issue.

Question. If confirmed, do you commit to portraying the reality of the trafficking situation in Djibouti in the annual country report as accurately as possible?

Answer. Yes, I commit to coordinating closely with the Office to Monitor and Combat Trafficking in Persons to ensure accurate and objective reporting on trafficking in the annual TIP Report.

Question. What is your assessment of this particular issue and if confirmed, how will you work with the Ambassador-at-Large for International Religious Freedom to bolster religious freedom in-country?

Answer. Djibouti's constitution mandates equality for people of all faiths and Djibouti's diverse population openly and freely practices a wide range of religions. If confirmed, I would welcome collaboration with the Ambassador-at-Large for International Religious Freedom and look for ways to leverage the expertise of IRF to capitalize on Djibouti's freedom of religion as a springboard for broader conversations. In my current role as U.S. Ambassador to the Islamic Republic of Mauritania, I have hosted two visits from the Ambassador-at-Large for International Religious Freedom.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes, I commit to engaging personally with civil society, including religious and human rights groups, to advance religious freedom and other human rights concerns. This has been a standard practice of mine throughout my career.

Question. If confirmed, what concrete steps can you take to help Djibouti increase their societal and governmental respect for religious freedom?

Answer. I would encourage the Embassy team to engage with all faith communities in Djibouti to understand their perspectives and concerns and coordinate with the host government and civil society leaders to promote and protect freedom of religion or belief, including to foster collaboration across faith communities. If confirmed, I would also commit to reporting accurate information for the annual International Religious Freedom report.

Question. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. If confirmed, I will ensure my Embassy staff meets with a wide range of civil society leaders on a regular basis to remain informed of the latest human rights issues, any changes to the overall situation, and to inform our policy and programmatic ideas on how to best improve the human rights situation in Djibouti. We will also seek appropriate programmatic opportunities to support civil society organizations to improve the human rights situation.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. If confirmed, I commit to personally engaging with civil society on a regular basis about issues related to human rights, including religious freedom, and other issues of concern. This has been a standard practice of mine throughout my career.

Question. If confirmed, please describe how you can work with USUN and IO colleagues to find, recruit, and retain qualified Americans in the U.N. system.

Answer. The Bureau of African Affairs works closely with IO and USUN on shared priorities and on all campaigns and hiring initiatives involving qualified American candidates for the U.N. system. If confirmed, I will continue to elevate these efforts in multilateral fora and with our African partners.

Question. If confirmed, please describe how you can work with USUN and IO colleagues to promote American or likeminded initiatives within the U.N. system, including on technical matters at specialized bodies.

Answer. If confirmed, I will work closely with USUN and IO to appropriately promote American or likeminded initiatives within the U.N. system, including on technical matters at specialized bodies, and to advance the candidacies of Americans by engaging with the Djiboutian Government, as appropriate. Djibouti often supports U.S. candidates for important multilateral posts and I would advocate for our initiatives and candidates with the Government and earn its continued support by communicating how we can advance our shared goals together within the U.N. system.

Question. How do you intend to work with senior leadership at the State Department to address acute staffing challenges at Mission Djibouti?

Answer. Ensuring our embassies are appropriately staffed is vital to fulfilling our mission to advance the interests of the American people. Limited infrastructure, health care challenges, and the post's remoteness are inherent impediments to recruitment. If confirmed, I will work with the management team at post and colleagues in Washington to identify and capitalize on opportunities to improve the community and recruit well qualified personnel to fill staffing gaps.

Question. What is your understanding of morale throughout Mission Djibouti?

Answer. I understand morale at post to be good. I acknowledge and appreciate the sacrifices the team makes every day as part of their service in Djibouti. If confirmed, I commit to listening to my team and doing all I can to support and improve morale.

Question. How do you intend to improve morale at Mission Djibouti?

Answer. If confirmed, I will do all I can to improve morale by empowering the diverse talent within the Embassy team, providing strategic direction, rewarding them appropriately, heeding work-life balance, and supporting them by improving access to training and resources to enable their success.

Question. How do you intend to create a unified mission and vision at Mission Djibouti?

Answer. If confirmed, I look forward to working with the diverse team at Embassy Djibouti. I will lead the country team to build on prior successes and chart a path forward to strengthen our partnership with Djibouti based on our shared foreign policy priorities and on the principles articulated in the U.S. Strategy for Sub-Saharan Africa and the AU's Agenda 2063.

Question. How would you describe your management style?

Answer. My management style is to be as transparent and collaborative as possible. I believe it is my job to ensure employees who work for me have the right resources and training and are empowered to do their job. I stand ready to provide appropriate coaching and consulting along the way. I also strive to ensure work-life balance, reward employees for excellent work, and set a positive tone and example for the Embassy.

Question. Do you believe it is ever acceptable or constructive to berate subordinates, either in public or in private?

Answer. No, it is never appropriate or acceptable to berate subordinates under any circumstances.

Question. How do you envision your relationship with the Deputy Chief of Mission?

Answer. The Deputy Chief of Mission is an essential partner and important advisor in successfully managing an Embassy. If confirmed, I would look to my DCM to provide honest counsel on issues ranging from policy to personnel issues, to lead and mentor the country team (especially first- and second-tour officers), to proactively identify and solve all but the most challenging management issues, and to promptly engage me on any concerns that require my intervention.

Question. If confirmed, what leadership responsibilities do you intend to entrust to your Deputy Chief of Mission?

Answer. I intend to entrust my DCM with serving as the first line of executive leadership at the Mission, including supervising and mentoring our diverse inter-agency team, developing the talent of our first- and second-tour officers, and proactively leading our management platform to meet the needs of the Mission.

Question. Do you believe that it is important to provide employees with accurate, constructive feedback on their performance in order to encourage improvement and reward those who most succeed in their roles?

Answer. Yes, I think providing accurate, constructive, and timely feedback is at the core of effective mentorship and leadership. I equally believe it important to acknowledge and reward good performance.

Question. If confirmed, would you support and encourage clear, accurate, and direct feedback to employees in order to improve performance and reward high achievers?

Answer. Yes, I believe providing clear, accurate, direct, and timely feedback to employees is essential to maintaining good morale, building skills and cultivating talent within the Department. I would also commit to rewarding high achievers as a positive acknowledgement of their performance.

Question. In your experience, do U.S. diplomats get outside of our Embassy walls enough to fully accomplish their missions?

Answer. Engaging with the local population and key contacts and decisionmakers is at the core of diplomacy. As a leader I take seriously the need to balance this imperative with taking appropriate safety precautions to protect the lives and health of our employees.

Question. How do you intend to improve the ability of U.S. diplomats to better access all local populations?

Answer. If confirmed, I will work with the Embassy regional security officer and other security professionals to develop and regularly assess Embassy security guidelines to ensure our diplomats are able to do their work while remaining safe. While Djibouti is not a high threat, high risk post, Diplomatic Security approved 94 percent of movement requests in high threat high risk posts to engage local governments and populations so I'm confident our teams will have the ability to continue engaging our local partners.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. CYNTHIA KIERSCHT BY SENATOR MARCO RUBIO

Question. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Earlier this year, the Director of National Intelligence testified that "the CCP represents both the leading and most consequential threat to U.S. national security and leadership globally." Under President Xi, the Chinese Communist Party (CCP) has become more repressive at home and more aggressive abroad, seeking to undercut U.S. influence and alliances. If confirmed, I will advance U.S. national security interests and push back against PRC efforts to expand its problematic influence, through robust and forthright diplomatic engagements, public diplomacy, and commercial advocacy to bolster U.S.-Djibouti ties.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. The Administration assesses the Chinese Communist Party's (CCP) activities in the context of the fact that, as Secretary Blinken has said, the CCP has become more repressive at home and more aggressive abroad. According to the Office of the Director of National Intelligence's 2023 Annual Threat Assessment, the CCP is seeking to "undercut U.S. influence, drive wedges between Washington and its partners, and foster some norms that favor its authoritarian system."

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. As the United States competes vigorously with the PRC, the United States manages this competition responsibly so that competition does not veer into conflict. The United States will work with the PRC to address transnational challenges, such as climate change, when it is in our interest to do so—as Secretary Blinken has said, not as a favor to us or anyone else, and never in exchange for walking away from our principles, but because it is what the world expects. If confirmed, I will work with the Department of State's new Office of China Coordination to advance U.S. objectives and counter harmful behavior by the PRC and other actors in Africa.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the country in which you will work?

