

**NOMINATION HEARINGS OF THE
115TH CONGRESS—FIRST SESSION**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

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JANUARY 3, 2017 TO JANUARY 3, 2018
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NOMINATION

THURSDAY, FEBRUARY 16, 2017

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

The committee met, pursuant to notice, at 10:07 a.m. in Room 419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Risch, Rubio, Johnson, Flake, Gardner, Young, Barrasso, Isakson, Portman, Paul, Cardin, Menendez, Shaheen, Coons, Udall, Murphy, Kaine, Markey, Merkley, and Booker.

Also Present: Senator Graham.

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

The CHAIRMAN. The Foreign Relations Committee will come to order.

We welcome Mr. David Friedman, who has been nominated to be Ambassador to Israel. We also welcome two very distinguished guests, two Members—a Member and a former Member—that have tremendous respect by all of us up here. We thank you for coming. Ben and I are going to defer our opening comments so you do not have to sit through that, and we will let you go ahead and introduce.

I talked to some of the folks here that from time to time have a tendency to want to interrupt the meeting a little bit. In the past I have asked some people to be removed, and as it turned out, they were arrested. I was able to get them un-arrested— [Laughter.]

The CHAIRMAN [continuing]. But I do not have that ability anymore. The protocol is that if you are asked to be removed from a meeting, you are arrested, and I do not have the ability anymore to keep that from happening. So, if you would, please do not put yourself in a position to need to be removed.

We thank everybody for being here. It is part of our democratic process that people participate. We are glad to have everyone here.

And with that, let me turn to a friend of all of us, the great Senator from the State of South Carolina, Senator Lindsey Graham.

all of his heart and all of his soul, that he has been effective as a lawyer, that his reputation as a lawyer is beyond reproach.

And what does a good lawyer do? A good lawyer tries to take people with differing views to get to a win-win situation, to represent your client with passion but also to understand that the other side has an interest, too. When you look at his career as a lawyer, those on the other side of Mr. Friedman would say that he is an honest, ethical, capable advocate that you can do business with. I believe he will bring that skill set to the job of U.S. Ambassador to Israel, the only democracy in a region that is falling apart. If Israel ever needed a strong voice in her court, it is now. If Israel ever needed a unified Congress, it is now. Israel can be criticized, but Israel needs to be supported, and Mr. Friedman will get that support. Thank you.

The CHAIRMAN. Thank you very much. And now, Senator, that again is loved on both sides of the aisle and missed, was a strong and great voice for our country's national security and foreign policy issues. We welcome Joe Lieberman. And thank you for being here today.

**STATEMENT OF HON. JOSEPH LIEBERMAN,
FORMER U.S. SENATOR FROM CONNECTICUT**

Senator LIEBERMAN. Thanks so very much, Mr. Chairman, for your generous words. I do not know about Lindsey, but I was actually looking forward to the opening statement you and Senator Cardin were going to make but— [Laughter.]

The CHAIRMAN. You still act like a politician. [Laughter.]

Senator LIEBERMAN [continuing]. You know, as my wife says, I have an incurable disease so— [Laughter.]

Senator LIEBERMAN [continuing]. Anyway, like all of our spouses.

Chairman Corker and Senator Cardin, members of the committee, former colleagues, friends, I am really delighted to be here this morning to introduce my friend David Friedman, who of course is before the committee as the President's nominee to be the next Ambassador to Israel.

After I left the Senate in 2013, I became senior counsel at the law firm of Kasowitz Benson Torres & Friedman, as in David Friedman. Probably neither David or I thought that we would both be here this morning at that time when I joined the firm, but I have in those four years come to know David first as a legal colleague and I will say, too, that I have learned a lot from him. He has extraordinary professional skills that will serve him well as Ambassador. And I am thinking of really great intelligence, a warm personality that engages and engenders trust, and an impressive ability to advocate a cause but also to know when to compromise and negotiate so that all parties can walk away from a dispute feeling that they have accomplished something.

Now that I say that, I may want to suggest that Congress retain David for mediating purposes. Okay. I could not resist that.

Beyond our association in the law firm, David Friedman and I have become really good personal friends. And if—and what might be called a point of personal privilege, I want to explain how that happened. For three years our youngest daughter Hani, who some of you may remember, lived with her husband and growing family

es now he had phrased differently or even not said at all? I believe he has. He does. Who has not? I certainly have said something things I wish I could rephrase or not say at all.

So I ask you to listen to what he has to say today with an open mind. If he has said something in the past that bothers you, ask him about it, but please put it in the larger context of his life, his character, his capability, and his deep desire to serve our country.

From many long conversations we have had over the years, I can tell you that David Friedman does not only pray for peace between Israel and its neighbors every day, he yearns for it. And if you confirm him, he will, as U.S. Ambassador to Israel, do everything anyone could do to achieve peace between Israel and its neighbors.

In short, I believe David Friedman deserves the support of this committee and the full Senate.

And if I may, Mr. Chairman, Senator Cardin, I do want to say that I hope that support will be bipartisan because it would be a shame to have this committee and the Senate divide along party lines on a matter so central to America's relationship with Israel, which has historically and importantly been a safe zone of non-partisanship even when just about everything else was divided along party lines.

I thank you very much for giving me this opportunity, and I am very proud to introduce David Friedman to you and the committee.

The CHAIRMAN. Thank you so much. We appreciate both of you being here and your comments. You are welcome to leave. We do not consider that impolite. I will say if you stay, it is likely you will be interrogated, so I would leave.

With that, let me make a brief opening comment. I know that Senator Cardin does. I know we have a vote at 10:30 that will drag on for a while. Hopefully, we can get through Mr. Friedman's opening comments, take a break for a moment, and then come back and return for questioning.

I want to welcome Mr. David Friedman to the committee today to discuss his nomination to be our Ambassador to Israel. Over the last 70 years, the United States and Israel have enjoyed a close and meaningful relationship. This alliance has been a pillar of America and Israeli foreign policy and greatly beneficial to both nations.

Israel serves as the greatest model for democracy in the Middle East and is our most important ally in the region. American support for Israel is a widespread bipartisan effort, and it should remain so. Congress has repeatedly pushed for increased military aid and security cooperation between our two countries, and I believe that we have taken necessary steps to ensure that Israel will have every tool and resource needed to defend itself in an increasingly destabilized region.

Yet even as we in Congress have done the things needed to strengthen our bond with Israel, we have to acknowledge that the relationship between our two great nations has been strained in recent years. It is clear that action taken by the U.N. Security Council in December was counterproductive to reaching a long-term peace between Israel and the Palestinian people. A durable peace agreement will only come from direct negotiations. Any third-party efforts to supersede those negotiations only serve as impediments

defense system. Israel's innovative green and renewable energy sector, one of the leaders in the world, puts Israel in a position to be an energy provider to the region.

The U.S. Ambassador to Israel plays a key role in engaging all communities within Israel, all sectors of its economy, and representing our government and the American people to Israel's Government, Parliament, and people. The U.S. Ambassador also plays a vital role in opening up U.S. Embassy doors to all groups, regardless of their politics or views. The Ambassador will help chart the U.S. response to countering Israel's isolation international organizations, as Senator Graham pointed out, and effectively counter the BDS movement, which threatens the legitimacy of Israel and fosters anti-Semitism.

Given the breadth, depth, and complexity of the issues included in the portfolio of the U.S. Ambassador to Israel, Mr. Friedman, I have questions about your preparedness for this important post. I am uncertain of how you will represent all Americans to all Israelis and whether you are committed to a longstanding U.S. policy for a two-state solution.

Of the last 10 Ambassadors to Israel across Republican and Democratic administrations, all 10 had prior U.S. Government experience, nine had prior professional experience in the Middle East, and eight had already served at least once as a U.S. Ambassador to other countries. I do not question that your background as a bankruptcy lawyer has enabled you to develop skills navigating complex multilateral negotiations, but serving as the top diplomat to one of the most important allies in the region that is beset by violent conflict, armed militant and terrorist groups, an unstable autocrat which requires a distinct set of skills and a distinct temperament.

Frankly, the language you have regularly used against those who disagree with your views has me concerned about your preparedness to enter the world of diplomacy. So I will follow Senator Lieberman's advice and ask directly that you respond to these types of concerns.

For the record, it is important to note the examples: reviving Holocaust terms to equate J Street supporters with Nazi collaborators or questioning their commitment and love for Israel; calling the Antidefamation league "morons"; stating that liberal Jews suffer from "constant disconnect in identifying good and evil." And, Mr. Friedman, I could mention your specific comments about President Obama or your specific comments about Members of the United States Senate, including the Democratic leader. And I would ask that you respond to that. These are written comments, cases where you had the opportunity to consider what you were saying, to make judicious edits if you so desired. You chose otherwise.

I hope you will also offer a clear and unequivocal rejection of these inflammatory accusations as part of your testimony here today and also reassure us that you are capable of acting with the discipline, tact, wisdom, and diplomacy that serving as a U.S. Ambassador requires.

I am also concerned that your views on the two-state solution constitutes an unprecedented break with longstanding U.S. policy.

way, you are welcome to introduce your wonderful family who happens to be with you today. I hope you will, as a matter of fact. Thank you.

STATEMENT OF DAVID FRIEDMAN OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ISRAEL

Mr. FRIEDMAN. Chairman Corker, Ranking Member Cardin, members of the Senate Foreign Relations Committee, I appreciate very much the opportunity to appear before you today. It is a great privilege to address this committee, which has done so much to advance America's interests around the world—[Disturbance in hearing room.]

The CHAIRMAN. Continue.

Mr. FRIEDMAN. It is a great privilege to address this committee, which has done so much to advance America's interests around the world and which, together with the entire United States Congress, has for generations maintained unwavering support on a bipartisan basis for the State of Israel.

I am grateful to the President of the United States for nominating me to the post of Ambassador to Israel, and I am humbled by the trust and the confidence that he has placed in me to strengthen the unbreakable bond between our country and Israel and to advance the cause of peace within the region.

I would like to thank Senator Graham and Senator Lieberman for their kind words of introduction and for their leadership on so many critical matters that affect our nation.

I would like to introduce my family members who are here today and thank them for their support and encouragement. My beautiful bride of 36 years, Tammy, and my children Daniel, Aliza, and her husband Eli, and Talia. Watching at home are Daniel's wife Jana, my son Jacob and his wife Danielle who just had a baby boy, our daughter Katie and our seven beautiful grandchildren. Whatever success I have achieved in life would have been unthinkable without their love and support, especially that of my dear wife. I would also like to wish good luck to my youngest child Katie who is litigating her first mock trial today in her high school trial advocacy program.

I could not continue without reflecting upon my father, Rabbi Morris Friedman, who passed away some 12 years ago. He was my mentor, my hero, and my closest friend. The child of poor immigrants, my father was a great patriot who felt an enormous debt of gratitude to our beloved country for its essential goodness in giving his parents and so many others the enormous opportunities embedded in United States citizenship.

