

# NOMINATION HEARINGS OF THE 114TH CONGRESS

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## HEARINGS

BEFORE THE

## COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED FOURTEENTH CONGRESS

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FIRST SESSION—MARCH 10 THROUGH DECEMBER 2, 2015

SECOND SESSION—FEBRUARY 11 THROUGH SEPTEMBER 20, 2016

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Printed for the use of the Committee on Foreign Relations



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## NOMINATIONS

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WEDNESDAY, JULY 15, 2015

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

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Laura Farnsworth Dogu, of Texas, to be Ambassador to the Republic of Nicaragua  
Hon. Roberta S. Jacobson, of Maryland, to be Ambassador to the United Mexican States  
Perry L. Holloway, of South Carolina, to be Ambassador to the Co-operative Republic of Guyana  
Peter F. Mulrean, of Massachusetts, to be Ambassador to the Republic of Haiti

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The committee met, pursuant to notice, at 3:52 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Marco Rubio presiding.

Present: Senators Rubio, Flake, and Menendez.

### OPENING STATEMENT OF HON. MARCO RUBIO, U.S. SENATOR FROM FLORIDA

Senator RUBIO. The hearing today is to consider the U.S. Ambassador nominees to Guyana, Nicaragua, Mexico, and Haiti. All of these countries face different challenges, and I look forward to discussing them with our nominees today.

I want to thank all of our nominees for their dedication to public service, and welcome their families and friends who are present here today.

In a moment, I will recognize Ranking Member Boxer upon her return for opening remarks. The Senate is currently in the middle of a series of votes, and in a moment, I want to address that with each of you. But she will be here in a moment.

Our nominees are Mr. Perry Lee Holloway. He is the nominee to Guyana. He is a career member of the Senior Foreign Service who most recently served as political military counsel to the U.S. Embassy in Kabul, Afghanistan.

Ms. Laura Farnsworth Dogu is the nominee to Nicaragua. She is a career member of the Senior Foreign Service and currently serves as the deputy chief of mission at the U.S. Embassy in Mexico City.

Ms. Roberta Jacobson is the nominee to Mexico, and she is also a career member of the Senior Foreign Service and is currently the Assistant Secretary of State for Western Hemisphere.

I would add that I am sorry to hear about your son's recent accident, but we pray that he will have a speedy recovery, and we know it has been a difficult few days for you.

And Mr. Peter Mulrean is the nominee to Haiti, and he is also a career member of the Senior Foreign Service and currently serves as deputy chief of mission of the U.S. mission to the United Nations in Geneva.

Let me just say at the outset, I was hoping we might just dispense today with opening statements, unless any of you feel passionately about making them. They are written and in the record. The problem is that at 5 o'clock, there is an all-members meeting on the Authorization for Use of Military Force, so we will have to stop this hearing in less than about an hour and 5 minutes. And with votes going on, we are going to have members coming in and out.

So unless any of you feel passionately about the need to read your opening statements in the record, they have been duly noted, and I will just begin with questions.

I will start with Ms. Jacobson.

Mexico, as I know you believe and understand, is an important friend and ally in dealing with a wide range of bilateral and hemispheric issues. We share close cultural and economic and security ties with them. And that is why I think all Americans are very concerned about the events of this past week.

On Saturday, their most notorious drug lord, Joaquin "El Chapo" Guzman broke out of a high-security prison on Saturday night for the second time, escaping in a tunnel built right under his cell despite, according to press reports, the Mexican authorities having been warned by the DEA as early as 2014 about his escape plans. So given this and given El Chapo's history of escape, his reported limitless resources, and the known corruption within the justice system and parts of Mexico, are you aware if the Department of Justice formally submitted an extradition request to the Department of State for El Chapo Guzman?

Ms. JACOBSON. Thank you, Mr. Chairman.

And thank you for your good wishes on my son. I greatly appreciate that.

We are incredibly frustrated and disappointed by the escape of Chapo Guzman. We obviously, along with the Mexican Government, will work in support of the Mexican Government to recapture him as quickly as possible.

What I can say is that obviously we are always interested in the extradition of criminal suspects in other countries who face charges in the United States. And there were pending charges against Joaquin "El Chapo" Guzman in the United States. And further detail, I cannot get into in terms of pending or possible extradition matters. Those are matters that the Justice Department would have to respond to that. But we can say that we are always interested in the extradition of those who face multiple serious crimes in the United States.

Senator RUBIO. Let me switch to another topic. According to the International Christian Concern and Christian Solidarity Worldwide, religious intolerance frequently characterized by violence and forced displacement are common in the states of Oaxaca, Guerrero,

Puebla, Hidalgo, and Chiapas. These religious freedom groups have pointed out that state government officials tasked with dealing with these kinds of issues and cases often have little or no training in human rights or religious freedom, leading to the proliferation of these types of abuses in violation of Mexico's Constitution.

So, if confirmed, will you prioritize the issue of religious freedom and tolerance in Mexico? And what approach will you take to engage the Mexican Government on the state and federal levels to support efforts to train government officials on religious freedom and other basic human rights and upholding the rule of law?

**STATEMENT OF ROBERTA S. JACOBSON, NOMINATED TO BE  
AMBASSADOR TO THE UNITED MEXICAN STATES**

Ms. JACOBSON. Thank you, Mr. Chairman.

Certainly, I would make that a priority, as I think it is one for this administration. I do think that we appreciated your staff bringing these cases to our attention. The Embassy has already raised these issues at the federal and state level, and I would, certainly, prioritize continuing to do so with the Mexican Government as well as with civil society organizations.

Senator RUBIO. Before I pivot to one of the other nominees, I wanted to briefly discuss your existing record of service to our country by examining for a moment the Venezuela Defense of Human Rights and Civil Society Act of 2014, which imposed targeted sanctions on persons responsible for the violation of human rights of antigovernment protesters in Venezuela. As you know, the President eventually signed this bill into law.

Could you tell us a little bit about your role in the administration's decisionmaking about the implementation of this legislation, specifically, which individuals would be sanctioned, et cetera? What role did you play in that process?

Ms. JACOBSON. In the process of developing the names that would be sanctioned under that law, and remember we are talking about two kinds of sanctions, as you well know, of course, both visa sanctions and financial sanctions, visa sanctions, we had already at the time of the passage of the law and subsequently, we have sanctioned a total of, I believe, 62 Venezuelan individuals. And those names were generated by a combination of various offices within the interagency community as well as our Embassy in Caracas.

The same process is used for the list that is developed for financial sanctions, working, in particular, with the Treasury Department as well as other entities of the U.S. Government. And as those names are developed, the Assistant Secretary is not in the position of actually reviewing and saying particular names should go on or off, but a list is presented after the interagency has come up with the most information they can on candidates.

So I did see the list of names once it had been developed by the interagency community.

Senator RUBIO. In specifics, Diosdado Cabello, who is the president of the National Assembly of Venezuela, and perhaps the most corrupt individual in Venezuela, which is a very high mark, was not included in that list.

Is there any insight you can provide as to why he was not included?

Ms. JACOBSON. I really cannot. I know that there is a standard of information that is reviewed, and whether someone is on the list or not on the list depends on the kind of information that various agencies may have. So I cannot say why his name would or would not be on the list when that list would come to me or others to approve it.

Senator RUBIO. Thank you.

[The prepared statement of Ms. Jacobson follows:]

PREPARED STATEMENT OF ROBERTA S. JACOBSON

Mr. Chairman, Ranking Member Boxer, and members of the committee, it is a great honor and privilege to appear before you today as President Obama's nominee to serve as the next United States Ambassador to Mexico. I am deeply appreciative of the confidence the President and Secretary Kerry have placed in me by my nomination. I am also very grateful for the support of my family, beginning with my husband, Jonathan, and our sons, Gil and Daniel.

I have spent my entire 30-year career with the Department of State working on the relationship between the United States and the Americas/Western Hemisphere. As Director of the Office of Mexican Affairs for nearly 5 years, I became acutely aware of Mexico's gravitational pull on the gamut of U.S. interests in Latin America.

That relationship is unique in its enormous breadth and complexity and in its direct impact on the security, prosperity, and well-being of U.S. citizens every day. All evidence points to an even more interdependent future for our two countries. Almost \$1.5 billion in trade crosses the U.S.-Mexico border each day, supporting millions of U.S. jobs. Hundreds of thousands of people cross our nearly 2,000-mile long border legally each day and Mexico is, by far, the top foreign destination for American travelers. Fully 10 percent of all Americans—more than 33 million—are of Mexican heritage. The Mexican-American community is a vital part of our culture, our politics, and our values.

I led the team that worked closely with you in Congress to develop the U.S. proposal for the Merida Initiative, negotiated with Cabinet-level Mexican counterparts, and supervised the delivery of U.S. training and equipment over a 4-year period that gave Mexico an equity partnership in supporting our mutual security needs. We now have an unprecedented level of cooperation that is a model for security partnerships everywhere. In my 4 years as Assistant Secretary of State for Western Hemisphere Affairs, I have remained deeply engaged in all aspects of our complex ties with Mexico and I am deeply honored that the President has nominated me to serve as Ambassador to Mexico.

If I am confirmed, I will continue to lead our team in further nurturing U.S. interests in Mexico. And while every nominee looks forward to working with, and seeking the advice and counsel of, this committee and the Congress, Mexico is a special case: This body enjoys its own wealth of experience on Mexico, and I intend to mine that wisdom to advance U.S. interests in all aspects of our relationship. My Job One, of course, is to secure and protect our mission personnel and their families as they serve our country in Mexico.

If confirmed as Ambassador, I will continue this administration's focus on a number of key priorities. The first will be to advance U.S. economic competitiveness and deepening the economic ties that are so central to opportunities, good jobs, and growth. And those ties are indeed impressive: two-way trade in goods and services reached \$592 billion in 2014—that is more than \$1.5 billion daily. Mexican exports to the United States contain on average 40 percent U.S. content. The United States buys more than 70 percent of Mexican crude oil exports and supplies Mexico with refined products and natural gas. Now, more than ever, there are increased opportunities for close partnerships between the United States and Mexico. In May 2013, Presidents Obama and Peña Nieto established two new mechanisms—the High Level Economic Dialogue and the Bilateral Forum on Higher Education, Innovation, and Research—to promote economic opportunities, education and research collaboration, and North American competitiveness. The United States and Mexico are both committed to expanding trade and investment throughout the Asia-Pacific region through the Trans-Pacific Partnership trade agreement.

It will also be essential to reinforce American security through continued cooperation and partnership under the Merida Initiative. The Initiative represents a new chapter in the history of our relationship; one explicitly based on mutual respect and on shared responsibility for combating transnational criminal networks and pro-



tecting our citizens from the crime, corruption, and violence they generate. Neither of us can do this alone—nor, under these two administrations, do we have to. The State Department has forged strong partnerships to improve civilian security in affected areas to fight drug trafficking, organized crime, corruption, illicit arms trafficking, money laundering, and demand for drugs on both sides of the border. The U.S. Government also is accelerating efforts to support and hold accountable the institutions that are essential to a stable society—police, justice systems, and civil society organizations—to adequately protect and defend the rule of law and human rights. If confirmed, I will focus on these efforts as the United States continues to promote respect for human rights and the rule of law through our continued high-level diplomatic engagement.

The border is the seam where cooperation is most important to U.S. interests. Improving our ports of entry ensures the safe and efficient flow of people and goods, vital to our economy and that of Mexico. We are committed to bringing our border infrastructure into the 21st century. We have renovated and expanded one of the world's largest border crossings at the San Ysidro port of entry near San Diego, where 50,000 vehicles and 25,000 pedestrians enter the United States each day, as part of ongoing efforts to make crossings as efficient and secure as possible in support of economic growth and development. We are building an innovative pedestrian terminal that will cross the border at the Tijuana Airport to facilitate and expand regional travel for business and pleasure. Nearly 40 percent of the Mexican produce we buy in U.S. supermarkets passes through the Nogales, Arizona, crossing, and our renovations will expedite this vital trade. As we address Mexico's role in legal and clandestine migration to the United States, we must ensure orderly, safe, and lawful migration and protect the most vulnerable migrants. We also must continue close collaboration to address the enomenon of unaccompanied children from Central America.

The United States enjoys robust and historic people-to-people ties with Mexico, to our benefit. We are focused on tapping that great human potential to enrich us both economically and culturally. More than 4,000 U.S. and Mexican students, teachers, and scholars have participated in our binational Fulbright-García Robles program since 1948, and the United States is the top destination for Mexican students studying abroad. The United States and Mexico can accomplish great things together; through educational exchange, English language learning, professional training, and leadership development we can deepen people-to-people ties, develop a 21st century workforce, and expand economic opportunities for our citizens. I will build upon the success of President Obama's 100,000 Strong in the Americas initiative and other innovative ways that expand the opportunities for Americans and Mexicans to build a common future.

Mr. Chairman and members of the committee, thank you again for the opportunity to appear before you today. If confirmed, I will continue to work diligently to cement the U.S. partnership with Mexico. Muchas gracias, and I will be happy to answer any questions.

Senator RUBIO. Ms. Dogo.

Am I pronouncing this correctly? Is it Dogu?

**STATEMENT OF LAURA FARNSWORTH DOGU, NOMINATED TO  
BE AMBASSADOR TO THE REPUBLIC OF NICARAGUA**

Ms. DOGU. Yes, sir.

Senator RUBIO. Okay, thank you. I just want to make sure I did not mess it up the first time I said it.

So thank you for your service to our country and for your willingness to continue to serve.

I wanted to ask you your thoughts on the potential of a canal that would act similarly to the Panama Canal and connect the Pacific Ocean and the Caribbean Sea through Nicaragua. What are the potential economic and environmental impacts this project can bring to the area?

Ms. DOGU. Thank you for your question, Mr. Chairman.

I have been following the situation with the canal as I have been preparing for this hearing today. Clearly, the United States Government is interested in that, and there are potentially large eco-

conomic and environmental impacts. We are concerned with the lack of transparency as this project has been moving forward at this point, and we are watching that very, very carefully.

At this point, we actually do not see that there are sufficient funds to start the construction of the canal at this time. There have been no investors identified other than one company, and we are not sure how that is going to play out.

But if confirmed, I will continue to monitor that situation carefully.

Senator RUBIO. If you are confirmed, I am sure you are aware that there are a number of outstanding property claims from United States citizens against the Nicaraguan Government.

If confirmed, what will be your strategy or your approach to helping with these claims that U.S. citizens currently have against that government?

Ms. DOGU. Thank you, sir. Yes, I have been monitoring that situation as well.

The 527 claim situation is actually in a very good position at this time. It appears that we may be close to resolving the last of those cases for the continuous claimants. Those are people who were U.S. citizens at the time their property was confiscated. There are, however, still many other cases of people who have become U.S. citizens since their property was confiscated. And if confirmed, I will continue to work on this through the U.S. Embassy, both through support through consular operations and through our property office at the Embassy.

But there has been good progress made in that area, and I will continue to work with the Government of Nicaragua to make sure that we continue to move that forward.

[The prepared statement of Ms. Dogu follows:]

PREPARED STATEMENT OF LAURA F. DOGU

Mr. Chairman, members of the committee, it is an honor to appear before you today as President Obama's nominee to serve as the next United States Ambassador to Nicaragua.

I am grateful for the trust and confidence President Obama and Secretary of State Kerry have shown by sending my name to the Senate for consideration. If confirmed, I look forward to working with you and your colleagues in Congress to protect and support U.S. citizens in Nicaragua. I will also work to promote a Nicaragua with transparent democratic institutions and values and a commitment to human rights, that is more economically integrated with other Central American countries, and that collaborates effectively with us on a growing range of issues.

Growing up, I learned firsthand about the value of serving your country from my father, a career Navy officer who spent a lifetime protecting America with tours of duty across the United States, abroad, and at sea. I would also like to recognize my family, friends, and colleagues who have guided and supported me throughout my life and career.

In preparation for the opportunity to lead our Embassy in Managua, I carefully reviewed White House, Department of State, and Bureau of Western Hemisphere Affairs guidance related to advancing America's interests in global security, inclusive economic growth, climate change, accountable governance and freedom for all. Two points made by President Obama and Secretary Kerry's stood out as particularly relevant to Nicaragua.

President Obama rightly maintained, no system of government can, or should be, imposed upon one nation by any other . . . however, the United States is committed to governments that reflect the will of the people. Each nation gives life to this principle in its own way, grounded in the traditions of its own people. America does not presume to know what is best for everyone, just as we would not presume to pick the outcome of a peaceful election. But . . . all people yearn for certain things: the ability to speak your mind and have a say in how you are governed; confidence in

the rule of law and the equal administration of justice; government that is transparent and does not steal from the people; the freedom to live as you choose. Those are not just American ideas, they are human rights, and that is why we will support them everywhere.

If confirmed, I will be a strong proponent for these universal values. Nicaragua, in which human rights, democracy, and a vibrant civil society flourish, represents the surest path to attracting direct foreign investment and tackling endemic poverty in the country. More importantly, the universal values reinforce the importance of the people of Nicaragua choosing their own destiny as a people and nation. If confirmed, the Embassy will continue to regularly maintain contact with a wide range of Nicaraguan advocates on behalf of human, civil, and political rights. I will also seek opportunities to make the same case with leaders at the highest level.

Secretary Kerry said, “. . . we have to work together to eliminate extreme poverty through inclusive economic growth—because we know that no society can thrive when entire segments of the population are excluded from opportunity.”

From 1991 to 2006, three successive Nicaraguan administrations focused on free market reform as the path to recovery after 12 years of economic free-fall during the period of revolution and civil war. These policies achieved macroeconomic stability, cutting inflation from 33,548 percent in 1988 to 6.43 percent in 2014. Nicaragua also benefited from significant debt reduction through the Heavily Indebted Poor Countries (HIPC) Initiative. Since 1995, the economy has expanded at an average annual real growth rate of 4 percent. Even so, with a gross domestic product of \$11.8 billion and a per capita income of \$1,904 in 2014, Nicaragua remains the second-poorest country in the Western Hemisphere. Growth must almost double to significantly reduce the rate of poverty. Such growth is possible only with strong, more accountable public institutions.

If confirmed, I will work hard to promote trade links, transparency, and the rule of law. Trade and investment opportunities are mutually beneficial and open the door for greater engagement on other essential U.S. priorities such as the development of stronger democratic institutions.

Along these lines, the Strategy for U.S. Engagement in Central America promotes prosperity, governance, and security. Key to Central America's success is regional economic integration. Central America must integrate economically in order to compete globally. Our engagement with Nicaragua under this strategy will advance governance, regional integration, prosperity, and security.

The occasion of my nomination as Ambassador leads me to reflect on my Foreign Service career. In posts as far flung as El Salvador, Turkey, Egypt, and twice in Mexico, as well as in Washington, DC, I have led dynamic teams, which have made real progress addressing rule of law, democracy, economic growth, transparency, and the protection of American citizens. Taken together, this extensive experience has prepared me to serve as Ambassador to Nicaragua if confirmed.

Mr. Chairman, committee members, I thank you again for your consideration of my nomination and I welcome your questions.

Senator RUBIO. Mr. Holloway, after the recent discovery of oil off the coast of Guyana, Venezuela has made territorial claims into the Caribbean Sea, including the oilfield discovery that already belongs to Guyana.

So what is our current U.S. policy with regards to this dispute between Venezuela and Guyana?

**STATEMENT OF PERRY L. HOLLOWAY, NOMINATED TO BE  
AMBASSADOR TO THE COOPERATIVE REPUBLIC OF GUYANA**

Mr. HOLLOWAY. Thank you, sir.

In spite of an 1899 decision, which granted most of the territory in dispute to Guyana, Venezuela has historically maintained claims to different parts of up to 67 percent of Guyana and parts of the coastline. Our policy so far to date is that we have been, as we have in many disputes like this, have encouraged both countries to seek out a peaceful resolution, whether it be by the U.N. or any other appropriate international fora.

But at the same time, any country that makes claims still has to respect the Rule of the Sea and other international obligations, so we are monitoring it very closely.

The Venezuelans put out another statement very recently, which replaced the one that had been done a few weeks ago. We are still trying to analyze that and understand it better.

But we are encouraging both sides to reach a peaceful resolution. Senator RUBIO. Thank you.

[The prepared statement of Mr. Holloway follows:]

PREPARED STATEMENT OF PERRY L. HOLLOWAY

Mr. Chairman and members of the committee, thank you for the opportunity to appear before you today. I am deeply honored that President Obama has nominated me to serve as the United States Ambassador to the Cooperative Republic of Guyana. If confirmed, I look forward to working closely with this committee and all Members of Congress to advance our Nation's interests in Guyana and the broader Caribbean region.

I would like to take a moment to recognize the tremendous support throughout my career from my wife, Rosaura Holloway, who is here with me today, and my daughter Paula, who is also here, and my son Nicholas, who could not be here. They have all benefited and suffered as a result of my career choice, and I want to thank them for their support. I would also like to single out my mom, Peggy Franklin, who is in South Carolina and who laid the basic foundation for me to have the opportunity to appear before you today.

Mr. Chairman, I have had the honor to serve our country as a Foreign Service officer for the past 26 years in nine countries. I have served primarily in countries in the Western Hemisphere, so I am familiar with the types of challenges and opportunities that exist in Guyana. I have worked on programs dealing with security, drug trafficking, democratic values and human rights, energy and the environment, trafficking in persons, corruption, and the exchange of people and ideas. I have extensive experience with interagency partners like USAID, DOD, Peace Corps, DEA, and DHS. If confirmed, I believe that my experience in the region and my work with other agencies has prepared me well to lead the U.S. mission in Guyana.