Answer. If confirmed, my priority will be advancing U.S. national security interests in Djibouti and countering efforts by our strategic and regional competitors to undermine those interests. The Administration has been clear that the PRC is the most consequential geopolitical challenge facing the United States, and that the United States is committed to working to strengthen our partners in the region. If confirmed, I will work closely with Department of State and interagency colleagues and Congress to address China's efforts to expand its influence in Djibouti and the region.

Question. What is your characterization of the existing relationship between the PRC and Djibouti?

Answer. The PRC-Djibouti relationship is a pragmatic one centered on the PRC's financial support for infrastructure development, trade, security assistance, and the PLA base. The sustainability of Djibouti's debt to the PRC is of particular concern. Across the continent, we have seen that many PRC-backed loans are not transparent and invested in projects designed to extract resources and short-term profits for PRC benefit. According to the World Bank and IMF, Djibouti is currently in debt distress and the PRC or PRC-related entities hold the majority of that external debt.

Question. China is developing port facilities, infrastructure, railway, airports, and a pipeline for Djibouti. If confirmed, how would you counter CCP influence in Djibouti?

Answer. U.S. policy is not to ask our partners to choose between the United States and the PRC, but rather to offer alternatives. In Djibouti, we are promoting a vision for economic development based on democratic governance, market principles, respect for human rights, and transparency. In response to Djibouti's stated economic development goals, we are focusing on strengthening local capacity, creating jobs, and working with our partners and allies on economic development that is beneficial, sustainable, and inclusive over the long term.

Question. What is the significance of the CCP pier which can accommodate larger ships, such as aircraft carriers or submarines?

Answer. The PLA military base established in Djibouti in 2017 enhances the PRC's capability to project power outside the PRC's borders and immediate periphery to advance its foreign policy and secure its interests. In the case of Djibouti, this means extending its influence in the western Indian Ocean and Red Sea region, although at the current time the base primarily provides logistical functions, like fueling and provisioning. The PRC's rapid and opaque military buildup in Africa, including ambitions to establish more bases, is a major concern.

Question. Are there opportunities for the Development Finance Corporation in Djibouti to compete with the CCP?

Answer. The Development Finance Corporation (DFC) is one of several tools available to the U.S. Government to provide debt financing, equity investments, and technical assistance to African countries, such as Djibouti, and provide them alter-

natives to PRC investment and loans. In Djibouti, there are several pending infrastructure and development projects that may be candidates for DFC support.

Question. Besides security assistance and hosting military forces, how is Djibouti making choices about its preferred strategic partner?

Answer. Our Embassy in Djibouti is focused on ensuring that the United States remains a key partner to Djibouti. It helps guide U.S. investment centered around Djiboutians, thereby offering a different development model than PRC's investment and lending. The Embassy invests millions of dollars of assistance in programs that build economic opportunity, give Djiboutian youth job skills, support women's economic empowerment, and save lives.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO JOEL EHRENDREICH BY SENATOR JAMES E. RISCH

Trafficking in Persons

In the State Department's 2022 Trafficking in Persons Report, Palau was listed as Tier 2 Watch List for some minor improvements but overall still does not meet the minimum standards to eliminate trafficking.

Question. If confirmed, what concrete steps could you take to help Palau operationalize the prioritized recommendations contained in the TIP report?

Answer. The Embassy has worked closely with the Ministry of Justice and other stakeholders to encourage and increase the Government's anti-trafficking efforts. The 2023 TIP Report will be released on June 15, just two days from now, and that report will show the results of our close cooperation during the reporting period.

In his State of the Republic Address in April 2023, President Whipps cited encouraging steps his government made to address recommendations from the 2022 TIP Report, including a national action plan, interagency task force, and amendments to anti-trafficking laws.

If confirmed, I would look forward to working with the Government of Palau as partners in our effort to end modern day slavery. I will continue working in close partnership with the Ministry of Justice and other stakeholders to further improve Palau's anti-trafficking efforts, consistent with the prioritized recommendations in future TIP Reports. For example, if the 2023 TIP Report recommends training officials on victim identification, then I would work with the Ministry of Justice and other stakeholders to encourage and monitor the implementation of such training.

Question. If confirmed, do you commit to portraying the reality of the trafficking situation in Palau for the annual country reports as accurately as possible?

Answer. Yes, an accurate TIP Report is imperative to identifying the drivers of trafficking and prescribing actionable recommendations that will lead to the structural change necessary to end human trafficking. If confirmed, I commit to portraying the reality of the trafficking situation in Palau in the annual country narrative and to working with Congress, the Government of Palau, and the interagency to encourage the Government to increase trafficking investigations and prosecutions and to proactively identify and protect victims.

Religious Freedom

In the State Department's 2022 International Religious Freedom report, Palau was noted as having general societal respect for religious freedom with no noted events in 2022.

Question. What is your assessment of this particular issue and if confirmed, how will you work with the Ambassador-at-Large for International Religious Freedom to bolster religious freedom in-country?

Answer. I appreciate the longstanding Congressional support on freedom of religion. As Secretary Blinken has stated, the United States maintains its unwavering support to promote respect for and protect freedom of religion or belief for all. Freedom of religion is an ideal which the United States and Palau share, and Palau has demonstrated societal and government respect for religious freedom. If confirmed, I will work together with the Ambassador-at-Large to explore additional ways to promote religious freedom and interfaith dialogue.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes.

Question. If confirmed, what concrete steps can you take to help Palau increase their societal and governmental respect for religious freedom?

Answer. Embassy Koror, with the assistance of U.S. military chaplains, has conducted a broad range of engagements with the Palauan Government and with a variety of religious groups. If confirmed, I will continue to support these important engagements, which promote religious freedom and interfaith cooperation. I will encourage the Government of Palau to become party to the International Covenant on Civil and Political Rights, to strengthen its support of freedom of religion or belief.

Human Rights

In the State Department's 2022 Human Rights Report, Palau was noted as having significant government corruption.

Question. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. As our Human Rights Report describes, corruption among officials in Palau was reported as a problem, although it's worth noting that the Government took steps to investigate and prosecute officials allegedly engaged in human rights abuses or corruption. We also welcomed Palau's participation in the last Summit for Democracy, where Palau endorsed the Declaration of the Summit for Democracy, thereby making political commitments to counter corruption and to protect human rights and media freedom.

The United States places great importance on civil society and, if confirmed, I will continue our strong advocacy in support of civil society in Palau's anti-corruption efforts and the promotion of human rights.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes. If confirmed, I will personally engage with civil society on human rights and anti-corruption efforts. I firmly believe that the promotion of human rights and the reduction of corruption are in the interests of the people of Palau. If confirmed, in addition to engaging civil society, human rights advocates, and other non-governmental organizations on human rights issues, I look forward to meeting regularly with Palauan Government officials to affirm U.S. support for human rights and countering corruption. I will also use public diplomacy to highlight U.S. Government actions around the world, and I will describe the stark contrast of our commitment to countering corruption vis-a-vis the actions of authoritarian regimes in the region who use corruption as a tactic to interfere in the internal affairs of other countries.

International Organizations

Question. If confirmed, please describe how you can work with USUN and IO colleagues to find, recruit, and retain qualified Americans in the U.N. system.

Answer. The Bureau of East Asian and Pacific Affairs works closely with IO and USUN on shared priorities and on all campaigns and hiring initiatives involving qualified American candidates for the U.N. system. If confirmed, I will continue to elevate these efforts in multilateral fora and with our partners in the region and in my engagements with U.S. citizens.

Question. If confirmed, please describe how you can work with USUN and IO colleagues to promote American or likeminded initiatives within the U.N. system, including on technical matters at specialized bodies.

Answer. I have immediate experience over the past year working with USUN and IO—as well as the Government of Japan as a partner—to successfully advance several American candidates. If confirmed, I will continue to work with USUN and IO colleagues to advance the United States' affirmative agenda for the U.N. and strengthen partnerships with traditional and non-traditional partners, including in U.N. specialized agencies. U.S. re-engagement at the U.N. system is critical to re-asserting U.S. leadership, including by working with our partners and allies to promote initiatives that advance shared priorities on technical matters.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO JOEL EHRENDREICH BY SENATOR MARCO RUBIO

In May 2022, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological

power to do it.” The Chinese Communist Party (CCP) clearly holds the reins of power in the People’s Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit, by far the largest quantity of greenhouse gases in the world today.