In 1948, my father and my mother sat nervously at their radio listening to the session of the United Nations that was then held in Queens, New York, and they rejoiced as the United States became the first nation to recognize the nascent State of Israel. My father cared deeply for Americans of all religious and political stripes. He marched in the civil rights movement, he convened prayer vigils to mourn the assassination of President Kennedy and Dr. Martin Luther King, and in the '70s he handcuffed himself on

I am confirmed, you should expect my comments to be respectful and measured.

If confirmed, I will also faithfully observe
[Disturbance in hearing room.]

Mr. FRIEDMAN [continuing]. If confirmed by the Senate, I also intend to faithfully observe the directions given me by the President and the Secretary of State, without regard to my personal opinions.

I would like to thank this committee for permitting me to appear today. I look forward to answering all of your questions and, if I am confirmed, I look forward to working with each and every one of you to enhance our relationship with the State of Israel. Thank you.

[The Mr. Friedman's prepared statement follows:]

PREPARED STATEMENT OF DAVID M. FRIEDMAN

Chairman Corker, Ranking Member Cardin, and members of the Senate Foreign Relations Committee:

I appreciate the opportunity to appear before you today. It is a great privilege to address this committee, which has done so much to advance America's interests around the world and which, together with the entire United States Congress, has, for generations, maintained unwavering support, on a bipartisan basis, for the State of Israel.

I am grateful to the President of the United States for nominating me to the post of Ambassador to Israel, and I am humbled by the trust and confidence that he has placed in me to strengthen the unbreakable bond between our country and Israel and to advance the cause of peace within the region.

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I could not continue without reflecting upon my father, Rabbi Morris Friedman, who passed away some 12 years ago. He was my mentor, my hero and my closest friend. The child of poor immigrants, my father was a great patriot who felt an enormous debt of gratitude to our beloved country for its essential goodness in giving his parents and so many others the enormous opportunities embedded in American citizenship.

In 1948, my father and mother sat nervously by their radio listening to a session of the United Nations, then headquartered in Queens, NY, and rejoiced as the United States became the first nation to recognize the nascent State of Israel. From that day forward my father dedicated much of his professional life to fostering the extraordinary relationship between the United States and Israel. My father cared deeply for Americans of all religious and political stripes—he marched in the civil rights movement, convened prayer vigils to mourn the assassinations of President Kennedy and Dr. Martin Luther King, and, in the 1970's, often handcuffed himself to the Soviet mission to protest the Kremlin's refusal to allow Soviet Jews to emigrate. My father led a congregation of 1,000 families, as well as the New York Board of Rabbis, at that time the largest cross-denominational rabbinic organization of its kind.

In October, 1984, my father had the privilege to host President Ronald Reagan for lunch in our home in Long Island (my mother actually did the cooking) and to later introduce him as he addressed our synagogue. I was fortunate enough to have been able to participate in that incredible event.

Those were dark days for Israel at the United Nations. It was operating under the cloud of a General Assembly resolution equating Zionism with racism. President Reagan, in his remarks to my father's congregation, was unambiguous. He said, "If

[Disturbance in hearing room.]

The CHAIRMAN [continuing]. So we will begin questioning with Senator Cardin, and if Senator Barrasso comes back, he is next. If not, it will be Senator Risch.

Senator CARDIN. Thank you, Mr. Chairman.

Mr. Friedman, you and I have something very much in common. Our parents were proud Zionists, worked everything they could in order to strengthen the support for the State of Israel and the values that it stood for and stands for.

But my parents also taught me that words have consequences. My father, who, a blessed memory, was a circuit court judge, served as president of our synagogue, which he told me was the toughest position he ever held, and taught me how to just respect different views and to do that in an effective way.

So I am having difficulty understanding the language that you have used. You have sort of justified that in your comments here that it was part of a campaign. These were written statements. But in some cases they go back before the campaign. I am specifically referring to your comments about the Democratic leader in the Senate and his motivation in regards to the Iran nuclear agreement and how he came about his decision-making during that very difficult time.

As a person who struggled with that decision, I know the deliberations that Senator Schumer went through. I know the deliberations that I went through and all Members went through. It was a tough decision.

So I am having difficulty understanding your use of that—of those descriptions and whether you can be a diplomat because a diplomat has to choose every word that he or she uses. So why should I believe that these were just emotional expressions and that you now understand the difference between that role and that as a diplomat?

Mr. FRIEDMAN. Well, Senator, I provided some context for my remarks, but that was not in the nature of an excuse. There is no excuse. I will—if you want me to rationalize it or justify it, I cannot. These were hurtful words and I deeply regret them. They are not reflective of my nature or my character. And I will tell you that for many, many years I have been involved in some of the most difficult, contentious, highly personal disputes that one can imagine, albeit in a commercial context, and I have dealt with judges and government officials, and over a lengthy period, no one has ever found me to be unable to control my temperament or my rhetoric.

The Iran deal was something I felt passionately about. I was concerned that the United States was embarking upon a deal that presented an existential risk to Israel and potentially a significant risk to our great country as well. I do not—I did not have access to all the classified information that the members of the Senate have, but from my perspective as a private citizen, I felt it was important to speak out. And I did so, again, in a private manner. Those are my private opinions. They will be left in New York if I am privileged enough to travel to the State of Israel for this mission.

Senator CARDIN. So just to put this in context and then I am going to move on to the second issue I want to talk about, you are accusing the Democratic leader of “validating the worst appease-

The CHAIRMAN [continuing]. Bertie, if you would—I understand that so that is why I waited. But put seven minutes on the clock if you will.

Senator Risch.

Senator RISCH. Well, thank you very much.

Mr. Friedman, thank you for your willingness to take on what is obviously going to be a difficult struggle, as it always has been in recent years.

Let me try to drill down a little bit in one of the concerns that I have. All of us sit and think about how if there is indeed a solution, if a solution is even possible, how do you get there? And the problem I see or one of the many, many problems that I see is kind of foundational to the whole thing, and that is who you are negotiating with. I mean, it seems to me that Palestinian Authority and Hamas are deeply divided and deeply polarized. And how do you accomplish that when you are supposed to be dealing with a single entity that can make a deal that everybody is willing to live with? Because the deal is not going to work unless the majority, the vast majority of the people on each side are in agreement and committed to make it work. So how—what are your thoughts on that? I understand it is getting a little bit in the weeds, but to me it is really foundational to how you get to the end.

Mr. FRIEDMAN. Senator, I think you have identified the gating problem, and it is an extraordinary challenge. And if—I think if we did not have that problem, this would have been settled already. Hamas is a terrorist organization. They seek the destruction of the State of Israel, the entire State of Israel. Their issues are not settlements; their issues are the existence of Israel. They control the Gaza Strip, and I do not know who would control the West Bank if there were elections tomorrow.

I think that from—I do not have a good answer to making peace with an entity controlled by Hamas. I do believe that the future needs to begin with greater efforts to empower and to some extent to create a Palestinian middle class. Gaza is ungovernable. It has a 30 percent or higher unemployment rate. Until that changes, I do not think we will be able to uproot Hamas from the Gaza Strip. And so I am—my approach has been and if asked by the President, it is—I am not here to make policy, but if asked by the President, I would recommend deepening the efforts, along with our allies in the Gulf and Israel's neighbors to work harder on empowering the economic opportunities for the Palestinian people, who I believe are being held hostage by a ruthless regime.

Senator RISCH. You know, I appreciate that. And that observation seems to be very legitimate in that the Gaza Strip and the West Bank seem like worlds apart as far as economic opportunity and for that matter as far as just culture. And, again, I do not know how you get those—how you bring those together to get where you need to be, but I wish you well in that. And I think we will all be watching to see how that works out. But it is—and those—that may very well be out of everyone's control except the Palestinians themselves.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. I think what we will do is instead of having a roving—I know people want to hear the answers to

I quote, "I do not see how anybody can take the Anti-Defamation League seriously going forward. This is what happens when people take these insane arguments to their logical extension. They lose all credibility, and frankly, they sound like morons," end quote.

He has slandered President Obama and his administration. And I quote, "The blatant anti-Semitism emanating from our President and his sycophantic minions is palpable and very disturbing."

He has denigrated Secretary Clinton's personal views on Israel. And I quote, "I do not think she particularly likes Israel."

Responded—responding to President Obama and Secretary Kerry's condemnations of violence in Israel, he said, and I quote, engaging in "blatant anti-Semitism," end quote.

I think we can all detect a pattern here. Anyone who disagrees with his extreme views or approach to Israel is an anti-Semite. For the record, Mr. Friedman has also said that liberal Jews, and I quote, "suffer a cognitive disconnect in identifying good and evil," end quote. By these words, he disrespects many in the Jewish community, including my home State of New Mexico, which I have had many calls from New Mexico urging that we reject this nomination.

Such divisive and hateful comments against any who disagree with him on—are—is unbecoming of an ambassador to any country. It is clear that Mr. Friedman's appointment would represent a profound break with decades of U.S. foreign policy supporting a two-state solution and resisting illegal settlements that make such a solution more remote. President Reagan said that settlement activity was, and I quote, "no way necessary for the security of Israel and only diminishes the confidence of Arabs that a final outcome can be freely and fairly negotiated," end quote. I wonder, were President Reagan here today, would Mr. Friedman label him anti-Semitic?

Mr. Friedman is profoundly unfit to lead members of the State Department. He accuses many of them of being, quote, "over 100 years of anti-Semitism," end quote. I say this as a friend of Israel, who has always supported military aid to defend her borders. If we confirm him, we are running a dangerous risk that Mr. Friedman will inflame a volatile situation and inflame other foreign governments in the region. We need a steady hand in the Middle East, not a bomb-thrower in a position of high power and responsibility.

One final note: Sometimes Mr. Friedman does not stop at merely name-calling those who disagree with him as anti-Semitic. He wrote in an article in 2015, and I quote here, "J Street supporters are far worse than kapos, Jews who turned in their fellow Jews in the Nazi death camps. They are just smug advocates of Israeli—Israel's destruction delivered from the comfort of their secure American sofas. It is hard to imagine anyone worse," end quote. That statement—in a written article, not in off-the-cuff remarks—demonstrates his complete and total unfitness for this extremely important office.

Mr. Chairman, I would like to enter all the source documents for all of these quotes into the official hearing record.

The CHAIRMAN. Without objection.

[The information referred to is located in the Additional Material Submitted for the Record section of this transcript, beginning on page 63.]

Mr. FRIEDMAN. Thank you.

Senator PORTMAN. Graham I will not talk about. [Laughter.]

Senator PORTMAN. Just kidding. He is fine, too. [Laughter.]

