

**NOMINATIONS OF THE 110TH
CONGRESS—SECOND SESSION**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

—————
JANUARY 30 THROUGH SEPTEMBER 24, 2008
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Printed for the use of the Committee on Foreign Relations



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

COMMITTEE ON FOREIGN RELATIONS
110TH CONGRESS—SECOND SESSION

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*Note: Appointed February 12, 2008.

NOMINATIONS

WEDNESDAY, JUNE 18, 2008

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

Ayalde, Liliana, to be Ambassador to the Republic of Paraguay
Boswell, Eric J., to be Assistant Secretary of State for Diplomatic Security
DiCarlo, Rosemary Anne, to be Alternate U.S. Representative to the Sessions of the General Assembly and the Alternate U.S. Representative for Special Political Affairs in the United Nations
Jones, John Melvin, to be Ambassador to the Cooperative Republic of Guyana

The committee met at 9:36 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Bill Nelson, presiding.
Present: Senators Nelson and Corker.

OPENING STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Senator NELSON. Good morning. This hearing on the Committee on Foreign Relations is going to consider the nomination of four individuals for key leadership positions in the administration.

The chairman and Senator Corker are going to forego making opening statements.

Senator NELSON. And the same with each of you. Instead of you sitting there and reading us a statement, your written statements will be entered in the record. What we will do is go straight on to the questions.

[The prepared statements of Mr. Jones, Ms. DiCarlo, Mr. Boswell, and Ms. Ayalde are located at the end of this hearing transcript.]

Senator NELSON. Senator Corker?

Senator CORKER. They might want to introduce their families.

Senator NELSON. Yes, by all means.

I understand you all have your families here. So if you will, Mr. Jones, if you would introduce your family.

Mr. JONES. Thank you, Mr. Chairman. With me today is my wife Aaronia; our daughter Christie Jones-Aden; our son-in-law, Keenan Aden; and a close family friend, Dr. Adam Muhijea who is at the American Defense College, a representative from Honduras.

Senator NELSON. Welcome.

Senator CORKER. Mr. Chairman, I understand from the son-in-law that he is a great father-in-law. So that alone ought to be a good endorsement.

Senator NELSON. That is pretty good.

Mr. JONES. Thank you, sir.

Senator NELSON. A pretty good recommendation.

Mrs. DiCarlo?

Ms. DICARLO. Thank you. My family is unable to attend today. My husband, Tom Graham, is in Moscow on business, and my 87-year-old mother is unable to travel, but they are with me in spirit. Thank you.

Senator NELSON. That is great.

Mr. Boswell?

Mr. BOSWELL. Thank you, Mr. Chairman. I am happy to introduce my wife, Nancy Boswell, who is behind me in the crowd. Thank you.

Senator NELSON. Good. Welcome, Ms. Boswell.

Ms. Ayalde?

**STATEMENT OF LILIANA AYALDE, NOMINEE TO BE
AMBASSADOR TO THE REPUBLIC OF PARAGUAY**

Ms. AYALDE. Thank you, Mr. Chairman. I would like to acknowledge the presence of my parents, Jaime and Mercedes Ayalde; my sister Gloria; and my nieces, Karina, Alexa, and Bianca. My immediate family is back in Colombia finishing school actually. So they were not able to be here.

Senator NELSON. I see. What does your family in Colombia think about you going to Paraguay?

Ms. AYALDE. They are excited.

Senator NELSON. Well, we are glad to have you all.

Just since we have been talking, why do I not start with you, Mrs. Ayalde?

The recent presidential election in Paraguay—it is always a constant struggle for some democratic reforms in that part of the world and the democratic political development. What do you think is going to be the most significant challenge that is facing the president-elect, Lugo?

Ms. AYALDE. Well, first of all, it is a historic moment for Paraguay after 61 years of rule by the Colorado Party. This is a unique opportunity, I think, for Paraguayans, as well as for us in our bilateral relation.

He has indicated that he has prioritized poverty reduction and eradication of corruption as his two primary objectives of his administration. Those are huge challenges. The fact that he has been elected based on a coalition from the opposition also will make it a challenge in terms of the management.

Senator NELSON. You know, they joke down in Paraguay quite humorously with a spark in their eye that it is part of their genetic makeup—some of the corruption that goes on. So you are going to have a challenge. Of course, that is not just indicative of Paraguay, but many other places across the globe.

What do you think about the new president facing that kind of endemic corruption that has gone on in that part of the world?

Ms. AYALDE. Well, it is a challenge, but the fact that he has prioritized it as one of his administration's main objectives is important. There is some progress that has been made based on some of the initiatives that in fact we have supported. The Millennium Challenge Threshold Program, for instance, has focused precisely on corruption issues, and in their report card, there has been some definite progress. Now, the problem is huge, but the pattern is positive, and I think that that is what we need to look for is the continued progress along that front.

Senator NELSON. What do you think is going to be the new president's relationship with Hugo Chavez?

Ms. AYALDE. At this point, his public statements have been that he would like to maintain good working relations with all his neighbors. He has indicated that he—well, he has accepted invitations to the countries which have invited him. He has indicated to us, I understand, that he would like to come to the United States. He has sent a delegation of five designated ministers up to the United States for a visit. In fact, they are here right now, I understand. So at this point, it is a speculation. I would prefer not to get into that, but the statements that he has publicly made indicate that he would like to be friends with everyone.

Senator NELSON. Give me some of your thoughts about the tri-border area and the potential for terrorist activity in the region.

Ms. AYALDE. It is public knowledge that the tri-border area is a region that lacks law enforcement, a tremendous amount of informality, problems with trafficking of drugs and so forth. Nevertheless, I think that it is an area that the Paraguayan Government so far has tried to focus with some specific programs, some of which the U.S. Government has supported, and we need to focus on that area to try to address some of the issues of the informality and the high level of corruption, of course. So it is a priority, and if confirmed, I certainly will make that a priority of my management team.

Senator NELSON. Have you ever been to Tres Esquinas?

Ms. AYALDE. In Colombia?

Senator NELSON. No, Tres Esquinas in the tri-border area in Paraguay.

Ms. AYALDE. No, have not, sir.

Senator NELSON. Well, it is quite a place. It will be quite interesting for you as you look into that, as well as counternarcotics.

How would you describe our counternarcotics effort with Paraguay?

Ms. AYALDE. As I understand it, we have had very solid, strong collaboration on both the counternarcotics and counterterrorism fronts. It is a good collaboration, and there is no reason to believe at this point that that will not continue under the new administration. But we have to see.

Senator NELSON. Senator Corker?

Senator CORKER. Well, I want to welcome all of you and thank you for your public service. I know we are in some cases at the end of an administration and some important tasks are being taken on. But thank you all for your commitment and for what you are willing to do for our country.

I guess I would like to ask our two ambassadorial nominees here that you, obviously, have been trying to gain an understanding of what you are going to be dealing with going to each of the countries that you are going to. I know that, Ms. Ayalde, I met you in Colombia recently, and I know you have learned a great deal there about counterterrorism. Uribe has been just outstanding in that regard.

But I wonder if each of you could just outline, knowing what you know today, and I know once you get to where you are going, you will know even more. But what is it you think you want to address on the front end going to each of the two countries you are going in? What is sort of your primary objective, if you will, your primary agenda as you move into these two countries? Mr. Jones?

**STATEMENT OF JOHN MELVIN JONES, NOMINEE TO BE
AMBASSADOR TO THE COOPERATIVE REPUBLIC OF GUYANA**

Mr. JONES. Senator, my primary objective, of course, is to try to work with the Government of Guyana to protect American interest there, also promote democracy and human rights. We understand that there are some small problems, but if confirmed, I will work closely with the Government of Guyana to address these issues. We have some instances where problems have developed, particularly with the growth of things like HIV/AIDS, trafficking, for example, narco activities. These are things that I intend to work, again, closely with the Government of Guyana, to address. That I think will be my main aim.

Strengthening the democratic infrastructure, working towards helping them get elections, local elections. The last election was in 1994. They had municipal elections in 2006 that were relatively safe. And so I am going to try to work with them, extend a hand of friendship and cooperation, and hopefully be able to help them strengthen those institutions that they need help on right now.

Senator CORKER. Have you spent much time looking at our PEPFAR efforts there, and do you have any thoughts at present as to how we might enhance our activities there? Or do you have any assessment of how that is going at present?

Mr. JONES. Our reports are that the PEPFAR program is a very successful program, sir. It is a major effort on the part of our Government, and the Government of Guyana has cooperated fully with us. As you know, it is a program that has had over \$100 million since 2004 addressing this whole issue of HIV/AIDS. All of our agencies, the Peace Corps, USAID, Center for Disease Control, Department of Defense, are all working on small projects and efforts towards making this a successful program. Again, our reports are that the Government of Guyana has accepted this. It is a major effort on their part, and it is a major effort on our part and represents a large amount of the good will that we want to show the Guyanese people.

Senator CORKER. Thank you.

Yes, ma'am?

Ms. AYALDE. Yes, Mr. Senator. I, if confirmed, intend to focus on governance issues, as well as poverty reduction. I think those two areas will do a lot to addressing some of the problems in Paraguay as related to terrorism and narcotics trafficking. If you do not have

a strong presence of the state, an ability of the state to deliver its services in a transparent way, then you can invite illegal business of all sorts.

So our bilateral agenda should continue to focus on intellectual property rights protection, trafficking in persons, money laundering, and strengthening the different institutions of the state that will avoid becoming at high risk of increasing the corruption and the informality in the country, as well as addressing some of the roots of poverty which, if you look around the region and there is an increase of social discontent, that puts more pressure on the state and that can drive a country into social turmoil which will complicate things. So I think those two pillars of work would be what I would prioritize, if confirmed.

Senator CORKER. Both of you are going to challenging countries, and again, we are very fortunate to have people of your qualifications going there. And I thank you again for being willing to do so.

Mr. Boswell, we all have been to Iraq a number of times and Afghanistan, and I know one of your duties is going to be to look at the security contractors we are dealing with. You know, you land in Baghdad and Blackwater basically is the escort service, if you will. It takes you throughout the country.

I wonder if you have any editorial comments you want to make about some of the recent events there and just generally anything you think we ought to be doing differently as it relates to our security contractors in general, not necessarily that particular company itself.

STATEMENT OF ERIC J. BOSWELL, NOMINEE TO BE ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY

Mr. BOSWELL. Thank you for the question, Senator. I was in Baghdad myself examining this exact issue last fall as part of the Secretary's panel examining protective security operations in Iraq in the wake of the tragedy at Nisoor Square. So we looked at the issue you are talking about in depth, the appropriateness of using contractors, how the contractors were managed, what the oversight was of the contractors, and we made a number of recommendations for improvement and particularly in the area of oversight and training. I am happy to say that the Department has taken those recommendations seriously, that it is complying with all of them. Our recommendations are a matter of public record, and we would be happy to provide them to you, sir.

Senator CORKER. Basically we have operations in 25 U.S. cities that you also oversee, and I was wondering if you might expand a little bit on what those particular efforts are about and the magnitude of those.

Mr. BOSWELL. Yes, sir. The Bureau of Diplomatic Security at the State Department has two primary missions. One is the protection of life, property, and information overseas. And the second is it is a very active participant in the global war on terrorism. And the activities of the field offices to which you refer are largely in the second category. They are offices that examine and review cases of passport fraud, visa fraud, all of which are very important elements in securing our borders and overall in identifying terrorists in the global war on terror. That is what they do.

