

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

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**HEARINGS**

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

—  
JANUARY 30 THROUGH DECEMBER 19, 2007  
—

Printed for the use of the Committee on Foreign Relations



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S. HRG. 110-777

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COMMITTEE ON FOREIGN RELATIONS  
110TH CONGRESS—FIRST SESSION

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

|                                  |                                |
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| CHRISTOPHER J. DODD, Connecticut | RICHARD G. LUGAR, Indiana      |
| JOHN F. KERRY, Massachusetts     | CHUCK HAGEL, Nebraska          |
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| JIM WEBB, Virginia               | DAVID VITTER, Louisiana        |

ANTONY J. BLINKEN, *Staff Director*

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

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

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COMMITTEE ON FOREIGN RELATIONS  
110TH CONGRESS—SECOND SESSION

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

|                                  |                            |
|----------------------------------|----------------------------|
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| BENJAMIN L. CARDIN, Maryland     | JOHNNY ISAKSON, Georgia    |
| ROBERT P. CASEY, Pennsylvania    | DAVID VITTER, Louisiana    |
| JIM WEBB, Virginia               | JOHN BARRASSO, Wyoming*    |

ANTONY J. BLINKEN, *Staff Director*

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

\*Note: Appointed February 12, 2008.

## NOMINATIONS

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WEDNESDAY, JUNE 20, 2007

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

Brownfield, William R., to be Ambassador to the Republic of Colombia  
Duddy, Patrick Dennis, to be Ambassador to the Bolivarian Republic of Venezuela  
McKinley, Peter Michael, to be Ambassador to the Republic of Peru

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The committee met, pursuant to notice, at 10:04 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Jim Webb presiding. Present: Senators Webb, Menendez, and Corker. Also present: Senator Collins.

### OPENING STATEMENT OF HON. JIM WEBB, U.S. SENATOR FROM VIRGINIA

Senator WEBB. The committee will come to order.

This hearing of the Committee on Foreign Relations will now come to order, with the precatory words that we are going to have some sort of a vote called during this hearing, in which case we will have to recess. But we're going to try to get all the opening statements into the record before that happens.

The committee is meeting to consider the nomination of three individuals for key leadership positions in the administration. The President has nominated William Brownfield to be Ambassador to the Republic of Colombia, Dr. Peter McKinley to be Ambassador to the Republic of Peru, and Patrick Duddy to be Ambassador to the Bolivarian Republic of Venezuela.

I want to congratulate all of you on your nominations. We look forward to hearing from each of you this morning. I also welcome my colleague, Senator Collins, who has joined us today to introduce Mr. Duddy.

It's a pleasure to chair my first Foreign Relations Committee hearing and to consider the nominations of three Foreign Service officers with extensive experience to serve in an often overlooked region of the world. Each nominee's dedication and skill will undoubtedly serve our Nation well in their respective posts.

With much of our Nation's attention and resources being taken up by the ongoing challenges in Iraq and Afghanistan, little concern is paid to what's going on in what has been called America's back yard. The United States and Latin America share common in-

terests and cultures. We also share common problems, such as drug trafficking, transnational crime, and the threats of terrorism. Strengthening our relationships with countries in the Western Hemisphere will increase our level of cooperation to solve many of our shared challenges.

All three nominees possess incredible credentials, training, and proven expertise. I am confident that all of you have the skills and dedication to represent our Nation at this important yet challenging time.

I look forward to hearing about how each of you will approach your new assignments. I'd like to thank all of you for the years of service you've given our country and I commend you for your willingness to continue this commitment to serve in the future.

I'd like now to turn to the distinguished ranking member of the committee, Senator Corker, for his opening statement.

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

Senator CORKER. Well, thank you, Mr. Chairman. I want to welcome all three of these distinguished gentlemen and the distinguished Senator from Maine, who I know is going to introduce one of them. I tell you that I chose to be on this subcommittee because of the importance I see the relationship with Latin America, South America, Central America to be. I think that the roles you are getting ready to perform, hopefully, are roles that are very, very important to our country. I want to thank you for your interest in that regard.

Dr. McKinley and I were together in Brussels about 3 weeks ago, meeting on issues relating to climate change, and I certainly was most impressed with him, and I look forward to getting to know the other two gentlemen during this hearing. But because of the time and the vote and the things that we have upcoming, I know that all of us want to hear from you and certainly the distinguished Senator from Maine.

So Mr. Chairman, thank you and I look forward to a very productive hearing.

Senator WEBB. Thank you very much, Senator Corker.

I would now like to call on Senator Collins for her introduction of Mr. Duddy. Welcome to the committee.

**STATEMENT OF HON. SUSAN M. COLLINS,  
U.S. SENATOR FROM MAINE**

Senator COLLINS. Thank you very much, Mr. Chairman, Senator Corker. I am indeed delighted to appear before you today to introduce one of my constituents, Patrick Duddy, to be the next Ambassador for our country to Venezuela.

The people of my State are proud of what this Mainer has accomplished during his long and distinguished career of service to our Nation. The United States and Venezuela have had a long history of friendship and cooperation, but lately that tradition is threatened as never before by the hostile and antidemocratic regime in Caracas. The deterioration of democratic institutions and civil liberties under President Chavez, the intimidation and imprisonment of political opponents, the corruption and the ties with such ter-

rorism-supporting states as Iran are all alarming developments. That is why it is critical that the President has nominated a diplomat with such extraordinary experience and skills as Patrick Duddy.

This is one of the most critical diplomatic positions in the Western Hemisphere and the President has indeed chosen wisely. Throughout his 25-year Foreign Service career, Mr. Duddy has demonstrated a deep commitment to our relations with Latin America and an expert understanding of the region. In his current position as Deputy Assistant Secretary in the Bureau of Western Hemisphere Affairs, he has played a lead role in recent international efforts to restore democracy and the rule of law in Haiti. As a career minister counselor, Mr. Duddy is one of the most experienced senior officers in the Western Hemisphere Bureau, with a portfolio that includes the Offices of Brazil and Southern Cone Affairs, Caribbean Affairs, and Economic Policy and Summit Coordination.

Immediately prior to his current assignment, Mr. Duddy served as Consul-General in Brazil, where he directed one of the largest consulates general in the world and the largest in the Western Hemisphere. Previously he served as Deputy Chief of Mission in Bolivia, where he was the chief operating officer of one of the largest embassies in the Americas.

Earlier in his career, Mr. Duddy served as counselor for public affairs in Panama. He has also served in Chile, the Dominican Republic, Costa Rica, and Paraguay. It's probably not a surprise to this committee that Mr. Duddy is fluent in Spanish and Portuguese, but it may surprise you to learn that he is also a published poet, but I think only in English.

Prior to this hearing, he was describing a speech that he had given to a group of legislators and he had talked to them for an hour in Portuguese.

To anyone wondering where such energy, dedication, and talent come from, the answer I am proud to say is Bangor, Maine. After graduating from John Bapst High School, he received his undergraduate degree from another outstanding Maine college, Colby College, and a master's degree from Northeastern University. He is also a graduate of the National War College, where he received a master's degree in national security strategy.

He is married and he and his wife have two children, Sarah and Robert. They are here today with him to give him support and I'm delighted that they could be with us since we all know it's not just the Ambassador, it's his family who serves, or her family, who serves as well.

Finally, I want to inform the committee that I'm very fortunate that Mr. Duddy's sister-in-law heads up my Portland office in Maine.

So this is a wonderful family that is very dedicated to public service. I strongly endorse Patrick Duddy's nomination to be the next United States Ambassador to the Bolivarian Republic of Venezuela, and I enthusiastically recommend him to this committee.

Thank you, Mr. Chairman, Senator Corker, for the opportunity to appear before you today. I truly cannot envision a better qualified person for this critical diplomatic post. Thank you.

Senator WEBB. Thank you very much, Senator Collins.

Welcome again to all of the nominees. We've got some really incredible credentials in front of the committee this morning. We'll attempt to keep this bipartisan and not reflect on the fact that a family member of his works on your staff. [Laughter.]

In the interest of time, I think we should go ahead and move forward and see if we can get the testimony of the witnesses before us and into the record before this vote is called.

Senator COLLINS. Mr. Chairman, I'd very much appreciate if you would excuse me at this point.

Senator WEBB. I appreciate very much having you with the committee this morning and thank you very much for being here.

Senator COLLINS. Thank you.

Senator WEBB. I'd now like to turn to the nominees. I would ask that you deliver your statements in the order that you were introduced. If you're summarizing a statement, obviously the entire text of your statement would be included in the record. Also, as you testify, I'd be very pleased if you take the opportunity to introduce friends or family that you have with you today and we'd like to welcome them also.

So Mr. Brownfield, if you could begin.

**STATEMENT OF HON. WILLIAM R. BROWNFIELD, NOMINEE TO BE AMBASSADOR TO THE REPUBLIC OF COLOMBIA**

Ambassador BROWNFIELD. Thank you very much, Mr. Chairman.

Senator WEBB. You may want to give Mr. Duddy a few words of advice in terms of the assignment that he is about to undertake.

Ambassador BROWNFIELD. Oh, Mr. Duddy and I have already had many, many conversations. I'll not reveal all of the contents, other than to say the fact that he's still here before you today suggests that I haven't completely terrified him.

If I could take advantage of your offer, Mr. Chairman, I would like to mention a couple of people who are sitting shyly back in the back of this hearing room. I believe I spotted as I came in my long-term next door neighbor, Mr. John Sullivan, whose garage has housed more Brownfield-Kenney household effects over the last 20 years than has my own garage. I think seated next to him is John Kenney, my brother-in-law, brother of my wife of the last 700 or 800 years.

She is not with us this morning, Mr. Chairman. She is actually the Ambassador to your Embassy in Manila. She told me this morning that she would love to come and talk to the members of this committee, but never ever at my side; that was an albatross she did not wish to have around her neck when talking to you.

Senator WEBB. We'll see if we can't continue to keep you in different hemispheres. [Laughter.]

Ambassador BROWNFIELD. I think she would be grateful for that. I for one would not.

Mr. Chairman, may I offer you a very abbreviated version of my formal statement and ask that you enter my statement in the record in its entirety.

Senator WEBB. So ordered.

Ambassador BROWNFIELD. I'm honored to appear before you today. I am, as you may have gathered, a Latin American hand.



I have served virtually my entire career in Latin America, most recently as our Ambassador to Venezuela and prior to that as our Ambassador to Chile.

Mr. Chairman, the United States and Colombia have been friends for nearly 200 years. We have been close and cooperative partners for more than 8 years in combatting the illicit drug trade, providing security to our region, building economic and commercial ties, supporting judicial reform, providing humanitarian relief, and ensuring respect for human, civil, and political rights.

We have produced real progress and real success. When we compare today with what we saw in 1999, I think all parts of the U.S. Government, legislative and executive branch alike, deserve recognition and congratulations for wise decisions skillfully implemented. The key in my judgment was our ability to reach agreement on issues of importance to the American people, assess correctly what value we could bring to address them, provide the necessary resources, and work with our Colombian counterparts to build solutions.

My task if confirmed by the Senate would be to build on successes of the past, adjust those programs and policies that require adjustment, and address those areas where we have concerns. Colombia is a sovereign state with a rich history. There are hundreds of bilateral issues linking our two states. We agree on the overwhelming majority of them. As with any two sovereign and independent countries, we will differ on some. When we do, I hope the Government of Colombia would find me to be an open and sympathetic friend, honestly expressing the views of the United States Government.

There are two areas, Mr. Chairman, that deserve special mention. The first is the security of employees, their families, and the entire American community in Colombia. Colombia remains a country with serious security threats. The American embassy and the larger American community in Colombia should know that in my embassy, security is second to no other issue. To the families of Keith Stansell, Marc Gonsalves, and Thomas Howes, the three American citizens now held hostage for more than 4 years in Colombia, I would like to say that I will not rest and our Government must not rest until they have returned safely home.

The other matter worth special mention is the U.S. business and NGO community. The United States-Colombia commercial and investment relationship is a 5-year success story. I hope to continue that story should the Senate choose to confirm, and if I am the next United States Ambassador to Colombia, the American business community should know that they will have a strong friend and advocate in Bogota.

The NGO community is also a major contributor to the enormous progress in Colombia of the past 8 years, and that in turn is a product of contact and communication. My door will be open.

Mr. Chairman, Senator Corker, if confirmed I look forward to consulting and working closely with you to advance America's interests in Colombia and the wider region. Your advice and counsel are an essential part of our effort to advance programs and policies in Colombia. I realize that many members of this committee have visited Colombia to see for themselves the reality on the ground

and I hope that I can entice you, Mr. Chairman, and you, Senator Corker, to join them to visit and to judge for yourselves how our programs and strategy are taking effect.

I appreciate the opportunity to meet with you today and would be pleased to answer any questions you might have. Thank you, Mr. Chairman.

[The prepared statement of Ambassador Brownfield follows:]

PREPARED STATEMENT OF HON. WILLIAM R. BROWNFIELD, NOMINEE TO BE  
AMBASSADOR TO THE REPUBLIC OF COLOMBIA

Mr. Chairman, members of the committee, I am honored to appear before you today as the President's nominee to be the next American Ambassador to the Republic of Colombia. I want to thank President Bush and Secretary Rice for their confidence in me. This is a position for which I hope you will find my professional experience has well prepared me. For most of my 28 years in the Foreign Service, I have served in Latin America. Most recently, I have had the honor to serve as our Ambassador to Venezuela, and before that, to Chile. Those two posts taught me something about articulating and defending U.S. interests in a challenging environment, as well as finding common ground between two nations with shared interests. In my last Washington assignments, as Deputy Assistant Secretary of State for International Narcotics and Law Enforcement, and then in the same position for the Western Hemisphere, I worked closely with the Colombian Government in addressing bilateral and regional issues of great interest to our two peoples.