Guyana is a country with tremendous potential. It has vast pristine rainforests, fertile agricultural lands, proven mineral resources, potentially large oil reserves, and a close affinity with the United States. It is also a country facing challenges from crime, poverty, corruption, HIV/AIDS, natural resource management, and drug trafficking. If confirmed, I will work with the government and people of Guyana to confront these challenges and to continue to bolster economic growth, strengthen democracy and governance, improve the respect for human rights and rule of law, and promote opportunity for all. These are clearly areas of mutual interest.

Guyana is also a key partner in bolstering regional security. Through the President's Caribbean Basin Security Initiative, we are cooperating to counter the threats of transnational crime and terrorism. Improved security for all citizens of the Caribbean is essential to the region's future stability and prosperity, as well as to our interests. I will work closely with the appropriate agencies of the U.S. Government to strengthen our security cooperation with Guyana.

Guyana is one of the poorest countries in the hemisphere. That is why we have historically worked with the government and private sector to support efforts to diversify the economy and create new opportunities in agribusiness, aquaculture, wood products, and ecotourism. If confirmed, I will continue to work with the government and private sector to strengthen Guyana's market competitiveness, build its trade capacity, improve the investment climate, and promote greater two-way trade with the United States.

Guyana is also a leader in efforts to address global climate change through its low carbon development strategy that is helping preserve its vast rain forest. We have worked with the Government of Guyana to develop sustainable forestry and ecotourism and to enhance its capacity to implement the Reduced Emissions from Deforestation and Forest Degradation, or REDD initiative, while also encouraging sustainable economic development. I hope to have the opportunity to continue these efforts.

HIV/AIDS is a problem in Guyana and the United States has made a significant contribution to combating this disease with over \$165 million invested since 2004. Our funding has made a difference. Guyana's prevention and care programs, central laboratory, and state-of-the-art logistics system are models for others in the region. The program has also benefited Guyana's health systems by enhancing the country's laboratory capacity, improving the ability to store and distribute medicines, and strengthening the management of broader health services. As a result of these U.S. Government investments, Guyana now is able to respond to the threats from infectious diseases. If confirmed, I will work with the government and other health partners to sustain the gains we have made and transition ownership of the programs to the Government of Guyana.

Mr. Chairman, Guyana recently held national elections and the party that had been in power since the country's first democratic elections nearly 23 years ago was replaced. The elections were deemed free and fair by the international community. This is an important indicator that Guyana is continuing to build on progress it has made since emerging as an independent nation in 1966 and instituting multiparty democracy in 1992. The new President and his multiethnic coalition government have embarked on an ambitious transformative agenda for the country that centers on eliminating racial and ethnic exclusion, countering organized crime, combating corruption, developing infrastructure, broadening economic growth, and establishing sustainable management of the country's natural resources. The government's agenda largely coincides with our own interests, providing us new opportunities to confront long-standing challenges. I look forward to working with all relevant actors to ensure that the bilateral relationship continues to be one based on shared interests and mutual respect. If confirmed, I will continue the work we have been doing with the government and civil society on programs to strengthen governance structures, promote constructive political dialogue, and encourage greater citizen participation in the political process—all necessary for a strong democracy.

The United States has a special link to Guyana through the many Guyanese who live in our country. It is estimated that there are more than 300,000 Guyanese in the United States and maybe another million people here of Guyanese descent. In Guyana itself, estimates are that over 70 percent of Guyana's citizens have family living in the United States. If confirmed, I look forward to collaborating with the hard-working diasporas in New York, New Jersey, Florida, and other states to find ways that they can contribute to a more stable and prosperous Guyana.

Guyana is a Caribbean country located in South America. The Caribbean Community, or CARICOM, headquarters is in Guyana. If confirmed, I would also serve as the U.S. representative to CARICOM, whose 15 member states work together to promote regional integration and cooperation. CARICOM has a vital role in building a secure and prosperous Caribbean, and I look forward to working with the Secretary General and CARICOM states to strengthen the Organization and our relationship with it, while also advancing our common interests throughout the Caribbean with respect to trade, investment, energy, development, and security.

Mr. Chairman, these are just some of the opportunities and challenges that the United States is addressing in Guyana and within the Caribbean. If confirmed, I look forward to working with you and your colleagues to improve the already close and productive partnership between the United States, Guyana, and CARICOM. You can count on me to work hard to protect American citizens, promote U.S. business in the region, manage U.S. programs efficiently, and vigorously advance the goals of the United States of America.

I would be happy to answer any questions you may have. Thank you.

Senator RUBIO. Mr. Mulrean, in the 2004 trafficking in persons report, Haiti was listed as a Tier 2 Watchlist for Trafficking. The majority of Haiti's cases were identified as children in domestic servitude.

We discussed that a moment ago in a previous hearing. I think you had a chance to watch some of that.

Haiti has been granted a waiver from being placed on a Tier 3 because it had a written plan, which would make significant steps toward combating trafficking. How would you assess the implementation of their plan to combat trafficking, at this point?

**STATEMENT OF PETER F. MULREAN, NOMINATED TO BE  
AMBASSADOR TO THE REPUBLIC OF HAITI**

Mr. MULREAN. Thank you very much, Mr. Chairman.

As you stated, 2014 was a good year on paper for Haiti regarding trafficking in persons. There was passage of the antitrafficking legislation, and they created a plan for the next 2 years, 2015 to 2017, for implementing it.

At the moment, they have begun to take positive steps, and they have set up what looks like a whole-of-government approach, but the proof of it will be in their execution. At this point, the execution is nascent.

I think the government has an understanding of the seriousness of the situation. But at this point, we are waiting to see them take the serious steps. As with so many other issues in Haiti, it is a question both of capacity, having the institutional capacity whether it is with the police, even the NGOs, and the institutional capacity to deal with these, the judicial capacity to prosecute. But it also, sir, a question of political will. And we are hoping, as with many other things, that after the upcoming elections, we will have a President and a Parliament in place that will be willing to put political will into some of these difficult issues.

Senator RUBIO. Trafficking for domestic servitude is one of the issues that receives a tremendous amount of attention, but there has also been extensive media reporting over the last few years of children being sold into sex slavery, including in makeshift brothels that exist on the border region with the Dominican Republic.

How familiar are you with that? What is the status of that over the last 5 years? And would that be a priority for our Embassy in Port-au-Prince, if confirmed?

Mr. MULREAN. Well, let me start off by saying that, if confirmed, it would absolutely be a priority, as I believe it already is for the Embassy in Port-au-Prince.

I am not familiar with the current details of the trafficking on the border area. We have, however, taken significant steps in terms of our assistance programs, both on supporting civil society to do awareness-raising and advocacy as well as to deal with the victims of trafficking. We are also working with the Government of Haiti to increase capacity in identifying awareness.

There are a number of issues that have been stalled by the current political impasse of the last 2 years, but we will give it our utmost to move this issue forward.

Senator RUBIO. As you know, cholera has already taken the lives of over 8,900 Haitians and infected about 744,000 of them. Given the disturbing new spike in cases of cholera in Haiti, what initiatives is the United States undertaking or will the United States undertake to help address ongoing epidemic?

Mr. MULREAN. Thank you, Senator.

The incidence of cholera has seen a recent spike, but this is after a 92 percent reduction in cases in the last couple years. The United States has put \$95 million into a program of activities that has both been to deal with the immediate response to the cholera cases, but in some ways even more importantly to build into the national health system the ability to deal with cholera and, in the future, other communicable diseases.

We coordinate closely with other donors, and we do believe that the situation, while troubling given the recent increase, is not out of control.

Senator RUBIO. Well, let me ask you, what will the United States do to ensure that the United Nations is held accountable for those already harmed by the disease?

Mr. MULREAN. Sir, the United Nations, in response to the cholera outbreak, has been heavily engaged in the response through the World Health Organization and others. They are in a position, as the coordinator of a lot of assistance activities, to ensure that the follow-through reduces cholera to a point where it is as close to zero as can be.

[The prepared statement of Mr. Mulrean follows:]

PREPARED STATEMENT OF PETER F. MULREAN

Thank you, Mr. Chairman. I am honored to appear before you today as President Obama's nominee to serve as U.S. Ambassador to the Republic of Haiti. I am grateful for the trust and confidence President Obama and Secretary Kerry have placed in me by nominating me to this important post. If confirmed, I look forward to working with you on Haiti, a country joined with the United States by broad and deeply rooted ties, both historical and contemporary, institutional and individual.

I have had the privilege of serving in the Foreign Service for the past 27 years and the great fortune to be a witness to, and occasionally a participant in, significant developments of the past generation. My career has taken me from the former Yugoslavia as it crumbled, to India as it awoke economically. I have helped oversee innovative reform programs during transitions in Eastern Europe, the Middle East, and Afghanistan. I have worked closely with the U.N. on humanitarian response to a series of crises and on efforts to build peace and to defend the rights of all individuals. Reaching beyond governments, I have learned the power of partnership with civil society, business and the media in advancing common objectives. And as I stand before both the challenges and opportunities in Haiti, I believe all of this experience would serve me well if confirmed.

Throughout its history, Haiti has often been viewed as a symbol of powerful ideas and forces. Having defeated the most formidable military power of the time and definitively thrown off the chains of slavery, Haiti became the second independent nation in the Western Hemisphere. For this, Simon Bolivar praised Haiti for its contribution to the liberation of Latin America. Diplomatic relations between the United States and Haiti stretch back more than 150 years, and among those who have served as U.S. Minister to the Republic of Haiti was the great civil rights leader Frederick Douglass. The United States is also home to a substantial and vigorous Haitian diaspora with strong patriotic feelings. Both in their homeland and abroad, Haitians are rightly known for their energy, resilience, creativity, pride, and strong sense of history.

That history is marked by stirring achievements, but also by periods of violence and misrule, which allowed human rights abuses to go unpunished and left ground for poverty to take root. Although Haiti is a country of vivid images, this does not mean it is always perceived clearly by the international community. Misfortunes such as hurricanes, disease, and the devastating 2010 earthquake are too often what put Haiti on the front pages. But the United States recognizes that while challenges and problems are part of Haiti's reality, they are not the sum of Haiti's reality. Having helped address Haiti's immediate humanitarian needs in the wake of the earthquake, the United States is focused on supporting the country's longer term development, working in partnership through a Haitian-led process to help the country build a more promising future.

The U.S. strategy to help Haiti become a more democratic and prosperous neighbor involves both near term and longer term goals. The most pressing task facing Haiti is, of course, the holding of successful and peaceful parliamentary, local government, and Presidential elections. The United States strongly recognizes the importance of all Haitians being able to go to the polls to participate in representative governance through a credible and transparent electoral process. I know that Congress shares this goal, and your consistent underscoring of the importance of Haitians freely expressing their preferences at the ballot box has been invaluable in moving Haiti forward toward elections.

The United States commends Haitian President Michel Martelly and the members of Haiti's independent Provisional Electoral Council (CEP) for their efforts to prioritize the holding of elections this year. I would emphasize that the United States has no vote in these elections and does not support any candidate or group of candidates. Simply put, we support the democratic process. We are pleased that an electoral decree and calendar have been published, and we are committed to working with the Government of Haiti and our international partners to coordinate appropriate assistance—including the deployment of international observers—to help ensure that elections are inclusive, transparent and credible. As electoral planning continues, the United States supports the CEP, the United Nations, the OAS, and the Government of Haiti (including its national police) in their efforts to coordinate, support, and execute successful 2015 elections. We are encouraging all actors to participate fully in the electoral process, to abide by the rule of law, and to pledge to a high standard of transparency.

Successful elections are the highest priority of our near term engagement with Haiti. The citizens of Haiti choosing their leaders and representatives through fair, democratic means feeds into and reinforces our broader, longer term goal of fostering good governance, which in turn is essential for building capacity. There are no quick fixes or shortcuts; the process requires a long-term commitment on our part. And, while the commitment of the United States is steadfast, Haiti's success will, ultimately, depend on the actions of the Haitian people. We can advise and assist, but Haiti's development must reflect goals and priorities that the government and people of Haiti have identified, and for which they are exercising ownership. In coordination with other donors, the United States is working to equip key Haitian institutions with the skills necessary to manage resources, both financial and human, and to plan and execute projects. The confidence of the Haitian people in their government will in large part depend on its effectiveness in delivering basic services.

That said, sustained capacity-building and effective governance require funds. Regardless of our efforts in other areas, without a healthy economy, Haiti will remain poor and dependent. It is indisputable that no long-term development goals in Haiti can be sustainable without the growth of the private sector. Therefore, helping Haiti strengthen, expand, and diversify its economy is a key element of our strategy. Haiti has seen positive economic growth since the earthquake, but more needs to be done. Unfortunately, political gridlock has hindered progress. The impasse between Haiti's executive and legislative branches has stymied the passage of legislation in such important areas as an updated business code, an updated criminal code, clarification of property rights, and the provision of electronic signatures. Advances in these areas would strengthen investor confidence in the Government of Haiti's pledge that "Haiti is open for business."

Thanks to consistent, broad, bipartisan support in Congress, U.S. Government assistance to Haiti has been substantial. Since the earthquake, \$4.1 billion has been made available in immediate humanitarian assistance following the earthquake and for long-term reconstruction. Of the \$4.1 billion made available, 80 percent—\$1.3 billion for humanitarian relief and \$2.0 billion for reconstruction and development has been disbursed. Since 2010, U.S. post-earthquake assistance to Haiti has helped to measurably improve key economic and social indicators and build infrastructure necessary for self-sustaining growth.

In response to Haiti's desire for investments that support economic growth outside of Port-au-Prince, the United States has targeted some of its most significant assistance to one of Haiti's poorest regions in the North. The Caracol Industrial Park (CIP) is a public-private partnership that is funded by the Inter-American Development Bank and is owned by the Government of Haiti. The U.S. Government contribution consists primarily of support for building a modern power plant that is now providing reliable electricity to the CIP as well as more than 7,000 local businesses and households in the community. Caracol was conceived as a long-term public-private investment in Haiti's north and will require time and continued support to reach its full potential. As of July 2015, in just 3 years of operation, approximately 7,500 jobs have been created at the Caracol Industrial Park. More jobs are expected as facilities expand. Anchor tenant Sae-A is projected to eventually create 20,000 jobs, and the Haitian owned Coles Group has announced it will create 2,500 jobs at Caracol once further phases of construction are completed. Apparel accounts for over 90 percent of U.S. imports from Haiti. Thanks to the preferences accorded under the HELP and HOPE Acts, apparel imports from Haiti are up, increasing by over 6 percent in 2014 to a total of \$854 million. Also promising is the growth of value-added apparel exports which increased by 43 percent in 2014, signaling a movement toward more complex products that could yield higher wages for Haitian



employees. This growth would not have been possible without congressional action on the HELP and HOPE Acts.

The United States has also helped Haiti increase agricultural productivity by introducing improved seeds, fertilizer, and technologies to more than 70,000 farmers, which have helped increase yields for rice, corn, bean, and plantain crops as well as increase mango exports by 175 percent. Our funding has placed over 33,000 hectares of hillside farmland under improved watershed management. We have supported an innovative business-plan competition that provides matching grants of up to \$200,000 to small- and medium-sized enterprises (SMEs) investing their own capital to expand their businesses. So far, 60 businesses have received technical assistance, of which 31 were awarded grants, leveraging over \$10 million in private capital for a total investment of over \$15 million. Through our assistance programs we have extended Development Credit Authority guarantees of up to \$57 million in loans by local commercial banks, microfinance institutions, and credit unions. Working through the U.S. Agency for International Development (USAID), the U.S. Government has also partnered with the Overseas Private Investment Corporation to bring \$26 million of long-term financing and technical assistance to Haiti for housing finance, as well as working capital loans to SMEs. Additionally, the U.S. Treasury Department is providing technical assistance to the Ministry of Finance to improve budgeting, tax collection, and cash and debt management.

The United States has also increased agricultural productivity in Haiti by supporting more than 300 farmer associations comprising more than 70,000 farmers. This has led to increased crop yields and gross profit margins for maize, beans, rice and plantains by a minimum of five times, and has increased mango exports by 250 percent. Our funding has placed over 33,000 hectares of hillside farmland under improved watershed management. We have supported an innovative business plan competition that provides matching grants of up to \$200,000 to small- and medium-sized enterprises (SMEs) investing their own capital to expand their businesses. So far, 60 businesses have received technical assistance, of which 32 were selected to receive over \$5 million in matching funds to expand operations; those firms have invested an additional \$10 million of their own funds. Through our assistance programs we have extended Development Credit Authority guarantees of up to \$57 million in loans by local commercial banks, microfinance institutions, and credit unions. Working through the U.S. Agency for International Development (USAID), the U.S. Government has also partnered with the Overseas Private Investment Corporation to bring \$26 million of long-term financing and technical assistance to Haiti for housing finance, as well as working capital loans to SMEs. Additionally, the U.S. Treasury Department is providing technical assistance to the Ministry of Finance to improve budgeting, tax collection, and cash and debt management.

The United States is also working to help improve justice and security for Haitians. Since the earthquake our assistance has made possible the training and commissioning of 3,300 new officers in the Haitian National Police (HNP). The capacity and professionalism of the HNP is increasingly important as the U.N. Stabilization Mission in Haiti (MINUSTAH) draws down. The HNP's performance has indeed vastly improved, most notably in antiskidnapping investigations and crowd control capacities. We have helped create a new HNP community policing unit, which has grown to over 80 officers, in partnership with the New York City Police Department and MINUSTAH. Using approximately \$54M in FY10 Supplemental funds, the USG completed construction of six commissariats, barracks at the Presidential palace, and a pier; construction of three prisons, a range of facilities for the counternarcotics police (BLTS), and improvements at the HNP School are all underway. Our programs have trained and equipped the BLTS, increasing its size from about 40 to almost 200 officers and adding a 19-dog K-9 unit. The Miami-Dade Police Department trained 74 counternarcotics officers to help ensure sustainability of our counternarcotics efforts. Funding from the U.S. Government has supported the training of 2,392 judicial actors and helped reconstruct more than 32,000 judicial case files following earthquake loss or damage. Much work remains, especially in the judicial and corrections sectors, but with U.S. assistance the Government of Haiti is increasingly providing improved security for its people.

A positive sign is that the number of Haitians attempting to leave Haiti for the United States is down. To help deter dangerous and illegal sea migration and address a localized surge in human smuggling in the waters off of Puerto Rico, the United States resumed in October 2014 the expedited removal of newly arrived Haitian migrants illegally present on U.S. islands in the Mona Passage or on Puerto Rico. At the same time, the United States established a safe, lawful alternative to migrant voyages through the Haitian Family Reunification Parole (HFRP) program, which allows eligible Haitian beneficiaries of family-based immigrant visa petitions to come to the United States and join their families before their immigrant visa pri-

ority dates become current. The resumption of expedited removal operations in the Mona Passage and the opportunities provided through the HFRP program have led to a marked decrease in illegal sea migrant activity, with U.S. Coast Guard migrant interdiction statistics showing a decrease in the number of Haitians attempting to enter the United States illegally by boat in the first quarter of FY 2015 compared to the same period in FY 2014.

One aspect of Haitian security involves the situation along its border with the Dominican Republic. We are deeply concerned by the reports from the Dominican Republic that tens of thousands of people, mostly Haitians and people of Haitian descent, have crossed the border from the Dominican Republic into Haiti since June 17. We are monitoring the situation closely and actively engaging with the Government of the Dominican Republic, the Government of Haiti, the United Nations High Commissioner for Refugees, the International Organization for Migration, civil society organizations, and the international community to confirm that the appropriate authorities work to ensure the security and welfare of all who cross the border and the protection of their human rights. The United States is also funding civil society organizations and international organizations, including the International Organization for Migration (IOM), to assist with these efforts. We continue to encourage the Governments of the Dominican Republic and Haiti to consult and collaborate with each other and with civil society groups and international organizations to develop and duly implement processes that uphold the rule of law, provide procedural safeguards, and are consistent with each country's international obligations and commitments. If confirmed by the Senate, I will do my utmost on this priority issue.

Development work in Haiti has never been easy and we are committed to active monitoring and evaluation of all our assistance activities to maximize their impact in support of our strategy. There are projects on which we have not attained the results initially expected and we have made adjustments accordingly. The three main areas where we have made mid-course corrections have involved new housing construction, a new port facility, and providing more assistance directly to Haitian organizations. Building permanent new homes proved more costly and time consuming than projected. This led to a shift in the permanent housing strategy, to emphasize private-sector housing finance opportunities for low-income Haitians, neighborhood upgrades, and support to help Haitians transition temporary facilities into safe permanent communities. Regarding a new port in the Fort Liberté area in Haiti's north, there is not sufficient interest at this time from the private sector to support construction. Therefore, the Government of Haiti agreed that a more effective strategy would be to modernize and upgrade existing port facilities at nearby Cap-Haïtien. We agreed, and this project is currently underway. Finally, in the immediate aftermath of the earthquake, which crippled many local Haitian NGOs, the U.S. Government used international NGOs to initiate emergency relief efforts. They had the advantage of being immediately operational and they had vast experience expediting the provision of food, shelter, and security in an unstable environment. Now that Haiti has transitioned to long-term reconstruction and development, U.S. investments support a more sustainable development approach that includes building the capacity of local organizations. Today, the U.S. Government is helping local organizations develop their administrative and financial capacities—in particular accounting, reporting, and audit preparation functions—so that they can better compete to be direct recipients of U.S. funding. I attach great importance to our new approach to increase direct support to Haitian organizations.