Of course, those offices are also a source of manpower to assist in overseas surge requirements occasionally, and in particular, every year they provide a large number of agents to New York during the UN General Assembly to assist in protection of dignitaries.

Senator CORKER. And what is the order of magnitude right now of visa fraud? If you were going to say to us how much of an issue that is today in our country, give us a little bit of an editorial opinion there, if you would.

Mr. BOSWELL. I could not tell you exactly the numbers, Senator, but I can tell you that it is increasing and it is of increasing concern. That is why the Department dedicates as much effort as it does to that.

Senator CORKER. I know this is not in your area. I know you deal with the area of fraud itself as it relates to visas, but as we just look at general immigration issues in our country, the fact that at many of the motor crossings we check to see if someone has a visa, but we do not record that, and we have, I guess, a huge issue of not ever knowing when people overstay. We have no mechanism in place to be able to do that. And I know that is not in your particular area, but I wonder if you have any comments in regards to that.

Mr. BOSWELL. It is not in my area, Senator, so I will be careful in what I say. But I know that that is a problem, particularly the issue of recording when somebody leaves, and I know that there are significant efforts undertaken by ICE in that regard. But I really do not have anything further to add to that.

Senator CORKER. In the defense authorization bill, it is my understanding—I am just going to read some language—that there is some language that says, “Private security contractors are not authorized to reform inherently government functions in an area of combat operations.” If this particular clause were to survive, if you will, in this legislation, what impact would that have on carrying out the private security operations that you would be charged with carrying out?

Mr. BOSWELL. Senator, I am aware of that language, and I am rather troubled by it, I must tell you. The language, as I understand it, would prohibit contractors from performing an inherently governmental function such as use of deadly force in high-risk, high-threat, volatile areas. That may have the effect of preventing the use of contractors for protective security as we use them now in Iraq and Afghanistan. I hope that is not the intention. The effect would be rather severe on our—that is, the State Department’s—operations, embassy operations in both countries and would have a rather severe effect on the goals and objectives—the ability of the United States to achieve its goals and objectives.

So I hope that some language or way can be found to address the concerns of the Congress but, at the same time, not to inhibit the use of contractors in protecting our personnel in both war zones.

Senator CORKER. And my guess is that the addition of that language possibly was a signal of someone who feels that maybe we are over-utilizing, if you will, contractors in this area. I wonder if you can give any editorial comments about that, meaning that our reliance today on private contractors, obviously, in Iraq and in other areas, is very, very large at this moment. Are we in proper

balance there? Have we had an over-reliance? Should some of these jobs be really done by Federal employees directly? Any comments there.

Mr. BOSWELL. Yes, sir. The panel in which participated certainly looked at exactly that issue in Iraq last fall. I remember talking to Ambassador Crocker in his office and asking him what he thought, and I think I can speak a little bit out of school. He said, I would like to have 700 diplomatic security agents performing this function, but I recognize that that is a practical, close to impossibility. I feel the same way and that was the conclusion of our panel.

There are something on the order of 1,500 security contractors operating in Iraq. There are about 1,500 diplomatic security employees in the world performing a global function. It is simply not possible to ramp up sufficiently to provide the kind of protection that we need for our people exclusively with diplomatic security personnel.

Having said that, I am extremely concerned that there be proper oversight of the contractor personnel in Iraq and elsewhere, and the panel made a number of recommendations to improve the oversight. One of those recommendations was that diplomatic security special agents be given operational control of every motorcade movement and every mission in Iraq, and it is my understanding that the staff of the regional security office has been doubled in response to that recommendation and that every motorcade now has a trained Government employee, diplomatic security officer, in command of that motorcade.

Senator CORKER. Well, thank you for those responses, and I am sure that because of the sensitivity of that issue, there will be a lot of folks talking with you about that as it moves along. But thanks for your responses.

And, Senator Nelson, since I am on a roll, I am just going to finish up here with Ms. DiCarlo, if I could.

Senator NELSON. Sure. Take your time.

Senator CORKER. Ms. DiCarlo, Senator Nelson and I sit at numbers of hearings here talking about the issues of Darfur and Zimbabwe and the things that are occurring there. Obviously, you are going to have a key role. A lot of times our staffs, as you know, here direct us and guide us in major ways. I know that you are going to be very much involved in that as it relates to the Security Council when this nomination process is over.

It is pretty frustrating to hear reports about the collective efforts that are taking place in Darfur. It gives you not a lot of faith sometimes in the UN's ability and the ability of collectively countries together to deal with that kind of issue. I just wonder if you have any thoughts going into this position as to how we might strengthen our efforts in Darfur, actually create concrete results there instead of this continual discussion of what ought to happen but is not happening.

STATEMENT OF ROSEMARY ANNE DiCARLO, NOMINEE TO BE THE ALTERNATE U.S. REPRESENTATIVE TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS AND THE ALTERNATE U.S. REPRESENTATIVE FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR

Ms. DiCARLO. Thank you, Senator.

We are also very disappointed that we have not been able to mobilize the kind of troops and support needed for Darfur, but we are working very hard at it. And I can assure you that, if confirmed, this will be a top priority on my agenda.

Ambassador Williamson, the U.S. Special Envoy for Sudan, was in New York yesterday. Ambassador Williamson, along with his Canadian counterpart, has organized a group called the Friends of UNAMID. The objective of this group is to obtain the kinds of commitments that we will need to have full deployment of that peacekeeping operation by early 2009.

We have been hampered in a number of ways, and the UN certainly has been as well. First of all, the Government of Sudan has put a number of obstructions, refusing to accept troops from certain countries. They preferred a truly African force. They have also not granted visas on time, not granted access to land or water needed. That is one aspect.

We also would like to see greater flexibility and creativity on the part of the United Nations. We are now working with a number of countries who have offered to participate. Their infantrymen would increase the force by another 5,000, but they do need training, they need equipment. We are still seeking the kinds of equipment support and are in fairly detailed discussions with a few countries on that. It is a very high priority and something that we will devote our attention to.

Regarding the political process, we would hope that the Secretary-General would continue to use his good offices to talk to the parties, to the Government of Sudan. His Special Envoy for Darfur, Mr. Eliasson, and of course, Ambassador Williamson will continue his efforts.

Senator CORKER. In Zimbabwe where we have a situation more leaders, in essence, have been defeated, and now we are having another election for some odd reason. And he has basically vowed that there will not be a transition to someone who does not look at the government there the same way that he does, which obviously the opposition, who is the person running against him, does not.

What should the United Nations—what is our role in a situation like that, and what should and could be done?

Ms. DiCARLO. Thank you. We have been trying for several weeks now to get Zimbabwe on the Security Council agenda. Secretary Rice will be in New York tomorrow.

Senator CORKER. By the way, when you saying “trying,” explain to us what difficulties there are in getting something like that that is pretty important on an agenda.

Ms. DiCARLO. First of all, to get an issue on the Security Council agenda, one needs to have the consensus of Security Council members. There are a few countries on the council who believe that

Zimbabwe is an internal problem and not a threat to international peace and security. We, obviously, disagree. A number of us disagree. We have been working to get to bring this to a vote. We need nine votes to get it on the agenda. We think we are very close.

Secretary Rice will be in New York tomorrow. We are the President of the Security Council this month. She will be co-hosting a session with the foreign minister of Burkina Faso—he is also on the council—on Zimbabwe. Invitees will be member states, members of the Security Council. They will raise this issue, raise the visibility of this issue.

The United Nations has sent an envoy to speak to President Mugabe to talk about elections, election support, the need for fair and free elections. The UN will be using a trust fund and the United States is contributing to it for election monitors. The monitors will come from the African Union and the Southern African Development Community. The Government of Zimbabwe has not allowed official monitors coming from Europe or the United States.

But we agree this is an issue that needs to be resolved. First of all, fair and free elections but much more. We read this morning that President Mugabe is now allowing NGO's working in Zimbabwe to deliver aid, needed food and supplies, to citizens, but we have a serious problem and one that does need international attention.

Senator CORKER. My understanding is most of that aid is going to people who support him and not to those who do not. I wonder if you have any comments in that regard.

Ms. DICARLO. Well, we do know that there were some shipments that were confiscated and went to supporters, but still, there are NGO's working there who are getting assistance to the right people.

Senator CORKER. Senator Nelson, thanks for indulging me. I will turn it back over to your great leadership here as chairman.

Senator NELSON. Well, thank you, Senator. I will just pick up where you left off.

What do you think in your position at the UN you can do to try to get the peacekeepers into the Sudan?

Ms. DICARLO. I think, first of all, we will need to get the kind of force that is appropriate for Sudan, and that is what we are working on now. We will then need to have very serious discussions with the Government of Sudan and keeping the pressure on the need for those peacekeepers to be there. We have seen attacks on humanitarian convoys, situations that make it all the more difficult to deliver the kinds of needed assistance to the people. Without those peacekeepers on the ground, we are not going to be able to help those who are in camps, those who are displaced, and the population.

Senator NELSON. Well, how do we, the United States, in the forum of the United Nations, to which you would be going, bring about the world pressure on the Sudanese Government to allow the peacekeepers to come and stay?

Ms. DICARLO. We have tried with sanctions. Our sanctions, as you know, United Nations sanctions, are modest, but our bilateral sanctions are very major. And we are always looking for ways to increase the pressure on Sudan bilaterally. We need, however, to

look at more ways that we can work through the UN—we agree with you—but also with the Europeans in pressuring the government.

We have seen some movement on the part of China in recent weeks. The Chinese have now named an envoy to Sudan. The Chinese are on the ground with a contingent of about 300 engineers building the necessary infrastructure so that we can actually deploy the troops. We need to encourage China and others that have more influence on Sudan to do more.

Senator NELSON. Speaking of China, what can we do to get the UN to put pressure on China to stop the arms sales to Sudan?

Ms. DiCARLO. Well, we have raised this a number of times. We have certainly raised it bilaterally. We have raised it within the UN context. The difficulty, obviously, China as a veto-bearing member of the Security Council—we have great difficulty in having any kind of formal UN action.

Senator NELSON. Well, do we need to press for an embargo? Do we need to put sanctions? Do we need to encourage the UN to put sanctions on China to stop the flow of arms? What would you suggest?

Ms. DiCARLO. I would say that the most effective means we have is working with our colleagues in Europe and with like-minded countries in putting the pressure on China. It is extremely for us to achieve something in the council, again where they are a permanent member.

Senator NELSON. Do you think this is a particular time that China might be sensitive because of the world attention to them because of the Olympics?

Ms. DiCARLO. Indeed.

Senator NELSON. Then what is the kind of world pressure that we can put on that you said working through Europe?

Ms. DiCARLO. I think the kinds of things that we have been doing and intensifying them, which is high level discussions with them, various points that are made, obviously everything that we are working on with China in a range of areas. We have to make very, very clear that while they may be a good partner in some areas, we need to have them as a good partner in particular in Sudan.

Senator NELSON. What about the rotating presidency of the UN Security Council. The U.S. now holds that. What do you think we can do there to utilize that position?

Ms. DiCARLO. We have made two issues the highlight of our council presidency. One is Africa. As I said, we are trying very hard to get Zimbabwe on the agenda. Sudan is another case. We have had a number of meetings. Ambassador Williamson was there yesterday. And we will continue to work the Sudan issue throughout the month.

The other issue that we had as a priority is a thematic issue and that is women, peace, and security because violence against women in conflict is high and needs much more attention from the international community.

Obviously, when we discuss Sudan, we make very clear our concerns about arms flowing into Sudan. We make very clear our concerns about the government's obstructionism and deployment.