Question. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Yes. Earlier this year, the Director of National Intelligence testified that “the CCP represents both the leading and most consequential threat to U.S. national security and leadership globally.” Under President Xi, the CCP has become more repressive at home and more aggressive abroad, seeking to undercut U.S. influence and alliances. If confirmed, I will advance U.S. national security interests and push back against PRC efforts to expand its problematic influence, through robust and forthright diplomatic engagements, public diplomacy, and commercial advocacy to bolster U.S.-Palau ties.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. The Administration assesses the Chinese Communist Party’s (CCP) activities in the context of the fact that, as Secretary Blinken has said, the CCP has become more repressive at home and more aggressive abroad. According to the Office of the Director of National Intelligence’s 2023 Annual Threat Assessment, the CCP is seeking to “undercut U.S. influence, drive wedges between Washington and its partners, and foster some norms that favor its authoritarian system.”

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. Yes, as the United States competes vigorously with the PRC, the United States manages this competition responsibly so that competition does not veer into conflict. The United States will work with the PRC to address transnational challenges, such as rising sea levels and increased frequency of natural disasters, when it is in our interest to do so—as Secretary Blinken has said, not as a favor to us or anyone else, and never in exchange for walking away from our principles, but because it is what the world expects. If confirmed, I will work with the Department of State’s new Office of China Coordination to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the region.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People’s Republic of China in the country in which you will work?

Answer. If confirmed, my priority will be advancing U.S. national security interests in Palau and countering efforts by our strategic and regional competitors to undermine those interests. The Administration has been clear that the PRC is the most consequential geopolitical challenge facing the United States, and that the United States is committed to working to strengthen our partners in the region. If confirmed, I will work closely with Department of State and interagency colleagues and Congress to address China’s efforts to expand its influence in Palau and the region.

The Biden administration signed a Compact of Free Association with Palau in late May, and it now awaits Congressional approval. As we have seen, the CCP aims to disrupt the international rules-based order and has made inroads in the Indo-Pacific to challenge the U.S. position. This has been while this administration has been prioritizing advancing extreme social policy. Signing the Compact is an important first step to our allies and partners in the region, as well as those considering partnerships with the CCP. However, in order for the U.S. to maintain its dominant position and security presence in the region, the U.S. needs to focus on tangible national security objectives and the advancing American interests:

Question. If confirmed, what are your priorities regarding countering the CCP in Palau and the larger region?

Answer. My priorities stem from our National Security Strategy, Indo-Pacific Strategy, and Pacific Partnership Strategy, which describe in no uncertain terms that the United States faces unprecedented challenges from the People’s Republic of China. The strategies highlight the importance of enhancing our relationships with allies and partners, to include a specific focus on deepening ties with Pacific Island Countries.

If confirmed, I would work with interagency partners including the Department of Defense, USAID, Department of Interior, and others on furthering our activities related to the Compact of Free Association. More generally, I would also work with interagency partners, such as Coast Guard and FBI, on other areas of cooperation, such as building Palau's capacity in maritime domain awareness and maritime law enforcement capabilities. I would also work with our close partners in the country—Japan, Australia, and Taiwan have representatives—to promote our shared interest in a free and open Indo-Pacific region.

Question. Do you have concerns regarding the current compact not going far enough in some areas regarding our partnership to counter CCP influence?

Answer. I see the Compact and its current related agreements as the blueprint for our relationship, and they have robust defense, security and economic provisions which serve as not just powerful symbols, but also strong tools for dealing with CCP's attempts to gain influence. The Compact also may be regarded by other Pacific Island Countries as a public indicator of U.S. commitment to the region.

As I said during my hearing, I believe the strength of our partnership was confirmed by President Whipps at the signing of the 2023 Compact Review Agreement by saying "God bless Palau! God bless the United States of America! God bless us all!"

I would add that our partnership with Palau ties together with our regional diplomacy. Our launch of the Partners of the Blue Pacific, our role as dialogue partner in the Pacific Islands Forum (PIF), our leaders-level engagements with Pacific Island Countries, our enhanced diplomatic engagement in the region to include new embassies and our first-ever special envoy to the PIF, and other initiatives all enhance our position in the region and our ability to counter our adversaries.

Question. If confirmed, what would you do to keep China out of Palau?

Answer. Under the Compact of Free Association, we maintain responsibility and authority for all defense and security matters in or relating to Palau, and access to Palau by any third parties' militaries is foreclosed, subject to the terms of the Compact. DoD has access to facilities in Palau and regularly conducts training and exercises in Palau's territory. DoD also maintains active communication with the Government of Palau on defense and security-related matters. The United States also has established defense sites in Palau, including the Tactical Multi-Mission Over-the-Horizon Radar site (TACMOR).

If confirmed, I will look for opportunities to partner with Palau and align with our allies and partners to expand diplomatic, development, and people-to-people ties that will strengthen Palau's resilience and ability to avoid predatory economic practices. If confirmed, I will work swiftly to support good governance, transparency, and anti-corruption efforts. I will also work with Congress to advance U.S. interests in the region and sustain the progress achieved through this partnership.

Question. Do you believe an aggressive left social policy should supplant national security objectives or American prosperity in our work with Palau?

Answer. I believe that Palau—like most of the world—looks to the United States as the beacon of light for the values people around the world cherish: democracy, freedom, equality, respect for human rights, and respect for the rule of law. We have a rich and deep history with Palau, and Palauans know the United States very well. For just one example, approximately 500 Palauans are currently serving in the U.S. Armed Forces—a per capita rate higher than any U.S. state.

I am confident that as our two countries' societies continue to evolve, as societies always do, our relationship with Palau will continue to advance U.S. national interests including improving our national security and prosperity. If confirmed, my efforts in Palau will seek to further deepen and expand this close relationship to ensure the advancement of our national interests.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO MARK W. LIBBY BY SENATOR ROBERT MENENDEZ

Lachin Corridor

I am deeply concerned by Azerbaijan's more than 180-day blockade of Nagorno Karabakh.

Question. If confirmed, would you commit to keeping sanctions on the table as a tool to pressure Azerbaijan to end its cruel blockade?

Answer. Yes. I do not rule out the use of any of the tools at our disposal to achieve the U.S. goals of: promoting a just and durable peace agreement between Armenia and Azerbaijan; prioritizing the rights and security for the residents of Nagorno-Karabakh; and restoring free and open transit for civilian and commercial traffic through the Lachin corridor. If confirmed, I will forcefully and directly advocate with the Azerbaijani Government for: unhindered civilian and commercial traffic through the Lachin corridor; transparency into the situation in Nagorno-Karabakh; the rights and security of all the people who live there; and a just and durable peace agreement between Armenia and Azerbaijan.

Azerbaijani Ties with Russia

During a recent summit in Moscow, the Azerbaijani leader claimed that Russia supported his plan for a corridor to Nakhchivan, a declaration that surprised the Armenian Prime Minister. Moreover, Azerbaijan began importing Russian gas in November to meet its domestic needs as it increases exports to the European Union. While Russia ignores the security guarantees that it gave to Armenia, Azerbaijan appears to be getting closer to Russia.

Question. How do you assess the state of Azerbaijan's relationship with Russia?

Answer. Azerbaijan occupies a difficult, strategically important geographic space between Russia and Iran. Russia pursues its own geostrategic interests in the South Caucasus and benefits from regional destabilization that creates the conditions for its continued military presence in neighboring countries. I strongly support U.S. policy that every country has a sovereign right to determine its international relations. Azerbaijan, like every other country—former Soviet state or not—has the right to pursue its foreign relations as it chooses, in the furtherance of its own interests, and in accordance with international law. The Department has made this clear publicly, at the highest levels in private discussions with regional partners, and with Russia, which should not attempt to undermine this right. Azerbaijan has demonstrated its willingness to resist Russian pressure by refusing to join the Eurasian Economic Union or rejoin the Collective Security Treaty Organization. Azerbaijan voted in favor of U.N. General Assembly Resolution 68/262, which affirmed Ukraine's territorial integrity and condemned Russia's occupation of Crimea. It has offered humanitarian and energy support to Ukraine following Russia's further invasion. If confirmed, I will do all I can to encourage Azerbaijan to continue such policies.

Question. How can we prevent Azerbaijan from financing Putin's war in Ukraine to enable its deals with the European Union?