We have tried to learn from our course corrections. Despite having fallen short of our original objectives in some cases, we can credit U.S. assistance for genuine positive developments in Haiti. Our funding helped house more than 328,000 earthquake-displaced Haitians by providing transitional shelters, repairs to damaged homes, support to host families, and rental vouchers. Almost 95 percent of displaced persons have left the tent camps, which are all but gone. We have funded the removal of 2.7 million cubic meters of earthquake rubble—36 percent of the estimated 7.4 million cubic meters of total rubble removed. Our support for Haiti's infrastructure includes the reconstruction of Haiti's University Hospital and other damaged health facilities, and the construction of seven police stations and the Presidential security unit barracks. Nearly half of all Haitians have access to basic health services at U.S.-supported health facilities, and we have provided \$95 million for cholera treatment and prevention, including clean water and sanitation activities. This has led to improved basic health indicators and a dramatic decrease in the incidence of cholera. Primary school enrollment is up, with the United States funding the construction of more than 600 semipermanent furnished classrooms, enabling over 60,000 children to return to school. We have helped more than 100,000 businesses and households convert cook stoves from charcoal to clean liquefied natural gas, and supported the planting of 5 million tree seedlings.

Welcome as these improvements are, more needs to be done—particularly in the area of effective governance. Haiti's leaders must foster a political, societal, and economic environment conducive to economic development and prosperity. Sustained development will not be possible without responsive, accountable, and transparent governance; without just application of the rule of law and respect for human rights; without new laws and changes in existing ones to attract investment; and without a fully staffed and functioning government in every branch.

In analyzing Haiti's prospects for building a better future, and how the United States can help, we must look realistically at the challenges that country faces, but also not lose sight of factors working in its favor. One of the most important of these is the widespread support Haiti enjoys among the American public in general and here on Capitol Hill in particular. Support from Congress was swift, tangible, and significant, totaling \$4 billion in post-earthquake assistance appropriated. No less important has been your sustained attention to that country, particularly at times when steps in democratic progress have needed encouragement. If confirmed as Ambassador to Haiti, I look forward to working with you in addressing our shared goal of helping Haiti move forward, and I would encourage you to visit.

As valuable as American support is, the greatest of Haiti's assets, its ace in the hole, is its people. Although by some economic indices Haiti ranks as the poorest nation in the Western Hemisphere, in human capital it is rich. Haitians have demonstrated dynamism, resilience, creativity, and courage on a scale far beyond the country's modest size. We seek to help Haitians create the conditions—political, economic, and social—in which these talents can be put to best use.

Much remains to be done in Haiti, and I would not wish to understate the scope of the task or the need for a long-term commitment in order to achieve lasting progress. But the past 5 years have also been marked by measurable improvements in the lives of Haitians and genuine accomplishments in Haiti's recovery and development. Americans can take satisfaction in helping Haitians help themselves. If confirmed by the Senate, I will do my utmost to focus on a realistic and achievable agenda to help make the U.S.-Haitian partnership stronger than ever.

Senator RUBIO. I await the arrival of my colleagues, so I will just keep going for a little while.

I wanted to return to Mexico for a moment, Ms. Jacobson. For a lot of Americans, there has been a lot of discussion the past few weeks and months about the state of affairs in Mexico. I think Mexico has a lot to be optimistic about.

One of the things that people are concerned about, I, certainly, have been, watching both from this committee and from the Intelligence Committee, is the notion that there are regions in the northern part of Mexico that are not fully in the control of their government. In essence that criminal groups have de facto control these areas and, in particular, one of the groups that is controlled by this horrific individual who was able to escape in the last few days and poses a threat to the United States and to his own people.

I would just take an aside to say I have seen some chatter over the last few days that I think clearly understates who it is that we are dealing with here in this individual, El Chapo. He is a murderer, a person who is involved in virtually every nefarious activity one can imagine, including kidnapping, murders, and crimes committed within the United States facilitated by his organization.

How would you describe the challenges the Mexican Government faces in terms of providing security and stability, particularly in those areas where perhaps they do not have effective control over their territory as they would desire to have?

Ms. JACOBSON. I think, Mr. Chairman, in the first place, I think I would want to associate myself entirely with your characterization of El Chapo Guzman. To minimize his role or the horror of what he has wrought with the Sinaloa cartel I think would do a disservice to his victims and to people who have been touched by the trafficking and the violence that the group has wrought.

Clearly, the Government and the people of Mexico face a very complicated and a very difficult security situation. It is much more difficult in about a half-dozen states in the country than elsewhere. It is not nationwide. That is where the majority of the homicides take place, the majority of the drug violence, the majority of the territorial control between and among cartels.

It is important to remember, I think, that during the congressional and gubernatorial elections that took place a little over a month ago, I guess, just about a month ago, 99 percent of polling stations opened and operated normally around the country, even in some of those places that have had high levels of violence. So they were able to undertake the elections and people were able to vote freely even in places where you had rumors that they would not be able to exercise their vote.

So I think that the notion that they have lost control of their territory, while clearly they are under siege in some places and there are places where people are fearful of local authorities, and local authorities themselves are part of the problem, not part of the solution, I think that there are a number of places where it has been turned around, where the Mexican Government at the local, state, and federal level have been able to gain back the control.

That is what the Mexican Government continues to work on and we in support of them, places like Ciudad Juarez in Chihuahua, which for a time was really a no-go area and really has been coming back with levels of violence that have dropped.

My colleague here served in Juarez during a very difficult time as a great leader in our consulate.

So I do think that to continue to work on the institutions of government to make sure that they are transparent, on anticorruption mechanisms as the Mexican congress has just passed, is critical to getting a handle on the full gamut of security problems they face.

Senator RUBIO. Another issue that, of course, is well documented in the United States is the migratory issues that we face across the border. Perhaps what many people are not as aware of over the last few years is the trend now of a growing number of people who are crossing the U.S. southern border, the Mexican northern border, are not from Mexico. In particular, we have seen a large upsurge of people migrating from the Northern Triangle countries, El Salvador, Guatemala, Honduras.

First of all, what is the approach of the Mexican Government, at this stage, to the reality that you know people pushing up through the country from their southern border? And where are the opportunities to work cooperatively with them on both sides of the border to seal off the opportunities to transit illegally, which, in fact, is a magnet for more people to attempt to do it?

Ms. JACOBSON. Absolutely. I think it is a very important question, Senator.

You know, I think last year's surge in migrants from Central America was an important kind of bellwether not just for the United States in how we are focused on Central America and the root causes of such migration, but also for Mexico, which has seen migrants move through its territory for a long time, but not in those kinds of numbers.

In the last year, the numbers coming into the United States have dropped dramatically, but a big part of that has been the Mexican effort to reduce the number of people coming into Mexico at their southern border and to also reduce some of the most dangerous practices that are being affected on migrants, such as riding on the infamous train north, La Bestia, and shutting that down so that migrants cannot be exploited violently on that trip north, including unaccompanied minors.

So we have worked very closely with Mexico on this, including on their southern border strategy, devoting resources, training so that they can help both gain control over their southern border with Guatemala with new task forces working with the Northern Triangle countries, and then obviously working with Mexico but also with the Northern Triangle countries on the root causes that are causing the migrants to flee in the first place.

Senator RUBIO. Okay, thank you.

Senator FLAKE.

Senator FLAKE. Thank you. I wanted to be here earlier, but votes intervened.

Senator RUBIO. I am going to go now.

Senator FLAKE [presiding]. Okay, now let us get back to Cuba policy. [Laughter.]

Senator FLAKE. Just joking.

Ms. Jacobson, we are very excited, at least I am, certainly, in Arizona to have you headed to Mexico, hopefully, if you are successful in your nomination.

I am sure you talked about some of the border issues. You were talking about some of them when we came in. But what is often overlooked is the tremendous amount of trade that goes on. Mexico is a huge trading partner with the United States and obviously of huge importance to the State of Arizona.

We obviously need border security, better border security than we have. We also need to make sure that we have the infrastructure, not just green uniforms at the border, but blue uniforms as well to facilitate trade.

Can you talk about the importance of that?

Ms. JACOBSON. Absolutely, Senator. Thank you.

I think that what we call the 21st century border strategy that we are working on is so critical to the United States' competitiveness, to North American competitiveness. We know already that many, many goods that we manufacture cross the border many times in that process. We know that \$1.5 billion a day in trade crosses the border between the U.S. and Mexico.

But we know that right now our infrastructure is not 21st-century, and we need to get that better. But there are huge improvements being made, whether it is at Nogales, where so much of the winter fruits and vegetables come through to the United States, new crossings that are being opened, the first rail crossing in 100 years.

With our Mexican partners, this is a critical part of our economic strategy for competitiveness of both countries.

We also know that of imports of finished products from Mexico, 40 percent of the inputs to those products are from the United States. The comparable figure from China is 4 percent. So it is good

for American jobs to continue working with Mexico in that partnership.

And frankly, security and legitimate trade are not zero-sum. They have to be pursued in tandem along the border. It is the seam that knits us together. And it is critical for the communities, as you know, all along that border.

Senator FLAKE. Right. You mentioned the improvement in infrastructure. On the Arizona side, certainly the Mariposa port, the international border there at Nogales is important, and we have invested quite heavily. There are also commitments on the part of the Mexican Government to undertake certain infrastructure improvements.

How can you help in terms of advocacy to help them comply with their obligations there?

Ms. JACOBSON. I think that is really important. As you know, the Mexican model is a little bit different from ours. There are often concessions. And we have worked very closely with the Mexican Government to try and make sure that to a much greater extent their own planning and our planning match up, so that you do not have cases where either our side is finished before theirs or vice versa. And I would continue, if confirmed, to advocate very strongly to ensure that our planning is done so that we can make sure that their side finishes up as quickly as ours or vice versa, in some cases.

There are now master plans along the border, in most cases, Texas, Arizona, California. Making sure that we coordinate those things across the border is just critical.

You know that the Arizona-Sonora coordination is critical at the State level, and I would do everything I could from the Federal side and the Embassy leadership side, to push the Mexican Government and through them the concessionaire to make sure that we get things moving in sync at all times.

Senator FLAKE. Great. That will, certainly, be helpful. There is a lot of cooperation that goes on in terms of safety inspections and whatnot. If there is good cooperation on the Mexican side of the border, we can smooth and make this a lot easier.

Ms. JACOBSON. And, as you know, preinspection is coming to cargo, and that is very exciting to reduce wait times at the border for products.

Senator FLAKE. We are very excited about that.

Anyway, thank you, all. Because we have votes going on, and I know that Senator Menendez needs to get back as well, I will turn it over to him. But like I said, we are very excited.

For the rest of you all, I will let the other answers stand.

But, Ms. Jacobson, I have been thrilled to work with you in the past and look forward to working with you in the future.

Thank you.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Congratulations to you all for your nominations and your willingness to serve our country.

Ms. Jacobson, let me ask you, we are all incredibly, deeply troubled by Joaquin Guzman's escape over the weekend, and I am particularly disturbed by the fact that Guzman was arrested in Feb-

bruary 2014, and from all indications available, the U.S. did not request his extradition until February of this year.

Can you explain why the State Department did not request Guzman's extradition for a year, especially when he is facing charges in at least seven U.S. Federal district courts? He has long served as the overlord of what is considered the most powerful drug cartel on the planet. What happened here?

Ms. JACOBSON. Senator, what I can say, because we do not get into the details, and I cannot since I am not a Department of Justice employee, which basically prepares all of the extradition packages with lawyers at the State Department, what I can tell you is that we always want to extradite or seek extradition of all of those who are detained overseas against whom there are charges in the United States.

We have been discussing extraditions and the pace of extraditions and our desire for greater extraditions with Mexico for a number of years now. But what I cannot tell you is the exact reasons or timing for the particular possible or actual extradition requests.

Senator MENENDEZ. So are you telling me that the State Department's only role in extraditions, whether it be this or any other one, is to act upon the Justice Department's instigation?

Ms. JACOBSON. No. There are, certainly, lawyers within the State Department who work with the Justice Department, but it is the Justice Department that puts together, with the State Department, the extradition requests of other governments.

Senator MENENDEZ. So it is the Justice Department that delayed it?

Ms. JACOBSON. I cannot tell exactly what the delay was. I have to refer—

Senator MENENDEZ. Someone is going to have to tell the United States Senate why it took a year before we even asked for his extradition, when this man is sought in seven Federal districts, has a whole host of charges, one of the most dangerous people in the Western Hemisphere, and we know the risk of him breaking out of a Mexican jail is high.

Ms. JACOBSON. I cannot confirm the exact time when the request was made, Senator, except to refer you to the Justice Department.

Senator MENENDEZ. Okay, let me ask you this. Continuing on the line of extraditions, here is something hopefully you can help me with, Joanne Chesimard. You have been negotiating on the Cuba reengagement. I see nothing on Joanne Chesimard. I see nothing on others, such as the killer of the New Mexico state trooper. She is on the FBI's 10 most wanted terrorists list.

So as our top diplomat right now for Latin America and the Caribbean, can you explain the lack of progress for efforts at extraditions, whether it be El Chapo or whether it be Joanne Chesimard or the killer of the New Mexico state trooper?

Is this not a national security imperative for the State Department?

Ms. JACOBSON. Extraditions are an incredibly important tool to fighting crime and getting back people who are high priorities for the United States. We have had significant numbers of extraditions from Mexico in the past and, as you know, from many other coun-

tries in the hemisphere, including Colombian and others. We have also had expulsions from Cuba since 2010 of those that we wanted back in the United States for crimes.

As I said before, Joanne Chesimard's case, in particular, and I am from New Jersey and I know the case well, is raised every time we talk to the Cubans. It has been raised at extremely high levels with the Cuban Government. There has not been a satisfactory response yet, and we will continue to raise it in the law enforcement talks that we will now be having.

Senator MENENDEZ. Well, I understand the Cubans are going to talk to you about it. They will talk to you about it ad infinitum because they say she has political refugee status in their country, and, therefore, that is not really a bargaining chip.

I just do not understand how we turn over three convicted spies and cannot get one convicted cop killer back from Cuba.

Let me ask you, continuing on the national security threat issues, I have seen that Diosdado Cabello, the head of Venezuela's national assembly, is the target of a series of investigations by U.S. Federal prosecutors and the Drug Enforcement Agency. Putting aside recent meetings by the State Department and pictures with Cabello, I am concerned that the investigations are bringing into greater focus how the drug trade is penetrating the highest levels of the Venezuelan state.

So is the current situation in Venezuela a national security threat to the United States?

Ms. JACOBSON. I think that the current situation in Venezuela is of great concern to the United States. Whether it is a national security threat to the United States, I would not say. We have made clear, as we did in the sanctions—

Senator MENENDEZ. You would say it is not a national security threat?

Ms. JACOBSON. I would say it is a national security threat in the sense that drug trafficking is overall a national security threat to the United States. As we have said in our reports annually, the Government of Venezuela is not cooperating with us on that issue.

Senator MENENDEZ. Okay, so what has changed from your testimony on May 8 of last year when I asked you a very similar question and your answer to me was, "I think the answer to that question is that it is a very serious concern to us, a national security threat."

Ms. JACOBSON. Well, as I just said, I think drug trafficking overall is a national security threat to the United States.

Senator MENENDEZ. I was not asking about drug trafficking overall in that question, nor in this question. I was asking you about Venezuela.

You told me on May 8 of 2014 that it was a national security threat. Why is it less so today?

Ms. JACOBSON. Whether the words are exactly the same this day or then, I think the concerns that we have about Venezuela and about drug trafficking are the same. We have concerns about how much drugs may be coming through or out of Venezuela into the United States, and we are going to continue to act to keep them from coming in.



Senator MENENDEZ. I think even the President in his determination cites a national security threat.

One last question, when I have individuals who are brought before the committee for the advice and consent of the Senate, I take it very seriously. And one of the elements that I take very seriously is that I am going to get fair, honest, transparent answers to my questions so that I can make judgments on the issues that I am called upon as a United States Senator and as a senior member of this committee to make judgments on.

When in a hearing on Venezuela, the same hearing where you told me it was national security threat, I asked you whether or not the opposition in Venezuela, as you had stated, was actually opposed to us pursuing sanctions, and your answer to me at that time was that the opposition elements engaged in the current dialogue have suggested we refrain from sanctions against individuals guilty of human rights violations.

Now that was not the case, and you ultimately made it very difficult for me at a moment that I was trying to understand what would be the consequences of sanctions. I thought that the sanctions that the President ultimately signed were the right ones, but you created a doubt in me, a doubt that should not have been there because then I heard a chorus from the opposition in Venezuela who said, no, we never said that.

So if I am going to look to advise and consent and vote affirmatively for someone, I need honest and open and transparent answers. And I do not feel that I got that from you at that time.

So can you explain to me why I should feel that if I were to vote for you to be the U.S. Ambassador to Mexico, a country with which we have a critical relationship on a whole host of issues, that I would feel that I was getting open and transparent answers?

Ms. JACOBSON. Senator, I guess one of the things I would say is I would look to the response of the opposition after these sanctions were passed when they publicly rejected those sanctions. And I would suggest that there were different answers from different members of the opposition, and they were in an extremely difficult situation. And what I told you was what I had heard from some of them.

But after it was said publicly, it put them in an extremely difficult position, which I had not intended to put them in. But it was never a misstatement to you of what I had heard.

Senator MENENDEZ. Well, you asked to clarify the record, and even your clarification then is not what you are telling me now. When you asked to clarify the record, which I allowed you to do when I was then the chairman, you said I would like to clarify one point I made during the hearing, the opposition elements engaged in the current dialogue have not specifically suggested we refrain from sanctions against individuals guilty of human rights violations.

Ms. JACOBSON. Because those in the dialogue had not. It was others who were outside the dialogue. And that was why I did not want to cause problems for those who were within the dialogue.

Senator MENENDEZ. But you did not even, in your clarification, give me that statement that you gave me now.

So I have a real problem in one of the most important assignments in the Western Hemisphere, other than the one that you presently possess, about whether I am going to get open, honest, and transparent answers. That is a problem for me.

Mr. Chairman, thank you.

Senator FLAKE. Thank you, Senator Menendez.

I think Senator Rubio is on his way back and we have to go vote as well. We will go for a minute.

Mr. Mulrean, Haiti, how are we doing in terms of recovery efforts? And how is the country, the government responding? What do you see as your main challenge there?

Mr. MULREAN. Thank you, Mr. Chairman.

I think what we see in the last year or two in Haiti is a series of improvements in the general situation, particularly if you look at the post-earthquake situation.

The health and economic indicators are up. The security situation has improved. Private investment has outpaced donor assistance for the last 3 years. And even some polling indicates that Haitians feel that they are better off now than they were preearthquake.

I think what this indicates, Senator, is that Haiti is moving past the post-earthquake crisis relief and into a better place, but a place that will still require long-term development and support by the international community.

There are a lot of things that still need to be done. There has been basically a political impasse between the executive and the legislative branch, which has resulted in the need for elections now coming up this fall.

The problem with this impasse is that it has prevented some very important legislation from moving forward.

So the immediate concern, were I to be confirmed, Senator, is the impending elections that will begin in August. In October, you will have legislative, Presidential, and local elections going on. I think for Haiti to move forward truly into its development phase, you need to have an executive and legislative branch that are willing to work together and take some of the difficult decisions.

Senator FLAKE. What areas is USAID working in, in terms of economic development?

Mr. MULREAN. Senator, Congress has been very generous post-earthquake with Haiti. You have allocated \$4.1 billion to Haiti, 80 percent of which has been dispersed. All of the humanitarian assistance is now completed. Where we are is the focus is on the development and recovery assistance that is focused on the economic, social, rule of law, and governance areas.

I think it goes without saying that while things are better in Haiti, economic growth has been in the 3 percent, 4 percent, 5 percent range, the last few years, to make a dent in Haiti in the poverty and unemployment, it needs to be 7 percent or 8 percent. So what needs to really move forward well is economic growth. There needs to be better investment.

Again, this goes back to a certain extent to the need for political will to move forward. They need a new business code. There are critical pieces of legislation on property rights that need to move forward.

Senator FLAKE. Ms. Dogu, with Nicaragua, what are the main areas of focus there for our development assistance?

Ms. DOGU. The main area of focus, Senator, will be strengthening democratic institutions and rule of law in the country. We are also going to be focusing on economic integration with Central America as part of the Central American strategy. We feel that it is very important that Nicaragua integrates itself economically with its neighbors and that all of Central America has a chance to compete together on the global front.

In addition to that, of course, if I am confirmed, one of my top priorities immediately upon arriving in the country would be the safety and security of the people who work with me there in the country, both the official Americans and their families and the private citizens that are in the country. And I would be focused on that immediately upon arrival, just to make sure that we are prepared in case of any emergency.

Senator FLAKE. Thank you.

I have to run to vote, but let me just say, all four of you are foreign career Foreign Service officers, and one of the great parts of this job is to be able to meet with many. I chair the Africa Subcommittee so I meet with almost all of the career Foreign Service officers going to those countries. But I am so impressed with the professionalism that I see and the commitment to service that all of you exhibit. And I have not had an occasion to work with three of you, but Ms. Jacobson I have, and I have seen that professionalism. I have seen that commitment.

And I just appreciate all that you do and for your service and for your families as well. I know they sacrifice a lot to have you in this position.

So thank you for your service, and I look forward to continuing the process here.

Senator RUBIO [presiding]. Thank you.

Unless more members come, we are going to reach a conclusion here fairly soon, which I am sure none of you will be offended if you are not the subject of a lengthy hearing. But I did have some questions I wanted to touch base. Some are a little bit broader.

I did want to revisit for a moment, Venezuela, Ms. Jacobson. I cut short my questioning because I wanted to get to all of the nominees.

I am not saying that this is something that I have been told. I am just curious, and I think it is important for the record. Are you aware of any assurances that Counselor Shannon or any U.S. official made, including persons in the White House or the NSC, to representatives of the Venezuelan Government that the United States is going to refrain from applying additional sanctions on human rights violators or corrupt persons? Have any such assurances been made by anybody that you are aware of in the U.S. Government?