Senator NELSON. Do you intend on having any direct conversations privately with the delegation of China?

Ms. DICARLO. If confirmed, I certainly do. I know that Ambassador Khalilzad does now routinely.

Senator NELSON. How about with the Government of the Sudan?

Ms. DICARLO. We have continued discussions with the Government of the Sudan. I, if confirmed, would continue those discussions, and as I said, Ambassador Williamson has been very active in this area.

Senator NELSON. What do you think we ought to do to get tougher sanctions on Iran?

Ms. DICARLO. Thank you, sir.

Iran is an issue that, obviously, will be a priority in the Security Council in the coming months. We have now three sanctions regimes on Iran, three resolutions calling for sanctions. We need to, first, make sure that these resolutions are implemented. There are a number of countries that have already reported on implementation. There are countries that have asked us for help, asked the UN for help in implementing these provisions. Smaller countries in particular have great difficulty in doing so, and we need to ensure that either the United Nations or some of the countries like us and the Europeans are able to help them do so.

We also need to work bilaterally on our own—we do work on our sanctions, but with the Europeans who are moving in the right direction in increased sanctions on Iran.

When the Security Council adopted the last resolution, 1803, the council made clear that if Iran did not comply with the demands of council resolutions and IAEA recommendations, that the council would consider further action.

Senator NELSON. Do you have the go-ahead from the administration to discuss these matters privately with the Iranian delegation at the United Nations?

Ms. DICARLO. My job is to work within the Security Council. I am not going to be dealing directly on this issue.

Senator NELSON. Does Ambassador Khalilzad have that authority?

Ms. DICARLO. I would have to get back to you on that. I do not know.

Senator NELSON. Well, I sure hope the answer to that is yes. We have a missing FBI agent in Iran, and I have talked directly to the Iranian Ambassador to the United Nations about trying to find this guy for a widow—let us hope it is not a widow—a wife and seven children that are left behind in my State. I would certainly hope that we have the ability to have conversations with the delegates to the United Nations from other countries like that. But you do not know the answer to that?

Ms. DICARLO. You asked whether he was working with them on sanctions issues and other issues. I do not know. Again, I would have to get back to you on it.

I can tell you that, indeed, when we work in a multilateral forum, we work with countries, even countries we do not have relations with, on issues that are before the United Nations.

Senator NELSON. Tell us about the UN peacekeeping effort in Haiti.

Ms. DICARLO. Thank you, Senator.

A very important mission and a mission that we believe has had some success. We were very pleased to see what MINUSTAH has been able to do in the area of elections. The mission is working with the police, helping to develop a police force, making progress there. The mission will also be working on border and maritime security, which we think is an important issue, obviously helping the Haitian police. The Haitian police will be setting up a coast guard, but indeed, the support of the international community is needed there. Patrolling is needed there also by the UN.

Haiti is a work in progress. There is a lot more to be done, but we can say that the UN mission there has certainly made some strides in recent years.

Senator NELSON. Mr. Jones, Guyana has been increasingly a transshipment point for narcotics that are coming to the U.S. and Europe. Why do you not tell us about the U.S. efforts to combat that trend?

Mr. JONES. Yes, Mr. Chairman. We had the reports that Guyana is, in fact, a transshipment point for drugs, as well as illegal immigrants. We have worked closely and will continue to work closely with the Government of Guyana. There are several programs in place right now with training of police and so forth that will continue hopefully if we have that opportunity. And we hope to be able to strengthen both the police infrastructure to weed out corrupt elements and to see that the Guyanese take seriously this whole idea that they need to be securing internally.

As you know, there is a huge interior that is not controlled. There are borders with Venezuela, Brazil, and Suriname. And it is very difficult with the size of their current force to get control over this area. We hope to be able to work with them to strengthen both their police training and that area that requires a lot more policing and control.

Senator NELSON. Tell us about those programs working with the police.

Mr. JONES. These are basic training programs. One of them we are looking forward to implementing is the reestablishment of a Drug Enforcement Administration office in Guyana. This is something that President Jagdeo has asked for and that the leaders of DEA here in Washington have agreed on. I will try to implement that once I get on the ground, if confirmed.

The other is to have our military group bring in trainers. We had approaches from SOUTHCOM and we are looking at trying to implement civil affairs training for those policemen and for the Guyana defense forces hopefully, again, in an effort to strengthen that area of what they actually need to have done.

There is another side and that is to take a look at this whole concept of preventing the use of fraudulent documents, and a lot of the transshipment is done by using these documents. We hope to be able to use our Millennium Challenge Account to strengthen business registration and so forth to have a better way of controlling and accounting for business receipts and so forth. And that includes travel documents.

Senator NELSON. Now, with the rise in crime, when you are helping out their law enforcement about drugs, certainly help them

with the vigilante death squads that they have had. Do you want to comment about that?

Mr. JONES. There has been a rise in crime, sir, and we have had the reports about these death squads. As you know, there is one case in particular that is in the courts in the State of New York. This is a problem. It is going to be something that we will need to address, and hopefully through the use of the cooperative efforts with the police training, the drug enforcement, and military cooperation, we will be able to address it a little bit more properly.

Senator NELSON. By the way, Mrs. Ayalde, I had said Tres Esquinas, which you correctly identified in Colombia. I meant to say Ciudad del Este. That is the one that is like the Wild West there. Anything you want to buy you can probably find it there. And it may not necessarily be authentic. They have got quite a knock-off trade there, and the other things that you are going to be looking at are in such an environment. To what degree have we got to worry about terrorist activity arising from that environment?

Ms. AYALDE. At this point, we have no known operational presence of Al Qaeda or other of these terrorist groups. Nevertheless, it is an issue because of the lack of, like I mentioned earlier, law enforcement, corruption, and all these other factors that lend themselves to attracting these kinds of activities.

Senator NELSON. Mr. Boswell, this committee has had a hearing examining American women, contractor personnel, that have been raped in Iraq and Afghanistan and the lack of help for the rape victim and the lack of follow-up by the Department of State, the Department of Defense, and the Department of Justice. Now, do you want to bring us up to date on what is happening there?

Mr. BOSWELL. Yes, sir, Mr. Chairman. I am aware of some of those cases. I am also aware that the area of jurisdiction and authority is a little bit unclear.

For the record, I am strongly in favor of legislation that would hold contractors to account for criminal violations committed in war zones.

Senator NELSON. Let me just stop you right there. That legislation is now law. It is on the books. And the question is, are those three Departments enforcing the law, providing assistance to the rape victims, as well as referring the evidence and preserving the evidence, and then referring it to the appropriate law enforcement agencies—in the case of the Department of Justice, it is usually the U.S. Attorney—in the prosecution of those crimes? The law is there. So take it from there.

Mr. BOSWELL. Yes, sir, I am aware that the law is there. I was referring perhaps to the Department of State and embassy contractors. The law governing them is a little more unclear. So I want to clarify that. But certainly it is clear in the area of the Department of Defense.

The State Department does everything it can to investigate and assist Americans in trouble overseas. It is a particularly difficult thing to do in war zones, as you can imagine, Senator. When the Department becomes aware of a problem, as it did in one of the cases that you referred to, it was in fact the Department that investigated the case that found the individual, that liberated, freed

the individual, and after investigation, turned over the results of its investigation to the Department of Justice.

Senator NELSON. Now, which one are you speaking of?

Mr. BOSWELL. You mean of a specific case?

Senator NELSON. Yes.

Mr. BOSWELL. A specific case involving a woman in Iraq.

Senator NELSON. Do you have a name?

Mr. BOSWELL. I do not have the name in front of me, sir. I think that case is still under review by the Department of Justice, so I would want to be awfully careful about anything I say here.

Senator NELSON. Was it one of the two women who testified to this committee?

Mr. BOSWELL. I do not know who testified to the committee, sir, but I would guess it is.

Senator NELSON. All right. There is another high profile rape case, a lady named Mrs. Jones who did not testify. But you do not know that that is the one? Jamie Lee Jones?

Mr. BOSWELL. I think that is the case that I was talking about, sir.

Senator NELSON. Okay. She did not testify here. But that has been in the newspaper quite a bit.

Mr. BOSWELL. Yes, sir.

Senator NELSON. And what did you say about that case?

Mr. BOSWELL. In that case, it is my understanding that it was the Department of State that first became aware of the case that investigated the problem, that located the individual who was in trouble, and followed up in investigating the incident and turning over what it found to the Justice Department.

Senator NELSON. That is interesting. She was a Defense Department contractor personnel. She was gang raped by other contractor personnel. She was stuffed in a storage locker and held hostage there until a fellow contractor personnel had pity on her and lent her a cell phone, on which she could make a phone call back to the U.S. And that is eventually how she got out of that storage locker. I mean, it was just an incredible case.

But that was not one of the ones that testified here. Of course, it would raise the hair on the back of your neck to hear the dramatic testimony that came before this subcommittee by two others.

So what would you say is the status of the Department of State in investigating these types of crimes?

Mr. BOSWELL. Senator, I think I can assure you that the Department of State investigates very aggressively the crimes that are committed in its area of jurisdiction.

Senator NELSON. What about the relationship between the Department of State and the military and the Justice Department and their various investigative arms?

Mr. BOSWELL. I think the Department would assist both of those other arms in any way that it can.

Senator NELSON. Do you think it has?

Mr. BOSWELL. I really could not tell you, sir.

Senator NELSON. I can tell you it is has not. And you are up for Assistant Secretary of State of Diplomatic Security.

Mr. BOSWELL. Yes, sir.

Senator NELSON. You would be shocked to see some of this testimony. Now, most of it has been the problem with the Department of Defense because most of the contractor personnel are DOD contractor personnel, but there is the nexus through contractor personnel for the Department of State and that is what you are seeking to be the Assistant Secretary of, diplomatic security.

Mr. BOSWELL. Yes, sir.

Senator NELSON. Which would include contractor personnel as well?

Mr. BOSWELL. The State Department does have oversight over contractor personnel that provide a variety of services, including protective services, to our people overseas.

Senator NELSON. Providing security for them?

Mr. BOSWELL. One of the areas in which we provide contractor personnel is that, a very important area, as Senator Corker referred to during his questioning.

Senator NELSON. Well, let me give you a hypothetical on one of these particular cases that we have and tell me how you would respond as the head of diplomatic security.

A woman is raped and she reports this to her superiors and they do not do anything about it. And when she finally gets to see a military doctor that confirms the rape, then there is some question about the evidence from the rape kit having disappeared. What would you do to make sure that that evidence is not lost in your position as the head of diplomatic security?

Mr. BOSWELL. Senator, diplomatic security agents are trained law enforcement officials. Part of their training, I am quite sure, is how to preserve a chain of evidence in a criminal case, and I would expect if a diplomatic security agent was involved in such an investigation, that he or she would carry out their responsibilities in accordance with their training.

Senator NELSON. Did you serve in this position before?

Mr. BOSWELL. Yes, sir.

Senator NELSON. When?

Mr. BOSWELL. I served as Assistant Secretary for Diplomatic Security from 1996 to 1998, the same position for which I am being considered now.

Senator NELSON. 2 years.

Mr. BOSWELL. Yes, sir.

Senator NELSON. What was your training then with regard to the preservation of criminal evidence?

Mr. BOSWELL. I myself am not a law enforcement officer, nor is the Assistant Secretary. But the people who work for the Assistant Secretary are all badge-trained law enforcement officers, and the training was exactly as I described, training in, among other things, preserving evidence in a criminal case.