Mr. Chairman, the United States and Colombia have been friends for nearly 200 years. We have been close and cooperative partners for more than 8 years in combating the illicit drug trade, providing security to our region, building economic and commercial ties, supporting judicial reform, providing humanitarian relief, and ensuring respect for human, civil, and political rights. We have produced real progress and real success. When we compare today with what we saw in 1999, I think all parts of the U.S. Government—legislative and executive branch alike—deserve recognition and congratulations for wise decisions skillfully implemented. The key, in my judgment, was our ability to reach agreement on issues of importance to the American people, assess correctly what value we could bring to address them, provide the necessary resources, and work with Colombian counterparts to build solutions.

My task, Mr. Chairman, should the Senate choose to confirm me, would be to build on successes of the past, adjust those programs and policies that require adjustment, and address those areas where we have concern. Colombia is a sovereign state with a rich history. There are hundreds of bilateral issues linking our two states. We agree on the overwhelming majority of them. As with any two sovereign and independent countries, we will differ on some. When we do, I hope the Government of Colombia would find me to be an open and sympathetic friend, honestly expressing the views of the United States Government. Were I not to do so, I would be offering poor service to the Colombian Government, President Bush, the United States Senate, and this committee.

May I take a moment to share with the committee my general views on how to manage our largest diplomatic mission in the hemisphere? I believe that a good Chief of Mission provides clear guidance, strategy, and decisions to his senior team, and holds them to high standards, but then allows them leeway in doing their jobs. There are dozens of United States Government agencies represented in Embassy Bogota. They are staffed by superbly qualified, highly motivated people. My message to them would be that I will give them clear guidance, and I will hold them to high standards of accountability, but I will not tell them how to do their jobs.

There are two areas, Mr. Chairman, that deserve special mention. The first is the security of employees, their families, and the entire American community in Colombia. Colombia remains a country with serious security threats. The American Embassy and the larger American community in Colombia should know that in my embassy, security is second to no other issue. And to the families of Keith Stansell, Marc Gonsalves, and Thomas Howes, the three American citizens now held hostage for more than 4 years, I say that I will not rest, and our Government must not rest, until they have returned safely home.

The other matter worth special mention is the U.S. business and NGO communities. The United States-Colombia commercial and investment relationship is a 5-year success story. I would hope to continue that story, should the Senate choose to confirm. And if I am the next United States Ambassador to Colombia, the Amer-

ican business community should know that they will have a strong friend and advocate in Bogota. The NGO community is a major contributor to the enormous progress in Colombia of the past 8 years. That, in turn, is a product of contact and communication. My door will be open to both.

Mr. Chairman, members of the committee, should you choose to confirm, I look forward to consulting and working closely with you to advance America's interests in Colombia and the region. Your advice and counsel are an essential part of our effort to advance programs and policies in Colombia. I realize that many members of this committee have visited Colombia to see for themselves the reality on the ground. I hope to entice you, as well as your colleagues in the Senate and across the Capitol in the House, to continue to visit and judge for yourselves how our programs and strategy are taking effect.

I appreciate the opportunity to meet with you today, and would be pleased to answer any questions you might have.

Senator WEBB. Thank you very much, Ambassador Brownfield.

I'd like to point out that we are about 8 minutes into our vote right now. So I do have some questions that I would like to ask. I know Senator Corker also would. And we're going to recess here, take the rest of the testimony, and then come back for questions. So we'll be back as soon as we finish our vote.

We stand in recess.

[Recess.]

Senator WEBB. The committee will come to order and we'd like to continue receiving the testimony of our witnesses. We will again thank Mr. Brownfield for having given his and move on to Dr. McKinley.

**STATEMENT OF DR. PETER MICHAEL MCKINLEY, NOMINEE TO  
BE AMBASSADOR TO THE REPUBLIC OF PERU**

Dr. MCKINLEY. Thank you, Mr. Chairman and members of the committee, and thank you for the kind words of introduction. I am honored to appear before the committee today as the President's nominee to serve as the next United States Ambassador to the Republic of Peru. I am grateful for the trust President Bush and Secretary Rice have placed in me.

As you consider my nomination, I would like to underscore my deep commitment to representing our Nation in Peru. I was born and raised in Latin America, studied the region in university, and started my Foreign Service career there. My work experience since has provided valuable perspectives on the importance of consolidating democracy around the globe, of vigorously confronting the transnational threats to our national security, and of strongly promoting economic development, investment, and free trade. These objectives are more important than ever in our relations with Peru and with Latin America today.

If I am confirmed, my highest priorities will include the security and protection of the 24,000 Americans resident in Peru, as well as the 300,000 American tourists who visit annually.

Bolstering Peru's democratic institutions—with two democratic transfers of power and high economic growth since 2001, Peru now has a critical opportunity to achieve a developmental breakthrough. Our programs to strengthen growth, civil society, and state institutions will help all Peruvians benefit from their democracy's success and help make Peru a model of development in the hemisphere.

Third, stemming the production and trafficking of illegal drugs in close collaboration with the government of President-elect Gar-

cia. Peru is the world's second largest cocaine producer and the ties between its narcotraffickers and those elsewhere in Latin America are growing. Profits from the narcotics trade feed transnational crime and terrorist groups that threaten the security of Peru and of this hemisphere. Peru's Government is willing to confront these threats head on and if I am confirmed I will support their efforts to expand interdiction, eradication, and alternative development.

Fourth, if confirmed, I will focus on implementing our bilateral trade and economic agenda, recognizing that millions of our citizens derive their livelihood from the export of U.S. products. I will work unstintingly to expand Peruvian markets for goods and services, which are already substantial. Deepening trade and economic relations with Peru will also support our democratic goals by advancing political and economic modernization. Peru's strong growth in recent years has been facilitated by integration into the world economy, but this growth is not reaching the poor in highland and rural areas as quickly as we and the Government of Peru wish.

In keeping with core American values of promoting opportunity for all and helping the least fortunate, we will make it a priority to work with the Government of Peru through USAID to extend the benefits of growth to Peru's poorest people.

If confirmed, I pledge to work closely with members of this committee and with your colleagues in Congress to achieve our objectives in Peru. Thank you again for giving me the honor of appearing before you today. I will be happy to answer any questions you may have.

[The prepared statement of Dr. McKinley follows:]

PREPARED STATEMENT OF DR. PETER MICHAEL MCKINLEY, NOMINEE TO BE  
AMBASSADOR TO THE REPUBLIC OF PERU

Mr. Chairman and members of the committee, I am honored to appear before the committee today as the President's nominee to serve as the next United States Ambassador to the Republic of Peru. I am grateful for the trust President Bush and Secretary Rice have placed in me.

As you consider my nomination, I would like to underscore my deep commitment to representing our Nation in Peru. I was born and raised in Latin America, studied the region in university, and started my Foreign Service career there. Since then, as Deputy Chief of Mission in postings in Africa and Europe, and as Deputy Assistant Secretary in the Department, my work experience has provided valuable perspectives on the importance of consolidating democracy around the globe, of vigorously confronting the transnational threats to our national security, and of strongly promoting economic development, investment, and free trade. These objectives are more important than ever in our relations with Peru and with Latin America today.

If I am confirmed, my highest priorities will include:

- The security and protection of the 24,000 Americans resident in Peru, as well as the 300,000 American tourists who visit annually.
- Bolstering Peru's democratic institutions. With two democratic transfers of power and high economic growth since 2001, Peru now has a critical opportunity to achieve a developmental breakthrough. Our programs to strengthen growth, civil society, and state institutions will help all Peruvians benefit from their democracy's success, and help make Peru a model of development for the hemisphere.
- Stemming the production and trafficking of illegal drugs in close collaboration with the government of President Alan Garcia. Peru is the world's second largest cocaine producer and the ties between its narcotraffickers and those elsewhere in Latin America are growing. While the majority of Peruvian cocaine still goes to Europe, the threat of diversion to the United States is growing. So is consumption inside Peru. Profits from the narcotics trade feed transnational criminal and terrorist groups that threaten the security of Peru and of this hemisphere. Peru's Government is willing to confront these threats head on

and, if confirmed, I will support their efforts to expand interdiction, eradication, and alternative development.

- Implementing our bilateral trade and economic agenda. Recognizing that millions of our citizens derive their livelihood from the export of United States products, if confirmed, I will work unstintingly to expand Peruvian markets for our goods and services which are already substantial. Deepening trade and economic relations with Peru will also support our democratic goals by advancing political and economic modernization. Peru's strong growth in recent years has been facilitated by integration into the world economy, but this growth is not reaching the poor in highland and rural areas as quickly as we and the Government of Peru wish. In keeping with core American values of promoting opportunity for all and helping the least fortunate, I will make it a priority to work with the Government of Peru through USAID to extend the benefits of growth to Peru's poorest people.

If confirmed, I pledge to work closely with members of this committee and with your colleagues in Congress to achieve our objectives in Peru. Thank you again for giving me the honor of appearing before you today. I will be happy to answer any questions you may have.

Senator WEBB. Thank you very much, Dr. McKinley.  
Now Mr. Duddy.

**STATEMENT OF PATRICK DENNIS DUDDY, NOMINEE TO BE  
AMBASSADOR TO THE BOLIVARIAN REPUBLIC OF VENEZUELA**

Mr. DUDDY. Thank you, Mr. Chairman, members of the committee.

Before I begin with my formal statement, I would like to take a moment to introduce my wife, Mary, my daughter, Sarah, and my son, Robert. My wife has accompanied me throughout my Foreign Service career. She's made many, many friends for the United States and I know I could not have done the work I've done over the years without her wise counsel and support. My children too have accompanied me through most of my career, though they will remain behind this time to finish their studies, and they have also been a source of great support and joy everywhere we've served.

Senator WEBB. We welcome your family. Nice to have you today.

Mr. DUDDY. Thank you very much.

Mr. Chairman, members of the committee. I am honored and humbled to be President Bush's nominee to be the next United States Ambassador to the Bolivarian Republic of Venezuela. I'm deeply grateful to the President and to Secretary Rice for their confidence in me. If confirmed, I look forward to working with the members of this committee and the rest of the Congress to advance our interests in Venezuela and the wider region.

Mr. Chairman, I believe my Foreign Service career has prepared me for the important position of United States Ambassador to Venezuela. As Senator Collins very kindly mentioned, earlier I am presently serving as the Deputy Assistant Secretary of State for the Western Hemisphere and I won't review for you again the particulars of my career, but I would note that if I am confirmed for this position it will be my eighth tour in the field in the Western Hemisphere.

Mr. Chairman, for most of our respective histories, the United States and Venezuela have enjoyed strong friendly relations based on shared democratic values, commercial, and cultural ties. Venezuela's strategic location, talented people, and abundant resources make it a natural friend and partner of the United States. Venezuela and the United States still have an important commercial

relationship. Bilateral trade totaled \$45 billion in 2006. Venezuela is one of the top five suppliers of United States foreign oil imports, with significant United States investments in the energy sector. It is also a major market for U.S. exports, which totaled an unprecedented \$9 billion in 2006.

Today, moreover, the United States is also home to over 600,000 Venezuelans. Their contributions and accomplishments extend to every facet of American life, from academia, journalism, and business, to sports, entertainment, and even fashion design.

It will not come as news to the members of this committee, however, that our bilateral relationship today is strained. This makes it all the more important for me, if confirmed as the next U.S. Ambassador, to redouble our efforts to build on the shared values that have always united our two nations—love of freedom and democracy, basic respect for human rights, and the rule of law. The Venezuelan people have time and again demonstrated their commitment to these values.

Mr. Chairman, there are fundamental differences of principle and governing philosophy between the Government of the Bolivarian Republic of Venezuela and the United States. There are matters on which we will not agree and in some instances where we must agree to disagree. Still there are areas where it behooves our two governments to cooperate. Counternarcotics, counterterrorism, commerce, and energy are all issues that no one country can tackle independently in today's globalized and interdependent world. Drugs and terrorism endanger all of our citizens.

Addressing these problems effectively requires cooperation. If confirmed, I intend to work to promote both bilateral and multilateral cooperation in every arena where the wellbeing of our citizens will be advanced by working together.

As United States Ambassador, if confirmed, I know I will have no greater responsibility than ensuring the welfare and security of United States citizens in Venezuela. This naturally starts with U.S. embassy personnel and their families, who are essential for me to do the job for which I've been nominated. But this mandate also expressly includes private American citizens visiting, residing, or doing business in Venezuela. If confirmed, they will be able to count on my vigorous support.

Similarly, United States businesses and investors who face challenges working in Venezuela should know that my door will be always open.

Mr. Chairman, the United States views our relationship with Venezuela from a long-term perspective. We are mindful of the importance of strengthening people-to-people ties, promoting greater understanding of the United States. On the diplomatic front, the United States works with hemispheric and other partners, both bilaterally and multilaterally, through the Organization of American States and the inter-American system to advance our common goal of a democratic, peaceful, secure, and prosperous hemisphere. Indeed, our own agenda in Venezuela flows from the hemisphere's stated commitment to a better future for all of our citizens.

Mr. Chairman, members of the committee, I would be less than candid if I did not acknowledge that Venezuela currently is a uniquely challenging post. But I believe my professional and per-

sonal experience has prepared me for this very important assignment. If confirmed, I intend to bring all of my experience to bear as an advocate for the values to which all of the hemisphere's democracies subscribe and which are succinctly captured by the Inter-American Democratic Charter.

I look forward to working with you, all the members of this committee, now and in the future, and I thank you very much. I look forward to your questions.