Ms. JACOBSON. Not to my knowledge, no.

Senator RUBIO. Okay.

I want to get broader, and that may involve a number of the countries involved, but particularly Nicaragua and Mexico. As we look at the Western Hemisphere, there are two competing camps

that seem to have emerged, at least in my view, and I would like to have your comment on it.

One is kind of the pro-American, I would say, but friendlier to our interests, camp of nations, and you see prosperity in these countries. Of course, Peru and Chile, Colombia, Panama, and I would include Mexico in that group of countries that are a key part of a kind of prosperous future for the Western Hemisphere, all of which have made substantial gains. They still have challenges. Colombia has significant challenges. Mexico, we have talked about some of their challenges as well.

And then there is the second group that has emerged and they, on the other hand, are heading in the opposite direction, in many respects. Obviously, Cuba for a long time but Venezuela, Bolivia, Ecuador, and oftentimes Nicaragua is in that camp as well.

And so let me begin, and I do not want to make your job any harder than it is going to be, if confirmed, but I do have serious questions and I think many of us do about the legitimacy of the elections that they have conducted there in the past and the general attitude of the Nicaraguan Government towards the United States of America. On the one hand, they do allow U.S. investment of U.S. firms and companies. There is travel there. There is engagement, in that sense. On the other, their government is less than cooperative on a host of issues and, in fact, they have now expressed a willingness, for example, to allow the Russians to increase military cooperation with them and even pay an increased number of port visits, et cetera.

Ms. Dogu, how would you describe our relationship with Nicaragua today? Obviously, they are not an ally in the traditional sense of the word. But how would you describe our current situation when it comes to their government versus the United States, and the relationship between us at this moment?

Ms. DOGU. Mr. Chairman, I think you actually described it quite well.

It is a very complex relationship. We do have some stresses in the relationship, but we also do have areas where we are able to cooperate quite well together.

On the stress side, obviously, we are concerned about some of the things that you mentioned in terms of the lack of free elections and the lack of space for people in the country to have a dialogue about the choice that they would have for leaders of the country.

On the economic side, however, we cooperate well. We are their number one trading partner. They are part of the Central American Free Trade Agreement. Since they joined the Central American Free Trade Agreement and that went into effect, their trade with the United States has increased by about 165 percent. Trade from the United States to Nicaragua has also increased fairly significantly.

Interestingly, even on the law enforcement side and on the counternarcotics side, we have been able to find an opportunity to work together. On the counternarcotics side, we do have cooperation with the Government of Nicaragua, small funding that goes to them through the Department of Defense and through DEA.

So we do have some areas of cooperation on the law enforcement side. They have actually removed from their country two fugitives that were on the FBI top 10 list last year in 2014.

So I think the challenge for me, if I am confirmed, sir, will be to continue to find those areas where we can cooperate together and to go ahead and work very carefully and closely to address the areas of concern where we do not get along so well. And I can commit to you that I will do that and it will be a high priority for me, if confirmed.

Senator RUBIO. And then, Ms. Jacobson, let me just first ask you about the broader region. I described these sorts of competing camps that have emerged.

Mexico I think is a key linchpin to that. In my recollection, they are if not the largest among the largest economies in the region, certainly in comparison to some of the smaller countries. They have always also had a significant influence in the multinational organizations that characterize the region.

As Mexico continues to grow and prosper, do you view them as a nation, as a government, willing to play more in the regional leadership category? Are they prepared, for example, to play a greater role in what is happening with human rights violations and elections that are upcoming in Venezuela? Are they prepared to address some of the challenges that are being faced to their south, which they are impacted by, in the Northern Triangle countries? How would you characterize their willingness to become a more active participant as a regional leader, which is really their role in that region, rightfully?

Ms. JACOBSON. I think that is an incredibly important point for Mexico. Mexico for many, many years had a very, very strong role, especially on the economic side with Central America. I think to some extent during Venezuela's heyday of high oil prices in Petrocaribe, Mexico was pushed out of that sphere a little bit.

They have reasserted their engagement on Central America. They have reasserted it on economic issues in greater engagement with the Central American countries.

They have reasserted it on energy, which is extremely positive. There are gas pipelines being built between Mexico and Guatemala. We know that energy prices in Central America are as much as 10 times higher than they are in the United States. This affects their productivity and all of the other ills that we see reflected in migration.

So Mexico's greater engagement with Central America and its leadership there is critical. But beyond that, I think they can play more of a role. Mexico, as it opened up and began to be more confident as a democracy opening up to U.N. human rights organizations and the Inter-American Commission on Human Rights organization system, needs also to play that role regionally. There are Mexican members of the Inter-American Commission on Human Rights now, and it would be great if Mexico felt more confident in playing that role regionally with South American countries or elsewhere.

But I also think it is significant beyond regionally that President Pena Nieto talked about Mexicans being involved in peacekeeping for the first time when he was at the U.N. General Assembly last

fall. That is another place where I think Mexico can begin to make a contribution in leadership, including in the region.

Senator RUBIO. The general state of affairs in Mexico, obviously for years some have viewed Mexico as a source of cheaper labor, as a place where businesses move operations because it might be less costly to do business there, as a source of migration to the United States in massive numbers. But over the last few years, all those factors have begun to change. In fact, there is an emerging middle class in Mexico now with significant consumer power and there are significant pockets of prosperity emerging within parts of Mexico as they help continue to try to make this transition to a more prosperous future.

How would you describe the state of affairs in Mexico today? Is it a country headed in the right direction, obviously, with significant challenges? Is it a country that remains the way I just characterized it, that some view as a place that—because, for example, as we have seen in some reports, net migration from Mexico significantly declined. Partially, I would imagine, due to the economic downturn in the United States, but also partially if not primarily due to the fact that now there are income and employment opportunities in Mexico today that did not exist.

So what are the drivers of this growth? And what do they need to do next to continue those trends?

Ms. JACOBSON. I think there are a number of things. One, to be honest, is out of their control. And that is demographics. The Mexican population is aging to some extent, as the U.S. population has. And we know that people do not migrate beyond a certain age, in terms of illegal migration or undocumented migration.

But the other is that the Mexican Government has been extremely focused, as was the Calderon administration, on education. And that is crucial to them sustaining the movement of large numbers of people into that middle class.

And they know that as we work on education jointly—and we have expanded our educational cooperation dramatically. Last year, there were hundreds of Mexican teachers who came to the United States for advanced English studies to go home and teach English in Mexico. This is part of the President's 100,000 Strong in the Americas and a joint bilateral program with Mexico that we have launched.

And I think we are looking at ways to improve the educational exchanges but not just at the very high, top 4-year level. Mexico has developed a series of "politecnicos," which are more akin to vocational training or community colleges, to really educate and train the gap between those who go through K-12 but are not necessarily going to go to a 4-year university, but get involved in manufacturing jobs that now require more than just a high school education in Mexico as well.

And I think that is really the focus of Mexico, on education moving forward, because I would agree with the first characterization you gave of Mexico as an increasingly, I guess it was the second one, an increasingly middle-class country with really important pockets of progress that need to be expanded to the rest of the country.

The economic and structural reforms that this administration passed in Mexico in its first year in office are really critical, but now they have to implement those reforms and keep moving forward with education and with fiscal reforms and telecommunications and energy openings to provide the kinds of jobs that will continue the growth for both our economies.

Senator RUBIO. You signaled demographic trends in Mexico, and it is an interesting point. Their immigration policies are much more stringent than ours. That is correct. In essence, it is a lot easier to immigrate legally to the United States than it is to immigrate legally to Mexico.

So the question then is, on the issue of migration, as they continue to develop in this direction, is it your sense that this is a country more willing, a government more willing, to cooperate with the United States to stem the flow of illegal migration across their northern border than they were 5 or 10 years ago?

There is a sense among some that I partially share that because of the high level of remittances from the United States back to Mexico that there has been interest in the past in not discouraging migration as a source of remittances back to the United States. But is there now a sense that for the first time in a while, the Mexican Government is starting to realize increasingly that the instability on their northern border is attracting migration on their southern border and on their coasts, and present security challenges to Mexico not just to the United States? And if so, do you think now there is an opportunity to work even closer with them to establish the sorts of improvements we need on both sides of the border to solidify that situation further?

Ms. JACOBSON. What I can say, Mr. Chairman, is I think that the Mexican Government does realize the threat to both the economic situation and to the border, both northern and southern, that undocumented or uncontrolled migration creates, both from other people using Mexican territory to traverse to come to the United States as well as Mexicans entering the United States undocumented.

I think the cooperation has been really quite good in recent years. But I will say that it has been amped up recently, and there is a real sense in Mexico, I think, that as others use their territory to try to get to the United States, and their own economic situation improves, they could decide to stay in Mexico. And so it is in their interest to work on orderly and safe and legal migration with protections for people, of course, the same way it is for us.

Senator RUBIO. My final question, because we are nearing 5 o'clock, again, for you, Ms. Jacobson, because we may not see you again in your current capacity before the committee, I know you have been involved in the negotiations that ultimately have led to the announcement of mutual embassies in Washington and in Havana. Ironically, just a few days after that announcement was made, I think the Sunday after the 5th of July, there were once again mass detentions in Nevada. The Ladies in White, there was one peaceful demonstrator who had his nose fractured, and was beaten.

And it goes back to the situation about this Embassy. What kind of Embassy are we going to have in Havana? I know that the argu-

ment has been that we are going to have an Embassy in Havana the way we do in other countries that have unfriendly governments and that approach. But I do think we have now taken this massive step, the President has, of diplomatically recognizing that government as a legitimate form of government. Although we, certainly, have qualms about how they operate, the President has given them diplomatic recognition and opened this Embassy.

What kind of Embassy is this going to be? It appears to me from what has been announced that the employees of that Embassy, other than the American diplomatic employees, the people who clean, the people who do the service work, will always continue to be hired from an agency controlled by the Cuban Government. It is my understanding that there will continue to be a significant security perimeter that could discourage people from coming to the Embassy to appeal for assistance from the United States. It appears that all but two members, and maybe I am wrong about the number, but there will be significant limitations on the ability of U.S. diplomats to use the Embassy to travel throughout the country and engage with people. And there apparently will be significant limitations on the ability to deliver enhancements to the technological capabilities of that facility.

So, in essence, other than the name on the door, what will be different about this facility than the interests section that we have there now?

Ms. JACOBSON. Thank you, Senator.

It was very important, as we discussed this opening of embassies and reestablishment of diplomatic relations, that we be absolutely certain that we can do our jobs under the Vienna Convention as we see them, which include being able to get out into the country and talk to people, certainly more than just two people but others within the Embassy, and that we ensure that the Embassy is a place that people can come to, Cubans can come to, because Americans have never really had great difficulty if they are in Cuba.

And I can assure you that what we will be doing and the way we will be operating is significantly different than we have been operating as an interests section. The security presence outside the interests section has already been reduced and the agreement on that is a significant reduction in security presence outside the future Embassy, such that we hope people will not feel nearly the same kind of presence or threat, and there will no longer be Cuban Government screening or names taken for people to enter the U.S. Embassy. That will be something, as we do all over the world, that we do, not the host government.

The ability to travel is similar to our restrictions in many other places around the world. There are a number of people at the Embassy who will be—it is more than two, as a matter of fact—who will be able to travel without any pre-notification. But others will be able to travel on a certain number of days' notification, but they will no longer have to ask permission. That is quite significant, because we previously had to ask for approval. Now it is only a notification, and then we go.

So that is really quite significant in enabling us to get out and travel.



We also have had almost no ability to get sensitive shipments into our interests section. They had all but stopped. We have made a very good start on reprovisioning the interests section, and we will continue to have talks thereafter about future shipments.

So in many of the ways, all of the ways that we laid out that were important to us to begin to operate more like everywhere else that is a restrictive environment, we made enormous progress from where we are now.

Senator RUBIO. Well, I want to thank all the nominees for being here with us today. I appreciate it very much, and your patience in the back-and-forth of people coming in and out. Again, we look forward to continuing to review your nominations.

You may receive written questions and follow-up from members of the committee, and I encourage you to promptly respond to those as quickly as possible, since a delay in that response could delay a final vote in consideration by the Senate.

So again, I want to thank all of you for your service to our country and for your willingness to continue to serve. And with that the committee stands adjourned.

I apologize, a reminder that the record will be open until Friday at the end of the business day.

Thank you. The committee is adjourned.

[Whereupon, at 4:54 p.m., the hearing was adjourned.]

#### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

##### RESPONSES OF ROBERTA S. JACOBSON, NOMINATED TO BE AMBASSADOR TO THE UNITED MEXICAN STATES, TO QUESTIONS FROM MEMBERS OF THE COMMITTEE

##### AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES TO QUESTIONS FROM SENATOR CORKER

*Question.* Mexico has made significant progress integrating with North American and global supply chains, generating economic opportunities. Deepening and sustaining the benefit of these policies and recent significant policy reforms will require the rule of law.

◆ Where does Mexico stand in implementing its ambitious judicial reform and how can you, as Ambassador, properly support this key step forward for Mexico?

*Answer.* Mexico's 2008 constitutional mandate requires all levels of government to transition from an inquisitorial to an accusatorial justice system by June 2016. The new system will include open trials, leading to greater transparency and efficiency, and decreasing the reliance on confessions, which has been tied to human rights abuses. It will also aim to prevent and punish impunity and abuses more transparently and effectively.

Under the Merida Initiative, the U.S. Government is providing tens of millions of dollars in assistance to support the transition of Mexico's judicial system at the federal and state level. Moreover, as the U.S. and Mexican economic relationship continues to mature the protection of property rights, including intellectual property rights (IPR), is critical for investment, growth and prosperity. We are pursuing these objectives through our initiatives under the High Level Economic Dialogue.

If confirmed, I will do all I can to promote U.S. cooperation and assistance to support the Government of Mexico's justice sector reform efforts and the rule of law.

*Question.* Mexico has recently been helpful in deterring undocumented migration from Central America, including unaccompanied minors. Will this effort by Mexico to interdict and repatriate undocumented migrants be sustainable over time?

*Answer.* Cooperation with Mexico on migration issues has been excellent. In June 2014 and in January 2015, President Peña Nieto expressed his commitment to President Obama to return children safely to their families in Central America, build Central American capacity to receive returned children, and address the underlying factors driving migration. We believe Mexico's increased enforcement,

including against human smuggling, as well as its efforts to share best practices on migration management with Central American governments have been significant factors in reducing the number of migrants apprehended by U.S. immigration officials at our southern border.

To help sustain Mexico's efforts, the United States is working with the Mexican Government to disrupt the organized criminal networks facilitating human smuggling, including through the provision of training, technical assistance, equipment, and coordination in support of Mexico's efforts to strengthen enforcement in its southern border region.

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AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES  
TO QUESTIONS FROM SENATOR MENENDEZ

*Question.* The TPP negotiations are in their final stages and many have high expectations that weaknesses in Mexico's labor laws will be addressed. Can the TPP really address the challenges to labor rights in Mexico without amendments to Mexican laws? Should these changes take place prior to the agreements' entry into force?

*Answer.* In order to meet the labor standards in TPP, each TPP country will need to have laws and practices consistent with the International Labor Organization's Declaration on Fundamental Principles and Rights at Work, which includes freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labor, the effective abolition of child labor, and the elimination of employment discrimination. TPP also includes requirements for countries to adopt and maintain laws and practices on minimum wages, hours of work, and occupational safety and health. On questions related to the negotiations and TPP's entry into force, I would refer you to the Office of the United States Trade Representative.

*Question.* Although the administration has indicated support for strengthening the labor rights provisions of the NAFTA, U.S. support for labor capacity-building programs in Mexico historically has been inadequate relative to the situation. For example, USAID has only one labor capacity-building program in Mexico, the Global Labor Program, which is scheduled to end in January 2016. Both USAID and the Department of State have so far been unwilling to use their trade capacity building funds to increase support for labor capacity programs with trade unions in Mexico.

◆ If confirmed, how will you ensure that the United States provides sufficient attention and funding for labor capacity-building programs in Mexico, so that Mexico can fulfill the labor rights commitments it has made in trade agreements with the United States?

*Answer.* The administration is working to identify needs and ensure that there will be appropriate labor capacity-building plans in place for TPP partners to support their efforts to improve protection of labor rights, particularly those related to the International Labor Organization's Declaration on Fundamental Principles and Rights at Work.

As you note, some related work is already underway in Mexico. USAID/Mexico is supporting a pilot project to reform Mexico's labor arbitration courts through the Mexican Competitiveness Institute (IMCO). USAID also provides capacity-building funding to the Solidarity Center. The Solidarity Center programs in Mexico seek to strengthen the independence and democratic structure of labor unions in key sectors of the Mexican economy in strategic locations, with the overall goal of improving their ability to democratically represent workers, address issues of corruption and increase economic transparency and citizen participation. If confirmed, I will continue to support such programs.

*Question.* Over the past year, the United States has struggled in its response to the refugee crisis of unaccompanied children arriving on the Southwestern border. In 2015, the number of unaccompanied children arriving to the U.S. is down, but emerging evidence suggests this has less to do with the response by the U.S. and Central American governments, and more to do with Mexico's actions. While Mexico's participation in addressing this refugee crisis is vital, increasingly it appears that vulnerable children migrants detained in Mexico may not be receiving screening for international protections that they deserve.

◆ If confirmed as Ambassador, how would you work with the Mexican Government to ensure that the flow of migrants through the country is handled in a manner in which ensures the rights, protections, screening and appropriate care of all individuals?

**Answer.** The U.S. Government engages regularly with Mexican authorities on immigration issues, including border security, repatriation, enforcement, and migration of unaccompanied children. Recognizing the significant increase of Central American migrants, particularly unaccompanied children, transiting Mexico en route to the United States in 2014, the U.S. Government engaged with the Mexican Government to develop better ways to cooperate on this important issue.

**I am aware of reports expressing concern over the inadequate protection of the human rights of migrants apprehended and repatriated by Mexican authorities. We discuss these issues with our Mexican counterparts on a regular basis. On February 25, 2015, the Department convened the third meeting of the U.S.-Mexico Repatriation Strategy and Policy Executive Coordination Team (RESPECT) to continue efforts to align U.S. and Mexican resources and to ensure the safe and humane treatment of migrants. If confirmed, I will continue to raise these issues and concerns at the highest levels of the Mexican Government, and work to identify ways the U.S. Government can best assist Mexican authorities.**

**Question.** How can the State Department and U.S. Embassy Mexico City support advances in the Government of Mexico's search for the more than 20,000 people who have disappeared or gone missing over the past decade, including the case of the 43 disappeared students in Iguala?

**Answer.** The issue of the missing and disappeared is a significant human rights problem in Mexico, as we noted in our 2014 Human Rights Report. A database of names is an essential tool in addressing this challenge and, while Mexico's National Registry for Missing and Disappeared Persons exists, it is incomplete and imperfect. President Peña Nieto has pledged to support both a national missing persons database and a national genetic information database.

**I led the U.S. delegation to the Bilateral Human Rights Dialogue (BHRD) last year, where my Mexican counterparts shared the challenges they faced in collecting, verifying, and managing the registry.**

**We have provided significant expertise that can be brought to bear here. Forensics and crime-scene investigation trainings, for example, share many of the fundamentals that are required to collect the evidence necessary to resolve cases.**

**Regarding Iguala, I have been following the tragic events involving the disappearance, and presumed killing, of up to 46 students in the state of Guerrero in September 2014. We have met with Mexican officials to express our concerns and offer assistance to resolve this case. My thoughts and sympathies remain with the families and friends affected by the loss of loved ones. This horrific crime requires a full, transparent investigation and the prosecution of all responsible.**

**Mexican authorities have undertaken such an investigation and detained nearly 100 suspects. The Mexican Government has sought the assistance of a group of independent experts under the auspices of the Inter American Commission on Human Rights. We strongly support the experts group, whose mandate includes making recommendations to the Mexican Government about reforms that will help prevent disappearances.**

**The problem of disappearances underscores the importance of our partnership under the Merida Initiative: supporting Mexican efforts to enhance the professional capacity of the Mexico's justice sector institutions, thus ensuring accountability and increasing public trust.**

**We value our collaborative law enforcement relationship with Mexico and, if confirmed, I will make our cooperation on advancing the rule of law in Mexico among my highest priorities.**

**Question.** The Government of Mexico has informed media outlets that it did not receive a formal, completed extradition request for Joaquin Guzman until June 2015. Please describe why this request was not submitted to the Mexican Government until nearly 16 months after Guzman's arrest. What role did you play in the interagency process to advocate for submitting a request for Guzman's extradition? What role did you play in advocating that the Mexican Government respond affirmatively to the U.S. request for extradition?

**Answer.** While the United States does not usually comment on pending extradition requests before they become public judicial proceedings for law enforcement and security reasons, it is the practice of the United States to seek extradition whenever defendants subject to U.S. charges are apprehended in another country.

**Pursuant to the U.S.-Mexico Extradition Treaty, in advance of submitting a full extradition request either country may seek from the other a provisional arrest warrant for a fugitive. The treaty further contemplates that, after the fugitive has been arrested, a full extradition package will be submitted. We can confirm that, at the request of the United States, Mexico issued such a provisional arrest warrant for**

Joaquin "Chapo" Guzman Loera more than a decade ago and, that subsequent to the arrest of Guzman Loera, the United States submitted a full extradition request to Mexico. The Department of State is part of the interagency review process for all extradition requests.