Answer. Azerbaijan's energy resources and long-term interest in integration with the West bolster its ability and willingness to maintain independence from Russia. Azerbaijan and the United States have worked closely in developing the 16 billion cubic meter per year (bcma) Southern Gas Corridor project, which brings natural gas from Azerbaijan's Shah Deniz field to Europe. Azerbaijan signed a deal with the European Union to double its natural gas exports to the EU by 2027, which the United States strongly supports. If confirmed, I will seek to prioritize the importance of Azerbaijan's continuing efforts to support European energy security following Russia's further invasion of Ukraine.

907 Waiver

I have long called for ending all security assistance to Azerbaijan, including through efforts to end the 907 waiver all together.

Question. Do you think the United States should be providing any form of security assistance or International Military Education & Training (IMET) to a country that attacked its neighbor in September, began a war that killed over 6,500 people in 2020, and is currently blockading a vulnerable population?

Answer. I am firmly committed to implementing the letter and spirit of the FREEDOM Support Act, as well as the recommendations of the 2022 GAO report, and all other statutory requirements including "Leahy" provisions for vetting foreign security assistance. If confirmed, I will recommend to the Administration only those policies and programs that best serve the interests and goals of the United States in Azerbaijan and in the region—and that have no negative effect on efforts to find a peaceful settlement in the conflict between Azerbaijan and Armenia. The United States carefully reviews assistance for Azerbaijan to ensure it fulfills these criteria. If confirmed, I will faithfully and scrupulously work to ensure that U.S. assistance to Azerbaijan continues to meet those conditions. U.S. security assistance to Azerbaijan promotes U.S. national security interests including counterterrorism, combating the proliferation of weapons of mass destruction, securing critical energy infrastructure, and combating narcotics trafficking and human trafficking. Through E-

IMET, professional military education exposes Azerbaijani military servicemembers to U.S. and NATO precepts, including civilian control of the military, human rights, and adherence to the law of war.

Armenian Genocide

I am very proud that the Senate took the important step four years ago in recognizing the Armenian Genocide with the passage of my bipartisan resolution. Not only does recognition of the past give some solace to the victims and their descendants, but being honest about this ultimate crime helps us to ensure that the crimes of the past are not repeated.

Question. If confirmed, do you commit to putting out an annual statement on Armenian Genocide Remembrance Day reaffirming this ultimate crime?

Answer. Yes, I do. Your leadership on this issue has underscored the importance of recognizing the Armenian genocide. The President's last three annual statements have mourned the one and a half million Armenians who lost their lives in the Armenian genocide during the final years of the Ottoman Empire. Acknowledging and reckoning with painful periods in history, such as the Armenian genocide, is a critical step towards building a foundation for a more just and tolerant future. In this year's statement, the President asked us to recommit "to speaking out against hate, standing up for human rights, and preventing atrocities." If confirmed, I pledge to amplify this message and subsequent annual statements from the President on Armenian Remembrance Day.

Question. Do you believe that if Azerbaijan were to exert full territorial control over Nagorno-Karabakh (NK) the ethnic Armenians living there would be safe? Do you commit to fully advocating for the protection and security of all people living in Nagorno-Karabakh?

Answer. I am deeply concerned about the rights and security of ethnic Armenians in Nagorno-Karabakh (NK). Following the closure of the Lachin corridor roadway and in light of the worsening humanitarian situation in NK, we should press for the immediate restoration of food and humanitarian deliveries even as we redouble our diplomatic efforts to bring peace to the region. This means strenuously pressing Azerbaijan to allow the immediate delivery of food and other vital humanitarian supplies into NK—and pressing for transparency via an international implementing partner to monitor the rights and security of ethnic Armenians living there once a settlement has been agreed. If confirmed, I commit to advocating fully and energetically for the rights and security for the ethnic Armenian residents of Nagorno-Karabakh both immediately and as part of a just and durable peace agreement. That is, and in my view must remain, a central focus of U.S. diplomatic efforts.

Question. Will you commit to strongly condemning Azerbaijani efforts to block humanitarian access to Nagorno-Karabakh?

Answer. Yes. I strongly condemn Azerbaijani actions which have resulted in the blocking of humanitarian access to NK and will continue to do so if confirmed.

Question. President Aliyev has publicly threatened the lives and security of ethnic Armenians. Will you unequivocally condemn this kind of incendiary rhetoric and take steps to stop it?

Answer. Yes. I condemn any sort of threatening and incendiary rhetoric. If confirmed, I will use my position in Baku to press the Government of Azerbaijan, publicly and privately, to negotiate seriously without resorting to threats or inflammatory rhetoric.

Question. As the United States continues to facilitate talks between Armenia and Azerbaijan will you commit to prioritizing and ensuring the durable safety and security of all people, including ethnic Armenians in Karabakh?

Answer. Yes. A durable and dignified negotiated peace agreement must provide for the safety and security of all persons in the region, including the ethnic Armenians of NK. If confirmed, I will consistently advocate for the human rights of all persons in the region while doing all I can to encourage such a settlement.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
 SUBMITTED TO MARK W. LIBBY BY SENATOR JAMES E. RISCH

Trafficking in Persons

In the State Department's 2022 Trafficking in Persons Report, Azerbaijan was upgraded to Tier 2 or continued efforts to meet the minimum standards to eliminate trafficking, but more work remains to improve the trafficking situation in country.

Question. If confirmed, what concrete steps could you take to help Azerbaijan operationalize the prioritized recommendations contained in the TIP report?

Answer. I support the Administration's strong commitment to combatting trafficking in persons and, if confirmed, I will pursue this goal vigorously in Azerbaijan. The United States has already implemented programs in Azerbaijan to improve the capacity of government and civil society actors to assist victims of trafficking.

The Department of State and the Embassy in Baku have welcomed the cooperation Azerbaijan has shown on trafficking issues, and if confirmed I would capitalize on this willingness to work together to tackle the challenges that remain. Although the Government of Azerbaijan has increased some of its efforts, I commit to advocating for stronger victim protection, including proactively identifying labor and internal trafficking victims, child trafficking victims, and implementing victim-centered approaches. If confirmed, I will continue promoting opportunities for U.S. capacity-building assistance to support victims.

I will also redouble our political outreach to ensure that Azerbaijan stays the course on our recommendations, to include investigating and prosecuting perpetrators of trafficking, providing adequate penalties for those convicted, and increasing proactive identification efforts for trafficking victims.

Question. If confirmed, do you commit to portraying the reality of the trafficking situation in Azerbaijan in the annual country report as accurately as possible?

Answer. Yes. As with all Congressionally mandated reports, I pledge to guide our Embassy team in Baku to report on the trafficking situation in Azerbaijan accurately and completely. I will personally emphasize the importance of this issue in my political engagement with the Azerbaijani Government.

Religious Freedom

In the State Department's 2022 International Religious Freedom report, Azerbaijan was listed as having a lack of governmental and societal respect for religious freedom with noted government instances of intimidation or abuse.

Question. What is your assessment of this particular issue and if confirmed, how will you work with the Ambassador-at-Large for International Religious Freedom to bolster religious freedom in-country?

Answer. Azerbaijan is a Shi'a Muslim majority country with a history of religious tolerance. Followers of many different religions are able to practice their faith in Azerbaijan. Nevertheless, as you noted, the Department's annual International Religious Freedom Report on Azerbaijan documented the difficulties some religious groups face in registering their organizations and official harassment some experience in trying to practice their faith, among other issues.

If confirmed, I will work closely and directly with the Ambassador at Large and his team to improve religious freedom in Azerbaijan. I understand that the Ambassador at Large sent a team to visit Baku in March, and that they were able to press the Government on these very important issues. If confirmed, I look forward to following up on their findings and engaging the Government publicly and privately to uphold its international commitments regarding freedom of religion or belief.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes. If confirmed, I will ensure the team at Embassy Baku continues to monitor the status of religious freedom in Azerbaijan through regular meetings—including by me personally—with civil society representatives, including those of religious organizations, and human rights activists.

Question. If confirmed, what concrete steps can you take to help Azerbaijan increase their societal and governmental respect for religious freedom?

Answer. If confirmed, I will urge the Azerbaijani Government to improve societal and governmental respect for religious freedom. Specifically, I will forcefully advocate for improvements in areas of concern identified in State Department reports, including facilitating the registration of all religious groups, allowing members of re-

ligious groups to choose their own leaders, and protecting the rights of members of all groups, as outlined in Azerbaijan's constitution. I will engage regularly with civil society, including with people from faith groups across the spectrum, to amplify our messaging to the Azerbaijani Government and underscore U.S. support for this important issue.