Senator PORTMAN. But I do have concerns. You know, this is not a typical ambassadorship. I mean, it is—having been to Israel a number of times and met with our Ambassador there, let us be frank. In a lot of countries of the world it does not matter that much who the Ambassador is. The State Department has taken a bigger and bigger role over the last several decades in foreign policy and even the White House, you know, plays a big role in certain countries. But this is a really important one, and that person on the ground, developing those relationships I think is critical for two reasons. One, we do have a lot of divergent points of view here, as you can see. We all are very supportive of Israel I think it is fair to say. I hope that is true.

But there are different approaches to the policy issue, so an ambassador has to be able to bring all these different points of view together and provide counsel to our President and to our Secretary of State and others, National Security Advisor. You will get a lot of visitors, assuming you are confirmed, from this body but also from around the world, and so it is a very important role in terms of taking all these different points of view.

And so one of my questions for you is do you think you are capable of doing that, you know, listening to all points of view and being in some respects a broker, you know, of those points of view to describe to our administration as to the best approach forward?

Mr. FRIEDMAN. Senator, thank you. And yes, I do think I can do that. I think that bipartisanship has always been the hallmark of America's support for Israel. And—I am sorry. As I have commented occasionally to several of the Senators I have had the privilege to meet, I want to do everything I can to work with the Members of Congress to build upon what is, I think, much more that unites us than divides us on the State of Israel. There are obviously divergent views, and I think all those views need to be considered. And I think they are all made in good faith. And if I am confirmed, it will be a high priority of mine to synthesize and to the extent possible harmonize the views of the Congress and also to do the same in Israel because, as divided as the United States is, the State of Israel is just as divided. And their governing system is very challenging.

Senator PORTMAN. Mr. Friedman, let me continue. The second role that I was going to mention is the one that you are sort of suggesting now, which is—my sense is the Ambassador to Israel typically has been someone who has a personal relationship with the leadership there and not just the Prime Minister but also members of the cabinet and members of the opposition parties because, as you say, it is pretty diverse and sometimes a little chaotic in their Parliament, but you have to have those relationships. And so my question to you is do you think you can be effective there? And, specifically, how would you go about representing the United States of America? Would you be interested in more public comments? Some Ambassadors have taken that route. Or would this be more private conversations? And do you feel as though you have relationships in the country beyond the coalition government, beyond

they were boycotted throughout the world and had to move, so they moved to the Negev and the Palestinians lost their jobs. This is an entirely self-defeating prospect not only for Israel but for the Palestinians as well.

Senator PORTMAN. My time is expired. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you so much.

Senator KAINE.

Senator KAINE. Thank you, Mr. Chair. Thank you, Mr. Friedman, and welcome.

I just want to talk about one thing, and that was the press conference yesterday between Prime Minister Netanyahu and President Trump. U.S. policy since resolution 181 in 1947 has been to support—and this is in the words of the resolution itself—“a partition of the area previously known as Palestine into two states, a Jewish state and an Arab state.” And the idea of the two states has been the cornerstone of American foreign policy and reaffirmed often by the U.S., Palestinians, and Israel since the Oslo Accords in 1993 and 1995.

Yesterday, President Trump signaled potentially a new direction, and I just want to quote him. And I am just going to—I really want to talk to you about exactly what he said, not editorializing about it, just what he said. Quote, “I am looking at two-state and one-state formulations. I like the one that both parties like. I am very happy with the one both parties like. I can live with either one.” As I read that, I assumed that “both parties” mean Israel and Palestine or Israelis and Palestinians more broadly. Is that how you understood that comment?

Mr. FRIEDMAN. Yes, and I watched that from my iPhone with keen interest. I was not involved in the meeting with the Prime Minister or the leadup to it or the follow-up, so I am relying upon what I saw as well as you. But, yes, I heard it that way. It was whatever the Palestinians and the Israelis agree upon.

Senator KAINE. And I think this is something that would get near unanimous view up here. U.S. policy should be to support a resolution that both parties like, but if either or both parties do not accept it, then the U.S. should not support that policy. Is that fair?

Mr. FRIEDMAN. Well, I could not speculate on the policy that might not gain, you know, bilateral support. Certainly, it has been the policy of this country for generations to foster direct negotiations and to help bring those to a conclusion.

Senator KAINE. But would you agree with the general thrust of the President’s statement that “I like the one that both parties like”?

Mr. FRIEDMAN. Certainly.

Senator KAINE. Regarding a two-state solution, Israel would not like—would not accept any formulation where a neighboring Palestine refused to recognize it as the Jewish state contemplated by resolution 181. Is that fair to say?

Mr. FRIEDMAN. I think so.

Senator KAINE. And Israel would not like any formulation where a neighboring Palestine refused to treat it peacefully and live with it as a peaceful neighbor. Do you agree with that?

Mr. FRIEDMAN. Yes.

The CHAIRMAN. Thank you, Sir.

Senator JOHNSON.

Senator JOHNSON. Thank you, Mr. Chairman.

Mr. Friedman, thank you for your willingness to serve.

Mr. FRIEDMAN. Thank you.

Senator JOHNSON. Having done an awful lot of negotiating myself, you have to sit down at a negotiating table with people and negotiate in good faith. And I can think the fundamental problem here is that you have the other side, Palestinians, just refusing to acknowledge Israel's right to exist. Is that not basically the fundamental problem here?

Mr. FRIEDMAN. It has been the problem for a generation.

Senator JOHNSON. I want to talk a little bit about—you had mentioned in your testimony that Palestinians are being held hostage. In their education system for decades they have been teaching pretty vile things about Israelis and Jews, correct?

Mr. FRIEDMAN. Yes, they have.

Senator JOHNSON. In Palestinian law they actually are rewarding terrorists, correct? And it is an increasing incentive based on the number of people terrorists have murdered, is that not correct?

Mr. FRIEDMAN. Exactly true.

Senator JOHNSON. So is it really true that a majority of Palestinians are being held hostage and would really like a peaceful coexistence with the Israeli State?

Mr. FRIEDMAN. I believe the majority of Palestinians would like peaceful coexistence.

Senator JOHNSON. Okay. I hope that is true.

To what extent should America continue to provide foreign aid to the Palestinian Authority when they are teaching their young children the vile things they teach, when they are incentivizing Palestinian terrorists to continue to murder Jews?

Mr. FRIEDMAN. I think it is an important question for Congress to consider. We cannot continue to incentivize this behavior. It is entirely self-defeating to the Palestinians, to Israel, to the entire world. And I understand Congress is looking at this, and I certainly applaud that effort.

Senator JOHNSON. Do you know what the new administration's position is going to be on that? Are we going to continue to provide that foreign aid unless—or are we going to condition foreign aid on certainly their not teaching these things, not providing those types of incentives?

Mr. FRIEDMAN. I do not know if the administration has formed a specific position on it, but I would be delighted to find out and get back to you, Senator.

Senator JOHNSON. In 1981 in the Golan Heights I think Israel recognized that it just was not working to have different rules of law apply, kind of to Senator Kaine's question here. There—for those Syrian citizens at Golan Heights they needed some certainty, so Israel decided to take the measure to apply Israeli law in the Golan Heights. Can you speak a little bit to what happened there and what the effect has been?

Mr. FRIEDMAN. Well, I think the Golan Heights is an incredibly important strategic area for Israel. One can only imagine what Israel would be—how Israel would be suffering now if it did not

We discussed the 10-year MOU and the \$38 billion of support that is the largest U.S. aid package ever and something for which I think President Obama deserves real credit. Israel officials with whom I meet regularly, including most recently Defense Minister Lieberman, say that our security cooperation intelligence-sharing has never been stronger. But I worry that with so much to gain by further cooperation, we are allowing actions and rhetoric by hardliners, both hardliners in Israel and extremist Palestinians and statements by American politicians are driving us further apart.

So I think it is critical for there to be progress towards the long-hoped-for two-state solution for Palestinians to give an unequivocal recognition of Israel's right to exist as a Jewish state and to stop incitement and to direct their efforts towards sorting out their leadership in a plan for peace, but both sides have to consider the extent to which their words and actions contribute to these dangerous divisions that exist and continue to grow. And I am concerned that both sides need to listen to each other and will have to make real sacrifices to come together for a lasting peace.

As we discussed, demographic challenges facing Israel in my view are real and inevitable and put real pressures on the possibility of a Jewish democratic state in the long run, but that is not our only challenge.

I was concerned and disappointed that President Trump did not explicitly support a two-state solution in his remarks yesterday, something that for decades has been a fundamental pillar of bipartisan support for Israel. And as Senator Kaine's questioning and your responses a few minutes ago suggested it is very difficult to articulate a rational plan or a framework in which Palestinians would accept the sort of status required for a one-state solution to have any viability.

Tomorrow, I will be meeting with a wide range of representatives of the Jewish community in my home State, and many of them have expressed concern, given previous statements you have made that were intemperate or even insulting about whether as Ambassador they would be welcome, valued in the U.S. Embassy in Israel. And I am concerned that successful diplomacy means considering the consequences of our rhetoric and our behavior.

So, Mr. Friedman, my central question really is do you believe that in the role of Ambassador if confirmed that you can act in a way that welcomes and celebrates and validates the entire American pro-Israel and Jewish community in a way that really advances and sustains bipartisan support for Israel and in a way that steers the Trump administration and its agenda in the Middle East towards peace and away from division and partisanship?

Mr. FRIEDMAN. Thank you, Senator, for that question. The answer—the short answer is yes. I think it is extraordinarily important, as we discussed yesterday, to cause the issue of Israel to not be a political football. It never has been in the past. I am—I am not—I am certainly not immune from criticism. I deserve the criticism and I have probably contributed to the problem, but many people in the Jewish community and the pro-Israel community have become more partisan, more separated when, at the end of the day, as I said earlier, they all support Israel, they all love this

everything I can to continue to improve and strengthen that level of cooperation.

Senator YOUNG. Sure. Well, that is encouraging. Closer to home, we have been doing our part in the State of Indiana. The Indiana National Guard has a longstanding relationship with the Israel Defense Forces since at least 2010, our Guard has joined counterparts from Israel in conducting combined training exercises. Our guardsmen have regularly traveled Israel from training. We have had training occur in Jerusalem, my home town of Bloomington, Indiana, various other sites, the Muscatatuck Urban Training Center, which I know the IDF has found particularly helpful in preparing for their own defense.

In 2016, 65 Indiana National Guard soldiers participated in an operation known as United Front. It was a small unit exchange in Israel and conducted—they were search-and-rescue operations that were conducted there.

So I just urge you to continue to seek more of these opportunities should you be confirmed as Ambassador, as I think is highly probable.

I would like to turn briefly to the issue of the prospect of peace between the Palestinians and Israel. Do you believe an acceptable agreement can be reached between the Israeli Government and the Palestinians with Mahmoud Abbas at the helm?