[The prepared statement of Mr. Duddy follows:]

PREPARED STATEMENT OF PATRICK DENNIS DUDDY, NOMINEE TO BE  
AMBASSADOR TO THE BOLIVARIAN REPUBLIC OF VENEZUELA

Mr. Chairman, members of the committee. I am honored and humbled to be President Bush's nominee to be the next United States Ambassador to the Bolivarian Republic of Venezuela. I am deeply grateful to the President and to Secretary Rice for their confidence in me. If confirmed, I look forward to working with this committee and the rest of the Congress to advance our interests in Venezuela and the region.

Mr. Chairman, I believe my Foreign Service experience has prepared me for the important position of United States Ambassador to Venezuela. For the last 2 years I have served as Deputy Assistant Secretary of State for the Western Hemisphere, responsible for the offices of Caribbean Affairs, Brazil, and Southern Cone Affairs, as well as the Office of Economic Policy and Summit Coordination. In that capacity, I have been particularly involved with our substantial efforts to restore democracy and the rule of law in Haiti. If confirmed, Venezuela will be my eighth tour in the Western Hemisphere. I have served as Consul General in Sao Paulo, Brazil, South America's largest city, as well as Deputy Chief of Mission in La Paz. Earlier in my career, I also served in Panama, Chile, Paraguay, Costa Rica, and the Dominican Republic.

Mr. Chairman, for most of our respective histories, the United States and Venezuela have enjoyed strong, friendly relations based on shared democratic values, and commercial and cultural ties. Venezuela's strategic location, talented people, and abundant resources make it a natural friend and partner of the United States. There is much that brings us together. Venezuela and the United States have an important commercial relationship. Bilateral trade totaled \$45 billion in 2006. Venezuela is one of the top five suppliers of United States foreign oil imports, with significant United States investments in the energy sector. It is also a major market for U.S. exports, which totaled an unprecedented \$9 billion in 2006. Today, the United States is home to over 600,000 Venezuelans. Their contributions and accomplishments extend to every facet of American life—from academia, journalism, and business to sports, entertainment, and fashion design.

It will not come as news to the members of this committee that our bilateral relationship today is strained. This makes it all the more important for me, if confirmed as the next U.S. Ambassador, to redouble our efforts to build on the shared values that always have united our two nations: A love of freedom and democracy and basic respect for human rights and the rule of law. The Venezuelan people have time and again demonstrated their commitment to these values.

Mr. Chairman, there are fundamental differences of principle and governing philosophy between the Government of the Bolivarian Republic of Venezuela and the United States. There are matters on which we will not agree, and, in some instances, where we must agree to disagree. Still, there are areas where it behooves our two governments to cooperate. Counternarcotics, counterterrorism, commerce, and energy are all issues that no one country can tackle independently in today's globalized, interdependent world. Drugs and terrorism endanger all our citizens. Addressing these problems effectively requires cooperation. If confirmed, I intend to work to promote both bilateral and multilateral cooperation in every arena where the well-being of our citizens will be advanced by working together.

As United States Ambassador, if confirmed, I know I will have no greater responsibility than ensuring the welfare and security of United States citizens in Venezuela. This naturally starts with U.S. Embassy personnel and their families who are essential for me to do the job for which I have been nominated. But this mandate also expressly includes private American citizens visiting, residing, or doing business in Venezuela. They can count on my vigorous support. Similarly, United States businesses and investors who face challenges working in Venezuela should know that my door always will be open.

Mr. Chairman, the United States views our relationship with Venezuela from a long-term perspective. We are mindful of the importance of strengthening people-to-people ties and promoting greater understanding of the United States through traditional exchanges as well as newer, more innovative strategies. On the diplomatic front, the United States works with hemispheric and other partners—both bilaterally and multilaterally, through the Organization of American States (OAS) and the Inter-American system—to advance our common goal of a democratic, peaceful, secure, and prosperous hemisphere. Indeed, our own agenda in Venezuela flows from the hemisphere's stated commitment to a better future for all citizens. There have been many successes in the region over the last 20 years, but there is still much to do.

Mr. Chairman, members of the committee, I would be less than candid if I did not acknowledge that Venezuela currently is a uniquely challenging post, but I believe my professional and personal experience has prepared me for this very important assignment. If confirmed, I intend to bring all of my experience to bear as an advocate for the values to which all of the hemisphere's democracies subscribe and which are succinctly captured by the Inter-American Democratic Charter.

I look forward to working with you during my confirmation process and in the future. Thank you. I look forward to your questions.

Senator WEBB. Thank you very much, Mr. Duddy, and thank all of you for your testimony.

I am going to pose one general question that I would ask all three of you to respond to. I know Senator Corker has some work to do on the floor, and I am going to go ahead and yield to him for whatever time he might take, and then we'll go to Senator Menendez. Then I'll come back and ask some more specific questions.

We've got a chance here with people who have extensive regional experience, even though you're looking to posts in specific countries. One of the strategic considerations of the United States overall has been the expansion of China, economically and otherwise, into this particular hemisphere. I would like to take this moment to benefit from some of the observations that all three of you would have in terms of your impressions of the extent of the Chinese interests in this region, the economic investments that have been going on, and other contacts, in terms of how it affects the economics of the region, the security of the United States, and the political relationships both inside that region and between the United States and the countries of that region.

Ambassador Brownfield, if you'd begin I'd appreciate that.

Ambassador BROWNFIELD. Sure. Why don't I start, Mr. Chairman. I first bumped into Chinese diplomatic presence in Latin America when I was assigned to Buenos Aires, Argentina, in 1986. The Chinese embassy in Argentina at that time was what I would call a second rate embassy in Latin America. They had very little ability to speak Spanish. They did not integrate or operate at all well with local society. And in fact they were not major players.

My counterpart today, Chinese counterpart, in Caracas is a first class ambassador. He is as good as any other diplomat in Venezuela today, your humble servant included in that group. He speaks the language superbly. He speaks well in public. He articulates well in the various sectors and communities of Venezuela. The Chinese have arrived in Latin America.

Now, some of this, Mr. Chairman, I submit is perfectly legitimate, reasonable, and something which we not only should not oppose, but should welcome to a certain extent. They have a right to engage in commercial activity in the region. They have a right to



express their own economic interests in the region, and we're going to have to accept that as their economy, their society, grows and expands, we are going to see more of them in the Western Hemisphere.

We also have a right, I might suggest, to note to them when their activities are beginning to cross a line between legitimate normal commercial economic business activity and activity that is designed to have a political component and to produce a political result. I submit that long after I and, for all I know, all of the Senators in this committee have retired, I suspect our children and our grandchildren will be addressing the China issue in Latin America for many decades to come.

Senator WEBB. Thank you.

Dr. McKinley.

Dr. MCKINLEY. If I can comment from the perspective of being in Brussels for the last 3 years, China's emergence on the global market is affecting all regions of the world. Just over the last 5 to 6 years, China has—Europe, for example, has overtaken the United States as the principal trading partner for China.

In the context of Latin America, and specifically Peru, the relationship with China has been expanding quite dramatically in recent years. If I'm not mistaken, China has become Peru's second largest trading partner. Investments in the country are under way. China itself is becoming an important market for Peruvian products.

As we look at Peru as a member of APEC and the upcoming summit of APEC in 2008, what may play for all of us is the efforts that have been under way for quite a number of years under the aegis of APEC to construct transparent economic relations in the trans-Pacific economic arena. Peru is certainly interested in pursuing those objectives and I think it will be an important feature of the November 2008 APEC summit.

So in the context that you asked specifically of the extent of growing interest in the region, the trade and investment relations are growing. But as Ambassador Brownfield suggested, legitimate economic ties benefit all concerned. In terms of the impact on the United States, I think the APEC forum provides a good place to discuss the broader concerns we have.

Senator WEBB. Thank you.

Mr. Duddy.

Mr. DUDDY. Mr. Chairman, as my colleagues suggest, the commercial presence of China in the Americas is substantially greater than it was. It is, I think, worth noting that China has become an important market for many Latin American economies, exporting largely commodities. Given the size of the Chinese internal market for consumption of commodities, this is not surprising and indeed has been very much welcomed by many in Latin America.

As is the case with Peru, China has become one of Brazil's, for instance, most important markets. They're also investing in the Americas, but their investments, compared to U.S. investment stock around the hemisphere is of course very, very much smaller.

That said, the Western Hemisphere Bureau has in fact engaged China, and Assistant Secretary Shannon traveled to China for consultations with his counterpart last year. We are following these

developments. We think they're natural developments, predictable developments, and certainly they have had an economic impact around the hemisphere.

Senator WEBB. Thank you very much.

Senator Corker.

Senator CORKER. Mr. Chairman, thank you. I think we have a vote at 11:15 and I'm going to try to get down to the floor and do something in advance. So what I'd like to do is again welcome you. You will have very different roles hopefully very soon in South America and we look forward to seeing you on site in your respective places, hopefully, in the very near future.

But I want to thank you for your service. I know that Senator Webb has some more questions along with Senator Menendez. They are very bipartisan and you'll be very well taken care of in their hands. But thank you for your service here to our country. Thank you for what you're getting ready to do in a very important region to our country, and I look forward to seeing you there.

Thank you very much.

Senator WEBB. Thank you, Senator Corker.

Senator Menendez.

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

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me welcome all of our nominees. I'm particularly happy to be at this hearing because the Western Hemisphere is something that I have spent my 15 years in Congress, first in the House and of course in the last year and a half in the Senate, focusing a lot of attention on. It doesn't always get a lot of attention, and I think that inures to the detriment of the United States.

So your service in this part of the world is incredibly important to our Nation. In my mind, one of my biggest challenges when I was in the House of Representatives was getting colleagues to focus on Latin America and the Caribbean, not just as a good neighbor, but in the national interest and national security of the United States. So many of the things that we're debating here in Congress today are intertwined with our relationships in this hemisphere, from undocumented immigration to the questions of building broader and more strong markets for American goods and services to the questions of making sure that terrorism doesn't take a foothold under the cover of chaos, to the questions of narcotic trafficking, to the questions of how do we deal with global warming and the Amazon rain forest, and the list goes on and on.

These are all questions in the national interest and security of the United States, not even about being a good neighbor. So your services in these countries are going to be incredibly important and we certainly salute you for your willingness to pursue them.

I have a couple of country-specific questions, so let me start with Venezuela. We have the benefit of having the present Ambassador to Venezuela and the soon to be one. So since one may have greater flexibilities than the other in the pursuit of the answers to the questions, let me start, Ambassador Brownfield. I know that this is where you're leaving, but maybe not what you want to be talking about.

But I am concerned, and of course while I ask the question of Ambassador Brownfield to start, Mr. Duddy, I hope you'll be listening. I am concerned about where Hugo Chavez is taking Venezuela. He, in my mind, continues to erode democratic institutions under the cover of constitutionality, but uses the majorities he has in the congress to change the constitution and therefore erode the very essence of democracy in Venezuela, and to have a cloak of legitimacy in the process of doing so.

That is a very dangerous proposition, not only for Venezuela but throughout the hemisphere that that's the way in which you ultimately achieve absolute power. Freedom House lists Venezuela as only partially free. It ranks it four in political rights out of seven. We have seen President Chavez have new laws enabling him to pass laws by decree; he plans to eliminate the autonomy of the central bank, changing the constitution allowing him to be reelected indefinitely, to nationalize the country's largest telecommunications companies and electricity companies, and to not renew the broadcasting license of Radio Caracas Television.

Then when you see that and you see the opposition that has generated to RCTV's, the pulling of that license, and you see the response by students, which is not the traditional opposition within Venezuela, and you see the polls that Gatos put out of 600 Venezuelans across social class that said 56 percent of them supported the students in this respect, and yet you see President Chavez say they are trying to create a soft revolution fired by the United States. I look at all of that, I look what Venezuela is using with its petrodollars in the hemisphere to try to influence the hemisphere's policy and largely to try to turn the hemisphere against the United States, and I say this is a very significant challenge to our national interests and our national security.

So, Ambassador Brownfield, as someone who is in the post and leaving, how do you respond to these concerns? How would you advise your successor, if you were to give him some free advice, to deal with these issues? What's the U.S. role in this conflict as Chavez continuously moves in a way that is undemocratic, but under the cloak of constitutionality?

Ambassador BROWNFIELD. Thank you for this opportunity, Senator, this unexpected opportunity.

Senator MENENDEZ. We'll get to Colombia.

Ambassador BROWNFIELD. May I open by saying—and I want to be very clear on this—not only that I do not disagree with anything you have said, but rather that I agree with every single word you have just articulated. My position over the last 3 years both in public and in private has been to say that there are some fundamental deep-seated differences and disagreements between the United States of America and the Bolivarian Republic of Venezuela that go to the heart of concepts such as democracy, philosophy, model, vision for the 21st century.

We do not agree with many of these fundamental issues and we not only have a right, I would say we have an obligation to explain and articulate those differences clearly at every appropriate opportunity.

Then I pause and I say we both exist. The United States of America exists and will continue to exist for the foreseeable future.

The Bolivarian Republic of Venezuela exists. We have to deal with that reality.

My suggestion over the last 3 years, which has not fallen on particularly carefully listening ears down there, has been let us disagree in these important fundamental areas, but see if we can at least establish some sort of dialog, some sort of progress in areas that history and common sense suggest we ought to be able to cooperate on—drugs, terrorism, international crime, energy, bilateral commerce.

I will tell you honestly and somewhat humbly, Senator, that so far my success in that has been roughly equivalent to that of the Baltimore Orioles proceeding to win the World Series this year, which is very close to zero.

Senator MENENDEZ. So I take that President Chavez is not interested in finding areas of common ground where we might at least have common interests?

Ambassador BROWNFIELD. Senator, obviously I cannot speak as to exactly what is in President Chavez's mind, although he shares his views with us quite frequently and quite publicly. I will say that I have obviously been unsuccessful in getting him to accept that some sort of pragmatic dialog should be possible even in an overall negative relationship.