The U.S. Government has been clear since Guzman Loera's initial arrest about its desire to hold him accountable for his crimes in the United States. Even had the Mexican Government immediately agreed to extradite Guzman to the United States following his February 2014 capture, in all likelihood, he still would have been in a Mexican prison on July 11. He would have undoubtedly fought the extradition request in the Mexican legal system, as is his right under Mexican law. And the Mexican justice system would still have been preparing its prosecution and trial, based on its stated intent to ensure he faced justice in Mexico before the United States. Mexico's former attorney general made very clear from the beginning of the Peña Nieto government that Mexico wanted to prosecute Guzman in Mexico for crimes committed against the Mexican people before considering any extradition request. That is Mexico's sovereign right and permitted under our bilateral extradition treaty.

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AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES  
TO QUESTIONS FROM SENATOR RUBIO

*Question #1.* Assistant Secretary Jacobson, during your testimony to the House Committee on Foreign Affairs in May of 2010, you spoke about the administration's vision for a "21st century border." You stated that the objective of this new border would be to intercept threats before they even reach the border.

- ◆ Would you be able to describe further how that vision has been achieved today?
- ◆ If confirmed, what will be your comprehensive antidrug strategy with Mexico?

*Answer.* We have made significant steps to modernize and strengthen our shared border through both the Merida Initiative and our 21st Century Border Management Initiative. Under the 21st Century Border Management Initiative, the United States continues to work to reduce border wait times by expanding infrastructure capacity, including through public-private partnerships, and by improving the efficiency of the inspection process. We saw the completion of the first phase of our expansion at the busiest land port of entry between our two countries in November 2014, the San Ysidro-El Chaparral border crossing between San Diego and Tijuana, which more than doubled the number of inspection booths and significantly reduced vehicle wait times from 3 hours to as little as 30 minutes. Likewise, in October 2014 we inaugurated an improved port of entry at Nogales, AZ, through which 40 percent of Mexican produce bound for U.S. supermarkets passes. We are finalizing a pilot program this year for cargo preinspection at three different sites on our border, which will allow U.S. and Mexican customs agents to work side by side to inspect and clear cargo simultaneously. This will notably increase cargo inspection efficiency at the border.

The United States has expended more than \$1.4 billion in equipment, training, and capacity-building, including that dedicated to modernizing and securing our shared border since the Merida Initiative began in 2008. With support from Merida, Mexico has built a stronger legal framework, augmented specialized security forces, improved the detection of movement of narcotics, arms, and money, instilled a growing culture of lawfulness, and is more effectively using law enforcement information through the broader application of technology. To improve border security, the United States has provided the Government of Mexico with over \$115 million in fixed and mobile nonintrusive inspection equipment (NIE), maintenance, and related detection devices for use at Mexico's points of entry, border crossings, and internal checkpoints. With Merida-funded equipment, the Mexican Government has seized over \$4 billion in narcotics and illegal currency. Building upon the Government of Mexico's own investment in NIE and border security infrastructure, Merida assistance has significantly bolstered the ability of Mexican officials to increase border security and facilitate the flows of legitimate commerce and travel, while reducing the movement of illicit narcotics, currency, weapons, explosives, black market goods, and undocumented migrants.

During his visit to Mexico in May 2013, President Obama stood with President Peña Nieto and reaffirmed our commitment "to meet our responsibilities—to reduce the demand for illegal drugs, and combat the southbound flow of illegal guns and cash that help fuel violence." This is a fundamental component of our bilateral security cooperation: our two countries have a shared responsibility to work together to address this problem that affects both of our countries. The United States is actively

working to prevent the illicit flow of drug profits and weapons that strengthen the drug cartels in Mexico and fuel the violence. If confirmed, I will continue our efforts under the Merida Initiative and in close coordination with law enforcement agencies to combat criminal groups involved in the drug trade and the flow of illegal drugs through Mexico.

*Question #2.* The United States, Mexico and Canada are all involved in the Trans-Pacific Partnership (TPP) negotiations along with other Pacific region countries.

- ◆ To what extent might a failure to conclude a TPP impact North American trade relations and industrial competitiveness?

Answer. The TPP will be the economic centerpiece of a growing, dynamic Asia-Pacific region, which includes North America. This agreement has the potential to boost economic growth, development, and jobs in the United States, Mexico, and Canada and to enhance the competitiveness of the North American economy. Conversely, without the ratification of TPP, North America will not be as well positioned to compete effectively within the Asia Pacific and with the other major regions of the world.

We anticipate success in this endeavor as we are very close to completing the negotiations. And with the passage of TPA, Congress has given the administration marching orders to conclude a high-standard agreement. We are working hard to achieve an agreement that will not only support our economic and strategic interests, but also reflect our values. As President Obama has said, we must ensure that as the economic rules of the road are drawn up for this important region of the world, the United States is playing a leading role in shaping them.

*Question #3.* In December 2008, Mexico and the United States began the Merida Initiative to disrupt the capabilities of organized crime, improve the capacity of the Mexican judicial system to administer the rule of law, improve border security, and strengthen local communities across Mexico.

- ◆ What is the current status of implementation of Merida Initiative programs in Mexico?
- ◆ Following the implementation of Merida Initiative programs, has Mexico increased its security cooperation with the U.S., remained the same, or decreased?
- ◆ Has the U.S. successfully helped Mexico develop independent judiciary/courts systems that is free from political interference? (Why Not?)

Answer. The Merida Initiative has transformed our bilateral relationship with Mexico. We have achieved unprecedented levels of bilateral collaboration on a range of issues, including security, economic competitiveness, trade, energy, environment, climate, human rights, cultural and educational ties, and regional and global issues.

Since the Merida partnership was formalized in 2008, \$2.3 billion has been appropriated for the Merida Initiative (FY08–14). More than \$1.4 billion in equipment, training, and capacity-building has been delivered since the Merida Initiative began. Between 2008 and 2014 Mexico invested about \$68.3 billion in security and public safety. That means that our assistance has leveraged approximately \$28.5 dollars in Mexican investment for every \$1 dollar of our own appropriations.

The Merida Initiative is a broad strategy to support the Mexican Government's efforts to strengthen rule of law, democratic institutions, and community efforts against crime and violence, while protecting human rights. The Merida Initiative enables greater cooperation between U.S. and Mexican law enforcement agencies, prosecutors, and judges as they share best practices and expand bilateral cooperation in tracking criminals, drugs, arms, and money. The Merida Initiative has contributed greatly to strengthening our overall bilateral law enforcement cooperation.

Mexico's security challenges do not lend themselves to easy or short-term solutions. Building institutional capacity for the rule of law is crucial to long-term success. Our support for Mexico's ongoing judicial reform will help create a more effective, transparent, and independent justice system. Continuing our strong security cooperation under the Merida Initiative remains a major component of our bilateral relationship. If confirmed, I will continue our joint efforts to support more capable institutions—especially police, justice systems, and civil society organizations—as rule of law is essential to Mexico's economic growth.

*Question #4.* There have been media reports suggesting that the current Mexican administration does not prioritize information-sharing as highly as previous Mexican administrations, including a prohibition on direct intelligence-sharing between law enforcement groups. Under President Nieto, all information must go through a centralized office under Mexico's Secretary of the Interior.

- ◆ Does Mexico regularly accept U.S. security and intelligence assistance when offered?

- ◆ Has a slowdown in criminal intelligence sharing hindered law enforcement operations in both Mexico and the United States?
- ◆ Do you support a more robust role for the U.S. military in Mexico to assist the Government of Mexico with training, equipping, and targeting efforts in the fight against the cartels and transnational criminal organizations?
- ◆ What role can the U.S. military and law enforcement play in helping Mexico secure their southern border with Guatemala and Belize?

Answer. The United States and Mexico have an extremely close and cooperative security, law enforcement, and intelligence relationship, one that has expanded over the last 15 years and especially since the inception of the Merida Initiative. We have a range of assistance we can and have made available to the Government of Mexico, and Mexico works closely with us to define the assistance that best responds to the government's priorities and the situation on the ground.

While I would defer to our law enforcement agencies to comment on changes in the pace of criminal intelligence-sharing with the Mexican Government, I believe we have the mechanisms in place and the close institutional and personal relationships for strong law enforcement cooperation to more effectively address the transnational criminal organizations (TCOs) that threaten both our countries.

I believe we have the right balance with respect to the role of the U.S. military in assisting Mexico in confronting TCOs. The military-to-military relationship has strengthened in the last few years.

Our military and law enforcement agencies will continue to play a key role in support of Mexico's effort to implement its Southern Border Strategy and better secure its borders with Belize and Guatemala. We are already working with Mexican agencies to increase their capabilities along their southern border as well as to encourage greater cooperation and communication between Mexico and its southern neighbors.

If confirmed as Ambassador, I will work to ensure the security, law enforcement, and intelligence sectors of the United States work together effectively with their Mexican counterparts to advance our mutual security interests.

*Question #5.* Mexico's most notorious drug lord, Joaquin "El Chapo" Guzman, broke out of a high-security prison on July 11 for the second time, escaping in a tunnel built right under his cell. Recent media reports suggest that the DEA had developed intelligence suggesting that Guzman and his associates were plotting his escape as early as 2014. Mexico's Secretary of the Interior, Osorio Chong, has denied that authorities in Mexico were ever informed of potential escapes while U.S. authorities contend that they alerted Mexican authorities 16 months ago.

- ◆ Was intelligence about a potential escape by Guzman ever conveyed to the Mexican Government?
- ◆ Why would Secretary of the Interior, Osorio Chong, claim his office had no warning from the U.S. when his office is the clearinghouse for law enforcement information-sharing?
- ◆ Did the prohibition of direct intelligence-sharing between law enforcement agencies in Mexico and the U.S. help lead to Guzman's escape?
- ◆ As Assistant Secretary of State for the Western Hemisphere, were you aware of any intelligence or any other information suggesting Guzman was plotting his escape?
- ◆ Did you ever personally discuss the Guzman case with any Mexican official? If not, why not?

Answer. While I cannot comment on the sharing of specific law enforcement information in the context of an ongoing sensitive investigation, I can assure you I have stayed actively engaged on the Guzman case. I and others in the Department and in Embassy Mexico City have discussed the Guzman case with Mexican officials and underscored the strong interest of the United States in seeking his extradition. Mexico wanted to prosecute Guzman in Mexico for crimes committed against the Mexican people before taking up consideration of any extradition request, which is permitted under our bilateral extradition treaty.

We have a robust law enforcement information-sharing relationship with the Government of Mexico. We have engaged them for many months on Guzman's case. However, for specific questions related to law enforcement information, I must refer you to the U.S. Drug Enforcement Administration and the Department of Justice.

*Question #6.* Migrants from the Northern Triangle Countries of El Salvador, Guatemala, and Honduras have increasingly made their way to the United States through Mexico. Since mid-2014, Mexico has stepped up immigration enforcement along the major routes traversed by many Central American migrants.

- ◆ How effective have those actions been?
- ◆ To what extent have those efforts been in response to U.S. pressure?

- ◆ How is Mexico balancing the need to combat illegal transmigration through its territory with the need to protect migrants' rights and well-being?
- ◆ What steps has the United States taken to ensure that illegal migrants are treated humanely when being repatriated to their home countries by Mexico?
- ◆ If confirmed as Ambassador to Mexico, what message will you convey to the Government of Mexico and the people of Mexico to discourage illegal immigration to the United States?

**Answer.** Cooperation with Mexico on migration issues has been excellent. In June 2014, President Peña Nieto expressed his commitment to President Obama to return children safely to their families in Central America, build Central American capacity to receive returned children, and address the underlying factors driving migration. We believe Mexico's increased enforcement, including against human smuggling, as well as its efforts to share best practices on migration management with Central American governments have been significant factors in reducing the number of migrants apprehended by U.S. immigration officials at our southern border.

As I noted during the confirmation hearing, bilateral cooperation on migration issues has increased. As the U.S. Government continues to secure our border and the Mexican economy improves, the Mexican Government realizes that many migrants may choose to stay in Mexico instead of trying to enter the United States. Therefore, Mexico has an added incentive to continue working with the United States to ensure orderly, safe, and legal migration.

We have seen reports expressing concerns of inadequate protection of the rights of migrants apprehended and repatriated by Mexican authorities. We discuss these issues with our Mexican counterparts on a regular basis. For example, during the third meeting of the U.S.-Mexico Repatriation Strategy and Policy Executive Coordination Team on February 25, 2015, we discussed ways to align U.S. and Mexican resources and to ensure safe and humane treatment of migrants through the coordination of repatriation policies.

If confirmed, I will continue to press the importance of orderly, safe, and legal immigration and support the Department's public education efforts in the region to discourage illegal migration.

**Question #7.** In a previous hearing before the Senate Foreign Relations Committee you provided testimony regarding U.S. sanctions toward individual human rights violators in Venezuela. During the question and answers portion of the hearing, you specifically stated that recognized opposition leaders from the MUD (Mesa Unidad Democrática) had requested that no sanctions be levied. In fact, you repeated the same answer when the question was raised on two separate occasions. However, after the hearing, the MUD put out a statement that was completely opposite of what you testified to the Senate Foreign Relations Committee.

- ◆ How do you explain this contradiction?

**Answer.** Twenty-seven political parties comprise Venezuela's opposition; each with different philosophies and strategies. At the time of the SFRC hearing in 2014, the government and some members of the political opposition were engaged in dialogue facilitated by the Union of South American Nations (UNASUR) with the involvement of the Vatican. However, other important elements of the opposition, students, and other protesters were skeptical of that dialogue and remained outside it. We respect all these legitimate, yet distinct, views.

The opposition elements engaged in that dialogue asked that the U.S. Government not act in a way that would undermine it. As I testified, we believed that both the timing and any action on sanctions should be calibrated in such a way as not to undermine that dialogue—so long as it offered a realistic chance of progress. It was that view that informed our belief that timing was not right for sanctions at that time. Regrettably, the Venezuelan Government failed to make any concessions in the context of that dialogue, and it ended, prompting us to impose targeted sanctions.

On July 30, 2014 and February 2, 2015, we took steps to impose visa restrictions against 56 individuals believed to be responsible for, or complicit in, human rights abuses and public corruption pursuant to Section 212(a)(3)(C) of the Immigration and Nationality Act.

On March 8, 2015, President Obama signed Executive Order 13692 targeting not only persons (i.e., individuals and entities) involved in or responsible for actions that limit or prohibit the exercise of freedom of expression or peaceful assembly and significant acts of violence that constitute a serious abuse or violation of human rights, including in response to antigovernment protests, but also those involved in public corruption and actions or policies that undermine democratic processes or institutions within the Government of Venezuela. Seven individuals were placed on the Office of Foreign Assets Control's List of Specially Designated Individuals and

Blocked Persons (SDN List). Consequently, their property and interests in property subject to U.S. jurisdiction were blocked, and U.S. persons wherever located are generally prohibited from doing business with them. The E.O. also suspends the entry into the United States of any individual designated pursuant to the E.O.

*Question #8.* There have been recent media reports that former legislator Maria Corina Machado has been prohibited from running for office in Venezuela's upcoming December's congressional elections.

- ◆ What is the USG's position on this undemocratic measure taken by the Government of Venezuela designed to influence the outcome of the upcoming elections?

*Answer.* The United States is deeply concerned about the Venezuelan Government's continuing effort to prohibit opponents from participating in the political process. Prohibiting select opposition members from taking office is an abuse of power intended to silence and punish critics. Restricting opposition candidates weakens the electoral process and undermines the principle of democratic pluralism. This is why I publicly expressed my concern via Twitter upon learning of the action against Ms. Machado.

We join the U.N. High Commissioner for Human Rights (UNHCHR), the Inter-American Commission on Human Rights (IACHR), the European Union (EU), and the Canadian, Italian, Norwegian, and Spanish Governments in calling on the Venezuelan Government to cease efforts to silence the political opposition, further weaken democratic institutions, and for it to release political prisoners and respect human rights and fundamental freedoms, including freedoms of peaceful assembly and association.

We will continue to call on the Venezuelan Government to ensure free and fair elections by ceasing harassment of the opposition and allowing credible, independent international electoral observation. Free and fair elections, an essential element of a healthy democracy, require a society that encourages full citizen participation, opportunities for all individuals to become candidates, free operation of political parties and candidates, and flourishing independent media. All these conditions are consistent with the principles and values set forth in the American Declaration of the Rights and Duties of Man and the Inter-American Democratic Charter.

*Question #9.* The Venezuela Defense of Human Rights and Civil Society Act of 2014 imposes targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela. In May of last year, you told this committee that the time was "not right" for sanctions on human rights violators in Venezuela. As you know, President Obama eventually signed this bill into law in December.

- ◆ Why has Miguel Rodriguez Torres, the Minister of Interior, Justice, and Peace not been sanctioned under this law?
- ◆ What about Hugo Carvajal, the head of the Directorate of military intelligence?
- ◆ What about Diosdado Cabello, President of the National Assembly of Venezuela, reportedly the most corrupt man in Venezuela?

*Answer.* The action taken in March was a significant list that holds key individuals accountable, including based on involvement in human rights abuses and undermining democratic processes or institutions, including through public corruption.

We will continue to monitor developments on the ground and stand prepared to take action against others as additional information becomes available and is assessed to meet the criteria for sanctions.

*Question #10.* Mrs. Jacobson, you were the lead U.S. negotiator for the recently announced agreement to reestablish diplomatic relations between the United States and Cuba.

As such, do you fully stand by the results of the deal announced by President Obama, which you negotiated, to reestablish diplomatic relations between the United States and Cuba?

Do you believe the Obama administration's efforts to reestablish diplomatic relations will help preserve the Castro regime and Communist one party rule in Cuba or lead to democratic reforms?

*Answer.* Yes, I stand by our agreement with the Government of Cuba. Our new approach to Cuba will make it easier for the United States to advance our interests and result in greater prosperity for the Cuban people. For almost 55 years, we tried using isolation to bring about change in Cuba. However, as the President stated on December 17, that approach was not working. Instead of bringing about change, we ended up focusing the international community's attention on U.S. policy rather than on the negative effects of the Cuban Government's policies on the Cuban people.



Reopening the U.S. Embassy in Havana and reestablishing diplomatic relations are the first steps in a long process of normalization. By engaging the Cubans through U.S. Embassy Havana, we will improve our access to the Cuban Government and our ability to advance our interests on a variety of issues, which include human rights, law enforcement, extraditions, counternarcotics, property claims, and the environment. Our new approach also allows us greater contact with the Cuban people, who ultimately will have the power to choose their own future. In recognition of that reality, our diplomats will be able to travel more freely around island and engage with the Cuban people more effectively.

We understand that change will not come to Cuba overnight. There may well be setbacks on the path to normalization of U.S.-Cuba relations. However, by engaging the Cuban Government in an atmosphere of mutual respect, we hope to promote our interests more effectively and increase the prospects of the Cuban Government respecting the human rights and fundamental freedoms of its own people, thereby becoming prosperous and democratic.

*Question #11.* Please provide a copy of the agreement you negotiated with the Cuban Government to reestablish diplomatic relations outlining the key commitments made by each side.

*Answer.* From January 21 to July 1, I led a Department team in negotiating the conditions under which the proposed new embassies of the United States and Cuba in our respective countries would operate. That process culminated in the exchange of letters between President Obama and President Castro on July 1, 2015, in which they jointly agreed to reestablish diplomatic relations and reopen Embassies effective July 20. The only legally binding agreement concluded between the two countries in the course of these negotiations was an agreement to terminate the Interests Section Agreement of 1977, which was effected through an exchange of diplomatic notes on July 20.

Several members of my staff briefed Congress on the key outcomes of the negotiations. One example of these outcomes is that United States diplomats will be able to meet and exchange opinions with Cubans with a variety of voices and views, both within the government and outside. We will reciprocally loosen the travel restrictions on both missions. We have a good start on diplomatic shipments that will allow us to upgrade several physical aspects of the Embassy. Finally, we have agreed with the Cubans to review these conditions in the coming year to see what adjustments need to be made.

*Question #12.* According to Section 201 of the Cuban Liberty and Democratic Solidarity Act, it is the policy of the United States that diplomatic recognition should be considered "when the President determines that there exists a democratically elected government in Cuba."

◆ Did the President determine that "there exists a democratically elected government in Cuba?"

*Answer.* No, he did not. The President's new direction in policy toward Cuba maintains the long-standing objective of empowering the Cuban people and promoting a democratic, stable, and prosperous Cuba. The reestablishment of diplomatic relations is a key step in implementing this updated approach. Having the U.S. Embassy in Havana allows the United States to more effectively promote U.S. interests and values and increase engagement with the Cuban people.

*Question #13.* In a tweet from April 1 you said "engagement is the best way to bring freedom and opportunity to people of #Cuba and to promote America's national interests."

◆ We are all familiar with the numerous unilateral concessions the U.S. has given to the Castro regime. However, what freedoms have the Obama administration's policy of engagement secured for the Cuban people?

*Answer.* Through increased travel and communication between Cubans on the island and people in the United States, which is a key part of the administration's new approach, the Cuban people will be empowered through greater access to information and resources. People-to-people ties will be strengthened, and result in the building of bridges to bolster and broaden the normalization process.

This approach is already working. For example, we have seen an increase of about 35 percent in U.S. travel to Cuba this year, a deal by IDT Corporation, a New Jersey based telecommunications company, to handle direct long-distance phone traffic from Cuba, and the Cuban Government's release of a broadband strategy that acknowledged its low household penetration rate of less than 5 percent and set the ambitious goal of achieving more than 50 percent by 2020. Moreover, in June the Cuban Government announced plans to open 35 public wi-fi hotspots for half the

current price. We believe increased access to the Internet is fundamental to the free flow of information, and to the ability of the Cuban people to freely express themselves. We see this having enormous potential to connect the Cuban people with the rest of the world.

We believe our policy of empowering the Cuban people with greater access to information and resources will help foster prosperity for Cuban citizens. To this end, changes that went into effect on January 16 increase the amount of remittances permitted under general licenses and authorize expanded commercial sales from the United States of certain goods and services for use by private sector entrepreneurs and agricultural workers.