Mr. FRIEDMAN. I would hope so, Senator, but I think the challenges are daunting. I would point out that President Abbas refuses to accept Israel as a Jewish state. He has made that position quite clear. And obviously, as Senator Johnson noted, the Palestinian Authority, while undoubtedly preferable to Hamas and to their credit they have engaged with Israel very productively in security matters, but I still think they have positions that are inconsistent with lasting peace.

Senator YOUNG. So you have spoken to the challenges. Do you see a successor with whom we might be able to do business in a much easier fashion? And maybe you could speak to what is perceived by some to be a chaotic succession crisis occurring among Palestinian leaders?

Mr. FRIEDMAN. Well, there is—there appears to be a crisis almost by definition when you have a President who has exceeded his elected term by I think it is seven or eight years now past his electoral mandate. I think—I hope that there are—that there is a new generation of Palestinians that wants the same thing that everybody wants, which is a better life, better opportunity for their children, and to live in peace. I would be—it would just seem obvious to me that they are out there, and I know some Palestinians who are just like everybody else. And I would venture that the vast majority just want what everybody in the world wants. And we have to do what we can to help foster both economically and politically the development of that political class and an accompanying middle class to try to draw out that type of leadership.

Senator YOUNG. Yesterday, as has been mentioned, Prime Minister Netanyahu laid out his two prerequisites for peace: recognition of a Jewish state and Israeli security control over the entire area west of the Jordan River. What is meant by security control over the entire area west of the Jordan River?

service. You talked about President Obama as engaging in “blatant anti-Semitism” and other words. You do not believe President Obama is an anti-Semite, do you?

Mr. FRIEDMAN. Not at all, Senator. I do not believe that for a second. My only comment was I thought the language that the President used in—with regard to the Iran deal when he accused wealthy donors of making common cause with the Mullahs I thought that was—at least I perceived it to be something which was a historically anti-Jewish canard that—

Senator BOOKER. Well, the comments you have about the—about President Obama were not just about that incident. You said it is “blatant anti-Semitism,” “sycophantic missions.” But let us move on to Senator Kaine, who you just heard give a very thoughtful discussion about the State of Israel. You call him an Israel-basher. You do not believe Senator Kaine is an Israel-basher, do you?

Mr. FRIEDMAN [continuing]. No. I had a great meeting yesterday with Senator Kaine and learned a lot that I did not know about him, and I completely retract that statement. It was absolutely wrong.

Senator BOOKER. And the comments go on about sitting Members of the United States Senate that you have made in the past. Secretary Clinton, former Senator Clinton, you talked about her having anti-Semitic sentiments, harboring anti-Semitic sentiments. Senator Schumer, as has been discussed before, one of the—again, someone who shares your depth of love for the State of Israel, it has been read already but you said “No matter how he ultimately votes, by making the decision—such a close call, which is plainly it should not be”—and these words are very dramatic—“Senator Schumer is violating the worst appeasement of terrorism since Munich.” That obviously to me I try to find other Ambassadors for posts such as this as Israel who said such things that—you would agree that we are not just policy disagreements or not just the heat of a politician. Those are comments that actually demean the character of another human being. Would you agree that they were demeaning to the character of those individuals?

Mr. FRIEDMAN. I tried to criticize the words rather than the person, but I can certainly understand how it extended to the character. It was not intentional, but I certainly understand that.

Senator BOOKER. Sir, you and I both, from our family histories, know a lot about people demeaning folks. We know a lot about hate speech and hate words.

Mr. FRIEDMAN. We do.

Senator BOOKER. And we know that when people dismiss things as just words or, hey, it was just politics, that they are belittling actually the harm and the damage that can do to individuals and entire communities. You would agree with that?

Mr. FRIEDMAN. I would.

Senator BOOKER. You also attacked the State Department with a hundred-year history—you said, “The State Department, with a hundred-year history of anti-Semitism, promotes the payoffs of corrupt Palestinians in exchange for their completely duplicitous agreements to support a two-state solution.” You also said after—four months ago about—you gave a speech in which you referred

Senator BOOKER. I appreciate you recognizing that. Do you have intention of visiting the Temple Mount?

Mr. FRIEDMAN. No, I never have visited. I have been to Israel countless times. I have never visited the Temple Mount.

Senator BOOKER. Mr. Chairman, I am grateful for your allowance of going over my time. Thank you, sir.

The CHAIRMAN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you, Mr. Chairman.

Thank you, Mr. Friedman, for being here, for your willingness to serve.

Let me begin by saying that I find this whole process to be unreal. I mean, this sort of ordeal you are being put through to account for all these words, in particular given some of the groups that are ratcheting all this up. This group J Street that, for example, a few years ago invited the chief Palestinian negotiator Saeb Erekat to address their conference, a person who has justified the murder of Jews as self-defense, as a person they invited to speak at their conference. This is a group who has routinely attacked people who hold my views with content that I find to be a smear and, quite frankly, a mischaracterization of our positions.

The second thing I think you are confronting—not in this hearing per se but writ large—is what I believe is the sort of existent orthodoxy among many of the people in the State Department and among the so-called smart people in American foreign policy that somehow the United States needs to be a fair and balanced arbiter in this situation that we are facing in the Middle East. I do not understand that view. I really do not. First of all, my view is that Israel is our strongest ally in the region. My view is that, in addition to a moral obligation that we have to protect the right of the Jewish people to a homeland, especially one founded in the aftermath of the Holocaust, they also happen to be the only pro-American, free-enterprise democracy in the region. That alone is reason enough to be strongly aligned to them.

The second point I would make is that I find it startling is all these so-called professionals in the State Department and, again, among the foreign policy elite, are out there all the time—I very rarely hear them stand up and speak vociferously on the sorts of activities that are being conducted by some in the Palestinian leadership, yet they are never, never reluctant to step forward and lead the efforts to condemn Israel time and again. And this is what you are going to confront when you are confirmed in terms of some in the State Department.

There is also this misconception that continues to be spread around in the letters and all this whole dialogue that is around this that you somehow have issued a wholesale rejection of the so-called two-state solution. I think you have already testified here today and you have said before, and others have said as well, that in a perfect and ideal world you would have two independent states, a Jewish state and a Palestinian state, peacefully side by side living with one another.

The problem is there are significant impediments to that, perhaps the least of which is the existence of Jewish settlements in Judea and Samaria. For example, I would say that one of the big-

Senator RUBIO. One last point that—as an ambassador, at the end of the day your role will be to represent, advocate for, and implement the policy of the President, is that correct?

Mr. FRIEDMAN. One hundred percent correct.

Senator RUBIO. And so on any issue, whether it is the location of the Embassy, whether it is our position on any given matter, it is your job ultimately to be an advocate for the decisions made from the Oval Office and by this administration, not your personal views?

Mr. FRIEDMAN. Sir, I will be an advocate for the President in the same way that I would be an advocate for clients. My personal views are completely subordinated to the views of the President and the Secretary of State.

Senator RUBIO. All right. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator SHAHEEN. Thank you, Mr. Chairman.

And thank you, Mr. Friedman, for taking time to come and meet with me yesterday.

I am not going to relitigate the concerns that people have raised about some of your statements with respect to Senators and the former President, though I share those concerns. But I am concerned about an article that you wrote in November of 2015 talking about Russia's intervention in Syria where you held up that intervention as a model and predicted that they would succeed in defeating ISIS. And the title of the article is "Learn a Lesson from Russia." And I would ask, Mr. Chairman, that it be entered into the record.

The CHAIRMAN. Without objection.

[The information referred to is located in the Additional Material Submitted for the Record section of this transcript, beginning on page 69.]

Senator SHAHEEN. I think at that time we had already seen news reports about Russia's failure in fact to go after ISIS and their motives to hold up the Assad regime. And we have seen since then their indiscriminate bombing of civilians in Aleppo, their blowing up of aid workers, their bombing of hospitals. So I would just ask, do you still believe that in the last year the Russian military has done more to defeat ISIS than the United States?

Mr. FRIEDMAN. No. And my—I was not intending to in any way praise Russia. My point there was simply that Russia had—Russia used ISIS as a platform, an excuse if you will, to enter the region to prop up the Assad regime. It was I thought a deplorable act. My—the point of my article was simply that I lamented that the United States had not acted as it had threatened to do when the President set the red line to—and left the area open to a vacuum. But much has changed since then, and the United States has certainly since that time done much more to defeat ISIS than Russia.

Senator SHAHEEN. I appreciate that, though you did in that article characterize the situation as, and I quote, "American leaders forced their stellar military commanders to fight with two hands and a leg tied behind their backs. Vladimir Putin gets it. He may be a thug, as he was recently described, but he knows how to iden-

stituent of yours whose great-uncle survived the Holocaust, I am appalled by David Friedman's likening of liberal Jews to Nazi collaborators. My great-uncle Leon Messer was born in 1920 in Poland. He was interned in the notorious Auschwitz concentration camp. He lost both his mother and his sister during the Holocaust. He was only able to survive due to his talent for fixing watches."

She goes on to say, "It is such a shame that someone who survived the brutality of the Nazi regime and who lost so many loved ones in the Holocaust would be disparaged today by the Israeli Ambassador nominee, David Friedman, as a kapo or Nazi collaborator simply for standing up for what he believes is right."

Mr. Friedman, what do I tell Alicia, my constituent, about why she should feel differently that you could in fact represent her and that you are not disparaging people who have her views?

Mr. FRIEDMAN. If you—I will be happy to give you—give to you my number and I would apologize to her personally. I am sorry she feels that way, and I respect her feelings and I would like to make amends.

Senator SHAHEEN. Thank you, Mr. Chairman. And thank you.

The CHAIRMAN. Thank you. Before turning to Senator Flake, I did not use any of my time for questioning. It is just an observation.

First of all, thank you for being here and I know we had a very good meeting.

You are here today having to recant every single strongly held belief that you have expressed almost. And I am just curious about this job and its importance to you to be willing to recant every single strongly held belief that you had. I just wondered if you would share that with us because it is interesting to listen and, you know, you have done a lot of that and I appreciate that. And sometimes when people run for public office, they say things and they have to massage them to a degree. But this is fairly extraordinary, and I wonder if you would share with us why you are willing to do that to serve in this capacity.

Mr. FRIEDMAN. The opportunity to serve my country as Ambassador to Israel would be really the fulfillment of a life's dream, of a life's work, of a life of study of the people, the culture, the politics of Israeli society. One of the great things I love about this country is the fact that it was the first country to recognize Israel and has stood with Israel steadfastly through thick and thin over very, very many challenging circumstances.

I believe that, based upon my relationship with the country and its people, I can be helpful; I can do good. I believe that, based upon my relationship with the President, I can help him get to the right place and, as he said colloquially, to make a deal, to bring peace to the region.