My own personal view is that it is difficult for that gentleman to separate the criticism that he receives from us on fundamental issues—democracy, free press, freedom of religion, freedom of protest, freedom of expression—and our willingness to engage in pragmatic dialog in the other area; that at least so far it has not been possible to bridge, if you will, that difference between being negative on one side but still being able to have a positive relationship on the other.

Senator MENENDEZ. Mr. Chairman, my time is up. I'll wait for the next round.

Senator WEBB. Would the Senator care to get the views of the prospective Ambassador on this before we proceed?

Senator MENENDEZ. I'd be happy to.

Senator WEBB. Okay, sure.

Senator MENENDEZ. You know, Mr. Duddy, I understand—

Senator WEBB. Let the record show that the outgoing Ambassador has a rather pessimistic outlook on United States-Venezuelan relationships.

Senator MENENDEZ. You're going to try to make the Baltimore Orioles win in your new term. My question is, as you approach this, having heard from our outgoing Ambassador, what do you see the United States Ambassador's role in Venezuela beyond the norm? I know what our roles are and when we send someone to represent our country abroad it's diplomatic, it's economic, it's political. It has all of these different elements.

But this is a very unique case, in which not only is our bilateral relationship at stake, but I would argue that increasingly the multilateral relationships within the hemisphere are being affected by Chavez. So how do you see dealing with this in your new role should you be confirmed by the committee?

Mr. DUDDY. Thank you, Senator, and thank you, Mr. Chairman.

I think I would say in the first instance, returning to something I mentioned earlier, we do see this as a long-term relationship. The current situation is very difficult. Nevertheless, if confirmed I think I would have a particularly important role to play in publicly articulating our values and in looking to build, especially with the Venezuelan people, an appreciation for not only our historic ties, but the way those ties are reinforced and have developed on a basis of shared values.

The reality is in the hemisphere right now that, notwithstanding some difficulties, we have the Inter-American Democratic Charter which articulates in very specific ways the commitments of the hemisphere's democracies. And we've seen most recently, for instance, in Haiti, the hemisphere coming together in support of those values.

I think it falls to me or it will fall to me if I am confirmed to be a spokesman for those values, an advocate for democracy, an explicator of U.S. policy, which is frequently either distorted or misunderstood in some quarters. I think I can be a valid interlocutor on that front. And as in the case of my predecessor, I think it falls to us to try and induce cooperation in those areas where it is plainly in the interests of both Venezuela and the United States to cooperate, and to build from the shared perceptions of dangerous threats as well as opportunities. Things like counterterrorism and counternarcotics resonate with the peoples of both of our nations.

Senator MENENDEZ. Do you think it's—Mr. Chairman, I appreciate your indulgence.

Do you think it is appropriate for the United States Ambassador to engage with those elements of civil society within Venezuela who are seeking to preserve and promote democracy within their country?

Mr. DUDDY. Senator, I think it's not only appropriate but essential that we engage them, as we would in any country in the world.

Senator MENENDEZ. So you wouldn't be reticent to do that?

Mr. DUDDY. No, sir.

Senator MENENDEZ. Mr. Chairman, thank you. I'll wait for the next round.

Senator WEBB. Thank you, Senator Menendez.

Ambassador Brownfield, we've spent \$5 billion over the past 6 years following the start of Plan Colombia, which promised to cut by half the production of coca, and the amount of coca under cultivation is essentially unchanged and we are told that the price on the street has actually dropped. Do you agree with others in the United States Embassy on Bogota who say that this program is going well, and specifically, do you believe that aerial spraying of herbicides, which is costing hundreds of millions of dollars a year, can substantially reduce the production of coca?

Ambassador BROWNFIELD. Mr. Chairman, the truth is I do believe our support for Plan Colombia, as it's universally referred to, has in fact been an overall success story, a success story for Colombia, a success story for the region, and a success story for the United States of America.

I would argue that back in 1999 and 2000 when we up here, both you in the legislative branch as well as those of us in the executive branch, examined the threats emanating from Colombia that would

affect the United States of America—drugs, security, and a collapsing economy that was producing pressure on hundreds of thousands of Colombians to come to the United States in an undocumented manner, I think we reached an agreement as to what was the best way for us as a government, as a Nation, as a people, to address these threats.

Seven, going on 8 years have now gone by. I was in Colombia on short visits in the 1990s and I can assure you that is a different country today than it was in 1999. Security on the streets is much better. The economy is booming. Unemployment is down. Jobs are being created. Security, even in the countryside, is far better now than it was then.

Drug production, is it about the same, down a little, up a little? I have seen studies that would support any of those three conclusions. But I have seen no study that suggested it's continuing to explode the way it was through the 1990s.

Do we need to, could we, should we, review our support for Plan Colombia, adjust it in some areas, fine-tune it in some ways, including the issue of eradication, spraying, or in essence how we are attacking the issue of drug cultivation itself? Of course it should. I think we should do that on a regular systematic basis. And perhaps, if this is your decision, naming a new ambassador is a good opportunity to do that in a careful, collective, ideally by consensus manner, I'm all in favor of it.

But before I would say let's eliminate this part of the program, I'd want to make sure we had that conversation, both up here in Washington and down there in Colombia, so that we would have a clear understanding of what the impact of that decision would be and what we would try to replace it with if we made that decision.

Senator WEBB. Thank you.

Dr. McKinley, I'd like to ask you some questions about the U.S. free trade agreement which is going to be considered by Congress this year more than likely. What is your view of how the ratification of that agreement would affect the relations between the United States and Peru? Are you of the belief that the current labor provisions in the agreement are adequate?

If the United States Congress does not approve this agreement, do you have thoughts on what impact that would have on our relations?

Dr. MCKINLEY. Obviously, bringing the negotiation on the United States-Peru trade promotion agreement to a conclusion is an important priority for the administration. In terms of how the agreement as it stands would impact on relations, I would note first that economic ties between Peru and the United States have been growing at a very significant pace since 2001, with United States exports to Peru doubling in that time frame and 17 of our United States, in particular, seeing a doubling or a tripling or quadrupling of their trade and export ties with Peru.

So already there is an undercurrent of a strong and growing economic relationship with Peru. What the agreement would introduce is a reciprocal basis for trade relations between the United States and Peru. It would open Peruvian markets more generally to American products. Something like 80 percent of U.S. manufactured

goods, for example, would enter immediately without duty and something like two-thirds of U.S. agricultural products.

Under the current Andean trade preference agreement, Peruvian agricultural products already do have—sorry—exports already do have considerable access to the United States, but the advantage of the agreement under consideration now is its reciprocal nature. The ITC estimates are that the benefits for American business would be an increase of over a billion dollars by 2011 or 2012 in increased exports.

The trade and environmental provisions of the FTA have obviously been of considerable concern. These to my understanding have been worked on. USTR, I think, has been in negotiation and close discussion with Congressional committees and are trying to reach a point where adequate labor provisions are worked into the agreement. And in any case, as we look to if Congress were to approve the agreement to the implementation phase, there would be a strong emphasis on ensuring that implementation was completed before enforcement began.

So while I'm not conversant with the specifics at this stage of the labor provisions, there is the suggestion that we would have both through the negotiations that USTR is having with Congress, with the agreement of the Peruvian Congress, and an implementation phase to address the labor concerns that are there.

In the event of the agreement being approved, I would rather not speculate at this stage. I would note that we do have a strong relationship, that free trade agreements, strengthening of trans-Pacific market is important. Supporting Peru's evolution toward free markets and as a model for the Andean region on how free market and trade can lead to growth which trickles or provides support for broader swaths of the population all underscore the importance of focusing on the mechanisms for producing sustained economic growth as we look at our goals, not just in Peru but in the region and Latin America in general.

Senator WEBB. I thank you for that very comprehensive response.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

I have one more Venezuelan question. I am concerned about Venezuela's engagement with Iran. It has signed an agreement for \$200 million to finance joint investments in projects in building a series of oil explorations in the Orinoco River belt. They also have announced recently when President Ahmadinejad came in mid-January that they would use a \$2 billion investment fund to fund projects in both countries and other countries as well.

Should the United States be concerned with Venezuela's growing relationship with Iran?

Mr. DUDDY. Thank you, Senator. Certainly we are following developments with Iran very closely and it is a source of concern to us. For the last 2 years, the administration has characterized Venezuela as not cooperating fully in the war on terror. The expanding ties with Iran certainly are a matter that we follow very closely and is a source of concern for the administration.

Senator MENENDEZ. We have two countries in the world that have a great deal of oil supplies, both at this point in time who

have adverse interests to the United States. It seems to me that within the context of the hemisphere itself to have such a relationship, not that we can necessarily stop it, but ultimately is of concern to us and something that I hope we pay a lot of attention to.

Ambassador Brownfield, I want to follow up on the chairman's comments about Colombia. I have supported Plan Colombia. I voted for it when in the House of Representatives. I've been a big supporter. But I am growing skeptical as I don't see the results adding up.

If we looked at the Office of National Drug Control Policy 2006 survey of cultivation in Colombia, it indicates that statistically there's no change in the amount of coca being grown between 2005 and 2006. Even if there is no decrease, I fail to see the status quo as success, especially when considering how much U.S. money is being spent. And I'm not interested in caveats to numbers such as, quote, "confidence intervals." The numbers in the end need to point to progress and not to what works best, and personally I'm not seeing progress.

I can hear myself echoing these remarks and comments when I sat in the House on Plan Colombia in 2005. I look at that and I look at a briefing before the Senate where we were told that 70 percent of fields had been reconstituted within 6 months of spraying, to the most recent State Department verification mission. I think that's a serious problem.

So my question is how we avoid sitting here 2 years from now after you've been down there asking the same questions when faced with the same facts. How do you feel that our current counterdrug programs in Colombia are succeeding? Do you have a sense of why this number on reconstituting is so high, and how can we say that aerial eradication is successful when 70 percent gets reconstituted?

Last, to keep it all in a package here, you know, one of the problems is if you want poor coca farmers to turn away from coca you need to give them sustainable development alternatives so that they can sustain their families. I have a problem when in fact not only have we not seen an increase in alternative development to complement our drug eradication and interdiction program, but the alternative development institution-building program in the ACI account has gone from \$130 million to zero—to zero.

Now, I know some will say, well, we put it in ESF, but ESF doesn't guarantee that it's going to go for that purpose.

So with that as a package, with the realities that we're not moving numbers ahead, that the fields are getting reconstituted to the tune of 70 percent, and that we're going in the opposite direction in terms of alternative development programs, how are we going to claim that Plan Colombia is a continuing success? How are you going to get people like me to continue to be supportive as I have in the past?

Ambassador BROWNFIELD. Well, let me try right here, Senator.

Senator MENENDEZ. Well, I'm glad you're smiling, to start off with. That was a smile of positive thinking, that's for sure.

Ambassador BROWNFIELD. That was a smile of departure. Now I'm giving you the smile of arrival.

Let me try to—



Senator WEBB. He's smiling because he's happy to leave the other place. [Laughter.]

Ambassador BROWNFIELD. Let the record reflect that it was not the nominee himself who uttered those words.

Senator, let me offer you first 15 seconds of the macro and then address specifically the issue that you raise. I said during my statement, I said in response to the chairman's first question to me, and I repeat now, that as we take a look at the entire package that Plan Colombia was designed by us, by you in the Senate and at that time in the House and by us in the executive branch. What it was designed to address, I state again, it has been to date successful. It has delivered a better Colombia on all of these fronts—security, narcotics, economic, social justice, human rights, administration of justice. Go down the line, the difference between Colombia in 1999 and Colombia in 2007 is notable and visible in all of those areas, thanks largely or at least in large part to our support by the United States Congress, by this Senate and that House for this program.

Now, you have correctly pointed out that one area, specifically drug production, does not show the numbers that people like me were saying to you back in 2000, 2001, we should be seeing now, 6 or 7 years later. What has happened? First, there's no such thing as a perfect plan. A plan has to be changed, adjusted, revised on a regular basis, and that clearly would fall within the responsibility of whoever you should decide to confirm as the next Ambassador to Colombia.

Second, those people who engage in narcotics trafficking are neither stupid nor stationary. They also are changing, adjusting. As they see what is being thrown at them, they are trying to accommodate to keep their business going.

Third, people move. In areas that we were focused on in 2000, 2001, 2002, we now find perhaps are fairly secure, fairly calm, but move 200 or 300 miles to the east or to the north, to the west, depending upon what your starting point is, and you find you've got a brand new area.

The solution in my opinion is let's work on the plan. I have absolutely no problem, no objection whatsoever, to the United States Congress telling us, you had better rework this plan, you had better start reflecting the new realities and delivering some results and some outcomes. I cannot do that overnight. I cannot do that for you by breakfast tomorrow. But I think I should be—in fact, I think you should require me to tell you on a fairly regular, systematic basis what are we doing to change this current plan so that we are going to address what you have described.

I believe if we do it that way we'll actually accomplish what we all want to accomplish, reduce the production of cocaine in Colombia and reduce the amount of cocaine that is coming into the United States of America.

Senator MENENDEZ. Well, Mr. Chairman, I'll make a final remark. The chairman's been very generous with his time.

Let me just say two things. One is reconstitution has nothing to do about moving to different areas. Reconstitution is about reconstituting the same area that has been eradicated. And that's a problem.

I appreciate your response insofar as both making you responsible should you be our ambassador, and I think you will be. Second, having some reporting to the Congress, because those of us who have been supportive—and I agree with you, Plan Colombia is more than about eradication. But when you look at the whole element of eradication and interdiction and when you look at the sustainable development alternatives which we are not pursuing and when you look at the latest set of circumstances as we talk about a trade agreement with Colombia, with some of the things that have been happening in that respect, where some of the administration's closest allies in the region have government ties with right-wing paramilitaries that have violated human rights, it's not the perfect picture that some in the administration would like to promote.