*Question #14.* Secretary Jacobson, in your testimony to this Senate Foreign Relations Committee on February 3, you stated: "We are already seeing indications that our updated approach gives us a greater ability to engage other nations in the hemisphere and around the world in promoting respect for fundamental freedoms in Cuba."

Since the President's December 17 announcement, there has been a slew of foreign dignitaries, business leaders, and Members of this Congress traveling to Cuba. They have all followed the same script, focusing on meetings with regime officials and ignoring Cuba's courageous dissidents. For example, one would be hard-pressed to find any foreign dignitary, business leader, or Member of this Congress, who has met with Berta Soler, the head of The Ladies in White, while in Havana. And that is the most-world renowned democracy group in Cuba.

As Yoani Sanchez recently wrote, "a true shower of Presidents, Foreign Ministers and deputies has intensified over Cuba without daily life feeling any kind of relief from such illustrious presences."

Meanwhile, political arrests in Cuba continue to rise. Since December 17, there have already been over 2,500 documented arrests. We have seen an increase in violent tactics, like this week against democracy leader Antonio Rodiles, who literally had his nose shattered by secret police officials, requiring emergency surgery.

- ◆ Why are all of these foreign dignitaries and businessmen shunning Cuba's democracy activists during their trips to Havana? Is it because the Cuban regime has made it clear that visits with dissidents would result in having meetings with regime officials canceled? As such, has this not further empowered the regime?
- ◆ What are some specific, recent examples of nations in this hemisphere promoting fundamental freedoms in Cuba, as you testified to this committee would take place?

*Answer.* We regularly urge foreign governments and other international organizations to raise human rights issues with the Cuban Government and meet with a broad range of Cuban society including independent civil society, both inside and outside of Cuba. The U.S. mission in Havana has maintained long-standing contacts with diverse and respected Cuban dissidents. Several Members of Congress, including Representative Pelosi and Senator Flake, met with Cuban civil society representatives during previous visits to Havana. Moreover, the President has expressed his confidence in the American people as being the best ambassadors of our principles and values. That would include U.S. businesses.

The United States remains committed to supporting vibrant civil society and forward progress on human rights issues in Cuba. To that end, we continue to encourage other governments and international organizations to raise human rights concerns in their meetings with the Cuban Government. We believe our previous policy of isolation was counterproductive in that it made it more difficult for the United States to advance this goal. Under our new policy approach to Cuba, U.S. diplomats will have greater access to engage directly with the Cuban Government on a range of issues and in particular, on human rights.

We believe U.S. engagement with Cuba will also result in greater visibility and greater support internationally for Cuban civil society. For the first time, independent Cuban civil society groups attended the Summit of the Americas in Panama City this year. Cuban dissidents participated in President Obama's meeting with civil society at the summit, along with the Presidents of Uruguay and Costa Rica. Moreover, we have been able to bring together third country ambassadors on the island with dissidents for the first time. These opportunities give dissidents not permitted to travel, access to such diplomats for the first time. Cuban Government-organized groups tried to block and publicly clashed with independent Cuban groups, who demonstrated their maturity and professionalism with substantive participation in the summit process. We believe these public incidents served to place a spotlight for the rest of the region on the restrictive environment in which Cuban civil society operates and raise awareness of this issue for the benefit of many government rep-

representatives and civil society groups from around the hemisphere. Finally, increasing the free flow of information to and from Cuba, a key component of the President's policy, will help amplify new voices from Cuba and increase information to activists on the island.

*Question #15.* During the President's December 17 announcement, he "welcomed" the Cuban regime's decision to provide more access to international institutions, specifically the International Committee of the Red Cross, which promotes universal values.

- ◆ Has the Cuban regime allowed the ICRC to visit prison conditions in Cuba, as they have repeatedly requested and been denied, but President Obama announced? Have you discussed this issue, which is one of the very few things the Cuban regime apparently promised President Obama for the litany of concessions given?
- ◆ How many Cubans have been jailed since December 17?

*Answer.* In the March session of the Human Rights Council, Cuban Foreign Minister Rodriguez extended an invitation to the president of the ICRC to visit Cuba. We are not aware of visits by the ICRC to monitor prison conditions, and ultimately, the scheduling and specific details of visits by international human rights organizations to Cuba are determined by the Cuban Government and those international actors, respectively. We have and continue to use the opportunities presented by our new approach to Cuba to urge the Cuban Government to schedule these and other visits by international human rights bodies in order to provide for greater transparency and allow for objective assessments of the state of Cuba's prisons. We will encourage other countries to urge the same.

During my January 22 visit to Cuba, I urged the Cuban Government to provide prison access to the U.N. and other international organizations. We will continue to press for greater access—and for the Cuban Government to live up to Raul Castro's statement that "Cuba reiterates its willingness to cooperate in multilateral bodies, such as the United Nations."

Independent civil society groups track the number of short-term arbitrary detentions of activists who are freely exercising their human rights and fundamental freedoms. From January through June 2015, the independent group Comisión Cubana de Derechos Humanos y Reconciliación Nacional (Cuban Commission of Human Rights and National Reconciliation) documented 2,822 short-term detentions.

*Question #16.* Cuba is considered a hard target by the Intelligence Community and has an aggressive intelligence collection posture against the United States. The United States is considered the principal target from the Cuban intelligence apparatus. The U.S. employs hundreds of Cuban nationals at the U.S. Interests Section in Havana. This is clearly a significant counterintelligence threat.

- ◆ While I recognize that it is not possible to have every person working at the Interests Section a U.S. person, do you support efforts to have supervisory positions headed up by U.S. persons who have undergone a background investigation to ensure we are taking reasonable steps to counter the CI threat at our diplomatic facilities in Cuba?

*Answer.* No. Given the unique nature of working in Cuba, we have a dynamic program in place to ensure the safety and security of personnel and sensitive information.

Our operations in Havana and around the world dictate we use local staff for supervisory positions in some Embassy functions (motorpool, administrative, and consular, for example). Utilizing locally hired staff results in significant costs savings as compared to U.S. direct-hire employees. As is standard practice at our embassies throughout the world, an American employee with a security clearance in the direct chain of the employee must review all Cuban staff and sign off on their employee evaluations. As a result, each Cuban employee of the U.S. Embassy in Havana is supervised by a cleared American employee. Furthermore, Cuban employees at the Embassy do not have the authority to make hiring or dismissal decisions, nor can they implement disciplinary actions.

*Question #17.* According to the State Department's annual Trafficking in Persons Report, Cuba has been a Tier 3 country since they were first evaluated in 2003.

- ◆ Is the State Department planning on moving Cuba to Tier Watch List 2?
- ◆ What specific actions have the Cuban Government taken to justify its improvement in ranking?

*Answer.* The Department will be releasing this year's Trafficking in Persons (TIP) Report soon. It would be premature to comment on any particular outcome; whatever conclusions are reached with respect to individual countries will both be based

on a pragmatic analysis of the best information possible and reinforce our strong interest in human rights around the world.

The TIP Report covers 188 countries and territories in detail. Consistently over the past 14 years, it has provided detailed analyses and meaningful recommendations for advancing global efforts to fight trafficking. As with any nation, the United States seeks to cooperate with Cuba in eliminating trafficking in persons.

*Question #18.* During a special briefing on May 19, 2015, regarding the Ongoing Discussions with Cuba to Re-Establish Diplomatic Relations and Reopen Embassies, an anonymous senior State Department official stated the following via teleconference:

SENIOR STATE DEPARTMENT OFFICIAL: "I can certainly reiterate that the status of Guantanamo is not a part of these talks." As I had said months ago, it is not on the table. The question of why, or why not, I think is a question—the President has made clear he's not interested in having that conversation. But we've made clear that the issue of Guantanamo is not on the table at this point, and I don't—I can't say what the future may bring on this, but it's not on the table right now, and I don't know that there's a reason to justify having it or not having it. And you certainly heard the Cubans' view on this, but it's not under discussion at this point.

That official went on to say of U.S. democracy programs:

SENIOR STATE DEPARTMENT OFFICIAL: "On the question of democracy programs, I think the thing that you have to remember is the democracy programs, in their history since I think about 1996 when they began, have changed over time. And they will continue to change over time to reflect a reality, whether that reality is on the ground in Cuba or in the United States. When the democracy programs began, for example, Cubans could not travel nearly as freely as they now can. Ever since the change in policy by the Cuban Government in 2013, many more people can travel, which means people can do things and participate in things outside of Cuba as opposed to inside of it.

"I think we always have to be cognizant of making sure that when we are supporting the Cuban people, we're doing it in a way that is the most effective. We've moved forward with requests for funding in the past couple of years, and we've done that most recently in FY16. But I think we have to be careful not to ever have thought that those programs were static and separate from changes in the environment in which they're working."

- ◆ Were you that anonymous official?
- ◆ Was that official expressing a change in U.S. policy on the strategic importance of Naval Station Guantanamo?
- ◆ How do you anticipate democracy programs in Cuba to "change over time?"

Answer. The Department does not normally provide the names of officials who are asked to do background briefings for the press. However, I can affirm to you that there has been no change in U.S. policy regarding the strategic importance of Naval Station Guantanamo. We have not discussed the status of Naval Station Guantanamo with the Cuban Government during these discussions. I reiterate Secretary Kerry's statement on July 20 that "at this time, there is no discussion and no intention on our part at this moment to alter the existing lease treaty or other arrangements with respect to the naval station."

U.S. assistance supports civil society initiatives that promote democracy, human rights and fundamental freedoms, particularly freedom of expression. The promotion of democratic principles and human rights remains the core goal of U.S. assistance. Through regular interagency meetings, the Department and USAID work together to review programs, identifying the most successful programming areas to date and making note of new or as-yet unreached audiences, so that future programs among the agencies will be complementary and highly effective. Following Cuba's lifting of travel restrictions in early 2013, more civil society members have been able to participate in training opportunities outside of Cuba, increasing their professional networks. In addition, as the staff members at the U.S. Embassy in Havana are able to engage a wider range of Cuban society, new areas of focus for our programming may develop, consistent with applicable U.S. legislation.

*Question #19.* On January 18, 2015, Argentinian prosecutor Alberto Nisman was found dead of a gunshot wound in his apartment located in Buenos Aires, Argentina. Nisman was the principal investigative prosecutor in the Argentine Israelite Mutual Association (AMIA) bombing investigation, killed 85 people and wounded more than 300. Nisman's investigation revealed the involvement of Iran and

Hezbollah in the attack and led to the issuance of Interpol “Red Notices” (detainment notices) for the identified conspirators.

- ◆ Have you seen any analysis of the Nisman death that would lead you to conclude that he was murdered?

Answer. There has been a great deal of analysis and speculation concerning the causes of and responsibility for Prosecutor Nisman’s death; however, to date the investigation has been inconclusive. Since the death of Prosecutor Nisman, both the Department and our Embassy in Buenos Aires have pushed for a complete, transparent, and impartial investigation into Mr. Nisman’s death. Through our Embassy in Buenos Aires, we have been in contact with Argentine law enforcement officials to offer U.S. assistance to the investigation.

*Question #20.* The Millennium Challenge Corporation’s Compact-Eligibility Country Selection Criteria and Methodology includes a competitive selection process that judges each country’s performance in three areas, ruling justly; investing in people and economic freedom.

- ◆ Do you believe that El Salvador’s Government is worthy of MCC funds that are intended for countries that are “governing justly” and upholding the rule of law?
- ◆ Are you aware of any discussion among officers of your bureau or with MCC staff that the standards were being lowered to accommodate El Salvador’s second MCC grant of \$277 million?
- ◆ Can you describe such deliberations in detail?

Answer. To determine countries’ eligibility to receive compacts MCC utilizes a scorecard that measures the extent to which a country rules justly, respects economic freedom, and invests in its people. MCC has determined that El Salvador meets these requirements. Additionally, El Salvador was a strong partner in implementing their first MCC compact.

MCC monitors its partner countries before and during compact implementation. MCC has shown that it will take action—up to and including suspension or termination—if an MCC partner is engaged in a pattern of actions inconsistent with the agency’s principles and selection criteria. The Salvadoran Government committed to contribute \$88.2 million on top of MCC’s investment, constituting a combined total of \$365.2 million.

When MCC’s Board of Directors approved the compact in September 2013, MCC stated its expectation that the Salvadoran Government needed to make tangible and sustained progress on improving the investment climate and strengthening the rule of law. Progress in these areas will help ensure that MCC’s investment achieves long-term and sustainable results.

Once the Salvadoran Government presented a solid plan to address these issues and made tangible and sustained progress on addressing them, MCC moved forward with signing the compact in September 2014.

Among other reforms and commitments obtained from the Salvadoran Government as a condition for compact signing, the Legislative Assembly passed reforms to the antimoney laundering regime prior to the signing and the Salvadoran Government committed to further reforms criminalizing bulk cash smuggling and regulating money remitters. Now that the compact is signed, the focus is on successful implementation of the projects, which include further reforms to improve the investment climate.

*Question #21.* On January 30, 2015, I wrote a letter to Secretary Kerry expressing concern about the Government of Uruguay’s handling of six Guantanamo Bay detainees transferred to Uruguay in December 2014. In that letter, I requested “the written agreement between the U.S. Department of State and the Government of Uruguay” related to the transfer of these detainees. Following several briefings, the State Department informed my staff and Senator Corker’s staff that there was no written agreement. On May 20, 2015, Chairman Corker formally requested “All diplomatic notes, cables, and other documents describing any commitments, understandings, or other agreements or arrangements between the United States Government and the Government of Uruguay related to the transfer and subsequent disposition of the Guantanamo Bay detainees transferred late last year.”

- ◆ Please provide these documents.

Answer. The Department appreciates Congress’ important oversight responsibilities on these transfers and is committed to providing information to enable your committee to perform that function. That said, the Department, across two administrations, has consistently informed Congress, and represented to U.S. courts, that disclosing these diplomatic assurances would have a chilling effect on foreign governments’ willingness to cooperate on detainee transfers.

Accordingly, these sensitive diplomatic communications containing foreign government information are kept to a limited executive branch dissemination. Indeed, foreign governments have noted that disclosure outside of this limited dissemination could endanger future cooperation related to detainee transfers, which would harm cooperative efforts to mitigate any threat posed by transferred detainees.

The Department is happy to brief you or your staff further on these issues.

*Question #22.* If confirmed, what will be your approach regarding raising U.S. concerns related to corruption, religious freedom, and human rights in Mexico? How will you, as Ambassador, broach what are often sensitive issues with a close democratic partner?

*Answer.* We have a strong, positive relationship with Mexico that allows us to raise issues of concern in a respectful, productive manner. If confirmed as Ambassador, I will work to maintain a constructive partnership such that we can forthrightly share viewpoints and work together to resolve areas of concern in a proactive and direct manner.

Cooperation on anticorruption and good governance are a core part of the bilateral agenda. President Peña Nieto signed Mexico's anticorruption bill into law in May. The legislation will strengthen oversight of public officials and designates a special prosecutor to tackle corruption issues. Mexico is also a founding member of the Open Government Partnership and its willingness to chair the initiative for the next year is a signal of President Peña Nieto's desire to improve governance in Mexico.

We are actively engaged with Mexico on human rights issues, and we have established a formal mechanism, the Bilateral Human Rights Dialogue that brings together officials from the Departments of State, Defense, Homeland Security, Justice, and other U.S. Government agencies to meet with Mexican counterparts, to review and discuss a wide range of human rights issues.

In addition to the formal Bilateral Dialogue, we regularly meet with government officials at all levels, as well as with civil society and human rights groups, to discuss both general issues and specific cases—including issues related to religious freedom. If confirmed, I will work to strengthen these efforts and ensure human rights concerns remain a central element of our bilateral relationship.

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AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES TO ADDITIONAL  
FOLLOW-UP QUESTIONS FROM SENATOR RUBIO

*Question.* Mrs. Jacobson, the Obama administration stated that its January 2015 changes to U.S. regulations regarding commerce and travel to Cuba were tailored to "support the Cuban people." Yet, in a recent newspaper article about the limited commerce resulting from this new policy because of the Cuban Government's insistence on funneling U.S. transactions through its monopolies, rather than allowing the Cuban people to benefit directly, you were quoted as stating that the new rules were "a work in progress. Cubans are getting used to it; our business people are getting used to it. We are going to tweak. We may not have written them right."

- ◆ What portion of the administration's new Cuba regulations was "not written right?"
- ◆ Do you agree that accommodating increased U.S. commerce through the Cuban Government's monopolies does not "support the Cuban people" and that such benefiting of the Cuban Government's oligarchs contravenes the previously stated purpose of the Obama administration's Cuba policy and legislative limitations on U.S. Policy toward Cuba as codified in law?

*Answer.* The regulatory amendments introduced January 16 by the Departments of Commerce and the Treasury, consistent with the President's December 17, 2014, announcement, were developed through a comprehensive interagency process in order to increase the flow of information and resources in support and for the benefit of the Cuban people. These changes, among other things, ease travel restrictions, facilitate certain exports, and increase the amount of remittances that may be sent to individual Cubans. This administration is strongly committed to ensuring that the spirit of the President's new direction on Cuba policy is implemented in practice, and that U.S. persons are able to engage with and support the Cuban people. The regulations were published 1 month after the President's announcement, and in the following months many individuals, NGOs, and businesses have begun to use these authorizations. There is no question that these measures have already had a substantial positive impact on the Cuban people. However, across sanctions programs, the U.S. Government makes every effort to ensure that authorizations have the intended impact—something that cannot be ensured until they are used.

To this end, the State Department supports amendments and changes to regulations to help ensure that our foreign policy goals continue to be fully met.

The January 16 regulatory amendments are consistent with U.S. law and with our foreign policy goals. Increased travel and interaction between the United States and Cuba, and limited commerce in certain areas (e.g., exports of agricultural commodities, medicines and medical devices, items for use by the Cuban private sector, consumer communications devices, and telecommunications equipment) serve to build people-to-people ties and increase the flow of information and resources to the Cuban people.

*Question.* Related to the case of notorious Mexican drug lord “El Chapo” Guzman:

- ◆ What was the first date on which you discussed the Guzman case with Mexican officials?
- ◆ What was the last date on which you discussed the Guzman case with Mexican officials?
- ◆ As Assistant Secretary, were you personally aware of any information suggesting that Guzman was plotting an escape?
  - If so, did you convey this information to Mexican officials?

*Answer.* Extradition of Joaquin “El Chapo” Guzman has been the subject of discussions between the United States and Mexico for a number of years. Pursuant to the U.S./Mexico Extradition Treaty, in advance of submitting a full extradition request, either country may seek from the other a provisional arrest warrant for a fugitive; the treaty further contemplates that, after the fugitive has been arrested, a full extradition package will be submitted. We can confirm that, at the request of the United States, Mexico issued such a provisional arrest warrant more than a decade ago.

After the Mexican Government recaptured Guzman on February 22, 2014, I and others in the U.S. Government and in Embassy Mexico City discussed the Guzman case with Mexican officials and underscored the strong interest of the United States in seeking his extradition. We remained in close contact with the Mexican Government and subsequent to the arrest of Guzman last year, the United States submitted a full extradition request to Mexico.

U.S. Attorney General Lynch spoke with Mexican Attorney General Gomez on July 12—within 24 hours after Guzman’s escape—to offer full support to the Mexican Government in its efforts to recapture him. The United States and Mexico are working closely together through law enforcement and diplomatic channels at all levels to coordinate efforts and resources to recapture Guzman.

Both Mexican and U.S. authorities were well aware of Guzman’s history and previous escape. During Guzman’s recent incarceration, the U.S. Government discussed with Mexican authorities information concerning his criminal associates’ desire to break him out of prison; however, this information was general, nonspecific, and spoke to intent, not the actual planning, means, or timing of an escape attempt.

*Question.* Regarding your 2014 testimony on the human rights situation in Venezuela: Did the recognized leaders of Mesa Unidad Democratica ask you directly to ensure that the U.S. Government not act in a way that would undermine the ongoing dialogue?

- ◆ Which members of the political opposition whom were engaged in the dialogue did you speak with?
- ◆ Please explain how the answer to my question for the record is consistent with your clarification for the record last year indicating that you had not been in touch with members of the opposition involved in the dialogue?

*Answer.* Both my clarification for the record last year and my response to your question for the record are consistent with my testimony.

Over the last several years, in Washington and elsewhere, I have had the opportunity to speak with many members of the diverse Venezuelan political opposition, private sector, civil society, and government.

The political opposition is in an extremely difficult position in Venezuela, and not all members of the opposition agree on how to further their political objectives. I respect the varying opinions and perspectives among leaders of the MUD. When developing U.S. policy, we remain mindful of the on-the-ground situation and the possible consequences of our actions. There was no direct request that we refrain from sanctions, but we were at that time extremely aware of the context of the dialogue and its fragility.

*Question.* On Question 9 related to the Venezuela Defense of Human Rights and Civil Society Act of 2014, please provide a written response or a briefing in the appropriate setting explaining why these individuals have not been sanctioned.

♦ Miguel Rodriguez Torres, the Minister of Interior, Justice; and Peace Hugo Carvajal, the head of the Directorate of military intelligence Diosdado Cabello, President of the National Assembly of Venezuela.

Answer. Each determination on whether and when to impose targeted measures, including visa restrictions or asset blocking, takes into account U.S. law and whether the measures are likely to advance U.S. foreign policy interests in addition to the specific information we have on individuals. These interests include respect for the human rights of the Venezuelan people, democratic governance and pluralism, and regional security and stability.

On September 12, 2008, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) designated Hugo Armando Carvajal Barrios under the Kingpin Act. That action froze any assets Carvajal may have under U.S. jurisdiction and prohibited any U.S. persons from conducting financial or commercial transactions involving those assets.