My views are my views. Some of them I recant certainly the rhetoric and the inflammation that I have caused, the hurt that I have caused. I need to do a much better job going forward and I intend to and I will with regard to a diplomatic mission. It is very different obviously than being a private citizen and writing articles.

But this is something I really want to do because I think I can do it well. And there is not more important to me than strengthening the bonds between the United States and Israel.

have sometimes been supportive of diplomatic engagements in the region have not always been supportive of the positions that Netanyahu has taken is that we are very worried that support for Israel is just becoming another political football in this place. It used to be something that united Democrats and Republicans. We had differences, but what was most important was keeping our support for Israel out of the political playing field. And today, that is not the case.

In the very short time that I have been in public service Israel has gone from an issue that united us to an issue that is now used in political campaigns in order to try to divide us.

And so I think you are being asked these questions because we are very worried about what the future holds, and your nomination is one of the strongest partisans on the issue of Israel. Being willing to call Democrats all sorts of terrible names suggests that we are just in for another really rough stretch when it comes to trying to heal those divisions.

And I appreciate what you said, that you want your tenure to be one of healing partisan divisions, but if that was really the intent of this administration, there are frankly a lot of other people who would have been better suited to play that role.

And so I do want to just ask some questions here. I think Senator Corker is right to ask about, you know, these—this exceptional level of recantations and reversals. And I guess it is something different to me to regret words that you said than it is to actually change your underlying opinion. So let me just make sure that, on probably your most controversial statement, that I have this right.

When you said that J Street and supporters of J Street are worse than kapos, I hear that you say that you regret those words, but have you changed your opinion on that matter?

Mr. FRIEDMAN. I have profound differences of opinion with the J Street organization. I do not think that will change. My regret is that I did not express those views respectfully, recognizing that they are every much as entitled as I am to have a different view. My regrets are as to the language and the rhetoric. I am not withdrawing my personal views as to the organization.

Senator MURPHY. But is your—but is your personal view still that J Street and its supporters are worse than the kapos of the World War II era?

Mr. FRIEDMAN. No.

Senator MURPHY. Okay.

Mr. FRIEDMAN. That is not my view.

Senator MURPHY. Okay. Let me ask about the word anti-Semite. You have thrown it around fairly liberally to describe actions of the Obama administration. And you draw a distinction between calling actions anti-Semitic versus calling individuals anti-Semitic. The pushback on that is that that phrase is a description of motivations. It is a description about what lies in someone's heart, right, the idea that someone hates Jews and thus carries out actions based upon that belief. So can you—I just want to make sure that you believe that in calling my words or my actions anti-Semitic that you are calling me anti-Semitic.

Mr. FRIEDMAN. I do not agree with that, Senator.

Senator MURPHY. Why?

Mr. FRIEDMAN. I think in my case none because I am not making any policies. I am simply observing the directives of the President. So whether people agree with me or not in the Embassy is, I think, completely irrelevant.

Senator MURPHY. All right. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Gardner.

Senator GARDNER. Thank you, Mr. Chairman.

And thank you, Mr. Friedman, for your willingness to serve, and welcome to your family and for your patience through this endurance test of a hearing. I really appreciate the chance to get to know you a little bit better and talk about the leadership opportunities we have with the United States, with Israel, and our great opportunities between the two both from a security standpoint and economic standpoint.

I had the last—chance the last time I was in Israel to visit with Senator Cardin, Senator Markey, Senator Merkley just about a year ago, perhaps—I think it was March if that is correct, Senator Cardin. And the first time I had the opportunity to visit Israel was I think August of 2011 with a few other Members of Congress. And we went to IDF headquarters and we visited with a general. I believe at the time he was the head of Israel—Israeli planning division, General Eshel I think if I recall correctly was his name. And one of the—one of my colleagues asked a very simple question—I thought was simple—to General Eshel at the time and it was, you know, what is your view of U.S. foreign policy in the region? And after about 45 seconds or a minute of hemming and hawing and the trying to avoid the question, my colleague said please just give us the answer; you are not going to offend us.

General Eshel then spent several minutes frightening us and talking about his answer. And his answer was simply this: They did not know where the United States foreign policy was. They did not know where the United States would be tomorrow because they did not understand what we were doing in the region, who our friends were and who our friends would be. That was 2011. There was a lot happening around that time frame.

Sometime later, I had the opportunity to go back to Israel and visit with General Eshel again. Now, General Eshel had no reason to remember me, but General Eshel made—I asked—was able to ask him the same question: What is your view of U.S. foreign policy in the region? And I was startled with the same answer.

Today, Mr. Friedman, what would you say Israel views the U.S. foreign policy as and what do you believe can be accomplished under your leadership as Ambassador to Israel that they would walk away with understanding the firm commitment the United States has to our great ally, friend, Israel?

Mr. FRIEDMAN. I think the most important thing in the relationship between our two countries is something that I picked up this morning or late last night in the read-out from the meeting between the Prime Minister of Israel and the President, which is that there be no daylight between the two countries. It does not mean that there should be no disagreements, but Israel has no other friends like the United States. Sometimes they do not have any friends at all other than the United States. And when the rest of

Mr. FRIEDMAN. Zealous advocacy, loyalty, confidentiality.

Senator MENENDEZ. Faith and fidelity?

Mr. FRIEDMAN. No question.

Senator MENENDEZ. So who is your client if you ultimately achieve, confirm your position?

Mr. FRIEDMAN. Well, I would pledge to support and defend the Constitution of the United States, and I interpret that as having, in the broadest sense, an obligation to the entire country.

Senator MENENDEZ. And in that context it is the national interest and security of the United States that one would pledge fidelity to, is that not correct?

Mr. FRIEDMAN. Yes, sir.

Senator MENENDEZ. And in that context, you know, you have presented yourself here and in our very long private conversation as someone who is smart and measured and temperate, yet I get a sense that your love for the State of Israel overwhelmed your language, which was not necessarily temperate at the end of the day. And so the question is we cannot have an ambassador who ultimately will be moved, as much as they may be passionate about the country that they are being sent to or by the Prime Minister of that country, as much as we may have the greatest of relationships, that will not bend their will to that but will bend their will to what is in the national interest and security of the United States. Can you tell the members of this committee that that is in fact where your loyalty and commitment is?

Mr. FRIEDMAN. That will be 100 percent my loyalty and commitment and to no one else.

Senator MENENDEZ. Now, you have rejected many of the past comments that have been made; I will not go through them again. In some cases I have actually heard you use the word you have apologized to individuals. I take your rejection of some of what you said as intemperate remarks, also an apology to those who may be affronted by them. Is that a fair statement?

Mr. FRIEDMAN. Yes.

Senator MENENDEZ. Now, let me ask you this. When you came to see me, I was quite interested in hearing from you unsolicitedly—I asked you many questions, but unsolicitedly you spoke about promoting economic development in the West Bank and helping to build a strong Palestinian middle class. We have not heard a lot about that today. Can you talk to me a little bit about that?

Mr. FRIEDMAN. There are—there is business activity in the West Bank. There are people—there are businessmen in the West Bank who are building industries. The unemployment rate in the West Bank is too high. The only way I can think of to bring it down is to foster that type of industry.

I would like to work with Israel to make the commercial environment in the West Bank less burdensome. There are issues of water, there are issues of electricity, there are issues of the movement of goods and services. There is also obviously security considerations that overwhelm everything else. But technologies are improving. Security can be less intrusive now than it has been in the past. I think Israel could probably do better, and I—without a specific instance, I think they could do better. And I think we could in—as

will wall those off in such a way that that will not be a question as well?

Mr. FRIEDMAN. I have agreed to sell my business interests in Israel.

Senator MENENDEZ. And finally, some might think that this is a nomination conversion versus a true process towards atonement for some of the things that may have been said in an ideological war and in an political context and environment and that they are just for the purposes of achieving the goal of getting your nomination through. What would you say to that, to those who are thinking that as they sit here?

Mr. FRIEDMAN. Senator, I am sitting here under oath, taking that oath seriously. My views are entirely heartfelt.

Senator MENENDEZ. And so what you have told me in response to my questions is what you have in your heart, what you have in your mind, and what you will do if in fact you are confirmed by the Senate?

Mr. FRIEDMAN. Thank you.

Senator MENENDEZ. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Paul.

Senator PAUL. Welcome, Mr. Friedman. Congratulations on your nomination.

Mr. FRIEDMAN. Thank you.

Senator PAUL. I think sometimes there is a presumption that America knows best, is in charge of everything, and that we are going to tell everybody the way things are going to be, and I think it sort of ignores the sovereignty of other nations and the opinions of other nations frankly, particularly in the peace process, that we have decided what the peace process is since 1947, and it does not look like there is peace yet so maybe there ought to be some other thoughts.

I am not here to say what the best peace process is, but I would say that maybe sometimes we need to take a step back and realize that any kind of peace process is going to have to take agreement from both sides and that what both sides of the conflict think is probably more important than us. It does not mean we should not have any role, but I do not think we should be so presumptuous as that we are going to dictate the role.

The same would apply somewhat to settlements. So we can all have our own opinion, and I know you have your opinion on settlements. But it is also not our country, and we do not live there. And it is not saying it is not problem. I am just saying that I am not so sure the United States should dictate this.

That being said, I think that we ought to be aware of the ramifications of policy, and we can voice our—you know, our opinions on these. And I think yours have been very strong that—you know, in favor of settlement.

My question is is that—you know, and this has come up recently with the press conference. President Trump has actually sort of voice, you know, some hesitancy to the 5,400 new units in the West Bank. And while I am not here to say what my opinion is or what the Government should tell Israel what to do, I would say that we ought to account for and think about what 5,400 new settlements in the West Bank do to the possibility of peace.

they are forbidden from, you know, drilling for water, drilling for minerals, trying to set up enterprises where they make more money.

And my advice would be to meet with Palestinian businessmen, listen—and women, listen to them and say, gosh, if this is a way that we can lessen tension and hostility between the groups, why do we not see if there is a way that Palestinians can make more money, that trade can be enhanced.

There is all kinds of things that are not the ultimate, you know, and final agreement, which is illusive, that we could do. And I want to know that you are open-minded to saying, you know what, we are less likely to have war the more we trade, the more we have interaction. Are you open-minded enough to hear the other side from the Palestinians on what we could do to enhance and lessen hostility?

Mr. FRIEDMAN. Senator, I would be excited to have those discussions.

Senator PAUL. Okay. And I think some of that could be done here. I do not know. There is some of that here, you know, between the different parties. Some of that can be done over there. But I think it is important that you project to them that you are open-minded on these things because you have had—and I am not—I have strong opinions, too, so I mean the thing is having strong opinions is not always a fault, but I would say that you have to show people that you are open-minded enough to be a diplomat, which means hearing from, talking to both parties, and understanding the complexity and the ramifications of every little policy that happens over there.