Senator NELSON. One of the big problems that we discovered in this hearing about the rapes was that there was just not coordination between the various agencies. Since you, obviously, have some experience having been in this position before, what do you think that you could do to improve the communication and coordination so that these criminal sexual assaults, number one, get reported and evidence is preserved and that they are reported to the appropriate law enforcement authorities?

Mr. BOSWELL. Well, sir, I would say that in a case which came to the attention of the Department of State and which possibly could involve a jurisdiction of another agency, such as you described, it would certainly be a very important part of the Department's investigation of the case to ensure that other agencies with jurisdiction are communicated with, liaised with, and that proper attention be paid to exactly the sort of issues such as preservation of evidence that you were just describing.

Senator NELSON. Will you do what you just said?

Mr. BOSWELL. I certainly will, sir.

Senator NELSON. Now, there was a Blackwater shooting incident, and the Under Secretary of State Kennedy assured us that the diplomatic security agents would be accompanying all the convoys secured by Blackwater and other private security contractor companies. Is that occurring?

Mr. BOSWELL. Yes, sir. That was one of the recommendations that was made by the panel in which I participated, and as I mentioned in earlier testimony, the Department of State responded very positively to those recommendations. Additional personnel, both on a temporary basis and now on a permanent basis, were assigned to the regional security officer's office in Baghdad. The size of the office was, I believe, more than doubled, and there is a diplomatic security special agent in charge, in operational control of every movement involving protected people in Iraq, not just in the Baghdad area, but throughout.

Senator NELSON. In your position, will you oversee the coordination between the uniformed military and those security contractors?

Mr. BOSWELL. Yes, sir. The same panel in which I participated made a number of recommendations designed to increase the coordination between the military and State Department convoys. As you can imagine, there is all sorts of room for confusion when you have civilian convoys protecting embassy personnel that are operating in what the military considers its own battle space. There are areas where things can go wrong, and we made a number of recommendations to ensure that nothing did go wrong, including much better coordination between the tactical operation centers of the respective commands, providing radios to the vehicles that had access to military channels, and things of that nature. I think all of the recommendations that the panel made in that regard have been carried out.

Senator NELSON. The Department of State just conveyed to Blackwater an additional 1-year extension on their contract without other bids being solicited. Can you tell me about why there was a decision that there would not be competition?

Mr. BOSWELL. Yes, Mr. Chairman. The contract in question is what is called a task order under the overall worldwide personal protective security contract, which is the blanket contract. That worldwide contract was competed when it went into effect, I think it was 2 years ago, as were the individual task orders, including the one you mention, for protective security in Baghdad. The overall contract or the task orders, I should say, have renewal clauses, options to renew. I think there are four of them following the ini-

tial award. Those renewals are commonly and routinely exercised after a period of review.

In this particular case, the performance of the contractor was reviewed very closely in connection also with the various steps that have been taken to improve the oversight of the contract and the alternatives should the contract not be renewed. And the decision was made at the time to exercise the renewal option.

I have got to specify, Senator, that that contract could be terminated at any time for the convenience of the Government or otherwise.

Senator NELSON. Senator Corker?

Senator CORKER. Thank you, Mr. Chairman.

I think our ambassadorial nominees are thanking God at this moment they are not dealing with private contractors.

So, anyway, thank you all again for being here.

Mr. Jones, I am curious. In a country like you are going to that basically is a place where narcotics are being transported because of the tremendous demand here in our country—let us face it. I mean, that is why the issue exists. When you get a country like that and we are working with them to counter narcotics, what is in it for them to be focused on this issue?

Mr. JONES. Senator, I think there is a great deal of interconnectivity, as we say. There is a large American population living in Guyana. There is also a very large expatriate Guyanese population living here in the States. I think everyone realizes that this is a question of security, and I think the Government of Guyana and certainly the president and those persons in government realize that this is a question that involves the entire hemisphere. And so I think they will work closely with us, and I intend to extend our efforts to work closely with them to see if we can get a handle on this. But it is interconnected. We believe certainly that just simply because it passes through Guyana and then makes its way northward, that it is not going to stay there, that at some point in time, it is going to have an adverse impact on the local government.

Senator CORKER. Thank you.

Ms. DiCarlo, there has been some discussion about some missions into Somalia, I guess. Could you give us a status of that and why that would be something at this point in time that might be necessary?

Ms. DICARLO. Thank you, Senator. The Security Council adopted a resolution a few months ago asking the Secretary-General to look into the possibility of a UN peacekeeping operation in Somalia and to do contingency planning for it. Various assessments are in the process of taking place now.

The situation in Somali is a dire one. We have an African Union force—it is very small—trying to help protect the transitional government, a government that is quite pro-Western and internationally recognized. The AU force, however, will need support. We have seen traditionally in Africa where the African Union goes in at a time when peacekeepers cannot, but then UN peacekeeping forces come in afterwards as the situation stabilizes somewhat.

We would like the Secretary-General to continue this planning. We think we do have an opportunity now with a transitional gov-

ernment in place to help stabilize the country. We have a very dire humanitarian situation in Somalia. We know that this would not be an easy operation, and obviously, a lot of planning, a lot of thought would have to take place, and should there be such a mission, it would have to be very targeted and have a very specific mandate. We do know, however, that Somalia, without additional international support, is going to have a very tough road ahead.

Senator CORKER. You know and you have a great sense of the culture, if you will, within the United Nations. We have perceptions based upon our visits and interactions, but you are there and know it. What is it about the UNDP program and the lack of transparency that the United Nations continues to want to have there by not allowing member states access to audits? That is something that is difficult for me to understand, and I would like for you to enlighten us a little bit, if you would.

Ms. DiCARLO. Thank you, sir. I will try.

First of all, the UN is very large. It has the Secretariat in New York, a number of funds and programs that are under the Secretariat, plus many affiliated agencies. It is quite a vast system. One of the things that we have asked for is system-wide coherence in a range of areas, certainly in the area of ethics, in the area of transparency, accountability.

We have seen within the Secretariat a number of measures that have been adopted in the last few years. We are very pleased to see that the office that deals with oversight has been strengthened. We want to see it strengthened even further and be more independent, have an independent budget.

What we have not seen is a transfer yet to the various funds and programs, and, again, affiliated agencies would not be my responsibility, but certainly the Bureau of International Organizations at the State Department is working with them. We want to see the kinds of measures that have been put in place in the Secretariat also put in place now in the funds and programs. UNDP is one of them, as is UNICEF.

It is a work in progress. We still need a lot more work in the Secretariat as well, particularly in the area of oversight of procurement, better procurement practices. There is an ethics office now, financial disclosure forms for senior members. But we do need to see this system-wide.

Senator CORKER. You mentioned or something was brought up about MINUSTAH in Haiti. And General Santos Cruz is most impressive. He is somebody that just causes you to feel tremendous faith, if you will, in what he is doing, and certainly I think, from what I can tell, he is doing an outstanding job there.

What are the characteristics of that effort that you would take to other places mentality-wise to say these are the things that we ought to be doing other places as it relates to peacekeeping?

Ms. DiCARLO. I think one of the successes of MINUSTAH is that there are a number of countries in the region, the Latin American region, in the force. We have strong regional support, very strong both in terms of troops, police. So we have a real regional input and that is something that has helped the force considerably.

Also, I remember I was working on the staff of the National Security Council when MINUSTAH was established and when the

marines first went into Haiti and then a UN force followed. And it was a very bumpy start, but one thing that happened, I would say, within a year into the operation was that the Special Representative of the Secretary-General realized that if he was not going to be coordinating the assistance of donors, the activities of all the many donors to Haiti, that we would not be making progress. And the UN has done a good job in Haiti of assuming that role.

Senator CORKER. Mr. Boswell, I wonder if you would just give me a couple of sentences, if you will, on what transformational diplomacy is and, if you would, its effect on diplomatic security, and then step down one level and give me its effect, if you will, on the stovepiping that generally occurs as it relates to working with other organizations of Government to counter threats that you, in fact, have to deal with.

Mr. BOSWELL. Thank you for the question, Senator. I have been out of State Department for a number of years, so I am going to be a little careful about what I say about transformational diplomacy.

But transformational diplomacy, as the Secretary proposed it, as I understand it, was to shift the effort from certain geographic areas where the State Department was heavily represented such as in western Europe to areas of increasing concern. It was also an effort, as I understand it, to more broadly represent the United States overseas in those areas of concern. That means, for example, diplomatic posts of different types than the standard embassy/consulate construct that we are all familiar with.

That poses issues and problems for protecting U.S. personnel in those kinds of situations, and if I am confirmed, it is going to be a very high priority of mine to look into that issue. We do not want diplomats, obviously, clustered only inside fortress embassies. They cannot do their work properly that way. So we need to find ways to protect them as they are out in the field. A very large percentage of Foreign Service officers have served in Iraq and Afghanistan already, sometimes more than once, and it is likely that service in those kinds of zones will continue.

I expect that the State Department will be asked to operate in zones of conflict in the future where there is no major U.S. military presence, unlike Iraq and Afghanistan now, and we will have to find ways to protect our people in those circumstances. And that will be a very big challenge, but it is a very high priority of the Department to operate that way and I think it is the right priority. And the Bureau of Diplomatic Security has got to find a way to discharge its responsibilities in the face of those obligations.

Senator CORKER. And as to the stovepiping that exists between the State Department and other Departments of Government dealing with threats?

Mr. BOSWELL. I think the Senate had before it for confirmation—the ICUS had before it for confirmation a couple of weeks ago the new Director of the National Counterterrorism Center, Mr. Mike Leiter, who is a colleague of mine at the Office of the Director of National Intelligence where I work right now. And eliminating the stovepipes you are talking about is precisely what the National

Counterterrorism Center does. I think it is a very, very good-news story for the U.S. since 9/11.

The State Department and the Bureau of Diplomatic Security is part of that. The bureau has representatives in the National Counterterrorism Center is part of the meetings, three meetings a day, video teleconferences a day, that take place on updating of threat information globally. So I think the stovepipes, while deeply, deeply ingrained in the culture, particularly of the intelligence community in the United States, is—I think the Office of the Director of National Intelligence and, in particular, the National Counterterrorism Center is doing a lot to eliminate those stovepipes and ensure the proper sharing of information for the safety of our citizens.

Senator CORKER. Ms. Ayalde, any thoughts about your hopefully new, very soon future home and their relations with us as it relates to a free trade agreement? Have there been discussions, thoughts?

Mr. BOSWELL. I am afraid, Senator, I am not aware of discussions between—oh, I am sorry.

Senator CORKER. That is all right. That is a good answer, by the way, coming from you. Thank you. [Laughter.]

Senator CORKER. I apologize.

Ms. AYALDE. Thank you, Senator.

I understand that that is a topic of bilateral discussion in the broader sense and certainly is an opportunity that we will need to look at as we move forward with this new administration of President Lugo.

Senator CORKER. So there have been no discussions at all from their side.

Ms. AYALDE. At this point?

Senator CORKER. Yes.

Ms. AYALDE. Well, certainly not with the new administration. They take office on the 15th of August.

Senator CORKER. Well, but even his predecessor, no discussions.

Ms. AYALDE. They are very interested, as I understand it, in increased market access. There are some issues with some of the existing preferences programs, and they are currently under discussion in a very robust way. But beyond that, I would not venture to say at this point.

Senator CORKER. Mr. Chairman, I think we have four very highly qualified nominees, and I have no further questions. I hope that when you finish, that they and their families have a wonderful brunch together and celebrate the survival of an hour and 15 minutes. [Laughter.]