Human Rights

In the State Department's 2022 Human Rights Report, Azerbaijan was listed as having a long list of significant human rights abuses, including political prisoners, limits on freedom of expression and the media, corruption, and much more.

Question. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. Human rights are at the heart of this Administration's foreign policy, and they are a key part of U.S. bilateral engagement with Azerbaijan. I believe the United States should use all the tools in its diplomatic toolbox to promote respect for human rights and fundamental freedoms in order to create a stronger foundation for Azerbaijan's long-term security and stability. If confirmed, I will urge the Azerbaijani Government at the highest levels to create an environment in which NGOs, the media, political parties, religious groups, and the private sector can operate freely. I will work to ensure U.S. foreign assistance continues to promote free and open exchange of information, democracy and human rights.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes. If confirmed, such meetings will be among my top priorities—both upon arriving in Azerbaijan and throughout my tenure in Baku. I will continue the Embassy's current commitment to meeting with a full range of non-governmental and civil society figures, including human rights defenders, NGO representatives, and independent journalists, to demonstrate our support for pluralism and fundamental freedoms. If confirmed, I will express publicly and privately U.S. concerns about the shrinking space for civil society and restrictions on fundamental freedoms. Azerbaijani progress in this area would help to deepen its bilateral relationship with the United States and enhance the country's long-term security.

International Organizations

Question. If confirmed, please describe how you can work with USUN and IO colleagues to find, recruit, and retain qualified Americans in the U.N. system.

Answer. I believe that it is vitally important to U.S. national security that the United States and our like-minded allies and partners do not cede influence in the U.N. system to those who do not share our values and are not committed to the foundational principles of the U.N. If confirmed, I will work closely with the International Organizations Bureau, the Government of Azerbaijan, diplomats from allies and partner countries, and other stakeholders to augment the number of Americans in the U.N. system, while encouraging citizens of likeminded nations to work throughout the U.N. system.

Question. If confirmed, please describe how you can work with USUN and IO colleagues to promote American or likeminded initiatives within the U.N. system, including on technical matters at specialized bodies.

Answer. Although Azerbaijan has not always been as aligned with the United States in the U.N. as we might hope, if confirmed, I commit to working regularly with the Government in Baku to advance U.S. interests in U.N. institutions. My team and I will maintain regular contact with Azerbaijan counterparts—and with colleagues in USUN and IO—to ensure maximum coordination on upcoming votes and other actions in the U.N. and other multilateral bodies, including actions to stand with Ukraine. My team and I will continue to seek opportunities for further cooperation with Azerbaijan on these important issues.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO MARK W. LIBBY BY SENATOR MARCO RUBIO

Question. In May 2022, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds the reins of power in the People's Re-

public of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit, by far the largest quantity of greenhouse gases in the world today. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. Earlier this year, the Director of National Intelligence testified that “the CCP represents both the leading and most consequential threat to U.S. national security and leadership globally.” Under President Xi, the CCP has become more repressive at home and more aggressive abroad, seeking to undercut U.S. influence and alliances. If confirmed, I will advance U.S. national security interests and push back against PRC efforts to expand its problematic influence, through robust and forthright diplomatic engagements, public diplomacy, and commercial advocacy to bolster U.S.-Azerbaijan ties.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. The Administration assesses the Chinese Communist Party’s (CCP) activities in the context of the fact that, as Secretary Blinken has said, the CCP has become more repressive at home and more aggressive abroad. According to the Office of the Director of National Intelligence’s 2023 Annual Threat Assessment, the CCP is seeking to “undercut U.S. influence, drive wedges between Washington and its partners, and foster some norms that favor its authoritarian system.”

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. As the United States competes vigorously with the PRC, the United States manages this competition responsibly so that competition does not veer into conflict. The United States will work with the PRC to address transnational challenges, such as climate change, when it is in our interest to do so—as Secretary Blinken has said, not as a favor to us or anyone else, and never in exchange for walking away from our principles, but because it is what the world expects. If confirmed, I will work with the Department of State’s new Office of China Coordination to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the region.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People’s Republic of China in the country in which you will work?

Answer. If confirmed, my priority will be advancing U.S. national security interests in Azerbaijan and countering efforts by our strategic and regional competitors to undermine those interests. The Administration has been clear that the PRC is the most consequential geopolitical challenge facing the United States, and that the United States is committed to working to strengthen our partners in the region. If confirmed, I will work closely with Department of State, interagency colleagues, and Congress to address China’s efforts to expand its influence in Azerbaijan and the region.

Question. Over several administrations, a peaceful resolution to the Azerbaijan-Armenia conflict has been sought regarding the Nagorno-Karabakh territory. U.S. assistance aimed to mitigate the impacts of the conflict and parity with regards to Foreign Military Financing assistance to both sides. Since 2001, the annual presidential waiver to Section 907 of the FREEDOM Support Act has taken place and enabled U.S. military aid and other foreign assistance to Azerbaijan. If confirmed, how would you work on resolving continued Nagorno-Karabakh territorial disputes and access?

Answer. The United States supports direct engagement between Azerbaijan and Armenia to work toward a peaceful resolution of the conflict, which has lasted more than 30 years. Senior U.S. officials have been very engaged in this process, including Secretary Blinken, who has hosted two rounds of peace talks in Washington and spoken directly to the leaders multiple times over the last year. A durable and dignified peace must be one that emanates from the region—we cannot impose a solution on Armenia and Azerbaijan. Armenia has publicly acknowledged that an arrangement between the population of Nagorno-Karabakh and the Azerbaijani Government is essential for securing the rights and security of those belonging to the ethnic Armenian residents of Nagorno-Karabakh. In this regard, transparency for the international community is critical. The State Department prioritizes the rights and security for the residents of Nagorno-Karabakh at every level of engagement with the Azerbaijan Government—including with President Aliyev. If confirmed, I

will advocate forcefully with Azerbaijan for transparency into the situation in Nagorno-Karabakh and for the rights and security of all the people who live there.

Question. If confirmed, would you advocate for a presidential waiver to Section 907, despite the well documented human rights abuses committed by Azeri security forces against Armenian civilians?

Answer. U.S. assistance to Azerbaijan promotes U.S. national security interests, which is why every Administration has waived section 907 of the FREEDOM Support Act every year since 2002. The most recent waiver went into effect June 22, 2022. The United States does not approve any security assistance or military sales that could undermine efforts to find a peaceful settlement of the conflict between Azerbaijan and Armenia. I am firmly committed to implementing both the letter and spirit of the FREEDOM Support Act—as well as the recommendations of the 2022 GAO report and all applicable “Leahy” legislative requirements for vetting foreign security assistance. If confirmed, I will recommend to the Administration the policies and programs that best serve the interests and goals of the United States in Azerbaijan and in the region and that will have no negative effect on the peace process.

Question. How would a long-term peace deal between Azerbaijan and Armenia impact Russian influence in the region?

Answer. The Russia-negotiated trilateral arrangement paused the fighting in 2020, but was written in a way that set up Russia as the chief arbiter and allowed each side to interpret it as it sees fit. While Russia has, at times, played a role in convening the parties, Russia also pursues its own geostrategic interests in the Caucasus and benefits from regional destabilization that creates the conditions for its continued military presence in neighboring countries. Direct engagement between the sides leading to a durable and dignified peace agreement offers the clearest path forward to resolving the Armenia-Azerbaijan conflict. It provides the best opportunity for the sides to demonstrate their sovereignty and independence and reduce Russian influence.

Question. How realistic is a peace deal to occur between Azerbaijan and Armenia while Russia is consumed by its war in Ukraine?

Answer. The United States supports direct engagement between Azerbaijan and Armenia to work toward a peaceful resolution of the conflict. Senior U.S. officials have been very engaged in this process, including Secretary Blinken, who has hosted two rounds of talks in Washington and spoken directly to the leaders multiple times over the last year. The parties have publicly committed to this peace process and the United States is supporting them as a facilitator. I share the Administration’s belief that a durable and dignified peace must be one that emanates from the parties, and the United States and partners such as the European Union are working hard to support the parties in their talks. As Secretary Blinken said following talks he hosted in May, “there is an agreement within sight, within reach. And achieving that agreement would be, I think, not only historic, but would be profoundly in the interests of the people of Azerbaijan and Armenia, and would have very positive effects even beyond their two countries.” Reaching a durable and dignified peace agreement offers the best opportunity for each of the sides to demonstrate their sovereignty and independence and reduce Russian malign influence in the region. If confirmed, I will advocate vigorously and directly with the Government of Azerbaijan to take the steps necessary to reach such an agreement.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO EDGARD D. KAGAN BY SENATOR JAMES E. RISCH

Trafficking in Persons

In the State Department’s 2022 Trafficking in Persons Report, Malaysia was listed as Tier 3 for continued failure to meet the minimum standards to eliminate trafficking.