I think those are serious questions and I hope that, as someone who has supported President Uribe, I hope he understands that there is still some response necessary here for continuing large investments of the United States and a trade agreement.

Then finally, Dr. McKinley, I didn't want you to feel slighted that I didn't have any questions for you, but I will say this. I think Peru's an incredibly important part of our relationship in this hemisphere. I know they are planning the free trade agreement and the chairman asked about it. I want to tell you this: The Peruvians have to understand that arbitrary and capriciousness in their tax laws in SUNAT and others is not going to serve them well in the promotion of a free trade agreement.

I have New Jersey companies that made investments legitimately in Peru, that did it under their rule of law, that followed their tax policies, and then the Peruvians arbitrarily and capriciously had in essence a confiscation. Well, that's not the type of country I want to be dealing free trade agreements with, and I hope the Peruvians, and I hope you'll be part of that if you ultimately, and I believe you will, become our ambassador, make a very clear statement to the Peruvians that it's in their own interests—forgetting us, protecting United States companies and interests, which we should—it's in their own interest at the end of the day to have transparency to make sure that the rule of law is observed, because otherwise nobody's going to go and invest in Peru if their investments are going to be taken.

So I hope we'll have another opportunity at another time to talk about that.

Mr. Chairman, thank you very much.

Senator WEBB. Thank you, Senator Menendez.

I'd like to note for the record that another vote has been called on the floor. We have about 11 minutes on the vote. I have one other question and then, Senator Menendez, if you have any others, and then we can wrap this up.

For the record, again, Ambassador Brownfield, you're aware that 4 years ago three Americans were taken hostage in Colombia by forces that are by definition hostile to the interests of the United States. Proof of life has been established. Can you provide us an update on where that situation is?

Ambassador BROWNFIELD. Sure, Mr. Chairman. As you know—and let me restate it here for the record—recent proof of life was

offered within the past 2 months. It was offered by a Colombia national police officer who had also been seized by the FARC and held for many years, escaped a little over a month ago, finally found his way home, and in debriefings both with the Government of Colombia and with the United States Government personnel did provide sufficient detail and evidence to convince both us and the Colombia counterparts that he had in fact seen Mr. Stansell, Mr. Howes, and Mr. Gonsalves alive within the last 2 months.

That's good news because the previous last proof of life we had received was nearly 4 years old.

Let me just make the same simple statement that I made in my opening statement. Mr. Chairman, we all have a solemn obligation, you, me, and quite frankly everyone in this room, and that obligation is to do whatever we can to get these three United States citizens seized, held against their will, in captivity for 4 years and I believe now 4 months, to get them home safely to their families.

That I take as my responsibility. I am open to considering any option, any possibility to accomplish that mission. My door will be open to the families, to friends, to anyone who can offer information that would help us accomplish that objective. In my opinion it is an absolute outrage that an organization would hold three innocent men as hostages for more than 4 years without offering them the opportunity of returning to their families.

Senator WEBB. Thank you very much, and I'd like to thank all of the nominees for your testimony today, for your willingness to serve our country in these important positions. I expect from the testimony and from all the preparation that you will all soon be proceeding to your new positions and I look forward to working with all of you to work toward solving some of these problems and addressing others that over a time period probably can't be solved, but can at least be mitigated.

The record will remain open for 2 days so that committee members can submit additional questions for the record, and I ask that the nominees respond expeditiously in the event that there are such questions.

If no one else has any additional comments, I thank you for your time. I thank you for your full careers, all three of you in this area. I think it's tremendous that our Government can produce people with these sorts of backgrounds to address the issues that we have, and I look forward to working with you in the future.

We are now adjourned.

[Whereupon, at 11:31 a.m., the hearing was adjourned.]

#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

##### RESPONSES OF PATRICK DENNIS DUDDY TO QUESTIONS SUBMITTED BY SENATOR RICHARD G. LUGAR

*Question.* President Chavez has called the students demonstrating against the denial of a license to Radio Caracas Television (RCTV), without any due process even through the Government of Venezuela's own communications authorities, "pawns" of the United States. Did the United States play any role in those demonstrations? Has the United States had any contact with the student protestors?

*Answer.* The United States has played no role in the student demonstrations that arose in reaction to the closure of Radio Caracas Television (RCTV). In the normal course of diplomatic activities the United States Embassy in Caracas has routine

interaction with many parts of civil society, including students. The United States did not, however, have contact with the student organizers in connection with the demonstrations.

*Question.* President Chavez says he is a champion of the people. To the best of your knowledge, what do current polls reveal about Chavez's popularity in Venezuela since the closure of RCTV?

*Answer.* A June poll by the Venezuelan survey research firm Hinterlaces showed 41 percent of those surveyed had a favorable rating of President Chavez's administration or "gestion." In November 2006, the same pollster found 49 percent of Venezuelans surveyed had a favorable opinion.

Another poll taken in June by the firm Datos found that over 66 percent of those surveyed disapprove of the closure of RCTV. Over 55 percent disapprove of the government's handling of the issue and matters dealing with freedom of expression, and its reaction to the student protests.

*Question.* Doesn't article 23 of the Venezuelan Constitution suggest that the Government of Venezuela is bound by treaties it has signed, and that issues of freedom of expression that relate to human rights are under Venezuela's Bolivarian Constitution, properly the subject of scrutiny by bodies such as the OAS, the United Nations, or other bodies whose enabling legislation in the form of treaties has been signed and agreed to by the Government of Venezuela, thereby giving those bodies proper jurisdiction in this area?

*Answer.* Venezuela and all the democracies of the hemisphere are signatories to international instruments that set forth principles and obligations regarding human rights and democratic governance.

In addition, article 23 of the Constitution of the Bolivarian Republic of Venezuela states that "Treaties, pacts and conventions relating to human rights that have been signed and ratified by Venezuela have constitutional rank and priority in the domestic sphere in so far as they contain norms on the enjoyment and exercise of [human rights] which are more favorable than those established in the Constitution and the laws of the Republic, and [such norms] are immediately and directly applicable by the tribunals and other organs of the Republic."

In her remarks before the OAS General Assembly in Panama on June 4, Secretary Rice raised the closure of RCTV and the growing threats to freedom of expression in Venezuela. She echoed the United States Senate's call in Senate Resolution 211 for OAS leadership and action. ". . . [T]he members of the OAS must defend freedom where it is under siege in our hemisphere and we must support freedom wherever and whenever it is denied."

On June 19, we sent OAS Secretary General Insulza a diplomatic note formally reiterating the Secretary's request that the Secretary General make "every effort to visit Venezuela to consult in good faith with all interested parties in the case of Radio Caracas TV (RCTV), or consider other actions to address the situation, and to make a full report to the foreign ministers through the Permanent Council at the earliest opportunity."

The administration and, if confirmed, I will make every effort to encourage sustained OAS attention to this matter. The OAS can and should play a key role in actively promoting the rights and freedoms enshrined in the Democratic Charter and the Universal Declaration of Human Rights.

The United States and all member states should support and, when necessary, instigate its proper involvement.

*Question.* Given Venezuela's importance as an energy supplier to the United States, can you provide the latest data on the number of barrels of oil shipped to the United States from Venezuela over the last 5 years? Can you please explain whether the Government of Venezuela has increased or decreased its shipments? If production has decreased, what are the reasons for this decrease? Do you regard Venezuela as a reliable energy supplier to the United States?

Answer. According to the Department of Energy's Energy Information Administration (EIA), Venezuela's total gross exports to the United States since 2001 were:

VENEZUELA OIL EXPORTS TO THE UNITED STATES

(Thousand barrels per day)

| Year | Crude oil | Refined products | Total |
|------|-----------|------------------|-------|
| 2001 | 1,291     | 262              | 1,553 |
| 2002 | 1,201     | 198              | 1,399 |
| 2003 | 1,183     | 193              | 1,376 |
| 2004 | 1,297     | 258              | 1,555 |
| 2005 | 1,241     | 288              | 1,529 |
| 2006 | 1,138     | 270              | 1,408 |

Exports to the United States peaked in 2004 and have declined since, although the United States continues to receive over 60 percent of Venezuela's production in direct shipments. In addition, Venezuela ships roughly 300,000 barrels per day to a refinery in St. Croix, United States Virgin Islands.

The Energy Information Administration assesses Venezuelan production at approximately 2.4 million barrels of crude oil per day, or more than 500,000 barrels per day less than production before the December 2002–February 2003 oil workers strike. Private sector sources estimate oil production to be between 2.1–2.3 million barrels per day. This decrease has been caused by a number of factors including the strike that effectively stopped all production by the state oil company, PDVSA; production cuts ordered by PDVSA to comply with OPEC quota reductions in late 2006; and difficulties in transitioning the 32 fields operated by international oil companies under "operating service agreements" to new joint venture companies in 2006.

Another factor is what we believe is a long-term structural decline in production from Venezuela's mature oil fields.

Venezuela has been a long-term and reliable supplier of oil to the United States. PDVSA's current 5-year plan indicates that the company plans to maintain its exports to the United States at current levels in 2012.

*Question.* Venezuela has shipped oil at discounted prices to various parts of the world, including the United States. Can you tell us what Venezuela's posture has been in the Organization of Petroleum Exporting Countries (OPEC) relative to energy prices, and what role Venezuela has played regarding oil prices in the market? Could you provide information regarding where Venezuela is providing discounted oil? Please provide information regarding where Venezuelan Government-owned refineries are around the world. And please provide an estimate of how much money has been lost as a result. Please provide updated information regarding reports that the Government of Venezuela is interested in selling CITGO, a wholly owned subsidiary of Petroleos de Venezuela Sociedad Anonima (PDVSA). If reports are true, who are the interested buyers?

Answer. Under the Chavez administration, Venezuela has been a price hawk in OPEC, seeking to maintain high oil prices. The December 2002–February 2003 oil strike resulted in the loss of both production and spare capacity.

The decline in Venezuela's production capacity prompted the government to intensify its calls for a higher OPEC target price band in order to offset the fall in revenue resulting from lower export volumes.

Venezuela is currently providing subsidized oil shipments to Cuba as well as to members of the PetroCaribe oil alliance. The PetroCaribe signatory nations include Antigua and Barbuda, Belize, Cuba, Dominica, the Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, Saint Vincent and the Grenadines, and Suriname. In fact, however, only Cuba, the Dominican Republic, and Jamaica have received fairly steady shipments from Venezuela, while other countries have received sporadic or no shipments. Private sector sources have indicated that Venezuela may also be providing subsidized oil shipments to China.

Strictly speaking, Venezuela does not lose money on its financed shipments of oil and refined products. Since OPEC rules do not allow members to sell at a discount, Venezuela instead offers generous financing terms. These nations pay a certain percentage up front and the remainder can be paid through a 25-year financing agreement at 1 percent interest. Venezuela carries significant currency risk in these payment terms and may lose money on interest-rate differentials. In addition, it carries risk related to recipient countries' ability and willingness to pay these debts.

Besides the refineries it operates domestically, Venezuela's state oil company, PDVSA, currently has the following refinery investments internationally:

- CITGO, PDVSA's wholly owned U.S. subsidiary, operates three product refineries in Lake Charles, Louisiana; Corpus Christi, Texas; and Lemont, Illinois.
- CITGO also has two asphalt refineries in the United States in Paulsboro, New Jersey; and Savannah, Georgia.
- PDVSA also has a 50 percent stake in ExxonMobil's Chalmette, Louisiana refinery, as well as certain units at ConocoPhillips' Sweeny, Texas refinery.
- PDVSA has a 50 percent stake in the Hovensa refinery in St. Croix, United States Virgin Islands and leases the Emmastad refinery in Curacao.
- PDVSA participates in two joint refining ventures in Europe: A 50 percent stake in AB Nynas, a Swedish company that operates five refineries; as well as a 50 percent stake in Ruhr Oel, which has ownership stakes in five German refineries.

Over the past few years, Venezuelan Government officials have made contradictory statements about their intent to sell the CITGO refineries in the United States. Last year, former CITGO CEO, Felix Rodriguez, said that the Government of Venezuela did not plan to sell off the company's assets. Despite this, the company does seem to be seeking a buyer for its two asphalt refineries. Rumors of the potential sale of other CITGO assets continue to circulate, but we have not seen any concrete information about such plans nor who the potential buyers would be.

*Question.* Please indicate the frequency and character of engagement between the United States Government and the Government of Venezuela on energy issues. Who is representing the United States Government to the Government of Venezuela on energy issues? What are the U.S. Government priorities in the bilateral energy relationship?

*Answer.* While there has been a reduction in contacts between the Government of Venezuela and the United States Government on energy issues, we continue to look for opportunities to discuss a range of issues.

The United States Ambassador to Venezuela serves as the principal link to the Venezuelan Government, although the current ambassador has not been able to meet with the Energy Minister despite our requests. In the past, lower-level United States Government officials in Washington and Caracas have maintained contacts with Venezuelan Government officials on energy issues. However, Venezuelan Government officials have not responded to repeated requests for appointments by lower-level embassy officials in recent months.

Venezuela, traditionally, has been a reliable supplier and the United States a dependable consumer. If confirmed, I will work to ensure this relationship continues to benefit both our nations.

*Question.* How much of the Government of Venezuela's spending is financed through oil and natural gas exports? How has that level changed over the past 8 years? What amount of future income from oil and natural gas exports is necessary to meet projected Government of Venezuela domestic expenditure and foreign loans and grants?