Mr. FRIEDMAN. I will, Senator. Thank you.

Senator PAUL. Thank you.

The CHAIRMAN. Thank you, sir.

Senator MARKEY.

Senator MARKEY. Thank you, Mr. Chairman, very much.

Mr. Friedman, in our office we talked about a two-state solution. We talked about what may be possible. You said it was the gold standard. But in our conversation, and perhaps you could help me to kind of flesh this out a little bit further. You mentioned a scenario under which the West Bank could be incorporated into Israel and that the country would still maintain its Jewish and democratic identity. Could you go through that scenario and how you look at those numbers and how you would view that as an alternative?

Mr. FRIEDMAN. Senator, I do not view it as an alternative. I think—at least to me the discussion was more in the hypothetical. But I think that the—I think there is a general conventional wisdom that Israel can either be Jewish or democratic but not both under that type of a scenario.

I do not know the demographics of the West Bank well enough. There are multiple studies that have been done. I think demographics of the West Bank are a very important part of working forward. And I think we ought to all have the same data because the swings of population assumptions go from a million-and-a-half Arabs to three million, and at a million-and-a-half Arabs it is one scenario; at three million it could be another. And I do not know

and your views on those comments in terms of its implication for reaching a two-state solution?

Mr. FRIEDMAN. I think they are a challenge among many to achieving a two-state solution. I should point out that my affiliation with Beit El is as the president of the American Friends of Beit El Yeshiva Center. We support a Talmudical Academy and a boys' high school and a girls' high school, and it primarily derives from my commitment to Jewish education. The quality of those schools are excellent, and everything that we have given money to has been in the nature of gymnasiums, dormitories, dining rooms, classrooms, things like that. So my philanthropic activity there has not been connected to their political activity, which I really had no part in.

Senator MARKEY. If the land in Beit El was included in a two-state solution and that land had to be returned to the Palestinians, would you support the return of that land to the Palestinians?

Mr. FRIEDMAN. In the context of a consensual fully-agreed-to two-state solution?

Senator MARKEY. That is correct.

Mr. FRIEDMAN. Yes.

Senator MARKEY. You would?

Mr. FRIEDMAN. Yes.

Senator MARKEY. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I have some questions. I have refrained from asking until the end, but I know Senator Cardin has some questions. I will let him finish.

Senator CARDIN. If I could. And I—with no disrespect to the chairman, I have a commitment that—so after I ask these one or two questions I am going to thank Mr. Friedman for your patience and thank you very much again for your willingness to serve and for your passion for the relationship between Israel and the United States. It is—it comes across very clearly from your testimony and I just want to underscore that.

The White House issued a statement on February 2 saying, "We do not believe the existence of settlements is an impediment to peace. The construction of new settlements or the expansion of the existing settlements beyond their current borders may not be helpful to achieving that goal." What is your view in regards to expansion of settlements or new settlements?

Mr. FRIEDMAN. I think the expansion of settlements into new territories that are beyond borders—I agree with the President. They may not be helpful, and I think it makes sense to tread very carefully in that area.

Senator CARDIN. Thank you. And the last point I think I will—maybe I will ask this for the record. We have been talking a lot about the West Bank but very little about Gaza. Gaza is much more difficult than the West Bank. And I would—we had a chance in my office to talk a little bit about Gaza, but just let me put that on the record and I might ask you a couple questions for the record because it is a complicated situation on how you deal with Gaza if you do not have a viable two-state process moving forward.

Mr. FRIEDMAN [continuing]. I would work to try to improve the economic levels.

The CHAIRMAN. I absolutely think that is something that needs to occur. And in my last trip there in speaking with the Prime Minister in Ramallah, that certainly was the focus.

I will say the flip side of that is when you know you have got settlements out here and you have got to have security around those settlements, it is very difficult to do commerce in between. I mean, it is—let us face it; it is more than burdensome. I am not criticizing. I am just observing that it is very difficult to do commerce when you are dealing with that.

So, again, what would be a better way of describing the vision there? Because a state that has ad infinitum, forever sort of military—for realistic security measures has a military of another country in it, what would we call that? I mean, state-minus is not a particularly good description. But I think that we talk about this, we use rhetoric that I am beginning to believe is unrealistic rhetoric, and I do not know that it is useful in getting to a solution when you are describing something that to me is becoming more and more unrealistic for many, many reasons. I am not casting blame.

Mr. FRIEDMAN. And I do not—Senator, candidly, I do not have a good answer to your question, and I certainly do not have a good word for—to articulate a vision. It is an enormous challenge. It is a very big Rubik's Cube that we all try to wrestle with every day. And I take the medical approach—even though I am not a doctor—to this which is let us not make it worse, let us do no harm, and then let us try to make it better. And I think that is the only advice I have right now.

The CHAIRMAN. And I think your response on the settlements indicates that.

Let me ask you this: Prime Minister Netanyahu has been very clear on this for many years. You know Israel well. Do you think the vision of military presence in the West Bank forever is the general view of the—sort of the mainstream of Knesset there?

Mr. FRIEDMAN. I think the control of the Jordan Valley is something which people on the left and the right agree upon. I think that is the single most important feature of any Palestinian state. It does not mean that has to be military embedded within the communities or even the towns, but at the perimeter I do believe that on the left and the right there is unanimity that there must be control of the perimeter.

The CHAIRMAN. It just seems to me that if that is the case—and I agree with you; I think that is the case—it just seems to me that we are at a point in time where we ought to be discussing the future, at least the future for the next 20 or 30 years anyway, in a different way. And I do not know exactly how to describe that either, but it just seems to me that in addition to having a partner that is not a real partner on the Palestinian side, that there is a vision on the Israeli side that is not fully compatible with what we would normally describe as a two-state solution. Again, it is just an observation. And it seems to me that we would be better off as a world community to talk about it in terms that are different than we are talking about it right now.

firmed, I will commit to meet with human rights, civil society, and other non-governmental organizations.

I will pro-actively support the continued implementation of the Leahy Law and similar efforts to ensure that provisions of U.S. security assistance and security cooperation activities continue to reinforce human rights by working to ensure that the United States does not furnish assistance to any foreign security force unit if the Department of State has credible information that the receiving unit has committed a gross violation of human rights.

Question 5. If confirmed, will you and your embassy team actively engage with Israel to address cases of key political prisoners or persons otherwise unjustly targeted by the Israeli Government?

Answer. I believe all individuals should be treated humanely and have their human rights respected and upheld, including prisoners. If confirmed, I will actively engage with Israel to address cases, if any, of persons who have been unjustly targeted by the Israeli Government.

Question 6. If confirmed, will you engage with Israel on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. I believe all individuals should be treated humanely and have their human rights respected and upheld. If confirmed, I will engage with Israel on matters of human rights, civil rights, and governance. I believe that the United States and Israel are more than just allies—our countries have a friendship based on our mutual appreciation and goals, on our common values of democracy and freedom, and on our conviction that giving a voice to minority and even dissenting views only strengthens our societies.

Question 7. According to the World Bank, in 2016 the unemployment rate in the West Bank has reached 27 percent and in Gaza, unemployment is at 42 percent, with youth unemployment at 58 percent, among the highest in the world:

- What programs would you support to stimulate Palestinian job growth?

Answer. I support a focused approach to stimulating Palestinian job growth which includes programs that directly engage the private sector to boost productivity and works with the Government of Israel to find ways to address restrictions impacting the Palestinian economy. I understand ongoing USAID programs which have taken this approach have been effective in creating long term employment prospects for the Palestinians. As Ambassador, I would encourage USAID to look at ways to further scale these programs and create new ones, as well as look at interventions in areas such as education that address other obstacles to economic development.

Question 8. What recommendations do you have for improving U.S. programs to address unemployment?

Answer. Key enablers of Palestinian job growth include the easing of restrictions on movement and access which will allow Palestinians to increase trade and will increase Palestinians' access to land and raw materials. I support the Department of State's and USAID's ongoing efforts to engage the Government of Israel to find ways to ease such restrictions. Should I be confirmed, I will work with the Government of Israel to explore these and other options to enable Palestinian economic development.

Question 9. What specific recommendations do you have for addressing chronic unemployment in Gaza?

Answer. The unemployment rate in Gaza—the highest recorded unemployment rate in the world—is both an economic and a security issue. To begin addressing it, Hamas needs to renounce terrorism and commit itself to working with the Palestinian Authority and others to better the quality of life of the people living in Gaza. I believe that we need to explore ways to reduce the restrictions on movement and access while respecting Israel's security needs and concerns. We should also be looking at ways to expand service delivery, particularly in Gaza, where lack of access to water and electricity has a hugely negative effect on economic growth and the population as a whole.

Question 10. During your testimony, you stated that “the two-state solution is the best possibility” for lasting peace. You commented extensively on demographics and aspirations of Palestinians in the West Bank. A critical consideration that we did not have time to discuss is Gaza:

As the two-state solution is still the best possibility for peace, what specific recommendations will you make to the President to address the crisis in Gaza and create conditions for peace?

Bet El Institutions Fundraising and Activity

Question 2. If confirmed, will you commit to ceasing all fundraising for and personal contributions to the American Friends of the Bet El Yeshiva Center and any other settlement-related causes that you support?

Answer. I so commit for as long as I am Ambassador to Israel.

Bet El Institutions Fundraising and Activity

Question 3. The Israeli daily Haaretz recently reported that a building in the Bet El settlement that was funded by the American Friends of Bet El Yeshiva, the organization you head, and that prominently bears your name is built outside the Israeli-sanctioned boundaries of the settlement on privately-owned Palestinian agricultural land. According to the news report, the Friedman Faculty House at the Raaya Girls High School is situated in a neighborhood of Bet El that was partially demolished by order of the Israeli High Court of Justice five years ago because the land had been seized illegally. According to the Defense Ministry's Civil Administration, which supervises construction in the settlements, the demolition order is still on the books, although it has been ignored.

- Were you aware that the building bearing your name and which your organization funded is located outside of the legally sanctioned boundaries of the Bet El settlement?
- Would you support the demolition of this building if the Israeli authorities decided to carry out the existing demolition order due to its location?

Answer. I was not aware and do not know the source or accuracy of the article. I would have no position since I do not believe that as an ambassador any statements should be made or would be appropriate.

Support for Israeli Political Candidates or Parties

Question 4. Have you ever contributed to the campaigns of Israeli political leaders or political parties? If so, could you specify which leaders and which parties and how much you gave them?

Answer. No.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO DAVID FRIEDMAN BY SENATOR TOM UDALL

Question 1. How much money have you raised and how much have you personally donated to organizations that support settlement expansion in the West Bank? Have you made any political donations to a candidate for Israeli office or an Israeli political party?