Question. If confirmed, what concrete steps could you take to help Malaysia operationalize the prioritized recommendations contained in the TIP report?

Answer. Working with the interagency team at U.S. Embassy Kuala Lumpur, and in close partnership with the State Department’s Office to Monitor and Combat Trafficking in Persons (J/TIP) and other elements of the U.S. Government, I will seek to advance our anti-trafficking goals. If confirmed, I will push publicly and privately for Malaysia to take meaningful action to combat trafficking. I will urge the

Malaysian Government to increase the capacity of local law enforcement to investigate, prosecute, and convict traffickers—especially labor traffickers. The Malaysian Government publicly stated its desire to continue improving its anti-trafficking efforts after Malaysia was upgraded to Tier 2 Watch List in the State Department's 2023 Trafficking in Persons Report. If confirmed, I plan to work closely with the Malaysian Government to achieve our shared goals of protecting victims and bringing traffickers to justice.

Question. If confirmed, do you commit to portraying the reality of the trafficking situation in Malaysia in the annual country report as accurately as possible?

Answer. An accurate Trafficking in Persons Report is vital to publicly identify the drivers of trafficking and prescribe actionable recommendations that will lead to the structural change necessary to end trafficking as well as maintain U.S. credibility. If confirmed, I commit to portraying the reality of the trafficking situation in Malaysia in the annual country report and to working with Congress and U.S. Government agencies to push for additional action by the Malaysian Government to increase trafficking investigations, prosecutions and convictions of traffickers, and to increase victim identification and protection.

Religious Freedom

In the State Department's 2022 International Religious Freedom report, Malaysia was listed as lacking governmental and societal respect for religious freedom but that the U.S. Embassy had stressed the importance of tolerance and community understanding.

Question. What is your assessment of this particular issue and if confirmed, how will you work with the Ambassador-at-Large for International Religious Freedom to bolster religious freedom in-country?

Answer. As Secretary Blinken has stated, the United States maintains its unwavering support to promote respect for and protection of freedom of religion or belief for all. I understand that Embassy Kuala Lumpur has conducted a broad range of engagement with the Malaysian Government and with civil society to highlight the importance of religious freedom. If confirmed, I would ensure that we continue these important engagements, and I would work with the Ambassador at Large for Religious Freedom to explore ways to bolster religious freedom in Malaysia. I appreciate the longstanding Congressional support on freedom of religion or belief and, if confirmed, look forward to working with Congress to continue to preserve and protect this human right.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Promoting respect for human rights, including freedom of religion or belief, and the rule of law, is fundamental to U.S. values and interests. If confirmed, I commit to personally engaging with civil society and the Malaysian Government on these issues and other human rights and fundamental freedoms.

Question. If confirmed, what concrete steps can you take to help Malaysia increase their societal and governmental respect for religious freedom?

Answer. There are limits on freedom of religion or belief in Malaysia, including through federal and state laws against blasphemy and apostasy, and there are also restrictions on all non-Sunni forms of Islam. If confirmed, I will urge the Government of Malaysia to encourage Malaysian authorities to increase respect for members of religious minority groups and resolve longstanding cases of enforced disappearances of religious figures. I will also work with civil society to promote religious tolerance for members of all religious groups.

Human Rights

In the State Department's 2022 Human Rights Report, Malaysia was listed as having a litany of human rights abuses, including reports of arbitrary killings, torture, censorship, limits on freedom of assembly and expression, among many others.

Question. How will you direct your Embassy to work with civil society organizations to improve the human rights situation on the ground?

Answer. The United States places great importance on civil society and NGOs because they serve as the critical links between government and the public, and I have worked extensively with civil society organizations throughout my career. If confirmed, I will continue our strong advocacy both publicly and privately in support of the critical role played by civil society in Malaysia's democratic development and promotion of human rights. If confirmed, I would work to advance democratic values

and respect for human rights in my engagements at all levels of the Malaysian Government and with all parts of Malaysian society.

Question. If confirmed, do you commit to personally engaging with civil society on this issue?

Answer. Yes. If confirmed, I will personally engage with civil society on human rights and fundamental freedoms. I firmly believe that the promotion of human rights is in the interest of all people in the United States and Malaysia and will work in support of that goal. If confirmed, in addition to engaging civil society, human rights advocates, and other non-governmental organizations on human rights issues, I look forward to meeting regularly with Malaysian Government officials to affirm U.S. support for human rights and fundamental freedoms.

International Organizations

Question. If confirmed, please describe how you can work with USUN and IO colleagues to find, recruit, and retain qualified Americans in the U.N. system.

Answer. The Bureau of East Asian and Pacific Affairs works closely with IO and USUN on shared priorities and on all campaigns and hiring initiatives involving qualified American candidates for the U.N. system. If confirmed, I will continue to engage the Malaysian Government to gain support for U.S. citizens seeking to work in the U.N. system and other multilateral organizations.

Question. If confirmed, please describe how you can work with USUN and IO colleagues to promote American or likeminded initiatives within the U.N. system, including on technical matters at specialized bodies.

Answer. If confirmed, I will work with USUN and IO colleagues to advance the United States' affirmative agenda for the U.N. and strengthen partnerships with traditional and non-traditional partners, including in specialized and technical agencies. U.S. re-engagement at the U.N. system is critical to reasserting U.S. leadership, including by working with our partners and allies to promote initiatives that advance shared priorities on technical matters.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO EDGARD D. KAGAN BY SENATOR MARCO RUBIO

In May 2022, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds the reins of power in the People's Republic of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit, by far the largest quantity of greenhouse gases in the world today. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose.

Question. Is the Chinese Communist Party a threat to the United States?

Answer. Earlier this year, the Director of National Intelligence testified that "the CCP represents both the leading and most consequential threat to U.S. national security and leadership globally." Under President Xi, the CCP has become more repressive at home and more aggressive abroad, seeking to undercut U.S. influence and alliances. If confirmed, I will advance U.S. national security interests and push back against PRC efforts to expand its malign influence, through robust and forthright diplomatic engagements, public diplomacy, and commercial advocacy to bolster U.S.-Malaysia ties.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. The Administration assesses the Chinese Communist Party's (CCP) activities in the context of the fact that, as Secretary Blinken has said, the CCP has become more repressive at home and more aggressive abroad. According to the Office of the Director of National Intelligence's 2023 Annual Threat Assessment, the CCP is seeking to "undercut U.S. influence, drive wedges between Washington and its partners, and foster some norms that favor its authoritarian system."

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. As the United States competes vigorously with the PRC, we seek to manage this competition responsibly so that competition does not veer into conflict. The United States will work with the PRC to address transnational challenges, such as climate change, counternarcotics, and public health, when it is in our interest to do so—as Secretary Blinken has said, not as a favor to us or anyone else, and never in exchange for walking away from our principles, but because it is what the world expects. If confirmed, I will work with departments and agencies across the U.S. Government as well as with Congress to advance U.S. objectives and counter harmful behavior by the PRC and other actors in the Indo-Pacific.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People’s Republic of China in the country in which you will work?

Answer. If confirmed, my priority will be to advance U.S. interests in Malaysia and countering efforts by our strategic and regional competitors to undermine those interests. The Administration has been clear that the PRC is the most consequential geopolitical challenge facing the United States, and that the United States is committed to working to strengthen our partnerships in the region. If confirmed, I will work closely with Department of State and interagency colleagues, as well as Congress to address the PRC’s efforts to expand its influence in Malaysia and the region.

Since the late 1990s, the U.S. enjoyed a deepening of bilateral ties with Malaysia. However, recent developments in both countries have led to uncertainties regarding the strength of these ties now, and into the future. Friction between the U.S. and Malaysia have included human rights concerns, U.S. military interventions in the Middle East, and U.S. support for Israel. Even with the backdrop, U.S.-Malaysia military security cooperation has been active in countering terrorism activities in Southeast Asia and includes naval cooperation near the Malacca Strait.