Senator NELSON. It will not be brunch. It will be lunch.

Thank you all for your public service. Thank you for offering yourself for public service.

And the meeting is adjourned.

[Whereupon, at 10:40 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF LILIANA AYALDE AMBASSADOR-DESIGNATE TO PARAGUAY

Mr. Chairman, Members of the Committee,

I am honored to appear before you today as the President's nominee to be the next U.S. Ambassador to the Republic of Paraguay. I want to thank President Bush and Secretary Rice for their confidence and trust in sending my name to the Senate for your consideration. If confirmed by the Senate, I look forward to working closely with this Committee and with your colleagues in the Congress to advance our interests in Paraguay and in the region.

For most of my 27 years as a career member of the Senior Foreign Service of the United States Agency for International Development (USAID), I served in Latin America. I hope that you will find that my professional experience in the region has prepared me well for this important assignment as the Chief of Mission in Paraguay. Most recently, I served as USAID Mission Director in Colombia, where I managed one of USAID's largest programs in the world and the largest in the Western Hemisphere. We worked with vulnerable groups, victims, and those displaced by the violence while developing viable and licit economic opportunities for those who had been forced to engage in illegal coca production, trafficking, and at risk of joining illegal armed and criminal groups. We strengthened governance and helped build the capacity to expand state presence in territories with weak institutional or no state presence. We supported judicial reform and promoted the respect for human rights. Before Colombia, I served in Bolivia during a period of much political and social turmoil. I also served in Nicaragua, re-engaging bilateral relations after a USAID absence of 12 years. This, plus my experience in Guatemala and Bangladesh, prepared me well for defending U.S. interests in challenging environments. I have worked closely with government counterparts, civil society, private sector, and the U.S. interagency community in developing synergies and coming to agreement on common grounds as we promote the fight against poverty, drugs, and corruption.

If confirmed I will arrive in Paraguay at a historic moment. My experience in development and diplomacy will serve the United States well as we engage President-elect Lugo, supporting his efforts to promote a more just and prosperous democracy.

I would certainly draw on my experience administering our foreign assistance programs to ensure that Embassy resources are wisely used, and that security remains a top priority. If confirmed, I will also do everything in my power to ensure the safety of Embassy staff, and of the thousands of Americans who reside in Paraguay and those who visit each year.

The United States has long had close and friendly ties to Paraguay. During the last two years of the Millennium Challenge Corporation Threshold Program, we have seen the Paraguayans implement many important reforms to improve transparency, eradicate corruption, and improve business climate and economic freedom. We look forward to continuing this process with a second Threshold Program with the incoming Lugo administration. President-elect Lugo has made fighting corruption a key part of his platform and our assistance is designed to support his efforts toward that end.

Paraguay has been a good partner on security and counter-narcotics issues. Select Paraguayan law enforcement units are effectively cooperating with us and their neighbors to stem the flow of illicit drugs, arms, pirated goods, and persons through Paraguay's territory.

Our accomplishments thus far are a prelude to what remains to be done - and I look forward, if confirmed, to the challenges ahead, to working with a Paraguayan Government committed to building a more stable and prosperous Paraguay. Promoting U.S. exports will be one of my priorities and I am optimistic that there is much the U.S. private sector can contribute to the development of Paraguayan agricultural potential. And, Mr. Chairman, members of the Committee, if confirmed, I look forward to working with you and with your colleagues in Congress as we pursue our interests in Paraguay. I would be pleased to welcome many of you to the U.S. Embassy in Asuncion. I will be happy to answer any questions you may have. Thank you.

PREPARED STATEMENT OF ERIC J. BOSWELL, NOMINEE TO BE ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY

Thank you, Mr. Chairman.

Mr. Chairman and members of the Subcommittee, it is an honor to appear before you today as the President's nominee to be Assistant Secretary of State for the Bureau of Diplomatic Security and Director of the Office of Foreign Missions.

I want to thank the President and Secretary Rice for the confidence they have placed in me, and for this opportunity to be of further service to the Department of State and to our nation. I believe I am well qualified for this position.

I served for 27 years as a career Foreign Service Officer in a variety of assignments both in Washington, D.C., and overseas, culminating in my service as Assistant Secretary for Diplomatic Security from 1996 to 1998, the same position for which you are considering me today. I left the State Department a decade ago, but I did not leave the security world. While working at the United Nations in 2004, I was responsible for developing and implementing the security structure that was put in place for the United Nations system in the aftermath of the tragic bombing of the UN offices in Baghdad in August 2003. And in my current position in the Office of the Director for National Intelligence, I have been serving as the top security policy official for the intelligence community.

But my heart has always been with the State Department and the Foreign Service. I believe a career in the Foreign Service, whether as a Foreign Service Officer, or a Diplomatic Security Special Agent, or any of the other Foreign Service and Civil Service career paths in the Department of State, is an unparalleled opportunity to serve our nation alongside patriotic, dedicated, highly motivated colleagues. That is why I chose to accept this nomination and hope to be confirmed.

Mr. Chairman, our State Department personnel serve in some of the most dangerous locations on earth. The mission of the Bureau of Diplomatic Security is to keep them safe, and to provide a secure environment for the conduct of our nation's foreign policy.

But security for our diplomats is only one of many challenges facing the Bureau. Diplomatic Security is a global organization with expertise in international investigations, threat analysis, cyber security, dignitary protection, security technology, counterterrorism, and so much more. It is the security and law enforcement arm of the U.S. Department of State, committed to protecting our nation's people, property, and information. Diplomatic Security is one of the largest bureaus in the Department with a workforce of more than 2,500 professionals, consisting of special agents, engineers, technicians, diplomatic couriers, and Civil Service specialists. These specialists oversee another 32,000 contract guards and security specialists around the globe.

Diplomatic Security has a broad range of responsibilities including the protection of domestic State Department facilities as well as U.S. embassies and missions overseas. It also plays a key role in combating visa and passport fraud, and has a robust investigations program that is critical to homeland security for the nation. It trains foreign police and security officers to combat terrorism through its Antiterrorism Assistance program. It also protects foreign dignitaries who visit the United States. While it is the responsibility of the U.S. Secret Service to protect visiting heads of state, Diplomatic Security protects the hundreds of foreign ministers and delegations that visit the United States every year. Many of these visitors are from the most politically volatile countries in the world, requiring special protective measures.

The Office of Foreign Missions is another important element of the Bureau. Its primary role is to defend national security by coordinating the activities of U.S. missions abroad and of foreign missions and international organizations in the United States. It develops and implements policies to improve the treatment of U.S. overseas personnel through the application of reciprocal treatment for foreign missions in the U.S. It also protects the interests of the United States and its citizens from foreign diplomats' abuses of privileges and immunities.

The security challenges facing the Foreign Service today are enormous. Drawing on the expertise I have acquired throughout my professional life, including my most recent experience at the Office of the Director of National Intelligence, I believe I can provide the leadership necessary to guide the Bureau at this critical time in our nation's history.

The Bureau of Diplomatic Security is a critical part of America's security apparatus. I was proud to be the Assistant Secretary a decade ago, and would be honored to have the opportunity to serve in that office once again. If confirmed, I will assume my duties with great enthusiasm and commitment. I pledge to work cooperatively with the Congress, with others in the Executive Branch, and to serve the American people.

Thank you again for the opportunity to appear before you today.

PREPARED STATEMENT OF ROSEMARY DICARLO NOMINEE FOR ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS TO THE UNITED NATIONS

Thank you, Mr. Chairman and Members of the Committee.

I am honored to appear before you today as President Bush's nominee to be Alternate Representative for Special Political Affairs to the United Nations. I am grateful to President Bush for my nomination and to Secretary Rice for her confidence. Thank you, Mr. Chairman, for convening this hearing during a very busy time.

If confirmed, I look forward to advancing America's interests at the United Nations at a time of great flux in the international system, with unprecedented threats to peace and security that go beyond the traditional security challenges, and at a time of historic opportunities for the United States. As a career member of the Foreign Service, I have dealt with many of the issues that come before the United Nations. I served as Director of the Washington office of the U.S. Mission to the United Nations in 2001, as the international community grappled with the horrors of the attacks on the World Trade Center on September 11. The United Nations Security Council responded immediately to these attacks with the unanimous adoption of Resolution 1373, which criminalized terrorist acts by non-state actors, and obliged governments to take the necessary legal measures to prevent such acts. As Director for United Nations Affairs on the National Security Council staff, I contributed to the development of Resolution 1540, which criminalized proliferation of weapons of mass destruction, and worked on a plan for reform of the United Nations that was deliberated at the 2005 World Summit.

If confirmed, I will help represent the United States at the United Nations Security Council. Many challenges face the Council, but none are more serious than preventing proliferation of weapons of mass destruction. Iran has ignored calls by the International Atomic Energy Agency (IAEA) and the Security Council to suspend fully and verifiably all proliferation-sensitive nuclear activities, including enrichment-related activities. In response, the Security Council has adopted three binding resolutions placing Iran under sanctions unless it ceased uranium enrichment activities and cooperated with the IAEA. The last, Resolution 1803, made clear that the Council would consider adoption of further appropriate measures should Iran fail to comply.

The United Nations has served an important role in combating terrorism, and the Administration is committed to strengthening the organization's ability to address this threat. Our mission to the United Nations is working to strengthen the effectiveness of the 1267 Committee, which imposes targeted sanctions on the Taliban, Usama Bin Laden and Al-Qaeda, and to intensify the efforts of the Counter Terrorism Committee and its Executive Directorate to develop the capacity of Member States to prevent terrorist acts.

Mr. Chairman, the Administration believes United Nations peacekeeping to be in our national interest. Through UN peacekeeping operations, the United States is able to leverage military and financial resources to resolve crises throughout the world. It deserves and receives our political and financial support as well as our close attention and oversight. Should I be confirmed, peacekeeping would be one of my major responsibilities. I would work with partners on the Council to achieve more effective peacekeeping operations that are appropriate for the circumstances in a given country and achievable within available resources. Given the growth of our contributions to peacekeeping, which have almost doubled in the last two years, I would work with others in the Administration to look seriously at possibilities for achieving savings in these operations.

The humanitarian crisis in Darfur remains of utmost concern and the Administration will continue to press for rapid deployment of the United Nations-African Union hybrid peacekeeping operation in Darfur. When fully deployed, this peacekeeping mission will be the largest of existing missions and will contribute to the protection of civilians in that troubled region. Finding an appropriate means to address the long-running political and humanitarian crisis in Somalia is another high priority.

A serious concern for the United States is sexual exploitation and abuse in UN peacekeeping missions. If confirmed, I will continue our efforts to ensure that the United Nations carefully monitors the behavior of UN peacekeepers and enforces its policy of zero tolerance regarding sexual exploitation and abuse by peacekeepers.

There are many issues where the Security Council has played a vital role. The Council helped to stabilize the situation in Lebanon by calling for the withdrawal of all foreign forces from Lebanon and expanding the mandate of the existing United Nations peacekeeping mission to assist the Government of Lebanon in extending its control throughout Lebanese territory. We must, however, continue to press for full implementation of Council resolutions calling for all countries to respect the sovereignty, territorial integrity and political independence of Lebanon, and to demand that Syria and Iran refrain from destabilizing the country.

If confirmed, I will seek opportunities to raise matters of great concern to the United States before the Security Council. The Security Council should continue to monitor the political situation and humanitarian crisis in Burma and actively support the Secretary General's efforts to engage the regime in a dialogue with the opposition. The Council should also press for peaceful, fair and free elections in Zimbabwe.