Answer. Zero. I do not raise any funds from third parties. I have personally donated approximately \$300,000 to American Friends of Bet El Yeshiva Center, a 501(c)3, over the past six years and lesser amounts to other charities in Israel. To my knowledge, all donations are used for religious and educational purposes and not for political purposes or settlement expansion. Additionally, I have made no political donations to a candidate for Israeli office or an Israeli political party.

Question 2. Have you separated your financial interests from that of Bet El and any other Israeli settlements you may have an interest in and, if so, how have you done so?

Answer. I have no financial interests in Bet El or any other Israeli settlement. If confirmed, consistent with my obligations to the Office of Government Ethics (OGE), I will resign my position at American Friends of Bet El Yeshiva Center and will not accept any position at that or any other Israeli institution for the duration of my ambassadorship.

Question 3. Do you have any real estate or interests in any land in Israel or in the West Bank? If so, please list all interests in either region. Do you or your immediate family members own any property over the 1949 Armistice Line (aka the Green Line)?

Answer. My wife and I own an apartment in Jerusalem. It is located within the Green Line. Additionally, neither I nor my immediate family members own property over the Green Line.

Question 4. In your letter on Ethics Undertakings to the State Department's Office of the Legal Advisor, you committed to resigning your positions with a number of entities, including businesses and the American Friends of Bet El Yeshiva Center,

on Israel, whether by rocket, by tunnel, by incursion or otherwise, will be met with entirely disproportionate force—the type of force every other nation has used and will use under comparable circumstances—designed to immediately end the battle and discourage and deter further misconduct. You have left us with no other choice.

Winston Churchill is considered by many to be the greatest leader of his generation. To defeat the Nazis, Churchill, in coordination with American forces, bombed population centers in Dresden, Germany and elsewhere in early 1945. Civilian life was lost but the war quickly ended, Nazism was defeated and Churchill was regaled as a hero. No one holds life to be more precious than the People of Israel and we will never target civilians. But we will no longer permit human shields to limit our self-defense and we will send a clear message to deter the terrorist attacks that we know are coming. We will not be held to a different standard than the United States, we will not bow to the world's hypocrisy and we will defeat Islamic terrorism by any and all means necessary.

I hope this clarifies our position in response to the JCPOA's approval.

Do you still support such violations of basic human rights and warfare? Do you agree that the targeting of civilian populations is illegal and a U.S. Ambassador should not encourage such behavior? Do you have an explanation for why you advocated for Prime Minister Netanyahu to target civilian populations?

Answer. First, as stated above, this is a "fictional" letter and does not advocate anything to the Prime Minister of Israel. Second, civilian populations should never be used as shields or targeted in a war. Launching rocket attacks from civilian populations is reckless and inhumane. Israel must be able to defend its citizens and should do so in a manner which minimizes collateral damage to civilians. Everyone should condemn anyone who fires rockets from within civilian populated areas.

Question 11. You wrote about a proposed compromise where the United States would ban "assault rifles" in exchange for a variation on a Muslim ban. For the record you wrote:

So let's talk about banning all assault rifles and putting in some hard penalties. How about a mandatory ten years in prison for possession? This will take these weapons off the street in no time and perhaps give law enforcement the ability to apprehend terrorists before they can do any damage.

Now, in exchange for this ban, let's also make sure that law enforcement is given the resources to ban all Muslims whose words or deeds present the slightest risk of terrorist activity. There's no need to worry about the First Amendment—the rights of free speech and privacy do not apply to immigrants applying for entry to the United States.

In two paragraphs you made recommendations that would limit both the First and Second Amendments to the Constitution. Do you still support a ban on assault style rifles in exchange for a modified Muslim ban where Muslim First Amendment rights would no longer be protected?

Answer. No.

Question 12. In your hearing, you expressed "regret," "deep regret" and—in some cases—apologized about some of the offensive comments you made against individuals and groups with whom you disagree. However, you did not apologize for some of these offensive comments in the hearing.

- Will you specifically apologize for your comments regarding President Obama?
- Will you specifically apologize for your comments regarding J Street?
- Will you specifically apologize for your comments regarding the Anti-Defamation League?

Answer. I do not believe, and did not say, that President Obama is an anti-Semite. I do believe that certain comments he made were anti-Semitic, although I assume this was unintentional. If anyone believes that I called President Obama an anti-Semite, I apologize.

I have already apologized to members of J Street for my hurtful language.

Further, I have apologized to Jonathan Greenblatt who has publicly accepted my apology and stated that his organization, Anti-Defamation League, looks forward to working with me.

Question 13. Do you commit to meeting—to the extent you schedule permits—with delegations organized by or comprised of pro-Israel advocates that you have criticized or with whom you may disagree, including J Street?

you may disagree. Do you commit to meeting—to the extent you schedule permits—with delegations organized by or comprised of pro-Israel advocates that you have criticized or with whom you may disagree, including J Street?

Answer. I value the work of civil society; I also value the freedom of expression, even in cases where I do not agree with the political views espoused. I recognize that giving voice to minority and even dissenting views only strengthens our societies and that a free and functioning civil society in which all peaceful voices are allowed to be heard is an essential element of a healthy democracy. Schedule permitting, I would like to meet with various and diverse groups to hear and understand their views.

Question 2. In your letter on Ethics Undertakings to the State Department's Office of the Legal Advisor, you committed to resigning your positions with a number of entities, including businesses and the American Friends of Bet El Yeshiva Center, but that you would "not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party" for a period of only on year. Why did you limit this non-participation commitment to only one year?

Answer. The language stated above is the standard language mandated by the Office of Government Ethics (OGE). I intend to fully comply with my ethical obligations as agreed to by OGE. If confirmed, I will not hold any position at this entity for the duration of my Ambassadorship.

Question 3. Given 50 years of U.S. bipartisan opposition to settlement activity, it has been our country's practice for decades that U.S. Ambassadors to Israel do not set foot inside the settlements. Given your considerable support and enabling of the settlement enterprise, do you plan to break with this longstanding, bipartisan tradition and visit the settlements if you become ambassador?

Answer. I will govern myself strictly in accordance with the practices imposed by the President and the Secretary of State.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO DAVID FRIEDMAN BY SENATOR TIM KAINE

Question 1. Do you believe it would be helpful for Prime Minister Netanyahu to express a willingness to engage with Arab Governments on the Arab Peace Initiative? If confirmed, is this an approach that you would encourage the Israeli Government to pursue?

Answer. As President Trump made clear, it is very important to him personally to work towards achieving peace throughout the Middle East region, including a comprehensive agreement that would end the Israeli-Palestinian conflict. On matters of policy, I will take direction from the President and the Secretary of State.

Question 2. Do you think it will be more challenging to explore the opportunities between Israel and the Arab world if Israel continues on its current path of settlement expansion and demolition of Palestinian structures and homes in Jerusalem and the West Bank?

Answer. President Trump is committed to achieving peace throughout the Middle East, including an agreement between the Israelis and Palestinians, and has stated that existing settlements are not an impediment to peace. I have not been in contact with the leaders in the Arab world and would not want to speculate on their views of settlement expansion and demolition of Palestinian structures, especially in isolation. As stated above, I will take direction from the President and the Secretary of State.

Question 3. Would a hasty decision to move the U.S. embassy to Jerusalem help or harm Israel's relationships with Jordan and Egypt, and Israel's ability to make progress in a broader approach with the Arab world?

Answer. A hasty decision would not be advisable.

Question 4. Do you believe the United States should encourage Israel to restrict or limit settlement activity? And if so, what specific restrictions would you advocate for as ambassador?

Answer. I believe, as the President has said, that settlement expansion beyond existing borders, as well as new settlements, may not be helpful to the cause of peace. I could not advise on any specific restrictions in isolation without a full appreciation of the parties' positions on all relevant issues and detailed discussions with the President and the Secretary of State.

LETTERS SUBMITTED IN SUPPORT OF AND IN OPPOSITION TO DAVID
FRIEDMAN'S NOMINATION TO BE AMBASSADOR TO ISRAEL

UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA



MARK (MOISHE) BANE
President

ALLEN FAGIN
Executive Vice President

JERRY WOLASKY
Chairman, Advocacy

NATHAN J. DIAMANT
Executive Director

MAURY LITWACK
Director of State
Political Affairs

HOWARD FRIEDMAN
Chairman, Board of Directors

February 14, 2017

Hon. Bob Corker, Chairman
Hon. Ben Cardin, Ranking Member
Members of the U.S. Senate Committee
on Foreign Relations
Washington, DC

Dear Senators,

We write to you on behalf of the Union of Orthodox Jewish Congregations of America ("Orthodox Union") with regard to the United States Senate's consideration of David Friedman to be the U.S. Ambassador to Israel.

The Orthodox Union is the nation's largest Orthodox Jewish umbrella organization representing nearly 1,000 congregations nationwide. As a nonpartisan religious organization, it is our practice not to endorse or oppose a president's nominees before the Senate for confirmation. However, we wish to express our view to the Senate with regard to several issues that have arisen in connection with Mr. Friedman's nomination.

A campaign has been launched to portray Mr. Friedman's skeptical views toward the "two state solution" - as the means of resolving the Israeli - Palestinian conflict - as extreme and even beyond the pale of mainstream thought. This campaign has been launched by several liberal activist organizations, editorial columnists and even a few Members of Congress. We would not deny that these organizations represent the views of many American Jews and others who indeed believe in the "peace process" and "two state solution" as the preferred means of resolving the conflict. But there is also no denying that many American Jews - certainly in the Orthodox Union's constituency - and other pro-Israel Americans share Mr. Friedman's deep skepticism toward this decades-old approach which has been tried and tested and failed repeatedly to deliver security and peace to the people of Israel, the Palestinians and the region.

Indeed, we are compelled to note that in its eight year tenure, the Obama Administration tried aggressively to pursue a "two state solution" to no avail. It is the view of millions of pro-Israel Americans - including most of the Orthodox Union's constituents - that this result is primarily due to the Palestinians' persistent rejectionism. The Palestinians repeatedly, and through their official organs,

OU Advocacy is the non-partisan public policy and advocacy arm of the Orthodox Union, the nation's largest Orthodox Jewish umbrella organization founded in 1898.

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February 15, 2017

Senator Tom Udall
Member
United States Senate Committee on Foreign Relations
VIA: matthew_padilla@tomudall.senate.gov

Dear Senator Udall,

We have served as United States ambassadors to Israel under presidents of both parties, from Ronald Reagan to Barack Obama. We have worked with Israeli leaders of different political stripes, and have sought to advance U.S. interests and strengthen the US-Israel relationship in times of war and peace. We care deeply about Israel: an American ally, a stronghold of democracy in the Middle East, and a homeland for the Jewish people.

The American ambassador must be dedicated to advancing our country's longstanding bipartisan goals in the region: strengthening the security of the United States and our ally Israel, and advancing the prospects for peace between Israel and its neighbors, in particular the Palestinians. If Israel is to carry on as a democratic, Jewish nation, respected internationally, we see no alternative to a two-state solution. This has been the bipartisan goal of U.S. foreign policy for decades.