The steps the Department took in July 2014 and February 2015 to restrict visa eligibility for individuals believed to be responsible for, or complicit in, human rights abuses and public corruption were carried out pursuant to Section 212 (a)(3)(C) of the Immigration and Nationality Act. Visa confidentiality laws restrict us from naming those individuals.

We continue to monitor developments on the ground and stand prepared to take action against others as additional information becomes available and is assessed in terms of U.S. law and foreign policy interests.

*Question.* On Question 11, please provide any documents that outline the agreement you negotiated, legally binding or otherwise, between the United States and Cuba regarding the number of personnel allowed at each Embassy and the conditions under which the Embassies will operate. If this is not provided in the exchange of notes or letters, please provide the relevant reporting cables.

Answer. We appreciate and welcome the strong interest that you and other Members of Congress have in ensuring that our U.S. Embassy in Cuba will be able to fully perform its duties and functions. We also appreciate that Congress has important oversight responsibilities in this regard and we are committed to providing as much information as possible to ensure that Congress can perform this function.

As you know, on July 7 senior officials from the U.S. State Department's Bureau of Western Hemisphere Affairs and Bureau of Diplomatic Security provided a classified briefing to Foreign Relations Committee staff, including members of your staff, which covered all substantive aspects of the agreement, including the numbers of personnel at each Embassy and the conditions under which the Embassies will operate. We would be happy to continue briefing your staff to answer any additional questions you may have and to update you as the bilateral relationship progresses.

*Question.* On Question 12, are you arguing that the administration's Cuba policy complies with Section 201 of the Cuban Liberty and Democratic Solidarity Act and if so, how? If not, has the administration concluded it is not bound by this law and if so, why?

Answer. The administration's Cuba policy is consistent with all applicable law. Article II, Section 3 of the Constitution grants the President the authority to "receive Ambassadors and other public Ministers." This grant of authority has long been understood to provide the President with the exclusive authority to establish diplomatic relations with foreign nations. Presidents throughout our history have used their constitutional authority to establish or reestablish diplomatic relations with foreign nations, and there are numerous recent examples of Presidents from both parties doing so.

Section 201 of the Cuban Liberty and Democratic Solidarity ("LIBERTAD") Act of 1996 provides that it is the policy of the United States "[t]o consider the restoration of diplomatic recognition and support the reintegration of the Cuban Government into Inter-American organizations when the President determines that there exists a democratically elected government in Cuba." While the provision thus indicates that the United States should consider restoration of diplomatic recognition if the specified condition is met, it does not by its terms purport to prohibit the President from exercising his exclusive constitutional authority with respect to recognition in other circumstances. Consistent with long-standing constitutional practice and President Clinton's statement on signing the LIBERTAD Act, we construe this provision to be precatory to avoid interfering with the President's constitutional authority to reestablish diplomatic relations with Cuba.

*Question.* On Question 13, what is the percentage increase in Internet access in Cuba since December 17, 2014?



Answer. Data are not available to estimate the increase in Internet access in Cuba since December 17 with sufficient accuracy. However, public pressure for Internet access has swelled in recent months, evidenced in part by a substantial increase in demand for Cubans' use of the Internet Center at Embassy Havana. The January 16 regulatory changes enable U.S. telecommunications firms to export the equipment and services needed to rapidly expand Internet connectivity.

The Cuban National Assembly posted updates regarding its July 14 session on official Twitter and Facebook accounts, suggesting the Cuban Government's acknowledgment of the need to adapt to greater international interconnectivity. In June, the Cuban Government announced the addition of 35 Wi-Fi hotspots and a reduction in Internet access rates from \$4.50 to \$2.00. While this rate is still too expensive for the average Cuban, we assess the Cuban Government finally realizes its Internet penetration rate of less than 5 percent is too low for the country to thrive in a global economy. For the moment, however, reliable, legal, and affordable Internet access remains out of reach for the average Cuban citizen.

*Question.* With regards to Question 16, please answer the following questions:

- ◆ How many non-U.S. persons currently work in U.S. diplomatic facilities in Cuba?
- ◆ How many are projected to work there next year? Are there plans to hire additional non-U.S. persons?
- ◆ How many non-U.S. persons currently hold supervisory positions in U.S. diplomatic facilities in Cuba?
- ◆ Do any of these individuals have access to sensitive areas within the U.S. Embassy compound such as access to the Ambassador, DCM or other senior leader's office space, access to the same floor as a sensitive compartmented information facility or the motor pool vehicles used by senior U.S. diplomats and visiting delegations?
- ◆ How does the State Department define "supervisory" in this instance?
- ◆ Please list the positions defined as supervisory that are currently held by non-U.S. persons.
- ◆ Have any of these individuals undergone a background check or polygraph test?
  - If so, who conducted the background checks or polygraph tests?
- ◆ What would it cost to replace each non-U.S. person supervisor currently working in a U.S. diplomatic facility in Cuba with a cleared U.S. person?

Answer. There are currently 294 non-U.S. persons working in U.S. diplomatic facilities in Cuba. We have several authorized positions that are currently vacant and hope to fill 10–15 of these in the next year.

We employ local staff in Havana in positions that entail some oversight of local staff, as we do at all embassies throughout the world. In Havana, approximately 40 Cubans have some oversight of other Cuban employees. No Cuban employees supervise American staff. Each Cuban employee has an American supervisor. Cuban employees do not have the authority to make hiring or dismissal decisions, nor can they implement disciplinary actions.

Access to our facilities in Havana is strictly controlled. As with other embassies around the world, there are certain areas within the Embassy that only cleared Americans can access.

The following positions have some oversight or administrative responsibility for less experienced Cuban staff and are currently held by non-U.S. persons:

- ◆ Senior HR Assistant
- ◆ Senior Storekeeper
- ◆ Shipment Supervisor
- ◆ Mechanic Supervisor
- ◆ Maintenance Supervisor (2)
- ◆ Computer Management Supervisor
- ◆ Procurement Team Leader
- ◆ Housing/Property Assistant
- ◆ Senior Guard Supervisor
- ◆ Guard Shift Supervisor (5)
- ◆ Senior Guard (5)
- ◆ Administrative Assistant
- ◆ Senior Visa Assistant
- ◆ Refugee Unit Supervisor
- ◆ IV/NIV Team Leader (6)
- ◆ IV Subject Matter Expert (2)
- ◆ Admissions Team Leader
- ◆ Document Checker Team Leader

- ◆ Principal Cashier
- ◆ PSU Team Leader
- ◆ Physician
- ◆ Pol/Econ Assistant
- ◆ Senior Media Assistant
- ◆ Financial Specialist

All Cuban employees are required to pass a background check investigation that is performed by a cleared American staff member of the Regional Security Office. For FY 2017, the estimated startup costs for a new U.S. Direct Hire (USDH) position overseas is \$222,500. The yearly costs for that position are estimated at \$441,100. The average cost of a Cuban employee at the Embassy in Havana is \$12,000. To replace a Cuban employee with a USDH would cost an additional \$651,600 the first year and \$429,100 in subsequent years.

*Question.* With regards to Question 17, given that the report has now been released:

- ◆ What was your role in the decision to move Cuba from Tier 3 to Tier 2 Watch List in the TIP report?
- ◆ Did you discuss the TIP ranking upgrade during your recently concluded negotiations with the Cuban Government?
- ◆ What specific actions did the Cuban Government take during 2014 to justify this upgrade?

*Answer.* The Office to Monitor and Combat Trafficking in Persons (J/TIP), which gathers data for and drafts the annual TIP report, does not fall under my oversight. However, the Bureau of Western Hemisphere Affairs collaborates with J/TIP in developing the report narrative and ranking for WHA countries. Information used to generate the report comes from a wide variety of credible sources, including foreign government officials, NGO representatives, international organizations, journalists, academics, and survivors of trafficking. Also included is input from U.S. diplomats on the ground and State Department country desk officers.

State Department officials do not discuss TIP rankings with foreign governments prior to the annual report's public release. And we did not do so with the Cubans during the negotiations on reestablishing diplomatic relations or at any other time in our discussions with the Cubans. As a courtesy, we do disclose our final decisions to foreign governments shortly before publicly releasing the annual rankings. Tier rankings in the 2015 TIP report reflect a country's efforts to comply with the minimum standards to eliminate trafficking in persons set forth by Congress in the Trafficking Victims Protection Act (TVPA), including law enforcement efforts, victim assistance, and prevention efforts.

In 2014, the Cuban Government reported several law enforcement and victims assistance efforts to combat sex trafficking. For example, the government released official data on prosecutions and convictions of sex traffickers during the previous calendar year, showing additional law enforcement efforts that led to 13 prosecutions and convictions, versus 10 in 2012. This demonstrated clear progress over the prior year.

The government also provided assistance to sex trafficking victims identified in the 13 cases. In addition, employees of the Ministries of Tourism and Education received training to spot indicators of sex trafficking, particularly among children engaged in commercial sex.

Our robust engagement with the Cuban Government on combating trafficking in persons has included the exchange of delegations of experts in 2014 and 2015.

*Question.*

- ◆ Is it your assessment that the Government of Argentina has conducted a complete, transparent, and impartial investigation into the death of Alberto Nisman?
- ◆ Have the offers of U.S. assistance you mentioned been accepted by the Government of Argentina?
- ◆ What is your assessment of the accusations made as a result of Mr. Nisman's investigation into the AMIA bombing?

*Question.* The Argentine investigation into Alberto Nisman's death has not yet concluded. We are following the investigation closely, including the analyses of outside investigators hired by Mr. Nisman's former wife, Judge Sandra Arroyo Salgado. The United States has urged the Argentine Government to conduct an objective, transparent, thorough, and prompt inquiry into Mr. Nisman's death, and we await the outcomes of the ongoing inquiry. Argentine authorities have not accepted U.S. offers of investigative assistance, although we remain ready to provide aid—if and when requested.

It is for the Argentine people and judicial system to assess the results of Mr. Nisman's investigation and its relevance to the bombing of the AMIA Jewish community center. For more than two decades, the United States has supported Argentina's efforts to hold accountable the perpetrators of the heinous attack on the AMIA Jewish community center. I personally did some of my first work in the region researching the Argentine Jewish community during the military government, have known leaders of the community for decades, and care deeply about the outcome of this case. We have clearly and consistently urged the international community to support the investigation, consistent with the rule of law. The United States looks forward to, and will continue to work toward, the day when justice is done for the victims of this attack.

*Question.* With regards to Question 21, multiple Senators have been requesting this information for more than 6 months. Despite repeated briefings, the administration has yet to provide the requested information, even in summary form, including the specific commitments made by the Government of Uruguay.

- ◆ Please provide the requested information so that this committee can fulfill its oversight responsibilities.

*Answer.* The Department appreciates Congress' important oversight responsibilities on these transfers and is committed to providing information to enable your committee to perform that function. As you know, the Department, across two administrations, has consistently informed Congress and represented to U.S. courts that disclosing these diplomatic assurances would have a chilling effect on foreign governments' willingness to cooperate on detainee transfers.

Accordingly, these sensitive diplomatic communications containing foreign government information are kept to a limited executive branch dissemination. Indeed, foreign governments have noted that disclosure outside of this limited dissemination could endanger future cooperation related to detainee transfers, which would harm cooperative efforts to mitigate any threat posed by transferred detainees.

The Department is committed to continuing and deepening our dialogue with you on this important topic and the Office for Guantanamo Closure would be happy to brief you or your staff further on these issues.

*Question.* What portion of the administration's new Cuba regulations was "not written right?"

*Answer.* Following the President's December 17, 2014, announcement, the Treasury and Commerce Departments took steps within the scope of executive authority to implement certain aspects of the administration's new approach toward Cuba. The regulatory amendments published January 16 were developed through a comprehensive interagency process with the goal of further engaging and supporting the Cuban people. To that end, it is clear that these regulations have already made a substantial impact. For example, travel to Cuba increased over 35 percent during the first quarter of 2015, and U.S. entities have made use of the new license exception for exports. In addition, the debate over access to the internet in Cuba has shifted from criticism of U.S. restrictions to what steps the Cuban Government must take to increase connectivity and allow its people to communicate amongst themselves and with the outside world.

My comment was not intended to signal that the January regulatory amendments were somehow written incorrectly or in error, but rather that we continue to assess how the intent of the policy direction can be achieved in practice. As we do across sanctions programs, the U.S. Government will continue to make every effort to ensure that the Cuba regulations have the intended impact and meet our foreign policy goals, within the limits of executive authority. The State Department regularly supports amendments and changes to regulations to help ensure that our foreign policy goals continue to be fully met.

*Question.* What was the last date prior to his escape from prison on which you discussed the *Guzman* case with Mexican officials?

*Answer.* Upon his arrest last year, I and other U.S. Government officials discussed with Mexican officials numerous times the importance of extraditing Guzman to the United States. I repeatedly made clear that Guzman's eventual extradition to the United States was a top priority for the U.S. Government and for our bilateral law enforcement cooperation. Our Mexican counterparts made clear they wanted to prosecute Guzman in Mexico for crimes committed against the Mexican people before taking up consideration of any extradition request. That is Mexico's sovereign right and is permitted under our bilateral extradition treaty, at Mexico's discretion. The Mexicans believed they would be able to hold Guzman in prison; however, I and other U.S. Government officials continued to raise the U.S. interest

in extraditions, including in Guzman's case, in high-level meetings in the months prior to his escape.

*Question.* Which members of the political opposition engaged in the dialogue did you speak with prior to your testimony in May 2014?

*Answer.* I spoke with various members of the diverse Venezuelan political opposition, including representatives from the opposition coalition (Democratic Unity Roundtable—Mesa de la Unidad Democrática, MUD) and several individual political parties, including but not limited to Justice First (Primero Justicia), A New Era (Un Nuevo Tiempo), and Popular Will (Voluntad Popular).

Our Embassy in Caracas remains in close contact with the MUD and individual political parties, including but not limited to Democratic Action (Acción Democrática), Advanced Progressive (Avanzada Progresista), Christian Democratic (COPEL), Primero Justicia, Voluntad Popular, Vente Venezuela, and Un Nuevo Tiempo. The Embassy's reporting on these meetings provides key on-the-ground insights to inform my—and other policy makers'—understanding and decisionmaking.

We strive—here in Washington and in Caracas—to speak with a broad spectrum of the population including the opposition, private sector, civil society, and government.

*Question.* What was your role in the planning the August 14, 2015, flag-raising at the U.S. Embassy in Havana?

Who was responsible for determining the guest list of those invited to the flag raising ceremony?

Since the reestablishment of diplomatic relations with Cuba, the U.S. Embassy's Twitter account has covered a wide range of issues such as climate change, sports and even promoted Cuban Government officials (in the case of Eusebio Leal). Yet, there has not been a single tweet promoting human rights and democracy. Why?

During your tenure as Assistant Secretary of State, have you met with representatives of, or attended any events hosted by, Engage Cuba, the Trimpa Group, and Cuba Now? If so, please provide a list of the dates, individuals involved, and the subject matter of the meetings or events attended.

*Answer.* The Department of State worked closely with other U.S. Government agencies and the U.S. Embassy to plan the August 14 flag-raising at the U.S. Embassy in Havana.

In developing the guest list for the events in Havana on August 14, the Department of State sought to include as many individuals as possible from a broad array of sectors including the U.S. Congress, business leaders, civil society, and the general public. Guests also included Cuban Government officials.

The State Department and U.S. Embassy Havana employ a range of tools to engage the Government of Cuba on democracy and human rights. We have used social media in the past to censure human rights abuses such as the early July 2015 beating of Antonio Rodiles. Since reestablishing diplomatic relations, we are advocating for human rights directly with the Cuban Government. As our bilateral relationship evolves, we will continue to advocate on behalf of the Cuban people for fundamental freedoms, including the right to peaceful assembly, association, and freedom of expression. In his August 14 speech at the flag-raising in Havana, which was tweeted by the U.S. Embassy, Secretary Kerry delivered a strong message of support for democracy on the island.

In my capacity as Assistant Secretary of State, I meet regularly with a broad array of individuals and organizations to discuss U.S. policy toward the Western Hemisphere. During my tenure, I have attended events also attended by representatives from a wide and diverse range of organizations involved with Cuba, among them the Trimpa Group, Engage Cuba, and Cuba Now. At those events where I have engaged in conversation with these individuals, we have discussed U.S. policy toward Cuba.

*Question.* Media reports indicate that human rights experts at the State Department concluded that trafficking conditions had not improved in Cuba, and thus did not deserve to be upgraded from Tier 3 to Tier 2 Watch List.

Did you personally review any drafts of the Cuba section of the annual TIP report?

Did WHA propose any changes to the draft report produced by J/TIP?

If so, what changes were proposed?

Did any office or individual at the State Department oppose the upgrade of Cuba?

Please provide:

- ◆ All prior drafts of the Cuba portion of the TIP report.
- ◆ The specific changes proposed by WHA.

- ◆ Names of all State Department and White House officials who signed off on Cuba Section.
- ◆ Copy of the Cuban Government's national action plan.

Answer. The State Department has staff working on human trafficking issues in Washington and at U.S. embassies around the world. The State Department has a dedicated office, the Office to Monitor and Combat Trafficking in Persons, which works year-round to gather information and produce the annual Trafficking in Persons (TIP) Report.

Final decisions are reached only after rigorous analysis and discussion among officials in the Office to Monitor and Combat Trafficking in Persons; staff at the relevant regional bureaus and U.S. missions overseas; and senior State Department leadership—including myself. The final rankings are then approved by the Secretary of State.

The process is deliberative and fact-based. It is critical that Department officials are able to speak freely and frankly during the deliberative process, which ultimately contributes to the integrity of the report and the strength of tier-ranking decisions. Moreover, discussion of the internal deliberations that informed the Secretary's decision would undermine his authority as provided in the TVPA. We disclose our methodology in the report; however, we do not release earlier drafts of the final product or documents related to deliberations during the process.

The Cuban Government informed the Department in March of 2015 that they were developing a national action plan, which would include trafficking in persons, but we refer you to the Cuban Embassy in the United States for further information on this plan.

However, in November 2014, the Government of Cuba released a report detailing efforts to combat trafficking in persons, which is publicly available. (See <http://www.cubaminrex.cu/es/informe-de-cuba-sobre-el-enfrentamiento-juridico-penal-la-trata-de-personas-y-otras-formas-de-abuso>.)

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AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES  
TO QUESTIONS FROM SENATOR ISAKSON

*Question.* Ms. Jacobson, we have heard concerns from U.S. companies operating in Mexico that the tactics Mexico's tax authorities have employed are overly aggressive and seem to target U.S. global companies doing business in Mexico. Specifically, in the context of the OECD Base Erosion and Profit Shifting (BEPS) project Mexico has acted unilaterally at times which is contrary to its commitments as an OECD Member country. Recently, there was an article in the Mexican press that has been brought to my attention, where the Mexico SAT has made disparaging remarks about the OECD BEPS process and has said they will not wait for its conclusion to take unilateral action. This is obviously hurting U.S. companies and their ability to do business in Mexico and goes against Mexico's treaty commitments, trade agreements and their commitment as an OECD member.

- ◆ Will you continue the work of Ambassador Wayne to ensure that Mexico upholds its commitments to the OECD process and continue to ensure that U.S. businesses aren't unfairly or aggressively targeted?

Answer. We have heard the same concern from some U.S. companies in Mexico regarding this issue. As you note, Ambassador Wayne has raised this concern at the highest levels of the Mexican Government, and, if confirmed, I will do the same.

Like any nation, Mexico levies taxes on foreign companies operating in its territory. Such taxes should be levied transparently and according to clear rules and procedures. Moreover, Mexico's membership in the OECD is a reflection and recognition of the size and maturity of the Mexican economy. All OECD members share a commitment to respect OECD processes and practices.

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AMBASSADOR-DESIGNATE JACOBSON'S RESPONSES  
TO QUESTIONS FROM SENATOR PAUL

*Question.* What does the Mexican Government need to do to improve the situation at the U.S.-Mexican border? And if confirmed as U.S. Ambassador to Mexico, what specific steps would you take to help them in that regard?

Answer. Mexico is our second-largest export market and third-largest trading partner. More than \$1.5 billion in daily trade with Mexico supports millions of jobs in states throughout both countries. President Obama and President Calderon launched the 21st Century Border Management Initiative in 2010 to promote eco-

conomic competitiveness and enhance security through the secure, efficient, rapid, and lawful movement of goods and people. As one result of that continued close cooperation, we saw the completion in November 2014 of the first phase of expansion at the busiest land port of entry between the United States and Mexico, the San Ysidro-El Chaparral border crossing between San Diego and Tijuana, which more than doubled the number of inspection booths and significantly reduced vehicle wait times from 3 hours to as little as 30 minutes. Likewise, in October 2014 we inaugurated an improved port of entry at Nogales, AZ, through which 40 percent of Mexican produce bound for U.S. supermarkets passes.

On the security front, President Peña Nieto's strategy to counter transnational crime and improve the situation on our shared border is to combine all elements of the Mexican Government to constrain, disrupt, and dismantle criminal groups. Law enforcement operations are one tool, but the strategy recognizes the need to counter criminal networks through disrupting their access to finance, their corrosive influence on governments and societies, and through building new partnerships. That approach is what you see in Mexico's national strategy as well as in the four pillars of our bilateral Merida Initiative: to disrupt organized criminal groups, institutionalize reforms to sustain the rule of law and support human rights, create a 21st century border structure, and build strong and resilient communities.