Mr. Chairman, working through the United Nations, the United States can bring the full weight of the international community to our foreign policy objectives. To be truly effective, the United Nations must be able to address the new threats to peace and security and to implement reforms aimed at strengthening this important body. American leadership is essential. If confirmed, I look forward to working with this Committee to advance our interests at the United Nations and to assist the international community in meeting these new challenges.

PREPARED STATEMENT OF JOHN MELVIN JONES, NOMINEE TO BE AMBASSADOR TO
THE COOPERATIVE REPUBLIC OF GUYANA

Mr. Chairman and Members of the Committee: Thank you for the opportunity to appear before you today as the nominee to serve as the next United States Ambassador to the Cooperative Republic of Guyana. I sincerely appreciate the trust and confidence placed in me by President Bush and Secretary of State Rice in putting my nomination forward. If confirmed by the Senate, I pledge to work closely with this Committee and with your Congressional colleagues both to advance our nation's interests and to protect our citizens in Guyana and the region.

Before I proceed further, and with the indulgence of the Chair, I would like to introduce two members of my family. With me today are my wife, Aaronia Jones and our daughter Christie Jones-Aden.

Mr. Chairman, for more than 27 years I have served as a career Foreign Service Officer, including at hardship posts in several regions of the world; these experiences have prepared me well to lead the U.S. mission in Georgetown. Guyana is a country striving to strengthen its fragile democracy in the face of daunting problems including an HIV/AIDS epidemic, poverty, racial tensions, drug trafficking, arms and human smuggling, ever rising rates of violent crime, and corruption that plagues many of its law enforcement agencies. To make matters worse, Guyana suffers from a "brain drain," as many of its educated citizens emigrate. I welcome this challenge to use my experience, my creativity, and my leadership abilities to represent U.S. interests in the context of these very serious issues. Guyana's problems affect U.S. security because of our interconnectedness with countries throughout the Caribbean region and because Guyana is part of the family of democracies in the Hemisphere. The United States has a special link with Guyana through the many Guyanese who have immigrated to our nation, many of whom are dual nationals and maintain strong ties to family remaining in Guyana. We are Guyana's largest trading partner, and we share a commitment to fighting the scourge of HIV/AIDS. The President's PEPFAR program and the more than \$100 million Congress has appropriated since 2004 continues to make a profound impact in a country where USAID estimates that 2.5% of the adult population is infected with HIV/AIDS. Through the partnership that involves USAID, CDC, Peace Corps, DOD and other donors, PEPFAR has provided AIDS testing for more than 29,000 people, and over 2,000 individuals receive life-saving anti-retroviral drug therapy.

Guyana is becoming an ally in regional security and in the fight against narco-trafficking. In 2007, the government's drug seizures were up, but Guyana needs assistance to professionalize law enforcement personnel and to weed out corrupt elements. If confirmed, I hope to work toward re-establishment of a U.S. Drug Enforcement Agency office at the Embassy, something that President Jagdeo has requested and which DEA's leadership also supports. The two-year \$6.7 million Millennium

Challenge Threshold program for Guyana began implementation in fiscal 2008. Under USAID direction, the Threshold program seeks to help the Government improve its fiscal management, including implementation of a new VAT, and to improve the business climate by modernizing the business registration process.

If confirmed, I will work to see that this effort proves successful. As another priority, if confirmed, I will encourage the government to hold local elections, which were last held in 1994 and are long overdue. Local elections, the political dialogue and the empowerment that follows will strengthen democracy and serve the country well. If confirmed, I will also be accredited to the Caribbean Community (CARICOM), which brings together 15 Caribbean states and a number of regional observers. I would look forward to working with CARICOM members to advance mutual interests in trade, investment, development, security and social policy.

Mr. Chairman, these are some of the opportunities and tests that await the next United States Ambassador to Guyana. I would welcome the opportunity to address them, and if confirmed, I will work diligently to strengthen bilateral cooperation and to advance U.S. interests in Guyana and the broader CARICOM region.

RESPONSES OF ERIC BOSWELL TO QUESTIONS SUBMITTED
BY SENATOR JOSEPH R. BIDEN, JR.

Question. Why do you want this position? What do you hope to achieve?

Answer. I am a retired career Foreign Service officer with over 30 years of service in the U.S. Government. I am honored to have been nominated for the position of Assistant Secretary for Diplomatic Security and for the opportunity once again to be of service to our Nation alongside the patriotic, dedicated, highly motivated professionals of the Department of State.

Question. What will be your top three priorities?

Answer. My priorities are:

- To ensure the safety and security of our diplomats, with particular attention to the safety and security of those serving in war zones and other high-threat areas.
- To participate actively in the global war on terror by combating passport and visa fraud.
- To do my utmost to obtain the resources necessary for the Bureau of Diplomatic Security to operate at maximum effectiveness.

Question. What do you regard as the major strengths and weaknesses of the Bureau of Diplomatic Security? What measures are you considering to address the weaknesses?

Answer. Based on my previous tenure as Assistant Secretary of Diplomatic Security and my familiarity with the organization, I believe that DS's greatest strength lies in the quality of personnel the organization has recruited through the years and their level of training. These agents, engineers, couriers, and other Foreign Service specialists, along with the cadre of Civil Service employees that make up DS, are a dedicated, flexible, and dynamic force willing to serve in dangerous and insecure locations around the globe to create an environment where American diplomatic initiatives can be pursued.

The organization's weakness essentially is that there are many countries with increasing security problems and a finite workforce that is already somewhat stretched. The issue of extremism and the resulting attacks on our diplomatic facilities and other symbols of America overseas, along with growing instability in many nations and rising levels of crime and violence, portend a need for additional security resources and programs if the United States is to maintain its crucial diplomatic presence overseas.

My plans to address this do include doing my utmost to ensure that Diplomatic Security has the resources necessary to fulfill its mission. However, I will also ensure that there is close attention paid to determining priorities within DS, so that the most crucial requirements are fully met, with less important requirements perhaps postponed and moved to a lower priority. Additionally, I fully support the idea that Foreign Service officers and their families must be provided with hard skills based security training—"Foreign Service Security Tradecraft" in essence, so they too can become an important part of the overall security solution when asked to take assignments to increasingly dangerous and unstable posts.

Finally, I believe that the Foreign Service must find ways to operate in dangerous environments, without relying on the U.S. military having "boots on the ground." This will require DS to have the ability to use contracted security services, but we

must have more transparent accountability and better contract oversight, and I intend to make that a priority as well.

Question. You served on the Secretary's Panel on Personal Protective Services in Iraq. That panel recommended the hiring of 100 additional DS agents to offset the impact of increased DS staffing requirements in Iraq. What is the status of the hiring and training of these agents?

Answer. The 100 positions were included in the fiscal year 2008 supplemental and fiscal year 2009 bridge budget request that is currently with Congress for approval. In the interim, DS reprogrammed existing positions to create positions in Iraq. Those positions are now being staffed with current DS Special Agents. Upon approval of the budget request, DS will recruit and train the 100 additional personnel received from the supplemental funding.

Question. How many DS agents were assigned to Iraq under chief of mission authority as of September 30, 2007? How many such agents were there on March 30, 2008?

Answer. As of September 30, 2007, there were 36 Special Agent positions assigned for Iraq. Subsequent to September 2007, an additional 45 positions were authorized.

As of March 30, 2008, 57 Special Agents were actually on the ground. Upon the completion of the required training by September of 2008, the full complement of 81 Special Agents are scheduled to be at Post.

Question. The Panel also recommended that a DS agent accompany every movement of Personal Protective Services in Iraq. On what date was that recommendation implemented? Please provide a copy of any relevant memorandum, cable, or directive implementing this recommendation. Has it been adhered to?

Answer. By early October 2007, the 12 TDY Special Agents (SAs) deployed to Iraq began accompanying the Private Security Contractors (PSCs) on protective motorcade movements. Simultaneously, 45 new FTE positions were established, assignments were made, and the required training courses commenced. All 45 positions are scheduled to be filled by September 2008.

The assignment of a DS Special Agent to accompany the movement of Personal Protective Services in Iraq was a recommendation of the "Report of the Secretary of State's Panel on Personal Protective Services in Iraq." This recommendation was accepted by the Secretary, the United States Embassy in Baghdad, and the Bureau of Diplomatic Security. The recommendation has been fully implemented in Baghdad and on a prioritized basis in the Provinces as more agents arrive in country.

Question. How many direct hire positions are authorized for the Bureau domestically? Of these, how many positions are vacant (use the most recent date in the last four months for which such information is available, but indicate the date used)?

Answer. The Bureau of Diplomatic Security is authorized domestically 715 General Schedule positions and 1,056 Foreign Service positions. The Foreign Service positions not only include special agents, but also security engineering officers, security technicians, and diplomatic couriers. Of the authorized domestic number, there are 132 General Schedule positions vacant and 237 Foreign Service positions vacant. This information is current as of April 30, 2008, and was supplied by the Human Resources Monthly Resource Statistic Report.

The total number of DS Special Agents assigned domestically is approximately 800. Of that, approximately 550 agents are assigned to DS Field Offices, 150 agents are assigned to full-time protection assignments, and the remainder assigned to Headquarters and liaison assignments.

Question. How many direct hire positions are authorized for the Bureau overseas? Of these, how many positions are vacant (use the most recent date in the last four months for which such information is available, but indicate the date used)?

Answer. DS has authorized 698 Special Agent positions overseas. As of June 20, 2008, DS records indicate that 58 of the 698 overseas Special Agent positions are currently vacant, due to summer transfer gaps and a shortfall in the Special Agent manpower pool.

RESPONSES OF ERIC BOSWELL TO QUESTIONS SUBMITTED
BY SENATOR RICHARD G. LUGAR

Question. How many DS agents are in Iraq and Afghanistan and where are they located? How many contractors are performing protective duties in those countries that would otherwise be handled by full-time DS employees? Please provide a list

of the number of contractors, by location, function, and company in Iraq and Afghanistan.

Answer. There are 81 DS Special Agent (SA) positions authorized for Iraq: 58 located in Baghdad, 8 in Erbil, 6 in Al Hillah, 5 in Tallil, and 4 in Basrah. The Regional Security Officer (RSO) retains the authority to reassign his personnel resources between any of the five locations as operational requirements dictate. Currently there are 52 permanently assigned SAs and 16 temporarily assigned SAs in Iraq. DS anticipates that all 81 authorized positions in Iraq will be filled by September 2008.

The Afghanistan staffing pattern currently consists of 16 DS SA positions, 4 of which were just recently created in April 2008. Ten of the 12 full-time DS SA positions in Afghanistan are filled with permanently assigned Special Agents, and two temporarily assigned SAs augment the permanent staff. The complement of SAs in Afghanistan will increase to 15 by the end of September 2008 with the 16th position being staffed by the end of the year. All DS positions in Afghanistan are located in Kabul.

As for the number of contractors performing personal protective services in Iraq and Afghanistan, as the table below indicates, 837 contractors are performing protective security duties that otherwise would be handled by DS Agents.