*Answer.*

BOLIVARIAN REPUBLIC OF VENEZUELA BUDGETS  
(1999-2006)

| Year | GDP     | Budget (% GDP) | Budget (bil- lions) | Oil income (% GDP) | Oil income (bil- lions) | Oil income (% of budget) |
|------|---------|----------------|---------------------|--------------------|-------------------------|--------------------------|
| 1999 | \$103.3 | 19.8           | \$20.5              | 7.3                | \$7.5                   | 36.9                     |
| 2000 | \$121.3 | 21.8           | \$26.4              | 10.6               | \$12.9                  | 48.6                     |
| 2001 | \$126.2 | 25.1           | \$31.7              | 9.9                | \$12.5                  | 39.4                     |
| 2002 | \$95.4  | 26.1           | \$24.9              | 10.9               | \$10.4                  | 41.8                     |
| 2003 | \$82.8  | 27.8           | \$23.0              | 11.8               | \$9.8                   | 42.4                     |
| 2004 | \$109.2 | 26.5           | \$28.9              | 11.5               | \$12.6                  | 43.4                     |
| 2005 | \$127.0 | 26.9           | \$34.2              | 14.1               | \$17.9                  | 52.4                     |
| 2006 | \$174.7 | 33.8           | \$59.0              | 16.9               | \$29.5                  | 50.0                     |

As indicated by the table above, approximately 50 percent of the Government of Venezuela budget is derived from oil sales (Venezuela does not export natural gas).

The table demonstrates clearly that this level has increased in the past 8 years. In 2005, the Government of Venezuela created a parallel, or off-budget National Development Fund (FONDEN), which to date has received over \$27 billion from

Central Bank reserves and in direct transfers from PDVSA. Information about the FONDEN accounts is very limited. Thus, the budgetary numbers above do not necessarily paint a complete picture of 2005 and 2006.

It is difficult to set a number for future income which the Government of Venezuela needs to sustain its domestic fiscal policy much less its foreign loans and grants. While the Government of Venezuela has promised over \$100 billion toward projects outside Venezuela since the beginning of 2005, it is very difficult to say what portion will actually be spent.

Venezuelan oil production is not expected to rise in the near-term and most analysts predict that the price of the Venezuelan oil basket will range between \$50–\$60 per barrel in 2007. This may leave the government with the problem of stagnating revenues and increasing costs.

Most analysts believe that the Government of Venezuela has approximately \$30 billion in off-budget funds and another \$25 billion in foreign exchange reserves although the lack of transparency of government accounts makes these only assumptions. These funds could serve to cushion Venezuelan Government expenditures for some time to come.

A devaluation, while painful to ordinary Venezuelans, would also allow the Venezuelan Government to generate more bolivars for every dollar of oil revenue with which to meet domestic commitments.

*Question.* Secretary Rice has spoken often of “Transformational Diplomacy”; can you tell us what your vision is for the implementation of Transformational Diplomacy in Venezuela, and what specific steps you think you can take, while respecting the sovereign rights of the Government of Venezuela, and taking cognizance of the delicate situation which we find ourselves in regarding our relations with Venezuela?

*Answer.* Our efforts in Venezuela have been anchored by an advocacy of the President’s positive agenda for the hemisphere (consolidating democracy, promoting prosperity, investing in people, and promoting the democratic state). With many Venezuelan governmental institutions reluctant or unwilling to work directly with the United States Government, our approach has been to take our message directly to the Venezuelan people via the media, NGO’s, the private sector, and educational institutions. We have used new mechanisms, including baseball diplomacy and, recently, a major cultural stage show featuring popular American dance in order to consistently remind the Venezuelan people that we remain a committed and reliable friend of the Venezuelan people and are seeking to maintain United States-Venezuelan ties, despite government hostility to the United States.

We have also opened four American Corners in Venezuelan public institutions in provincial capitals and have launched a microscholarship program for young people to learn English.

If confirmed, I will continue to seek new means to advance our public diplomacy goals including the opening of additional American Corners and the expansion of the scholarship program.

*Question.* Please explain the Government of Venezuela’s interest in closer relations with Hamas? Should this be cause for alarm? If so, why?

*Answer.* In general, we have been disappointed in Venezuela’s lack of cooperation in global antiterrorism efforts. Publicly, senior Government of Venezuela officials have expressed sympathy and moral support for Hamas, which is a Foreign Terrorist Organization (FTO) under United States law. The reasons for Venezuela’s sympathies for Hamas are not fully clear, though Venezuela’s “anti-imperialist” foreign policy may provide some basis.

Certainly, this is cause for serious concern. Venezuela’s increasing ties with Iran, a state sponsor of terrorism, was an important factor that led President Bush to determine in 2006 that Venezuela was not fully cooperative in United States antiterrorism efforts. Absent willingness by Venezuela to cooperate in deterring this common global threat, the United States Government will continue to scrutinize closely Venezuela relationships with FTOs such as Hamas.

*Question.* Please explain the Government of Venezuela’s interest in purchasing Russian submarines? What is the military justification for such a purchase? Please provide an assessment of neighboring countries’ capabilities in this regard, and whether Government of Venezuela’s acquisition of this capability would pose a threat that could lead to a regional arms race. How should the United States address this situation in terms of its arms sales policies to the region?

*Answer.* President Chavez has stated repeatedly and as recently as June 21, his intention to purchase Russian submarines. The acquisition of advanced submarines could give Venezuela a military advantage in force projection over that of its neigh-

bors, though this would depend to a great degree on the Venezuelans' ability to maintain and deploy such a complicated system and the nature of the specific subsystems and weapons with which the submarines Venezuela acquires are equipped. We have urged the Government of Venezuela to practice full transparency with its neighbors in its arms acquisitions.

The United States Government has already responded to Venezuela's ambitious arms build-up by imposing a ban on all United States arms sales and services to Venezuela. Under this policy, we are also required to deny licenses to third countries that wish to export arms sales and services to Venezuela that involve United States munitions list equipment. We repeatedly have urged all major arms suppliers to practice restraint in their military sales or transfers to Venezuela given, in part, the deterioration of democratic conditions in Venezuela and the effect these acquisitions will have on regional stability.

*Question.* There is much concern in the United States Senate for what occurs within Venezuela's borders, as domestic factors play an important role in defining Venezuela's intentions in the region and the world.

The United States Senate stands firm, as was demonstrated by the overwhelming bipartisan support for a recent resolution passed by unanimous consent on May 24, 2007, and cited by Secretary of State, Condoleezza Rice, at the recent Organization of American States (OAS) Assembly on Panama earlier this month, rejecting the closure of RCTV (S. Res. 211).

I introduced this resolution with Senator Dodd and one of its intentions was to highlight to the citizens of the United States the unfortunate deterioration of democracy in Venezuela. The resolution is proof that when it comes to United States policy toward Venezuela, there is one United States policy, from both aisles of the United States Congress and from both branches of our Government.

Nevertheless, many transnational issues remain that present challenges to our interests and those of other countries in the region, from energy to narcotics and to security, especially. In these areas, threats have been made by the Government of Venezuela that raise questions regarding our overall policy approach to Venezuela.

In this regard is there a "red line" in our relationship with Venezuela that if crossed would lead to serious consequences for the Government of Venezuela? Should there be one?

*Answer.* Both President Bush and Secretary Rice have expressed concern over the erosion of democratic institutions in Venezuela. We have been firm in reminding Venezuela of its obligations to its citizens as a signatory to the Inter-American Democratic Charter and other international instruments. It was for this reason the Secretary called on OAS Secretary General Insulza to visit Venezuela to investigate the vulnerabilities to freedom of speech made evident by the Government of Venezuela's decision not to renew the RCTV license. The Secretary's decision also reflected increased concern from other hemispheric partners in the OAS.

We will continue to take actions to protect our homeland from the scourge of drugs and terrorism and will continue to engage and consult closely with key allies in the region and beyond to determine appropriate steps required to protect democracy and security interests. Many countries, for instance, are affected by the drug flow through Venezuela—we are working with them to press Venezuela to take steps to disrupt trafficking organizations.

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RESPONSES OF PATRICK DENNIS DUDDY TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* What, in your view, are the most pressing human rights issues in Venezuela? What are the steps you expect to take—if confirmed—to promote human rights and democracy in Venezuela? What do you hope to accomplish through these actions?

*Answer.* Freedom of expression is a fundamental human right and essential to democracy. Over the past few weeks, freedom of expression in Venezuela—press freedom in particular—has experienced a worrisome setback. The United States Senate, the Inter-American Commission on Human Rights, other governments, and countless international human rights nongovernmental organizations (NGOs) have expressed their concern over the May 27 closure of RCTV.

This adds to our growing concerns about the concentration of power in Venezuela, the deterioration of checks and balances, and the erosion of respect for human rights and the rule of law.



If confirmed, I will continue to seek to work with our hemispheric and European partners and through multilateral and international organizations to support the right of all Venezuelans to express their views freely.

In addition, I will continue the work we are doing in Venezuela, as elsewhere, to strengthen civil society, political parties, labor unions, and the independent media that play an important role in the democratic process in any country. Our programs offer support to NGOs open to Venezuelans of every political persuasion.

*Question.* If confirmed, what challenges will you face in Venezuela in advancing human rights and democracy in general?

Answer. In Venezuela, as elsewhere, much of the embassy's work on human rights and democracy is accomplished through its programs with nongovernmental organizations (NGOs). Our programs work with NGOs that welcome participation from Venezuelans of all political persuasions. The 2006 Country Report on Human Rights conditions in Venezuela reported that, although a wide variety of independent domestic and international human rights groups generally operated without government restriction, several domestic human rights NGOs received threats and intimidation by government representatives and supporters. More generally, NGOs are increasingly viewed with suspicion by some elements of the Government of Venezuela.

Moreover, an "international cooperation" law under consideration by the National Assembly would restrict NGOs' ability to receive foreign funding and to operate independently. The nationalization of several private sector companies earlier this year eliminated another important source of funding, particularly for human rights NGOs.

Beyond the threat that they may lose their funding, some NGOs increasingly worry that being associated with the United States would compromise them with the Government of Venezuela. We will continue to work with those who wish to work with us, but will be respectful of the decision that some may make not to do so.

*Question.* In your new position, what steps will you take to ensure that promotion of human rights objectives will be an integral part of the U.S. Embassy's activities? If confirmed, what steps will you take to ensure that Foreign Service officers who engage in human rights activities are encouraged and professionally rewarded for superior service?

Answer. The promotion of human rights is already an important embassy priority and is one that I will maintain if I am confirmed.

If confirmed, I would stipulate that engagement on human rights issues would be a requirement in the annual work goals of the relevant embassy political and public diplomacy officers. I would ensure that the relevant embassy personnel have access to the appropriate training and professional development opportunities, whether through courses at the Foreign Service Institute or in venues such as the Bureau of Democracy, Human Rights and Labor's annual Human Rights officer conference.

I would make it clear to all embassy personnel that advocacy for human rights and accurate and timely reporting on such issues is an important embassy reporting requirement. I would ensure that such issues would be addressed in the annual performance review of the relevant embassy officers. I would also work to ensure that truly exceptional performance receives the attention it merits, for example by nominating outstanding officers for Departmental awards that recognize their efforts.

I would plan to meet regularly with the appropriate local interlocutors and the embassy personnel working on these issues to underline to them that this issue is important to me as chief of mission.

*Question.* What are the most significant actions you have taken in your career to promote human rights and democracy? Why were they important? What was the impact of your actions?

Answer. The promotion of human rights and democracy has played an important role in my career. Most recently I worked on restoring democracy and the rule of law, and diminishing the level of violence in Haiti. I played a personal role in advocating for human rights issues during the period of the interim government and I believe my intervention aided materially in the release of one high profile detainee for medical treatment.

When assigned as the Consul General in Sao Paulo, I worked closely in support of the establishment of the Sao Paulo state Office on Trafficking in Persons, one of the first such offices ever supported at the subnational level. This office helped to establish combating human trafficking as an issue in which local and regional government has a legitimate role and responsibility.

Earlier in my career, I was active in raising levels of concern about human rights issues in Paraguay as that country was working to complete its transition to democracy. I believe that United States attention to human rights there helped to establish progress in that arena as an important indicator of the country's over all progress in leaving behind the legacy of Paraguay's authoritarian past.

RESPONSES OF WILLIAM R. BROWNFIELD TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* What, in your view, are the most pressing human rights issues in Colombia? What are the steps you expect to take—if confirmed—to promote human rights and democracy in Colombia? What do you hope to accomplish through these actions?

*Answer.* The persistence of a complex and violent armed conflict is the greatest obstacle to the advancement of human rights in Colombia, resulting in numerous homicides, kidnappings, and massive internal displacement of Colombian citizens. The majority of human rights abuses are carried out by illegal armed groups, principally the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and paramilitary organizations. Key to ending these abuses is weakening the control of illegal armed groups so that the state may bring the security and stability necessary to protect human rights and consolidate democracy.

Four decades of violence has hindered the Colombian Government's ability to consolidate democracy and establish state presence throughout the country and has strained the government's resources. The government has made great strides in taking back swaths of territory from illegal armed groups, has successfully demobilized over 30,000 paramilitary members, and continues vigorous operations against the FARC, ELN, emerging criminal groups, and the narco-trafficking industry that is their primary source of funding. However, major challenges remain in defeating Colombia's illegal armed groups.

Throughout this conflict, there have also been allegations of human rights abuses by members of the armed forces. The United States has repeatedly raised its concerns over these reports, and the Colombian Government has responded positively, instituting changes to try to prevent these alleged abuses. It has also made changes in its judicial procedures to ensure civilian control over cases involving the military and a change in its criminal code and justice system that allows for cases to move much more quickly from arrest to verdict than under the old system. The Colombian Government also runs—with United States support—two protection programs that together total \$34 million (2006 budget) and provide protection to approximately 10,000 individuals. It has established a special labor sub-unit within the Prosecutor General's Office to prioritize the resolution of cases of violence against trade unionists. However, more remains to be done.

Central to continued progress on human rights is maintaining a close and constructive relationship with the Government of Colombia. If confirmed, I will continue to work with the Colombian Government to improve respect for human rights within the military and to improve its capacity to stamp out the illegal armed groups that operate within its borders. United States programs will continue to focus on the promotion and protection of human rights; the prevention of human rights abuses; and increasing the capacity of the Colombian Government to provide the social services necessary to assist the internally displaced.