The United States and Mexico are dedicated to addressing shared security challenges and modernizing our shared border infrastructure. We work closely with our Mexican counterparts to communicate about threats along the border and to assess and respond to security issues as they develop. If confirmed, I pledge that the safety of U.S. Government personnel and U.S. citizens will remain my priority. We will continue our support through the Merida Initiative, which enables greater cooperation between U.S. and Mexican law enforcement agencies, prosecutors, and judges as they share best practices and expand bilateral cooperation in tracking criminals, drugs, arms, and money as well as our efforts to support economic growth and the secure flow of people and goods through the 21st Century Border Initiative.

RESPONSES OF LAURA FARNWORTH DOGU, NOMINATED TO BE AMBASSADOR TO THE  
REPUBLIC OF NICARAGUA, TO QUESTIONS FROM MEMBERS OF THE COMMITTEE

AMBASSADOR-DESIGNATE DOGU'S RESPONSES  
TO QUESTIONS FROM SENATOR CORKER

*Question.* Nicaragua presents a conundrum. On the one hand, it is stable and relatively secure and the government pursues comparatively sound macroeconomic and investment policies. Nicaragua continues to seek partnership with the U.S. though the Central America Free Trade agreement. On the other hand, Nicaragua maintains friendly relations with governments that are hostile to the U.S. Most institutional power is concentrated in the hands of the governing Sandinista Party, dissent is muted, and violence is still part of the Sandinistas' political toolkit.

♦ What is your assessment and what will your priorities be as Ambassador?

*Answer.* I concur with this assessment, both in terms of Nicaragua's challenges and opportunities. A vibrant democracy includes participation from all sectors, and all sectors have a responsibility to contribute. As I mentioned at my hearing, in addition to supporting improvements to governance, rule of law, and human rights, we want to assist Nicaragua in efforts to integrate more fully into the Central American regional economy. Working with youth, universities, and the private sector to improve workforce development is a key component of this effort. If confirmed, I will ensure the Embassy works with partners in the private sector addressing issues such as labor rights, trafficking in persons, education, and the environment through corporate social responsibility efforts.

Continued engagement, in partnership with the people of Nicaragua, civil society, and the international community, is key to ensuring elections reflect the popular will. If confirmed, I will work to support the strengthening of democratic institutions and values in Nicaragua to reflect the region's collective commitment to the promotion and protection of human rights. I also will work to support a Nicaragua that is more economically integrated with other Central American countries, and that collaborates effectively with us—and other stakeholders and donors—on a growing range of issues of interest to the people of the United States and Nicaragua. To do so, we will build on existing areas of cooperation and seek improved engagement and dialogue in those areas where we don't necessarily always agree.

The Strategy for U.S. Engagement in Central America serves as a common guide for ongoing shared efforts promoting prosperity, governance, and security with—and throughout—Central America. Key to Central America's success is regional eco-

conomic integration. Central America must integrate economically in order to compete globally. With this in mind, our engagement with Nicaragua under this strategy will advance governance, regional integration, prosperity, and security—and thus help us meet the needs and interests of the Nicaraguan people, as well as the many other citizens of Central America.

AMBASSADOR-DESIGNATE DOGO'S RESPONSES  
TO QUESTIONS FROM SENATOR MENENDEZ

*Question.* According to the State Department's latest human rights report, the Nicaraguan executive branch is becoming increasingly authoritarian, exercising significant control over the legislative, judicial, and electoral branches. Furthermore, the police generally deny permission for demonstrations by opposition groups and the government uses judicial, financial, and administrative tactics to limit freedom of speech and the press.

- ◆ In a country where political power has become concentrated in a single and increasingly authoritarian party, what is your assessment of U.S.-Nicaragua cooperation? If confirmed, what steps will you take to advance U.S. interests as well as the efficacy of U.S. democracy and governance programs?

*Answer.* The U.S.-Nicaragua relationship is complex. We work closely with the Nicaraguan Government, but there are areas where cooperation can be improved, including on issues relating to democratic governance and human rights. U.S. support for democracy and governance in Nicaragua is, and will remain if I am confirmed, a top priority for the United States. Continued engagement in partnership with the people of Nicaragua and the international community is key to ensuring independent voices are heard, elections are credible and reflect the popular will, irregularities are substantiated and reported on, and democratic governance is supported with a long-term perspective. If confirmed, I will encourage the development of democratic institutions and values, and will continue to support local governance efforts, with a focus on civic participation and transparency. I will also continue to support the role of civil society and independent media, and will expand these efforts as needed.

The Nicaraguan Government has cooperated with us in resolving a significant number of U.S. citizen property compensation claims. Additionally, we cooperate on trade issues, counternarcotics, search and rescue in cases involving U.S. citizens, disaster preparedness and response, the protection of cultural patrimony, consular matters, and the return of fugitive U.S. citizens. If confirmed, I will encourage mutually beneficial objectives such as Nicaragua's economic integration with Central America.

*Question.* Nicaragua will be holding Presidential elections in 2016. The process, as with all democratic elections, should be held to fair and transparent standards. Yet international organizations, such as the Carter Center, have found that recent elections in Nicaragua showed deeply troubling signs of fraud. There are also widespread concerns about the impartiality of the Nicaraguan Electoral Commission and the political agenda of the commission's president, Roberto Rivas.

- ◆ If confirmed, what steps will you take to advocate for the presence of credible international observation? In your view, how can the United States utilize diplomacy to ensure that the 2016 elections are carried in a free, fair, and transparent manner?

*Answer.* Continued engagement with the people of Nicaragua, civil society, and the international community is key to ensuring elections reflect the popular will and to ensure that irregularities are substantiated and reported when they occur. The U.S. Government will work to ensure the 2016 elections are conducted in a free, fair, and transparent manner, in addition to continuous work on broader democratic governance issues. If confirmed, supporting a Nicaragua with transparent democratic institutions and values will be among my highest priorities.

Further, I would plan to continue our outreach to, and support of, civil society groups to improve their ability to articulate their views to policymakers, monitor and document the election-day process, and support citizens to advocate for identification cards which are required for voting. The United States also supports civil society, democratic youth leadership, and independent media, each of which is important to ensuring the 2016 elections are transparent and credible.

*Question.* Nicaragua is a recipient of Venezuela's petroleum subsidies through Petrocaribe. Venezuela's dire economic situation, however, indicates that it is only a matter of time before it begins to reduce the amount of subsidized oil it provides.

- ◆ In your view, how would a reduction of subsidies affect Nicaragua? And, what are the implications such reduction may have for the United States?

**Answer.** We have seen press reports indicating there has been a reduction in oil shipments under the Petrocaribe program. If Petrocaribe were to cease or to significantly decline, a number of countries in Central America, including Nicaragua, and the Caribbean could face financial challenges. Several countries have expressed a desire to transition their energy production from petroleum to other more sustainable sources. Of note, Nicaragua has already transitioned to obtaining more than half of its electric power from a variety of renewable energy sources. The Nicaraguan Government is also already preparing its public for smaller subsidized assistance programs or is finding other ways to finance the programs in the lead up to 2016 elections.

Current U.S. activities, including Connecting the Americas 2022 and efforts under the U.S. Strategy for Central America, emphasize fostering conditions for investment, including through regulatory reform, increasing access to affordable and cleaner energy generation and transmission, and promoting competitive, independent, and environmentally sustainable energy markets.

If I am confirmed, I will engage with Nicaragua to further these activities, promote its economic integration within Central America, and support the adoption of transparent and democratic institutions as a more stable and reliable path to economic growth and to reduce economic volatility.

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RESPONSES OF PERRY L. HOLLOWAY, NOMINATED TO BE AMBASSADOR TO THE COOPERATIVE REPUBLIC OF GUYANA, TO QUESTIONS FROM MEMBERS OF THE COMMITTEE

AMBASSADOR-DESIGNATE HOLLOWAY'S RESPONSES  
TO QUESTIONS FROM SENATOR MENENDEZ

**Question.** For the past several days, Venezuelan President Maduro has chosen to focus his efforts on a long-standing border dispute with its neighbor Guyana—an action that has caused increased tensions between the two countries and negatively affects Guyana in a disproportionate way. President Maduro has issued a decree claiming Venezuelan control over the waters off the coast of the land being disputed, leaving Guyana with barely any offshore area and threatening the drilling agreement it has with ExxonMobil.

- ◆ What is your assessment of the dispute between Guyana and Venezuela? And, to your knowledge, are there any other U.S. interests that could be affected by Maduro's aggressive tactics?

**Answer.** Guyana's relationship with Venezuela is complicated by the ongoing disputes over territorial boundaries. It is imperative that any efforts to resolve this situation be through peaceful means consistent with international law, whether that be through the Caribbean Community, the Community of Latin American and Caribbean States, the Organization of American States, the United Nations, or another mechanism agreeable to both parties. We are examining Venezuela's recent claims. To assert maritime rights or jurisdiction, Venezuela's claims must be consistent with the international law of the sea, including respect for the rights and freedoms of other states. The uncertainty caused by this dispute has affected Guyana's ability to attract investment and otherwise develop its natural resources, and it is in the interest of all countries of the region that it be allowed to do so.

**Question.** The recent elections in Guyana resulted in a change of the ruling party—the People's Progressive Party (PPP)—for the first time in 23 years. In a country with severe ethnic and sectarian divisions, the new administration of David Granger, from the Partnership of National Unity (APNU), promises to address these issues and create spaces for better ethnic relations. Yet, this important milestone occurred as U.S. assistance in Guyana has largely dried up.

- ◆ How do you view current U.S. cooperation with the Guyanese Government? What specific opportunities do you see for engagement and cooperation with the new ruling party to ensure these democratic processes are strengthened and solidified? What do you think the U.S. can do to promote better ethnic relations in Guyana?

**Answer.** The United States values its bilateral relationship with Guyana. President Granger has expressed a desire to deepen Guyana's relationship with the United States, and we are seeing renewed levels of engagement with both Embassy Georgetown and the Department by Government of Guyana departments and agencies. We will continue to engage with President Granger and the Government of



Guyana on the full range of issues that define our shared interests and that strengthen democratic institutions and processes: countering transnational organized crime; increasing Guyana's ability to compete within the broader global economy; providing economic, social, and political opportunities for all citizens; reducing the prevalence of HIV/AIDS; and supporting the nation's ability to adapt to climate change and manage its natural resources, including in the extractives sectors.

The United States has always worked to bridge the differences between Guyana's ethnic populations and political parties through public diplomacy programs and daily engagement by Embassy officials with key government and civil society groups. We continue to urge President Granger and all elected officials to focus their efforts on issues that unite the nation and to move away from the ethnic based politics of the past that resulted in unequal economic development and social exclusion for large parts of the population.

RESPONSES OF PETER F. MULREAN, NOMINATED TO BE AMBASSADOR TO THE  
REPUBLIC OF HAITI, TO QUESTIONS FROM MEMBERS OF THE COMMITTEE

AMBASSADOR-DESIGNATE MULREAN'S RESPONSES  
TO QUESTIONS FROM SENATOR CORKER

*Question.* After years of deadlock, Haiti's Government appears to be committed to organizing elections. Are they really? Is it true that, as of June 9, 2015, funding was still about 40 percent short of the estimated \$66 million needed for the Haitian elections? What is the government of Haiti doing to fill that gap?

*Answer.* The Government of Haiti is moving forward with three rounds of elections, on August 9, October 25, and December 27 of this calendar year. The first vote will be for the first round of parliamentary elections; the second vote will include a second round of parliamentary elections, the first round of Presidential elections, and local government positions; the third vote will be the second round of Presidential elections. Due to political gridlock which delayed elections for almost 4 years, Haiti's independent Provisional Electoral Commission (CEP) only began work on the elections in January of this year. As a result, there are concerns that the relevant Haitian institutions will not be fully ready for the first round on August 9, due to delays in hiring and the training of staff. However, the CEP has met major deadlines for printing of the ballots and voter registration lists and its President, Pierre-Louis Opont, has said there will be no delay in holding the first round of voting for Parliament.

With regard to the shortage of electoral-related funding in the basket fund administered by the UNDP, a July 16, 2015, donor conference in New York at the United Nations resulted in an additional \$14.2 million in elections funding pledged by the United States, Canada, Brazil, Norway, and Mexico. In addition, several other countries that did not pledge indicated they were considering additional donations. The U.S. pledge was for \$9 million, which raises the total amount of funding the United States has dedicated to these elections to \$27.8 million, of which \$11.5 went to the basket fund and \$4 million to UNOPS for logistical support, which MINUSTAH provided in the last election. The Government of Haiti has said it will cover any funding shortfalls for the election.

*Question.* Approximately half of all Haitians have access to basic health services at U.S.-supported health facilities. This is remarkable. But, is it sustainable? What will you do you engage the Government of Haiti to take on its own responsibilities to the Haitian people?

*Answer.* The sustainability of our programs in Haiti depends ultimately on the capacity of the Government of Haiti to maintain them, reflective in turn of the support of the Haitian people.

Our development efforts in Haiti are designed to foster economic growth, enhance government capacity, strengthen democracy, and improve security and respect for rule of law. Progress in these areas will, in turn, improve the Government of Haiti's ability to deliver quality services and meet the needs of the Haitian people. If confirmed, I will continue to advance the efforts of the United States to support the long-term goals of the people and Government of Haiti to build and realize a more prosperous and secure nation.

In the health sector, the U.S. Government is supporting the Ministry of Health to advance its ownership and oversight of the public health system on several fronts. Specifically, our programming is helping the Ministry of Health to improve data collection and usage, upgrade internal management systems, manage diverse funding sources, and improve its ability to attract, train, and retain professional

health workers. These capacity-building initiatives are laying the groundwork for long-term sustainability while continuing efforts to improve health outcomes. As we progress in these efforts with the Ministry of Health, both directly and in partnership with other donors, we will continue to work to ensure that access to health services is widely available.

AMBASSADOR-DESIGNATE MULREAN'S RESPONSES  
TO QUESTIONS FROM SENATOR MENENDEZ

*Question.* Haiti is scheduled to hold its well-overdue legislative elections as early as next month, followed by local and Presidential elections later in the year. If confirmed, what specific steps will you take to advance United States support for the Haitian electoral process? More importantly, how will you ensure collaboration and commitment with the Haitian authorities to prioritize the security of all Haitians both during the time leading up to the election and as they go to the polls?

*Answer.* If confirmed by the Senate, I will continue the strong support of the United States for the holding of credible and long-overdue elections; this would be one of my highest priorities. Political gridlock in Haiti has stalled needed reforms and elections are key to ensuring that solutions are identified and implemented. The engagement of the United States and our international partners has been instrumental in getting the elections scheduled and on track to take place this year. These efforts, which include close collaboration with President Michel Martelly, Prime Minister Evans Paul, the Provisional Electoral Commission (CEP) and major political parties, need to continue through the electoral period and beyond in order to help the Haitian people address the systemic problems that continue to challenge the effectiveness of that country's electoral process and institutions.

We have also been heavily engaged with MINUSTAH, the Haitian National Police (HNP), and the CEP as Haiti finalizes its electoral security plan. The recent reduction in the U.N.'s military footprint requires the HNP to increasingly take responsibility for nationwide security. The scale of the elections and the HNP's limited resources, including personnel and vehicle shortfalls, will challenge the force to maintain order if widespread disturbances occur. The HNP has sought and will require significant assistance to undertake the roles MINUSTAH performed in previous elections. To this end, the U.S. has committed over \$30 million dollars in support of these elections, including some \$2.8 million in vehicles, spare parts to repair inoperable vehicles, and communications equipment to improve the HNP's security and logistics posture.

*Question.* The United Nations Stabilization Mission in Haiti (MINUSTAH) has supported Haiti with police and military personnel. However, these efforts are only temporary until the Haitian National Police is strengthened and capable of sustaining the security of the country. In your view, how is the Haitian Government working to improve the Haitian National Police capabilities. How is the United States supporting these efforts?

*Answer.* The United States has had an excellent working relationship with the Haitian National Police (HNP). The Haitian Government established a 5-year police development plan in 2012 aiming to grow the force to 15,000 officers by the end of 2016 and improve its professionalism; U.S. efforts are aligned to help the Haitian Government achieve these goals. Thanks to generous funding provided by the U.S. Congress for the HNP—over \$200 million since the earthquake—we have assisted the HNP's growth by about 1,000 officers a year, to a current level of 12,200 officers. We recently funded improvements to the Police School that will enable basic training classes of 1,500 cadets a year to help the HNP toward its growth target. Our support for police training, as well as that of the Government of Canada and MINUSTAH, has made the HNP the most respected Haitian Government institution with a majority of Haitians trusting their police according to Department of State polling. Haiti's successful pilot community policing unit in Port-au-Prince, supported by a U.S.-funded partnership with the New York Police Department and by MINUSTAH, is growing and expanding to additional provinces. We provide embedded mentors in key HNP offices to improve strategic planning, budget, career development, and logistics capabilities, all aimed at improving the force's ability to sustain itself. Since the 2010 earthquake, we have improved police infrastructure by building six police stations and installing facilities for Haiti's counternarcotics police to enable their deployment around the country. The HNP's performance has improved, most notably in antikidnapping investigations and crowd control capacities. The HNP now rarely calls on MINUSTAH quick reaction support and has been largely effective in managing recent politically motivated protests. Early 2015 saw

a relative lull in protest activity, and although violence against MINUSTAH and HNP personnel has increased, Haiti remains secure overall.

*Question.* During the past month, more than 17,000 Haitian migrants in the Dominican Republic have voluntarily chosen to return to Haiti. This number is expected to increase given the current policies in the Dominican Republic to regularize unauthorized migration in the country. There is concern that the large quantities of individuals returning to Haiti may overwhelm Haitian authorities, who may not have the capacity of the Haitian Government to adequately receive all returnees.

- ◆ Can you describe our current cooperation with the Government of Haiti to ensure an appropriate screening process? If confirmed, what steps will you take to ensure that Haitian returnees are afforded a fair process of reintegration to Haitian society?

*Answer.* The United States has been in close contact with the Government of Haiti to understand its contingency planning on how to process Haitian nationals being returned to Haiti or Dominicans of Haitian descent who arrive in Haiti. Embassy staff and implementing partners have also monitored the actual situation of arrivals from the Dominican Republic to better understand the situation and any humanitarian needs.

The United States is funding civil society organizations and international organizations, including the International Organization for Migration (IOM). IOM, in coordination with local civil society, is monitoring population movements at the border and referring people in need of protection, especially unaccompanied children.

We are encouraging the governments of both Haiti and the Dominican Republic to consult and collaborate with each other and with civil society groups and international organizations to develop processes that uphold the rule of law, provide procedural safeguards, and are consistent with each country's international obligations and commitments. Our Ambassador to Haiti has also led international engagement efforts to assist the Haitian Government in proactively managing increases in movements across the border. If confirmed by the Senate, I will continue robust engagement with the Haitian authorities on their efforts to manage this immediate issue and build capacity more generally in managing movement at their borders.

*Question.* Haitian workers continue to suffer restrictions on freedom of association, minimum wage violations, and other labor rights abuses, despite the promises of the HOPE II to bring attention to labor conditions. The United States last trade union program, funded by the Department of Labor, was shuttered in May.

- ◆ As Ambassador, how will you ensure that Haiti's workers and unions get the support and capacity-building they need to advocate for better labor rights enforcement and working conditions?

*Answer.* Since the implementation of the HOPE II legislation, producer compliance with the international core labor standards—which include freedom of association, the elimination of all forms of compulsory or forced labor, the abolition of child labor, and the elimination of discrimination—has improved, and there has been significant progress in relations between factoryowners and labor advocates. For example, during the last official identification cycle by the U.S. Government for non-compliance, only one producer out of 23 eligible producers was identified as non-compliant with one or more core labor standards, and that producer has reinstated all of the union members seeking reinstatement who were the subject of the non-compliance finding. In addition, through the Social Dialogue Table established in March 2014 to create a space for dialogue, textile workers and factoryowners were able to hold successful minimum wage negotiations and submit consolidated recommendations to Haiti's Superior Wage Council (CSS) for consideration. The CSS adopted a number of recommendations made by the Social Dialogue Table, becoming the first successful union-management minimum wage negotiation in the history of Haiti's textile industry.

The Government of Haiti has also actively engaged with both the International Labor Organization (ILO) and the U.S. Government in all aspects of the HOPE II implementation program and is building its capacity to monitor and inspect textile factories and mediate disputes. The ILO's Better Work Haiti program, funded by the U.S. Government, has continued to perform factory assessments, provide compliance advisory services, and issue the biannual reports required under the HOPE II legislation. While the reports show that there have been improvements in regards to the core labor standards and some aspects of working conditions, lasting solutions need to be developed in categories such as occupational safety and health. To meet this need, Better Work Haiti is placing a greater emphasis on in-depth advisory and

training services with the aim of promoting more sustainable solutions to the compliance problems that have persisted in the sector.

The U.S. Government's program to build the capacity of worker organizations closed in May 2015. If confirmed by the Senate, I will give labor issues priority attention and the Embassy, in partnership with other partners, most notably the ILO and the Government of Haiti's Office of the Ombudsperson, will continue to engage directly with worker organizations in Haiti to ensure ongoing support for unions in their efforts to represent the interests of apparel sector workers in Haiti.

*Question.* More than 17,000 Haitians have voluntarily chosen to return from the Dominican Republic. This number is expected to increase in the following months as the Dominican Republic moves forward with the implementation of its migration policies.

◆ In your view, what is the effect that the large quantity of returnees will have in the elections?

*Answer.* We are carefully monitoring these returns and are heavily engaged on migration concerns with the Governments of Haiti and the Dominican Republic, as well as international organizations and NGOs. To date the spontaneous returns have not resulted in a significant humanitarian crisis, although we stand ready to assist the Government of Haiti should numbers increase substantially. The Government of the Dominican Republic has indicated that there will be no large-scale deportations. So far we have not seen any significant effect on Haiti's election planning.

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