WPPS II IRAQ AND AFGHANISTAN STAFFING

Task Order	Location	Contractor	Protective security specialist (PSS)	Support	Static guard	Total
004	Kabul	Blackwater	78	21	20	119
006	Baghdad	Blackwater	474	80	0	554
007	Basrah/Tallil	Triple Canopy	80	33	166 *(45)	279 *(158)
008	Al Hillah	Blackwater	77	17	162	256
009	Kirkuk/Erbil	DynCorp	78	23	52	153
010	Iraq Aviation	Blackwater	50	108	0	158
Iraq and Afghanistan Authorized Staffing			837	282	400	1,519
Actual Staffing to Reflect IO-7 Basrah Transition			837	282	279*	1,398

IO-7 Basrah guard force authorized 166, but currently staffed 45 due to transition to Basrah Air Station.
IO-8 is returning to full staffing, reflected above.
IO-10 continues to transition to full staffing.

Question. In your testimony you noted that the number of DS agents in Baghdad dramatically increased following a report in which you were one of the primary drafters. Please provide before/after DS staffing numbers that would illustrate this.

Answer. Prior to September 2007, there were 36 Special Agent positions authorized for Iraq. Subsequent to September 2007, an additional 45 positions were authorized.

The current staffing for the 45 new positions is as follows: 20 positions have been filled with DS Special Agents on permanent assignment; 16 positions are filled with TDY DS Special Agents, and 25 DS Special Agents are completing High Threat Training scheduled to arrive at Post on or before September of 2008.

Question. Please list the location of the domestic offices of Diplomatic Security and the number of DS employees in each and the primary function of each office.

Answer. To safeguard the nations borders and ensure the integrity of the U.S. passport and visa programs, DS Special Agents assigned to the below field offices investigate criminal attempts to fraudulently obtain U.S. passports and visas, and detect and dismantle identity document vendors operating in the United States.

In 2007, DS's domestic field offices opened 4,725 criminal investigations for passport and visa fraud, arrested 1,550 individuals, and seized nearly \$3 million in assets. DS Special Agents are assigned to the FBI's Joint Terrorism Task Forces, ICE's Document and Benefit Fraud Task Forces, and the U.S. Marshals Fugitive Task Forces. DS field office agents also conduct protective security operations, ensuring the safety of the Secretary of State worldwide, annually performing 290 protective operations for foreign dignitaries visiting the United States, and congressional delegations during overseas travel.

Boston Field Office-26; Chicago Field Office-41; St. Louis Resident Office-2; Houston Field Office-34; Dallas Resident Office-5; Los Angeles Field Office-52; Honolulu Resident Office-3; Phoenix Resident Office-3; San Diego Resident Office-7; Miami Field Office-49; Atlanta Resident Office-8; New Orleans Resident Office-4; San Juan Resident Office-3; New York Field Office-126; Philadelphia Resident

Office-7; San Francisco Field Office-39; Denver Resident Office-7; Seattle Resident Office-5; Washington Field Office-121; Greensboro Resident Office-7.

Question. The Department has made recommendations with respect to improving the oversight and performance of PSD movements in Iraq. Are they being fully implemented (please be specific to each recommendation from the Kennedy report)? **How many** more DS agents are in Iraq now? How has this affected operations in **other parts** of the world?

Answer. Please see the attached chart for the status of each recommendation from the Kennedy Report.

IMPLEMENTATION OF RECOMMENDATIONS FROM THE SECRETARY OF STATE'S REPORT ON
PERSONAL PROTECTIVE SERVICES IN IRAQ (REVISED 06/19/08)

Recommendation	Status
1. The State Department should urgently engage with the Department of Justice and the Office of Management and Budget, and then with the Congress, to establish a clear legal basis for holding contractors accountable under U.S. law.	<ul style="list-style-type: none"> —An interagency working group drafted legislation to clarify and expand the Military Extraterritorial Jurisdiction Act (MEJA) to hold private security contractors overseas accountable for offenses. —The Department of Justice is taking the lead on further discussions of this issue with Senate staff. —The Department of State's Legal Advisor's Office is involved as needed. —The Department of State's Legal Advisor's Office will stay engaged in this process until legislation is passed.
2. The Department of State should work with the Department of Defense to determine how to commence discussions with the Government of Iraq on a new regulatory framework for PPS contractors.	<ul style="list-style-type: none"> —U.S. Embassy Baghdad, Multi-National Forces-Iraq (MNF-I), and the Iraqi Ministry of Interior continue to negotiate a Status of Forces Agreement and a Strategic Framework Agreement. —This recommendation is complete. (06/06/08)
3. The requirement to expand security oversight requires an overall increase in the Diplomatic Security Service's authorized staffing level. The Department of State should approach the Office of Management and Budget and request in the final appropriations action for fiscal year 2008 an increase of 100 positions and the requisite salary and operating costs in order to provide the needed staffing in Iraq without stripping other missions of their security resources.	<ul style="list-style-type: none"> —The Department is reviewing options to augment personnel to fulfill this requirement.
4. When the FBI investigation into the September 16, 2007, incident is completed, the Embassy should submit its recommendation as to whether the continued services of the contractor involved is consistent with the accomplishment of the overall United States mission in Iraq.	<ul style="list-style-type: none"> —The Embassy and the Department are awaiting the results of the FBI's investigation.
5. The Regional Security Office should be provided with additional Department of State Special Agents so that an Assistant Regional Security Officer can accompany PPS movements. The State Department should ensure that each A/RSO should complete an Iraq-specific orientation program.	<ul style="list-style-type: none"> —Forty-five new full time employee (FTE) DS Special Agents positions were created for Iraq. Currently, 11 of these new positions are staffed at Post. Thirty-four DS Agents are completing High Threat Training and all positions will be filled by Sept. 2008. —Additionally, the RSO staff is currently augmented by 16 temporary duty (TDY) DS personnel. —All DS Special Agents complete Iraq-specific training at the DS Training Center and Foreign Service Institute prior to deployment.
6. The Worldwide Personal Protective Service contract should be amended to require the contractor to provide a limited number of Arabic language staff for use as needed.	<ul style="list-style-type: none"> —The WPPS contract was modified to require eight Protective Security Specialist/Translators, as requested by the RSO, to serve throughout Iraq. —This recommendation is complete. (04/02/08)

IMPLEMENTATION OF RECOMMENDATIONS FROM THE SECRETARY OF STATE'S REPORT ON
PERSONAL PROTECTIVE SERVICES IN IRAQ (REVISED 06/19/08)—Continued

Recommendation	Status
7. Additional training modules should be added under the Worldwide Protective Services contract to enhance the cultural awareness of assigned personnel, acquaint them with diplomatic structures and procedures, and familiarize them with Multi-National Force-I tactics, techniques, and procedures.	<p>—The WPPS contract was modified to require that all WPPS personnel complete the Iraq Cultural Awareness training program developed by the DS Training Center and the on-line "Working in an Embassy" course offered by the Foreign Service Institute.</p> <p>—This recommendation is complete. (06/05/08)</p>
8. To tighten the ground rules for the use of deadly force, and to ensure greater parallelism with USCENTCOM rules on the use of force by contracted security in Iraq, the U.S. Mission Firearms Policy should be revised to specify, without limiting the inherent right to take action necessary for self-defense, if an authorized employee must fire his/her weapon, he/she must fire only aimed shots; fire with due regard for the safety of innocent bystanders; and make every effort to avoid civilian casualties.	<p>—The Departments of State and Defense agreed upon common principles for the Rules for the Use of Force.</p> <p>—The updated Mission Firearms Policy incorporating these revised Rules for the Use of Force was signed into effect by the DCM on February 2, 2008.</p> <p>—This recommendation is complete. (02/26/08)</p>
9. The Regional Security Office (RSO) should be provided video and audio recording equipment for each security vehicle, audio recording equipment in the Tactical Operations Center to record all radio transmissions; and computer enhancements to record all Blue Force Tracking Data.	<p>—To date, video recording systems have been installed into 133 mission vehicles throughout Iraq, and installation continues.</p> <p>—The radio recording system in the RSO's Tactical Operations Center is operational, and all Embassy radio transmissions are recorded.</p> <p>—Post implemented long-term recording of all BFT data. BFT data is stored on external hard drives, expanding retention capabilities.</p>
10. The Regional Security Office should place a readable number (like a license plate) on the right rear door of each vehicle utilized, to enable anyone wishing to question its mode of operation to identify the unit of the Regional Security Office, which can then review the matter and take appropriate action.	<p>—For operational security reasons this action is being reviewed. The issue will be discussed with the Iraqi Ministry of Interior during licensing and registration discussions.</p>
11. The Regional Security Office should establish a "Go Team" that would proceed as soon as possible to the scene of any weapons discharge to gather information and material and provide an analysis of what happened and why, and prepare a report. The Team would work with representatives of the appropriate Government of Iraq offices and the U.S. military unit responsible for the location.	<p>—The RSO established a dedicated Force Investigation Unit (FIU) and reached an agreement with MNF-I for military security support for investigators.</p> <p>—DS awarded a contract to provide 8 investigators, 2 translators, and 1 Senior Police Advisor/Liaison contractor personnel to support the FIU.</p> <p>—The vendor (USIS) is currently recruiting personnel, making arrangements for training, and submitting personnel for required security clearances. The FIU support contractors are expected to deploy to Iraq in July 2008.</p> <p>—This recommendation is complete.</p>

IMPLEMENTATION OF RECOMMENDATIONS FROM THE SECRETARY OF STATE'S REPORT ON
PERSONAL PROTECTIVE SERVICES IN IRAQ (REVISED 06/19/08)—Continued

Recommendation	Status
<p>12. An Embassy Joint Incident Review Board should be established to review all incidents involving the use of deadly force which are known or asserted to have caused injury or death or other serious consequences. The Board should be chaired by the Deputy Chief of Mission and other members should be the Regional Security Officer, another civilian embassy officer with a law enforcement background from an agency other than State or Justice, and a military officer designated by MNF-I. The Board would hear from the Assistant Regional Security Officer (A/RSO) who was in the motorcade, review the statements provided by the security personnel involved, as well as any protectee(s), plus the Go Team report, and then make a recommendation to the Ambassador on whether or not the use of force appears justified. If it does not feel that it was justified, the Department should be informed to notify the Department of Justice.</p>	<p>—The Deputy Chief of Mission (DCM) approved an Action Memo establishing the framework and process for convening an Embassy Joint Incident Review Board. The Board has not yet had cause to meet. —This recommendation is complete, (06/06/08)</p>
<p>13. The Regional Security Office and MNF-I should establish a permanent working group to develop commonly agreed operational procedures; establish a robust liaison element; exchange information; ensure optimal situational awareness; and ensure that any issues are discussed and quickly resolved.</p>	<p>—A permanent working group was established in November 2007. —In December 2007 the Deputy Secretaries of State and Defense signed a Memorandum of Agreement to define the authority and responsibility for the accountability and operations of private security contractors in Iraq. —This recommendation is complete, (11/16/07)</p>
<p>14. In addition to the above, three specific items should be on the agenda for the first meeting. —Ensuring that the planning, coordinating and routing information which currently flows from the Regional Security Office's Tactical Operations Center (TOC) to Multi-National Force-Iraq (MNF-I) liaison elements located in the TOC and posted to the U.S. Military's Command Post of the Future (CPOF) system, is available electronically to all operating elements under MNF-I. —Providing TOC Spot Reporting electronically to any subordinate military element that wishes to receive it directly. —Coordinating the provision of frequencies for the military radios and the RSO has ordered to enhance coordination.</p>	<p>—Electronic tracking issues were addressed to everyone's satisfaction by Command Post of the Future, Blue Force Tracker, and TAPESTRY. (11/16/07) —The RSO and MNC-I exchanged liaison officers in their respective Tactical Operations Centers. —This recommendation is complete. (05/08/08) —RSO Spot Report language entered into MNF-I Combined Information Data Network Exchange (CIDNE) database by the MNF-I liaison officer. This recommendation is complete. (11/16/07) —The RSO received 142 PRC-152 radios, which have been loaded and configured with DOD-compatible channels. This recommendation is complete. (04/10/08)</p>
<p>15. Coordination with MNF-I elements could be further enhanced if the pending order for Harris Corporation Model PRC-110 radios were received. The Department of State should intervene, including with DOD as necessary, to obtain these units.</p>	<p>—Post received 142 PRC-152 radios. —All radios have been loaded and configured with DOD-compatible channels and were distributed to RSO protective security teams. —This recommendation is complete, (04/10/08)</p>
<p>16. When the "Go Team" is not involved in investigating incidents, it should be employed in pattern analysis. The Diplomatic Security service in Washington should provide the RSO with a relational database to be used to review incidents and determine potential patterns. Such a database would include the following:</p> <ol style="list-style-type: none"> 1. Date and Time of incident. 2. Destination and GPS coordinates. 3. GPS coordinates of incident. 4. Mission identifier. 5. Vehicle identification numbers. 6. Incident type. 7. Names of all security personnel involved and their assignments in the motorcade. 8. Such other details as would be useful. 	<p>—Pattern analysis software was identified, tested, modified, and Beta tested. —DS/SI/IS received and evaluated final version of revised software. —Final version of pattern analysis software should be installed at Post during June 2008. —This recommendation is complete.</p>