Question. What is your characterization of the existing relationship between the U.S. and Malaysia?

Answer. The United States and Malaysia enjoy a strong partnership based on robust economic, security, and people-to-people ties, and rooted in our shared national interests. We cooperate on security matters, including counterterrorism, cybersecurity, maritime security, and efforts to promote regional stability. Our economic relationship continues to expand with bilateral trade reaching nearly \$80 billion and supporting an estimated 58,000 U.S. jobs. Bilateral military cooperation, in particular, is continually expanding, supporting regional security needs of both Malaysia and the United States. Additionally, Malaysia’s recent interest in accelerating its clean energy transition and becoming a Carbon Capture, Utilization and Storage leader in Southeast Asia offers substantial U.S.-Malaysia energy cooperation. Malaysia has prospered during decades of stability in Southeast Asia underpinned by the United States’ diplomacy and presence. If confirmed, I will work with Departments and Agencies across the U.S. Government and with Congress to further strengthen relations with Malaysia.

Question. Are you concerned with the existing relationship? Please explain.

Answer. Since becoming Prime Minister in November 2022, Anwar Ibrahim has fostered an environment for greater collaboration and cooperation between our two countries on issues of mutual interest including human rights, economic development, and South China Sea issues.

If confirmed, I would engage with the highest levels of the Malaysian Government to further strengthen our partnership and would work closely with Congress as well as empower my staff to further expand relationships central to U.S. strategic goals.

Question. If confirmed, are there opportunities or projects you would advocate for as Ambassador to utilize the Development Finance Corporation in Malaysia?

Answer. An important energy producer, Malaysia is the world’s fourth-largest exporter of Liquefied Natural Gas. Prime Minister Anwar’s Administration has signaled one of its priorities is the clean energy transition and becoming the Carbon Capture, Utilization and Storage regional leader in Southeast Asia. As Ambassador, if confirmed, I would encourage the Development Finance Corporation, in partnership with the State Department’s Clean EDGE Asia program, other U.S. agencies, the private sector, and the Malaysian Government and Congress to identify opportunities that would support and accelerate Malaysia’s clean energy transition.

Question. How would you advance U.S. support for Israel in Malaysia if confirmed?

Answer. Having served in Israel for three years, I know well the value of its international engagement. If confirmed as Ambassador to Malaysia, I would work to ensure awareness of the significant changes in the Middle East following the Abraham Accords, including the growing normalization of relations between key Arab nations and Israel. I would work with the Government of Malaysia and civil society to identify potential areas of opportunity to improve Israel-Malaysia relations. I would also highlight the tangible benefits of normalization, as demonstrated by the Abraham Accords, other normalization agreements, and the Negev Forum.

Malaysia takes careful steps when balancing strategies with the U.S. and China in its relations. Malaysia has typically taken a low-key approach regarding confronting tensions with China in the South China Sea, it prioritizes negotiating a code of conduct between ASEAN and China to govern behavior. Malaysia has also entered into CCP Belt and Road Initiative projects including port, rail, and manufacturing investments.

Question. What is your characterization of the existing relationship between China and Malaysia?

Answer. Malaysia has a significant economic relationship with the People's Republic of China (PRC) which Malaysian leaders see as key to achieving the country's development goals. The PRC has been Malaysia's largest trading partner since 2009 and was the country's largest investor in 2022.

Malaysia does not recognize the PRC's so-called "nine-dash line" or its other expansive and unlawful South China Sea (SCS) maritime claims, which overlap with Malaysia's exclusive economic zone (EEZ) and continental shelf. Malaysia has publicly stated the PRC's SCS claims, persistent patrols in Malaysia's EEZ, and air incursions into Malaysian-managed air space pose a threat to Malaysia. Despite the PRC presence and intrusions, Malaysia is actively engaged in oil and gas exploration and recovery on its continental shelf notwithstanding the PRC's expansive and unlawful overlapping maritime claims.

If confirmed, I would work with Malaysia, with U.S. Government departments and agencies, and with Congress to increase U.S. economic engagement while strengthening our security partnership and our people-to-people ties.

Question. Are you concerned with their existing relationship? Please explain.

Answer. PM Anwar's public statements have emphasized the need for Malaysia to maintain "strategic balance" between the United States and the PRC. If confirmed, I will work with U.S. Government departments and agencies, Congress, and the private sector to strengthen existing areas of cooperation with Malaysia, expand our partnership to new areas and identify alternatives to PRC financing.

Question. Do you believe an ASEAN Code of Conduct will ever be agreed to between the PRC and ASEAN? If so, when?

Answer. The United States supports ASEAN efforts to negotiate a meaningful and effective Code of Conduct (COC) on the SCS with the PRC that is fully consistent with international law as reflected in the 1982 Law of the Sea Convention and protects the rights and interests of third parties.

We also support ASEAN countries to continue their progress in negotiating maritime boundary agreements to resolve their overlapping lawful maritime entitlements to support the international law of the sea and to strengthen their collective voice during the COC negotiations. Although it is unclear if or when negotiations might conclude, if confirmed as Ambassador, I will work with Malaysia, including by continuing our existing legal engagement, to strengthen ASEAN's collective voice and support efforts to ensure any COC protects U.S. interests.

Question. Do you believe the CCP would honor an ASEAN Code of Conduct?

Answer. I believe a strong and unified ASEAN that negotiates a meaningful and effective Code of Conduct that protects the rights and interests of third parties is the best way to ensure the People's Republic of China honors its commitments.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. NISH DESAI BISWAL BY SENATOR MARCO RUBIO

Question. In May 2022, Secretary Blinken said that the People's Republic of China is the "only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." The Chinese Communist Party (CCP) clearly holds the reins of power in the People's Re-

public of China and has used this power to commit genocide in Xinjiang, flood our communities with fentanyl, and emit, by far the largest quantity of greenhouse gases in the world today. With their absolute control of Chinese society and industry, the CCP could stop all of these destructive actions tomorrow if they so choose. Is the Chinese Communist Party a threat to the United States?

Answer. The Chinese Communist Party (CCP), has, and continues to, pursue policies that are more repressive at home and more aggressive abroad. The United States and the CCP are strategic competitors. If confirmed, I will advance the strategic foreign policy and development goals of the United States as called for under the BUILD Act.

Question. Does the Chinese Communist Party undertake any activities that are beneficial to U.S. interests?

Answer. International investment activities directed by the Chinese Communist Party come with significant risk of dependence, environmental degradation, and harm to local communities. None of these potential outcomes are in the U.S. interest.

Question. Do you believe that there are any areas within which the Chinese Communist Party would constructively work with the United States in good faith?

Answer. While the United States and the People's Republic of China (PRC) are strategic competitors, it may be possible for the PRC to make constructive contributions in areas of mutual interest, including in disaster response. If the U.S. pursues cooperation, we must remain clear-eyed about the challenges that the PRC poses and continue to best position ourselves to compete economically. Any PRC contributions must be scrutinized, however, to ensure they are not springboards for PRC economic and security interests.

Question. If confirmed, will you approve any joint activity with organizations or representatives from the People's Republic of China in the organization in which you will work?

Answer. It would not be appropriate for DFC to work with government entities or institutions of the People's Republic of China, or entities that are otherwise controlled by the CCP.

Question. In May 2022, I sent a letter to the U.S. International Development Finance Corporation's (DFC) CEO Scott Nathan regarding the use of taxpayer funds that bankroll international projects focused on climate change and gender equity instead of facilitating advancement of national security policy goals and advancing American prosperity. DFC has continued to prioritize climate-change and an extreme social agenda, while the CCP continues to expand its control over foreign critical infrastructure projects that matter to the economies of the U.S., allies, Africa, Latin America, the Indo-Pacific, and beyond. How does the DFC weigh its funding priorities with respect to its development and foreign policy objectives?

Answer. It is my understanding that DFC funding is allocated to projects that advance development and foreign policy priorities. Transactions that do not fit within DFC's statutory mandate under the BUILD Act are not supported. If confirmed, I would work to ensure that DFC remains faithful to its strategic and developmental mandates.

Question. When was the last time the DFC invested in a project whose primary objective was not to advance a gender equity or climate priority?