We are concerned that Mr. David Friedman, nominated to serve as U.S. ambassador to Israel, strongly disagrees. He has argued that two states for two peoples is "an illusory solution in search of a non-existent problem". Mr. Friedman has been active in supporting and financing the settler movement. He has said that he does not believe it would be illegal for Israel to annex the occupied West Bank. We urge the Committee to address the question of whether Mr. Friedman, as ambassador, would defend the established American view that annexation of West Bank territory, outside the context of an international resolution, would be counterproductive and a violation of international law.

Mr. Friedman has accused President Obama and the entire State Department of anti-Semitism. He propagated the false conspiracy theory that Hillary Clinton's advisor Huma Abedin "has well-established ties to the Muslim Brotherhood"; he has referred to the Anti-Defamation League as "morons". He has characterized supporters of J Street, a liberal Jewish organization, as "kapos", the Jews who cooperated with Nazis during the Holocaust. These are extreme, radical positions, and we believe the Committee should satisfy itself that Mr. Friedman has the balance and the temperament required to represent the United States as ambassador to Israel.

SOURCE MATERIAL FOR CONTROVERSIAL STATEMENTS ATTRIBUTED
TO AMBASSADOR-DESIGNATE DAVID FRIEDMAN



Ambassador-Nominee David Friedman:
In His Own Words

Published December 19, 2016 | Updated January 25, 2017

Much has been written about the views of David Friedman, President-elect Donald Trump's nominee as the next U.S. Ambassador to Israel. We have compiled this collection of quotes from his articles and speeches, so people can better understand and judge Mr. Friedman, based entirely on his own words.

Rejecting U.S. policy in support of peace efforts/two-state solution

Unequivocally opposing the two-state solution, Friedman wrote:

"There has never been a 'two-state solution' – only a 'two-state narrative.' He also referred to it as 'this non-existent 'solution,' a "scam," a "damaging anachronism," and "an illusory solution in search of a non-existent problem." He described it as "an illusion that serves the worst intentions of both the United States and the Palestinian Arabs. It has never been a solution, only a narrative. But even the narrative itself now needs to end." [Note: The term "Palestinian Arabs" is used by those who reject recognition of the Palestinians as a people with a legitimate national identity]. (February 2016)¹

Suggesting that the Israeli-Palestinian conflict today has nothing to do with land or Israeli policies, Friedman stated:

"This is not about battle about land. It's an ideological battle about whether there will be a Jewish state, and it's a battle between a radical jihadism and the rest of the Muslim world." (August 2016)²

Suggesting that the demand to remove settlers from the West Bank as part of a peace agreement is racist and similar to a Nazi policy, Friedman stated:

"The Palestinians want Israel to absorb countless 'refugees' - people who never lived in Israel and whose ancestors were never forced to leave Israel [not accurate] - while their so-called 'state' is required to be, as the Nazis said, Judenrein (devoid of Jews). . . It is an entirely racist and anti-Semitic position. . . the Prime Minister of Israel correctly observes that the Palestinian demand to remove all Jews from their ancestral homeland in Judea and Samaria is nothing short of an attempt at ethnic cleansing." (September 2016)³

Opposing the removal of settlers, Friedman wrote:

"It is inconceivable there could be a mass evacuation on that magnitude [speaking of the removal of settlers], in the unlikely event that there was an otherwise comprehensive peace agreement. . . It makes no sense for Judea and Samaria to be 'Judenrein [void of Jews],' any more than it makes sense for Israel to be 'Arabrein [void of Arabs]. It's not fair." (November 2016)⁴

Suggesting that the State Department's two-state policy is grounded in anti-Semitism, Friedman wrote:

"The U.S. State Department – with a **hundred-year history of anti-Semitism** – promotes the payoff of corrupt Palestinians in exchange for their completely duplicitous agreement to support a two-state solution." (February 2016)¹

Attacking liberal U.S. Jews (as kapos, etc)

In [July 2015](#)², Friedman wrote an article attacking liberal American Jews, stating,

"Unfortunately, **hearkening back to the days of the Kapos during the Nazi regime and well before that, there is a history of a minority of Jews betraying their own.** I don't think all liberal Jews are 'self-hating,' as some of my colleagues like to describe them. But I do think that, like most liberals, they suffer a cognitive disconnect in identifying good and evil."

And: "People like Jeremy Ben-ami of 'J Street' who cut his teeth on the **virulently anti-Israel (notwithstanding its name) New Israel Fund**, and who today leads an organization – **a proverbial wolf in sheep's clothing** – that purports to be pro-Israel but advocates just the opposite."

In [May 2016](#)³, Friedman went further, writing:

"Are **J Street** supporters really as bad as kapos? The answer, actually, is no. **They are far worse than kapos – Jews who turned in their fellow Jews in the Nazi death camps.** The kapos faced extraordinary cruelty and who knows what any of us would have done under those circumstances to save a loved one? But J Street? **They are just smug advocates of Israel's destruction** delivered from the comfort of their secure American sofas – **it's hard to imagine anyone worse.**"

In [December 2016](#)⁴, The Atlantic's Jeffrey Goldberg asked him about his comments comparing liberal Jews to kapos. Friedman doubled down

"... Mr. [Jeffrey] Goldberg then raised the kapos comparison and asked if he stood by it. Mr. Friedman did not back away. **'They're not Jewish, and they're not pro-Israel,'** he said, according to the people in the room."

In [August 2015](#)⁵, Friedman attacked Democratic (and Jewish) Senator Chuck Schumer, of New York over the Iran nuclear deal, writing:

"No matter how he ultimately votes, by making his decision such a close call – which it plainly should not be – **Schumer is validating the worst appeasement of terrorism since Munich.**

In [November 2016](#)⁶, Friedman attacked the Anti-Defamation League and Senator Al Franken, who is Jewish, for calling an ad released by the Trump campaign anti-Semitic (an ad openly celebrated by anti-Semites as an attack on Jews):

"This is an absolute abuse of the accusation of anti-Semitism...The Anti-Defamation League, which was founded on the notion of rooting out anti-Semitism, has completely destroyed and perverted their own mandate by going after this type of criticism. I don't see how anybody can take the Anti-Defamation League seriously going forward...This is what happens when people take these insane arguments to their logical extension. They lose all credibility, and frankly, they sound like morons."

the only thing Israel got from evacuating Gaza. **I don't think she particularly likes Israel. I think she likes the kind of elite left among the Jewish people of Israel and in America like the Max Blumenthals, the Sidney Blumenthals and the people of that ilk who would like to turn Israel into a sort of Singapore. I think she's terrible for Israel.** (August 2016)^{xxx}

Attacking Hillary Clinton by accusing one of her top aides of having connections to Muslim Brotherhood & Al Qaida, Friedman told a crowd:

"Who does Hillary Clinton get her advice from? --What about Huma Abedin? Grew up in Saudi Arabia, close connections to the Muslim Brotherhood [voice in crowd says, "and al Qaida"], and al Qaida, right." [He later tried to suggest that "and al Qaida, right" was not an endorsement of that accusation - see video]. (October 2016)^{xxx}

Attacking President Bill Clinton for his Israeli-Palestinian peace efforts:

"Despite his good intentions, however, Clinton was more dangerous to the interests of Israel than any president since Eisenhower." (March 2016)^{xxx}

Other positions of note

Suggesting that U.S. pressure of any kind is a threat to Israel, Friedman stated:

"A strong Israel un-tethered to American pressure is essential to Israel's ongoing survival." (August 2016)^{xxx}

Calling for curbs in US on criticism/activism related to Israel, Friedman wrote,

"Colleges are generally being far too lenient in allowing the pro-Palestinian community to deprive those in the pro-Israel camp of their First Amendment right to free speech. . . This is a serious constitutional deprivation, so it is something that must be looked at." (November 2016)^{xxx}

Arguing for a new U.S.-Israel relationship grounded in the fight against "Islamic terrorism," Friedman wrote:

". . . contrary to what we've seen in the past, Israel is no longer a client state to be directed what to do and not to do. Israel is a full partner with the United States in the global war of the 21st century. The global war against Islamic terrorism." (October 2016)^{xxx}

Attacking the New York Times (and implying it is anti-Semitic), Friedman wrote:

"If only the Times had reported on the Nazi death camps with the same fervor as its failed last-minute attempt to conjure up alleged victims of Donald Trump. Imagine how many lives could have been saved. But the Times has never been committed to the unvarnished truth and its priorities have never included causes important to Israel or the Jewish people. I focus on the Times not because of my disgust for this publication nor because it threatens the very core of American democracy. . . " (October 2016)^{xxx}

Attacking Israel's Arab citizens for "disloyalty", Friedman wrote:

"Israel's enemies are on its doorstep and it is threatened from all directions and from within. Its policy of schizophrenia – of criticizing disloyal Arab citizens while simultaneously bestowing upon them the benefits of citizenship, simply isn't working." (November 2015)^{xxx}

Learn a lesson from Russia

Vladimir Putin gets it. So does Netanyahu. Forget the rest of the world's leaders

11/28/2015, ד"ר דוד פרידמן, David Friedman



photo montage

Russia is going to defeat ISIS. Not with a "coalition" of cowards, freeloaders and hypocrites led from behind by the American president, but all by itself. It will bomb ISIS strongholds, train and arm Syrian soldiers and destroy ISIS resistance until the Islamic State surrenders (unlikely) or ceases to exist (let's hope).

And, when Russia defeats ISIS, it will have accomplished something that the United States hasn't done since 1945 nor Israel since 1973: win a war.

Governor Mike Huckabee had one of the most memorable quotes of a very memorable series of Republican primary debates. He referred to war as "killing people and breaking things," that continues until the loser gives up or is destroyed. For thousands of years, that's what war has been about. Almost every national boundary in both hemispheres has been formed as a result of a battle followed by a surrender

But no more, at least not under the current Democratic regime. The United States has the largest and most powerful military in the world. Under the Obama Doctrine, however, it is no longer in the business of fighting to win. Indeed, the Obama Doctrine has been reduced to the following: if you are a terrorist, you may embed yourself among "civilians" and maintain your despicable enterprise until we convince you and your followers of the wisdom of our values. As a result of this nonsense, our enemies are stronger and America is no longer capable of exporting its values and influencing global safety and security

Obama and Kerry only want to fight Republicans, not terrorists. They are in a unique position in a singular moment in time to unite Arabs and Israelis, Jews and Gentiles, Shiites and Sunnis, in a successful campaign to eradicate a common and reviled enemy – ISIS. As part of that campaign, the United States could reasonably make demands, exert influence and seek behavioral modifications to truly make the Middle East a safer place. Instead