Likewise, maintaining a strong, supportive relationship between the United States Embassy and human rights NGOs in Colombia is critical to ensuring continued progress on pressing human rights concerns. The work of these organizations is a vital part of Colombian democracy and, if confirmed, I will continue to work with the Colombian Government to ensure their safety.

*Question.* If confirmed, what challenges will you face in Colombia in advancing human rights and democracy in general?

*Answer.* The primary challenges to advancing human rights and consolidating democracy in Colombia continues to be the four-decade-old armed conflict with illegal armed groups financed by narcotics revenues, combined with a slow judicial system that has facilitated a culture of impunity.

The majority of human rights abuses are carried out by illegal armed groups, principally the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and paramilitary organizations. These groups continue to hinder the consolidation of democracy in Colombia by preventing the state from establishing presence throughout its territory and bringing the services that accompany a democracy to its people. Until the influence of the illegal armed groups oper-

ating within Colombia's borders is diminished, advancing human rights and consolidating democracy will continue to be an arduous task.

The Colombian Government, with United States support, continues to weaken the control of these organizations, but the task is not over. The FARC is weakened but not yet defeated. Additional support may be needed to ensure the Colombian Government maintains its momentum in defeating this organization. The Colombian Government is talking to the ELN about a possible demobilization, but the outcome remains to be seen. If an agreement is reached, the government will undoubtedly require international assistance to see it through.

Over 30,000 paramilitary members have demobilized from over 35 paramilitary groups, including the largest of these, the United Self-Defense Forces of Colombia (AUC). However, the government faces the triple-headed challenge of (1) vigorously implementing the Justice and Peace Law, and thereby taking testimony from approximately 3,000 demobilized paramilitaries eligible for benefits under the law and over 60,000 victims; (2) reintegrating the demobilized into society and ensuring they do not return to a life of crime; and (3) combating the newly emerging criminal groups that are rushing to fill the vacuum left by the demobilization of these groups.

In addition, Colombia's judicial system has been slow to adjudicate allegations of human rights abuses by Colombian military personnel. Decades of delayed response to allegations of such abuses and an almost zero percent conviction rate have fed a culture of impunity in Colombia. Recognizing this dilemma, Colombia began—and is in the middle of—a historic transition from an outmoded inquisitorial judicial system to a new oral accusatory criminal justice system, with the Prosecutor General's Office leading the charge. The changes are being introduced through a gradual four-phase regional process, which will be completed in 2008.

The system enables cases to progress much faster from arrest to verdict than under the old inquisitorial system, with cases averaging 6 to 18 months to resolve. Compared to an average of 3 to 5 years for resolution of cases under the old system, this is an average reduction of over 80 percent in the time that it takes to resolve criminal cases. The new system has also shown a 60 to 80 percent conviction rate, a vast improvement over the 0 to 3 percent conviction rate under the old system.

The transparency of the new system brings with it an increased need for protection of witnesses, courtrooms, and judicial officers. Colombia's overburdened Prosecutor General's Office will need a great deal of international support to ensure it successfully completes this transition and to prevent old habits from carrying over into new practices.

The office also faces the challenge of strengthening its Human Rights and Justice and Peace Units, and providing additional support to overburdened judges so that outstanding cases can be resolved. The 351-person Human Rights Unit has within it a sub-unit to prioritize 204 cases of violence against trade unionists. Created in October 2006, this sub-unit is an important step toward ending impunity in these cases. Similar prioritization needs to be given to resolve outstanding human rights cases. The 186-person Justice and Peace Unit faces the enormous task of implementing the justice side of the Justice and Peace Law. This entails taking voluntary confessions from 2,812 demobilized paramilitary members, receiving reports from and interviewing victims, and exhuming and identifying victims at massacre sites. In just over one year, with limited resources, through the 40 *versiones libres* (confessions from demobilized paramilitary leaders) it has taken to date, the unit has attained confessions for 200 murder cases and confirmed the locations of over 90 mass grave locations, which have resulted in locating over 704 victims (of which, 42 have been identified and 188 others have been preliminarily identified). After receiving information from over 60,000 victims, the unit estimates an additional 3,200 bodies have yet to be exhumed. Though the Colombian Congress approved an additional \$600,000 in assistance for the unit on May 16, additional resources and personnel are greatly needed.

As the Colombian Government tackles impunity in human rights cases and implements the Justice and Peace Law, it will also need to increase protection for victims, witnesses, and vulnerable groups to ensure that human rights are protected and justice is served. The Colombian Government runs—with United States support—two protection programs that together total \$34 million (2006 budget) and provide protection to approximately 10,000 individuals. These programs are vital to preventing human rights abuses and more needs to be done to coordinate the two in order to ensure that vulnerable persons receive the protection they need.

If confirmed, I will work closely with the Colombian Government and international partners—including NGOs and international organizations—to ensure these challenges are met and that respect for human rights and democracy are advanced throughout the process.

*Question.* In your new position, what steps will you take to ensure that promotion of human rights objectives will be an integral part of the U.S. Embassy's activities? If confirmed, what steps will you take to ensure that Foreign Service officers who engage in human rights activities are encouraged and professionally rewarded for superior service.

*Answer.* The promotion of human rights was at the center of United States Embassy activities in Bogota under Ambassador Patterson and Ambassador Wood. If confirmed, I will do all I can to ensure that the widely recognized improvements that occurred during their tenures will continue. We seek an end to the cycle of violence, respect for the human rights of all Colombians, especially vulnerable groups; expansion of protection programs; and an end to impunity.

Human rights issues will be at the forefront of my agenda in meetings with Colombian Government officials at every level. In addition, I will continue the periodic meetings and consultations with Colombian and international human rights organizations as well as representatives of international organizations such as the Office of the High Commissioner for Human Rights in Bogota and the International Committee of the Red Cross. My door will be open, as will be the door of all key staff.

In addition, I will certainly continue my practice of meeting often with embassy officers who work on human rights issues and to give them my full support. This includes making sure that all elements of the embassy understand the importance of our human rights concerns and are accurately reflecting them in our activities.

I will also pay close attention to ensure that the formulation of our proposals for U.S. Government programs includes protection of human rights, justice sector reforms, humanitarian assistance to internally displaced persons, and attention to the situation of indigenous and Afro-Colombian communities.

If confirmed, I will continue to mandate that the embassy adhere to Secretary Rice's 10 guiding NGO principles regarding the treatment by governments of nongovernmental organizations. In concordance with the Guiding Principles on Nongovernmental Organizations, we will continue to recognize that nongovernmental organizations are essential to the development and success of free societies and they play a vital role in ensuring accountable, democratic governments.

Supporting human rights is a top strategic priority of the political section, USAID, NAS and the mission as a whole. If confirmed, ensuring that these mission elements have what they need to do their job—support Colombia's efforts to improve its human rights situation, advocate on behalf of our key human rights interests, and call attention to lapses and abuses—will be a top priority of mine. The embassy's designated "Human rights officers" generally work in the political section—coordinating closely with other offices and agencies—on portfolios that are among the mission's most substantive, interesting, and exciting. In that sense, the position generates the kinds of challenging professional opportunities that translate into recognition and advancement. I plan to make sure that that is and remains the case in Embassy Bogota. To that end, I would encourage the relevant embassy personnel to take advantage of opportunities for professional development and networking, such as the annual Human Rights Officer's Conference run by the Bureau of Democracy, Human Rights and Labor.

In previous posts, I have always tried to recognize Foreign Service officers for superior service, either through their performance reviews or special awards, and intend to continue to do so. One way to recognize outstanding work by our human rights officers is to nominate them for the Annual Assistant Secretary's Award from the Bureau of Democracy, Human Rights and Labor for exceptional achievement in the field of democracy and human rights.

*Question.* What are the most significant actions you have taken in your career to promote human rights and democracy? Why were they important? What was the impact of your actions?

*Answer.* During my career, and especially as I moved into more senior positions, I have sought to ensure that the promotion of human rights objectives are an integral part of U.S. Embassy activities. In my many years of public service, I have always placed great emphasis on human rights. The following is a review of some of the actions I have taken in this area:

- El Salvador (1981–1983): I worked to bring to justice the murderers of four United States churchwomen, two AFL–CIO advisers, and the head of the campesino (peasant farmer) union, and several other labor leaders. I also initiated outreach and programs with Nahuat indigenous communities in western El Salvador.
- Argentina (1986–1989): As human rights officer, I worked with the Madres de Plaza de Mayo, Nobel Prize-Winner Perez Esquivel, and other NGO's to bring

to account those who had abused human rights during previous years of military rule.

- Geneva (1995–1998): As Counselor for Humanitarian Affairs, I worked with the U.N. and other international organizations to bring initial international relief, support, and observation to Bosnia (Srebrenica and Sarajevo), the Great Lakes region of central Africa (Rwanda, Burundi, Zaire), and the Kurdish provinces of northern Iraq, and West Africa.
- Colombia (as Deputy Assistant Secretary, 1999–2001): Established and initially led the quarterly United States Government consultations with United States, Colombian, and international NGO's on human rights, integrated human rights programs into United States support for Plan Colombia, and provided input for United States policy and operations. This work earlier included consulting with NGOs and Congressional staffers on establishment of a certification process that would measure Colombia's human rights progress. While not perfect, this process has contributed to the significant improvements we have seen in Colombia since 2000.
- Chile (2002–2004): As the United States Ambassador to Chile, I established public affairs programs in support of Mapuche indigenous communities in southern Chile.
- Venezuela (2004–2007): Most recently, as the United States Ambassador to Venezuela, I provided regular, systematic, and public support for all human rights, civil society, free speech, and democracy NGO's in Venezuela, including direct and indirect funding for more than 20 such organizations. I defended publicly all these NGO's, which brought a threat of expulsion from the Venezuelan authorities. I visited most of these NGO's in their offices, in the face of violent Chavista mob attacks and protests. I also established support programs for Venezuelan poor indigenous and Afro-Venezuelan communities for education and health care.

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RESPONSES OF WILLIAM R. BROWNFIELD TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* How would the Government of Colombia react if the United States Congress failed to ratify a Free Trade Agreement (FTA) between our two countries? What implications would the failure to ratify this agreement have for Colombia and for our greater interests in Latin America?

*Answer.* Failure to approve this agreement would strain relations with the Colombian people, and would have ramifications for United States foreign policy interests throughout the region. The carefully negotiated agreement that we signed with Colombia is widely seen as a mutually beneficial trade pact that will expand economic and social opportunity, thereby helping to lock-in Colombia's hard won gains. If we fail to approve the agreement, it will cause others throughout the region to question our reliability and the sincerity of our commitment to the human and developmental goals that are the cornerstone of our policy in the region. As a result, we would suffer a tremendous setback in securing a prosperous and free hemisphere.

The Colombian people have worked hard—and paid an enormous human price—to achieve a stable, democratic, transparent political system. They have vested their hopes in, and given their votes to, a President who is extending his government's authority throughout the country and seeking to deliver security, health care, economic opportunity, and education to all Colombians. Colombia embraces democratic governance and open markets as the path to economic opportunity and freedom for its people. It shares our belief that the trade agreement will contribute to the overall development and growth of its nation and to bring expanded opportunity to all sectors of society.

The United States-Colombia Trade Promotion Agreement (CTPA) will solidify the social and economic reforms that have provided sustained growth over the past 5 years. It will develop a permanent base on which to boost trade, attract investment, create jobs, and further cut poverty. Trade-led growth creates higher-paying jobs, and workers in trading industries enjoy improved conditions and benefits. Prestigious Colombian academics and economists predict a minimum 3 percent GDP benefit from CTPA passage.

*Question.* What are Colombia's largest export and import markets currently? What products? Would an FTA between the United States and Colombia change commercial flows for Colombia? How so?

Answer. Colombia's largest export markets are the United States, Venezuela, Ecuador, Spain, and Peru. Major exports to the United States include: petroleum and petroleum products, coal, coffee, flowers, gold, bananas, and apparel.

Colombia receives most of its imports from the United States, Mexico, China, Brazil, and Venezuela. Major imports from the United States are: corn, chemicals, aircraft and aircraft parts, wheat, machinery, and oils.

According to the United States International Trade Commission (ITC), the United States-Colombia Trade Promotion Agreement (CTPA) "may have a small, positive effect on the United States economy." United States exports to Colombia will experience an estimated 13.7 percent increase valued at \$1.1 billion with full implementation of the TPA, and United States GDP is expected to increase by \$2.5 billion (just under .05 percent). The ITC projects "the TPA will provide annual benefits to U.S. consumers worth \$419 million in the economy of 2007." Because of tariff asymmetry (especially the tariff preferences currently provided to Colombian exports to the United States under the Andean Trade Preference Act), the commission report notes that "the TPA is likely to result in a much greater increase in United States exports to Colombia" than vice versa.

*Question.* What United States products/markets stand to benefit from increased trade and lower tariffs with Colombia? What U.S. States produce these products?

Answer. Under the CTPA, over 80 percent of United States exports of consumer and industrial products to Colombia will become duty-free immediately, with remaining tariffs phased out over 10 years. The phase-out of tariffs and quotas is predicted to create the largest increase by value in United States exports to Colombia in the areas of (1) chemical, rubber, and plastic products, and (2) machinery and equipment. The TPA will also lead to substantial increases in U.S. exports of motor vehicles and parts, electronic equipment, paper products, metal products, ferrous metals, and wheat.

In addition, over half the value of current United States agricultural exports to Colombia will enter duty-free upon entry into force of the CTPA, including high quality beef, a variety of poultry products, soybean meal, cotton, wheat, whey, and most horticultural and processed food products. Furthermore, U.S. agricultural exporters will achieve new duty-free access through tariff-rate quotas, including on corn, rice, dairy products, and pet food.