Answer. It is my understanding that pursuant to the BUILD Act, DFC invests in projects that advance development and foreign policy objectives. For example, DFC's Board of Directors approved last month a \$150 million loan for the expansion, renovation, and operation of the Freetown International Airport in Sierra Leone. This came on the heels of the approval of a \$150 million investment to expand and modernize a port in Ecuador, among other infrastructure and critical technology projects.

Question. When was the last time the DFC declined a strategically important investment opportunity because it did not believe it sufficiently advanced a gender equity or climate priority?

Answer. It is my understanding that DFC does not decline investments because of insufficient contributions to gender equity or climate goals.

Question. What is the average timeline for DFC to receive a project proposal to it being authorized/approved?

Answer. I understand that DFC project approval timelines vary depending on the complexity of the project, with some taking as short as six months and others over a year.

Question. What would it take to shorten that timeline?

Answer. I understand that DFC is working to shorten timelines by building its overall capacity and improving processes to meet demand. If confirmed, I look forward to advancing these efforts and identifying additional ways that DFC can optimize its processes.

Question. Last week, media reports indicated that the DFC would be re-organized to focus on five key sectors: Infrastructure and minerals, energy, health and agriculture, small business support, and funds. The reorganization has already received criticism across the DFC who are concerned that the process is rushed. Have you been briefed on the reorganization of the DFC?

Answer. I am aware of the broad strokes of DFC's potential re-alignment based on sector strategies. If confirmed, I look forward to learning more about the process.

Question. If confirmed, how would you ensure that the reorganization helps DFC achieve the core objective of the BUILD Act, to provide nations an alternative to Chinese Belt and Road Initiative projects?

Answer. I understand that DFC's potential realignment efforts are closely guided by DFC's BUILD Act mandates to advance development and strategic interests of the United States. If confirmed, I expect to be closely involved in DFC's organizational efforts to ensure it meets these objectives.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. NISHA DESAI BISWAL BY SENATOR JOHN BARRASSO

Question. What specific criteria is used by the International Development Finance Corporation (DFC) to decide whether the United States should make an equity investment?

Answer. It is my understanding that DFC's objectives and criteria for equity investments are specified in the BUILD Act (22 USC Sec. 9621c(3)). DFC takes into account whether support for the project would: substantially reduce or overcome the effect of an identified market failure in the country; would not proceed or would be substantially delayed without support; contribute to transforming local conditions to promote development of markets; be aligned with commercial partner incentives; have significant developmental impact and contribute to sustainability; and furthers U.S. policy. Equity is clearly an important tool for DFC to pursue its dual strategic and developmental mission. DFC also looks at the investment's growth prospects and the ability of the Corporation to exit the investment in the future. This is done by establishing a management approval process requiring a thorough evaluation of how each proposed investment satisfies these objectives.

Question. With the increased risks and exposure of equity investments, what requirements are being put in place to ensure adequate oversight and risk management?

Answer. In addition to DFC's Board of Directors' oversight, it is my understanding that DFC's Chief Risk Officer and an enterprise risk management program help the Corporation navigate the risks and opportunities associated with its proposed investments. I also understand that specific processes for origination and oversight of equity investments have been put in place to help control risks associated with equity investments.

Question. Do you support the DFC providing equity investments in a foreign state-owned enterprise? If yes, under what circumstances?

Answer. The BUILD Act requires DFC to mobilize private sector capital to the markets where it can work, many of which feature state owned enterprises (SOEs). Generally, DFC has understood this mandate to mean that DFC should not invest in SOEs, but there could be cases where an investment through an SOE does in fact mobilize private capital.

Question. Do you support the DFC providing equity or investment financing to upper-middle income countries like Brazil, China, Mexico, Russia, and Turkey? If yes, under what circumstances?

Answer. If confirmed, I am committed to ensuring that DFC follows applicable law related to country eligibility. I understand that DFC is prohibited by law from supporting investment in Russia and I can affirm that DFC does not intend to make any investments in China. However, I understand that under the BUILD Act, DFC is able to support projects in other upper middle-income countries subject to obtaining Presidential certification that the investment is in the national economic or foreign policy interests of the United States; and that such support is designed to produce significant developmental outcomes or provide developmental benefits to the poorest population of that country.

Question. Please explain the DFC's net zero carbon plan.

Answer. I understand DFC announced a commitment to reach net zero emissions through its investment portfolio by 2040. Under this plan, DFC will retain the ability to support other technologies or energy sources on a case-by-case basis when there are strong developmental or geostrategic benefits.

Question. How does DFC's net-zero carbon plan align with U.S. efforts to support other U.S. goals, such as the 30,000-megawatt goal under Power Africa?

Answer. I believe DFC's priorities to support investment in affordable, reliable energy are closely aligned with the objectives of Power Africa. Significant investment in a wide array of technologies and sources of energy to reduce energy poverty in Africa. If confirmed, I look forward to working with Power Africa.

Question. Do you believe developing nations should be exempt from the net-zero carbon target?

Answer. I believe access to reliable, sustainable sources of energy are critical to economic activity in developing nations. If confirmed, I will work to increase energy as a key focus of DFC. I understand that DFC's portfolio target does not prevent it from supporting strategic projects in the gas sector if certain conditions are met or other industries that help deliver strong developmental impacts or contribute to key geostrategic goals.

No modern economy can run on variable renewable power alone. Developing countries will need reliable base load energy to run a manufacturing plant, data center, or a hospital. The DFC's new CO2 emissions cap limits the US to financing only 8 more natural gas power plants globally and forever.

Question. What is your view on this policy and the impact on the developing world?

Answer. I believe that DFC should look to support solutions that provide affordable, reliable power supply. There are many options for countries to achieve that goal. If confirmed, I look forward to working with the team at DFC to explore ways to increase energy access.

Question. How important is providing reliable baseload energy when assisting countries with economic growth, job creation and poverty reduction?

Answer. Supplying businesses and households with reliable energy is essential to economic growth, job creation, and poverty reduction.

On October 24, 2021, the President of Uganda wrote an opinion editorial in the Wall Street Journal titled, "Solar and Wind Force Poverty on Africa." He stated, "Africa can't sacrifice its future prosperity for Western climate goals." The President of Uganda explained, "This stands to forestall Africa's attempts to rise out of poverty, which require reliable energy. African manufacturing will struggle to attract investment and therefore to create jobs without consistent energy sources."

Question. Given the extensive expertise of the United States in these areas, why isn't the DFC financing more projects with coal, oil, and natural gas to developing nations?

Answer. My understanding is that DFC is responsive to the demands of the private market for investment support. The companies that seek DFC support conduct their own analysis and determine what type of energy is most suitable for the local market. DFC considers energy projects on a case-by-case basis. If confirmed, I am committed to ensuring that advancing energy security remains a key focus of DFC investments.

Question. Do you support the DFC financing coal, oil and natural gas projects?

Answer. I understand that DFC considers energy projects on a case-by-case basis. DFC can support strategic projects in the gas sector if certain conditions are met or other industries that help deliver strong developmental impacts or contribute to key geostrategic goals. If confirmed, I will support DFC's policy.

Question. Would you pursue an all-of-the-above energy strategy at the DFC?

Answer. My understanding is that DFC has not imposed restrictions on specific technologies or energy sources for power projects. If confirmed, I will support DFC's policy of advancing market driven investments that advance energy security through a wide array of technologies.

Question. What restrictions are currently in place on the financing of energy projects, including coal, oil and natural gas, at the DFC?

Answer. My understanding is that DFC has not imposed restrictions on specific technologies for power projects. If confirmed, I would continue this practice.

Question. Please outline the DFC's priorities in revising its environmental and social policies and procedures.

Answer. I understand that the last major update to DFC's Environmental and Social Policy and procedures (ESPP) occurred in 2016 when it was still operating as the Overseas Private Investment Corporation under different statutory authority. I have been briefed that DFC is updating its ESPP to keep up with evolving best practices and the standards of its peer development finance institutions and to clarify provisions that have led to confusion in practice. If confirmed, I look forward to learning more about these policies and the procedures.

In April, it was announced that the Export-Import Bank of the United States and the DFC may lend up to \$4 billion for the development of small modular nuclear reactors in Poland.

Question. Do you support the DFC financing more nuclear energy projects?

Answer. Yes.

Question. If confirmed, what steps would you take to promote nuclear energy projects?

Answer. I understand that DFC has been engaged in discussions with various stakeholders including discussions regarding potential support for projects that deploy small, modular nuclear reactor (SMR) technology. If confirmed, I would look forward to advancing these efforts.