IMPLEMENTATION OF RECOMMENDATIONS FROM THE SECRETARY OF STATE'S REPORT ON
PERSONAL PROTECTIVE SERVICES IN IRAQ (REVISED 06/19/08)—Continued

Recommendation	Status
Data on each event would be input promptly after it occurs. Weekly reports should be generated to look for potential patterns that would call for systemic or individual changes.	
17. The Embassy should use the venue afforded by the Iraqi-U.S. Joint Commission to establish a working group to determine ways to move the licensing process forward in an open and transparent way.	—The DCM, Embassy Legal Advisor, RSO, and MNF-I are involved in discussions with Iraqi officials concerning private security company licensing and registration processes. —This recommendation is complete. (05/08/08)
18. The Regional Security Officer should establish direct channels to senior Iraqi police and security officials in Baghdad and in any other city where Provincial Reconstruction Teams are located. This should be a major step towards providing information on incidents in a timely way so that they can be appropriately investigated. —The RSO had multiple meetings with senior Iraqi officials at the National Police, Ministry of Interior, and Ministry of Defense and developed working agreements on coordination, liaison, and mutually supportive engagement. —RSO personnel serving at Regional Embassy Offices (REOs) and Provincial Reconstruction Teams (PRTs) have also established relations with local Iraqi police and security officials. —This recommendation is complete. (11/16/07).	
19. In order to be more responsive to Iraqi customs, the Embassy must actively seek out the families of those innocent Iraqi civilians killed or seriously injured, or those whose property has been damaged by Personal Protective Services personnel. The Regional Security Office "Go Team", assisted by the U.S. military unit responsible for the area in which an incident has occurred, should work with counterparts designated by the Government of Iraq to promptly offer appropriate condolences and compensation.	—As part of the investigative process, the RSO coordinates with MNF-I and the Government of Iraq to facilitate victim access to the Embassy Claims Program. —This recommendation is complete. (11/16/07)

The high number of **Special Agent** positions required in Iraq and Afghanistan, now 97 total, plus those **agents** in predeployment training **impacts** our domestic operation. The 1-year tours, training requirement, and transfers impact our ability to keep qualified agents and continuity in our programs from which the positions were drawn—**passport, visa, and identity fraud; internal investigations; protective intelligence investigations; special programs; mobile security training; and field offices.** In addition, TDY support to Iraq has drained our Office of Mobile Security Deployments by up to 40 percent of the staff (30 of 72) being deployed to Iraq at the same time. This **impacts** our ability to meet critical mission-support requirements in other areas of the world, such as Afghanistan, Beirut, Sudan, etc. We have increased the number and sizes of our instruction classes to accommodate the special hard-skills training that is required in the high threat environment of Iraq. This has placed additional demands on our training staff and we have begun to set up an interim training facility to meet these requirements. With no training float, a **Special Agent** who is in training leaves an operational position vacant.

Question. From your perspective, can you comment as to whether DOD (non-military) motorcades are operating under the same requirements; specifically are they putting the equivalent of a Federal agent (or a uniformed officer) in each motorcade? Have (nonmilitary) DOD motorcades installed cameras in its vehicles? Etc?

Answer. The Secretary of State's Panel on Personal Protective Service in Iraq did not focus on Department of Defense (DOD) operations nor did the recommendations. Specific questions regarding DOD operations and equipment are appropriately answered by the Department of Defense. However, I do not believe that DOD motor-

acades have a Federal agent or uniformed officer in each motorcade, nor do I have confirmation they have installed cameras or recording equipment in all DOD vehicles.

Question. Iraqis say civilian motorcades and civilian contract security are one of their biggest grievances. Please provide a breakdown of all PSD contractors in Iraq including: (a) How many operate under the auspices of the Department of State, DoD, USAID, other agencies? (b) About how many work for other governments? (c) Others? (d) Are those who protect NGO, aid workers and others reconstruction contractors covered by any sort of U.S. law or regulation? How many would that be? (e) What percentage of movements in Iraq are State Department motorcades compared to OSD motorcades?

Answer. The Department of State only maintains data on Department of State contractors and, regrettably, cannot answer many of these specific questions. The Department of State provides protective security for USAID direct-hire employees and other employees under chief of mission authority but not for other government, NGOs, or other reconstruction efforts. The first table attached below provides staffing information. The second table provides WPPS movement data for 2007 and 2008.

WPPS II IRAQ AND AFGHANISTAN STAFFING

Task Order	Location	Contractor	Protective security specialist (PSS)	Support	Static guard	Total
004	Kabul	Blackwater	78	21	20	119
006	Baghdad	Blackwater	474	80	0	554
007	Basrah/Tallil	Triple Canopy	80	33	166 *(45)	279 *(158)
008	Al Hillah	Blackwater	77	17	162	256
009	Kirkuk/Erbil	DynCorp	78	23	52	153
010	Iraq Aviation	Blackwater	50	108	0	158
Iraq and Afghanistan Authorized Staffing			837	282	400	1,519
Actual Staffing to Reflect T0-7 Basrah Transition			837	282	279*	1,398

JAN 2008—CURRENT MONTH WPPS MOVEMENT DATA

Task order	Location	Contractor	Total ground missions	Average per month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6	Baghdad	Blackwater	4,257	851	964	814	632	686	1,161							
7	Basrah/Tallil	Triple Canopy	1,034	207	181	197	259	156	241							
8	Al Hillah	Blackwater	140	28	17	17	28	25	53							
9	Kirkuk/Erbil	DynCorp	646	129	119	129	128	149	121							
2008 Total Iraq Missions (all WPPS contractors)			6,077													
2007–2008 Total Iraq Missions (all WPPS contractors)			18,664													

2007 WPPS MOVEMENT DATA

Task order	Location	Contractor	Total ground missions	Average per month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6	Baghdad	Blackwater	9,574	798	708	1,102	943	726	721	784	804	1,104	579	558	881	664
7	Basrah/Tallil	Triple Canopy	930	78	3	7	12	3	7	9	87	100	111	202	166	223
8	Al Hillah	Blackwater	364	30	31	32	36	38	43	39	29	26	23	26	26	15
9	Kirkuk/Erbil	DynCorp	1,719	143	132	118	104	97	173	168	164	203	150	114	143	153
2007 Total Iraq Missions (all WPPS contractors)			12,587													
2007–2008 Total Iraq Missions (all WPPS contractors)			18,664													

The above numbers include missions with protectees, as well as support and administrative missions.

Question. How are non-WPPS PSD's contracted and licensed by the GOI? Are WPPS contractor so licensed? Are the Iraqis capable of overseeing and enforcing this process? Are we helping them build that capacity?

Answer. First part of question: The Department of State does not contract for other PSD services outside of WPPS.

Second part of question: The Iraqi licensing process involves the Ministries of Interior and Trade, and security company licenses must be renewed every 6 months. WPPS contractors Triple Canopy and DynCorp are currently licensed by the central Government in Baghdad. Blackwater's application for a license is currently pending. The Government of Kurdistan has recently imposed a licensing requirement on security companies, separate from the Iraqi Government requirement. DynCorp, which provides services in Kurdistan, is applying for its Kurdistan license.

[NEA must provide the answers to the rest of this question.]

Question. Do you feel we have adequate feedback on the performance of PSD movements—in Iraq and elsewhere? Have you considered having a "report card" filed by the principal passenger after each movement to provide feedback on how procedures and interactions with locals were handled? Would this be a useful tool?

Answer. The office of the Regional Security Officer (RSO) feels that they do receive adequate feedback, both positive and negative, from the embassy community on the performance of the PSD teams. On May 11, 2008, the RSO office distributed an updated security notice, regarding the Personal Security Detail (PSD) policy for chief of mission personnel. In the notice it states "The Regional Security Office is committed to working collegially and professionally with Mission personnel in accomplishing their objectives. Should you have any questions regarding this policy, or wish to provide feedback regarding our services . . ." The notice then lists the Deputy RSO for the High Threat Protection program as the point of contact.

With the addition of a Special Agent in the protective motorcades, the RSO also receives daily summaries detailing trip movements that note any areas of concern. This may be viewed as a "report card." The RSO office is also in the process of surveying the embassy community regarding their views on PSD operations. The survey asks respondents to comment on such questions as, "Do RSO personnel act professionally on the venue site? Do RSO personnel treat Iraqi citizens with respect? Do RSO personnel treat passengers with respect?" The RSO office will use this important feedback mechanism to monitor performance and make management decisions regarding PSD operations.

Question. Discuss the procedures used to ensure that weapons that are shipped/carried into Iraq for use by PSD's and other nonmilitary forces do not fall into the wrong hands? In doing so, please provide the "blanket" diplomatic note agreed between the United States Government and Government of Iraq (signed by the GOI on 14 August 2004), which addresses end-use, retransfer, and security assurances, now accepted in lieu of normal license conditions as would be reflected in standard DSP-83s, for direct commercial arms sales to the Government of Iraq. Does this "blanket" diplomatic note also apply to any sales done under the Foreign Military Sales (FMS) program?

Answer. Every Department of State Protective Security Detail weapon in Iraq is U.S. Government-procured and shipped via secure means. All weapons used by WPPS contractors are government furnished equipment. The WPPS contract requires quarterly inventories of all government furnished equipment, including weapons. The WPPS Program Office validates these inventories during periodic visits to the field. In addition, the Regional Security Office is required to do an annual sight inventory of all Diplomatic Security weapons, which includes every weapon used by WPPS contractors. Diplomatic Security's Defensive Equipment and Armored Vehicle Division (DEAV) Branch validates the RSO inventory against a master inventory of all DS weapons.

The agreement regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and such items as the Government of the United States of America may otherwise furnish, or authorize under the furnishing of, from time to time, under other authority, to the Government of Iraq, effected by an exchange of notes at Baghdad, July 24 and August 14, 2004, does not apply to defense articles or defense services provided pursuant to the Foreign Military Sales Program. Such defense articles and defense services are subject to the requirements of the relevant Letters of Offer and Acceptance. It is my understanding that a copy of the diplomatic note has been provided to your staff.