Colombia's top 10 trading partners among the 50 States—Texas, Florida, Louisiana, Illinois, Alabama, California, North Carolina, New Jersey, Pennsylvania, and Georgia—all exported \$126 million or more in 2006 to Colombia. All 10 States have at least one of the previously listed industries in their top five exports.

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RESPONSES OF PETER MICHAEL MCKINLEY TO QUESTIONS SUBMITTED  
BY SENATOR CHRISTOPHER J. DODD

*Question.* Have you read the cable ref: 04 STATE 258893—Peace Corps—State Department Relations?

Answer. Yes, I have read cable ref: 04 STATE 258893—Peace Corps—State Department Relations.

*Question.* Do you understand and agree to abide by the principles set forth in this cable?

Answer. Yes, I understand and agree to abide by the principles set forth in this cable.

*Question.* Specifically, do you understand and accept that "the Peace Corps must remain substantially separate from the day-to-day conduct and concerns of our foreign policy" and that "the Peace Corps's role and its need for separation from the day-to-day activities of the mission are not comparable to those of other U.S. government agencies"?

Answer. Yes, I understand and accept that "the Peace Corps must remain substantially separate from the day-to-day conduct and concerns of our foreign policy" and that "the Peace Corps's role and its need for separation from the day-to-day activities of the mission are not comparable to those of other U.S. government agencies."

*Question.* Do you pledge, as Secretary Rice requests in 3.B of the cable, to exercise your Chief of Mission "authorities so as to provide the Peace Corps with as much autonomy and flexibility in its day-to-day operations as possible, so long as this does not conflict with U.S. objectives and policies"?

Answer. Yes, I pledge to exercise my Chief of Mission "authorities so as to provide the Peace Corps with as much autonomy and flexibility in its day-to-day operations as possible, so long as this does not conflict with U.S. objectives and policies."

RESPONSES OF PETER MICHAEL MCKINLEY TO QUESTIONS SUBMITTED  
BY SENATOR RICHARD G. LUGAR

*Question.* What are the major problems that Peru is facing?

Answer. Peru faces a set of interrelated challenges. First and foremost is persistent poverty. Close to half of Peruvians, mostly in the southern highlands and the Amazonian lowlands, continue to live below the poverty line. The government's primary challenge is to expand the benefits of economic growth, both in the form of jobs and improved social services, to the regions where poverty is most heavily concentrated and to the country's poorest classes, who believe that the country's economic growth has failed to benefit them.

This sense of alienation has fueled support for radical presidential candidates, buttressed the strength of political leaders who favor coca production, and provided the basis for an increasingly fragmented political landscape. The challenge is to consolidate Peru's democracy, increase social inclusion, and "lock in" and expand recent policy gains.

Another major challenge facing Peru is security, particularly the scourge of narco-trafficking, which is complicated by the increasing internationalization of the drug trade and evidence of growing linkages between narco-traffickers and the terrorist remnants of Sendero Luminoso (the Shining Path) providing them protection and undoubtedly benefiting from drug trafficking revenues.

*Question.* If confirmed, how will you establish goals for assistance in Peru?

Answer. If confirmed, I will continue to use existing mechanisms, principally the Mission Strategic Plan (MSP), for defining and planning our foreign assistance goals. I have reviewed the goals in the most recent MSP for fiscal year 2009 and it is clear that they address the major challenges facing Peru. These goals are (1) improved governance and inclusion of marginalized citizens to strengthen support for democracy; (2) ensuring prosperity for all through trade and investment-led economic growth; (3) achieving peace and security; (4) investing the gains from economic growth in human development; (5) effective counterterrorism; and (6) fortifying the foundation of trust in United States leadership and support for Peru among the Peruvian public.

If confirmed, I will continue to work closely with all members of the Country Team, drawing on the strengths and expertise of each agency at post, and will consult regularly with Congress and all interested agencies in Washington to define whether and how these goals should be revised as the situation in Peru progresses. Also, if confirmed, I will meet regularly with all elements of Peruvian society, including public officials, the private sector, civil society, and individual citizens around the country to determine how we can best work with Peruvians collaboratively to meet the country's ongoing challenges and design an appropriate foreign assistance response.

*Question.* If confirmed, how will you coordinate United States bilateral assistance? How will you coordinate with multilateral organizations?

Answer. If confirmed, I would continue to rely on the comprehensive system of interagency thematic group meetings among Embassy Lima staff on a weekly or bi-weekly basis to ensure that United States foreign policy objectives and assistance activities coincide. Under the leadership of the COM, the United States Mission in Peru uses interagency groups on counternarcotics, democracy, economic and commercial matters, political-military issues, and health and education to coordinate efforts of the various agencies at post.

Regarding coordination with other donors, the Government of Peru, through an agency within its Ministry of Foreign Affairs, leads coordination efforts for both bilateral and multilateral assistance. The government's leadership in coordinating donors is the most effective way to promote the sustainability and efficiency of assistance efforts by ensuring that donor efforts fit within host country strategies and are not duplicative. In addition, members of the country team meet regularly with both bilateral and multilateral donors. If confirmed, I will ensure that these close coordination efforts continue.

*Question.* If confirmed, how will you conduct oversight of foreign assistance?

Answer. The best means of conducting oversight is to promote close collaboration among all United States Government agencies at post so that the broad variety of

development programs implemented by our Embassy in Peru are integrated and have the greatest impact. Specifically, if confirmed, I will continue to use the structure of the five interagency thematic working groups in the areas of counter-narcotics, democracy, economic and commercial matters, political-military, and health and education. Another important aspect of oversight that I will continue is frequent personal visits to the field by me and embassy officers to observe firsthand our understanding of political, social, and economic realities and conduct oversight of programs to see that they are administered within the parameters of pertinent law and regulation, and that they are achieving their stated goals.

*Question.* If confirmed, how will you evaluate whether or not goals are being met? What will your monitoring mechanisms be?

*Answer.* If confirmed, I would rely on a variety of existing mechanisms to measure progress toward goals and monitor implementation. Currently, weekly or biweekly interagency thematic meetings are used to ensure that U.S. foreign policy objectives and program activities coincide. This is an effective coordination and monitoring mechanism that I would continue, if confirmed.

Second, our planning mechanisms establish precise, quantitative results we plan to achieve with assistance. Specifically, in the Mission Strategic Plan (MSP) we lay out up to two performance indicators per goal and establish targets for three fiscal years, currently 2007, 2008, and 2009. Actual results are reported on in subsequent MSPs and allow us to judge progress toward the goal and make mid-course corrections as needed.

Finally, an extensive set of standard indicators in the Foreign Assistance Framework permits more precise target-setting and results measurement, specifically at the level of each activity in our foreign assistance portfolio.

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RESPONSES OF PETER MICHAEL MCKINLEY TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* What, in your view, are the most pressing human rights issues in Peru? What are the steps you expect to take—if confirmed—to promote human rights and democracy in Peru? What do you hope to accomplish through these actions?

*Answer.* In general, Peru has a strong record on democracy and human rights. The Inter-American Democratic Charter was signed in Lima, Peru, on September 11, 2001. On the fifth anniversary of the Inter-American Democratic Charter, Peru submitted a voluntary report on its own implementation of the Charter. Freedom House ranks Peru 2 out of 7 on political rights and 3 out of 7 on civil liberties, with an overall status of "free." Last year, Alan Garcia of the Popular Revolutionary Party Alliance (APRA) won the presidency in elections that were generally free, fair, and transparent. The government generally respected the human rights of its citizens, and continued efforts begun during the Toledo administration to expand and consolidate labor law and to prosecute those responsible for gross human rights violations. As the annual human rights report makes clear, however, there are a number of areas where the implementation and application of national laws requires stronger follow-up.

Also, Peru still faces several challenges. The terrorist organization, Shining Path (Sendero Luminoso), continues to be responsible for killings, kidnappings, and other human rights abuses. In addition, prison and detention center conditions are poor, and in the past the media has faced attacks by local authorities and organized crime.

If confirmed, I will ensure that the embassy continues its two-pronged approach of promoting greater citizen participation in government decision making and improving service delivery. I will support USAID's work to strengthen the national legal framework for decentralization and train regional presidents, mayors, and their staff on the use of transparent financial and management systems to facilitate active citizen participation and greater accountability. If confirmed, I will work with USAID in order to provide technical assistance to political parties to increase their representativeness. USAID will also administer MCC funds aimed at complementing Government of Peru efforts to control corruption and strengthen systems to improve predictability in the administration of justice.

*Question.* If confirmed, what challenges will you face in Peru in advancing human rights and democracy in general?

*Answer.* If confirmed, the primary challenges to consolidating democracy in Peru will be building wider relationships with segments of the population who have yet to benefit from the country's strong economic growth and do not feel fully enfran-



chised, and reducing a level of poverty which has fueled support for radical political alternatives in an increasingly fragmented political landscape. In addition, Peru is dealing with a legacy of human rights abuses that are still working their way through the court systems. While exceptional rates of economic growth are providing the Government of Peru with a budget surplus, these funds must be used for systemic change to demonstrate that democracy can deliver to all citizens.

I believe that civil society plays a vital role in strengthening respect for human rights. Last year, the Government of Peru enacted a law regulating NGOs that is vaguely written. NGOs are concerned that it could be applied selectively for political purposes. If confirmed, I will build on the strong lead of Ambassador Struble and our USAID Mission to urge the Government of Peru to ensure that NGOs enjoy the appropriate legal and regulatory freedom to carry out their important work.

*Question.* In your new position, what steps will you take to ensure that promotion of human rights objectives will be an integral part of the U.S. Embassy's activities? If confirmed, what steps will you take to ensure that Foreign Service officers who engage in human rights activities are encouraged and professionally rewarded for superior service?

*Answer.* Supporting human rights is a top strategic priority of the political section, USAID, NAS, and the mission as a whole. If confirmed, I will make it a priority to ensure that these mission elements have the support and recognition they need to do their job—support Peru's efforts to improve its human rights situation, advocate on behalf of our key human rights interests, and call attention to lapses and abuses. The designated embassy "human rights officer" generally works in the political section—coordinating closely with other offices and agencies—on a portfolio that is among the mission's most substantive, interesting, and exciting. In that sense, the position generates the kinds of challenging professional opportunities that translate into recognition and advancement. I plan to make sure that that is and remains the case in Embassy Lima.

If confirmed, I will ensure that the embassy adheres to Secretary Rice's 10 guiding NGO principles regarding the treatment by governments of nongovernmental organizations. In concordance with the Guiding Principles on Non-Governmental Organizations, we will continue to recognize that nongovernmental organizations are essential to the development and success of free societies and they play a vital role in ensuring accountable, democratic governments.

*Question.* What are the most significant actions you have taken in your career to promote human rights and democracy? Why were they important? What was the impact of your actions?

*Answer.* I have spent most of my career working on regions and countries in conflict or in post-conflict transition. The promotion of human rights and a democratic outcome have been central objectives of the United States in the work I did during the negotiations leading to Namibian independence and the withdrawal of Cuban troops in Angola in the late 1980s, during the U.N.-supervised peace process and elections in Mozambique in the mid-1990s; and in Uganda in the late 1990s where opening the political space for the opposition and consolidating democratic gains under President Museveni were important United States goals. In the earlier part of this decade, I was fortunate to have the opportunity to work with refugee programs in many parts of the world, to support programming for abused women and children in conflict situations, and to be part of the response to the crisis in Darfur and the first negotiations of a ceasefire.

I have rarely evaluated my specific contributions outside the context of the many other people I have worked with, both inside and outside the State Department. Perhaps the most significant actions I took were as a member of small U.S. Government negotiating teams successfully responding to crises or conflicts causing widespread loss of life, devastation, and atrocities. As Angola/Namibia desk officer between 1987–1989, and as the sole Spanish and Portuguese speaker on Assistant Secretary Crocker's negotiating team, I supported talks which led to Namibia's independence, its emergence as a democracy, and the end of apartheid in that country. Namibia's independence also ended the long-running conflict which had caused the loss of thousands of lives. In Mozambique, I worked closely with my ambassador and the U.N. team to ensure that the country's first-ever democratic elections in 1994 were a success, to include personally helping convince the former insurgency movement not to pull out of the process during an election-eve crisis. The result has been more than a dozen years of peace, the return of more than 2 million refugees to their homes, and an emerging democracy.

In Uganda, I personally and successfully lobbied to have additional funding provided to a hospital in northern Uganda that was servicing a displaced population

of tens of thousands in the wake of the brutal Lord's Resistance Army insurgency. In both Mozambique and Uganda, as Deputy Chief of Mission, I worked with and supported nongovernmental organizations on capacity-building for emerging parliaments. In Washington, as the PRM Deputy Assistant Secretary responsible for African and European programs, I sought to increase funding for UNT-ICR and NGO programs specifically aimed at vulnerable populations of women and children, to include at camps in Kenya, Guinea, and Chechnya. Working with the Africa Bureau and USAID, I was a member of the team responding to the crisis in Darfur starting in late 2003, with trips to the border region with Chad, and produced personal recommendations for much greater resource commitment on the ground at a time when consensus on Darfur's tragedy was still forming. I also took over the United States negotiating team to the international talks in Ndjamen which produced the first ceasefire in Darfur in April 2004, but unfortunately the latter did not produce the desired results.

Almost by definition, conflict resolution and post-conflict transitions cannot succeed without human rights and democracy as the core objectives and desired outcomes of our diplomatic efforts. It is also important to work with other interested governments, donors, international organizations, and NGOs and civil society. In my current position, I have been privileged to be part of the growing dialog with the European Union on how to promote democracy and human rights more widely in our joint efforts in Kosovo, Afghanistan, Sudan, and the Middle East.