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> S. Hrg. 115-413 NOMINATION HEARINGS OF THE 115TH CONGRESS—FIRST SESSION

# HEARINGS

BEFORE THE

# COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

JANUARY 3, 2017 TO JANUARY 3, 2018

Printed for the use of the Committee on Foreign Relations



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U.S. GOVERNMENT PUBLISHING OFFICE WASHINGTON : 2018

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### NOMINATION

#### WEDNESDAY, MAY 17, 2017

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

The committee met, pursuant to notice, at 2:03 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Cory Gardner, presiding.

Present: Senators Corker, Gardner [presiding], Risch, Rubio, Young, Isakson, Portman, Shaheen, Murphy, Kaine, Markey, and Merkley.

#### OPENING STATEMENT OF HON. CORY GARDNER, U.S. SENATOR FROM COLORADO

Senator GARDNER. This hearing will come to order.

Let me welcome you all to this full committee hearing on nominations.

Welcome to the committee, Senator Brown.

Senator Collins, without further ado, we will turn to you to have the privilege of introducing our sole witness today, the Honorable Scott Brown, to serve as Ambassador to New Zealand and concurrently to the Independent State of Samoa. Senator Collins?

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

Senator COLLINS. Thank you very much, Mr. Chairman, Ranking Member Markey.

It is my pleasure to introduce the President's nominee to be our next Ambassador to New Zealand and Samoa, Senator Scott Brown, a leader who has spent much of his life in service to our Nation.

Senator Brown and I worked together as colleagues in the United States Senate, and I also consider him to be a valued and trusted friend.

I am proud to introduce him this afternoon and to recommend him to serve our next Ambassador to New Zealand.

In many ways, Senator Brown is an ideal Ambassador for the United States as his life's story is a testament to the American dream. Scott overcame poverty and violence in his childhood. He graduated from college and law school. And he has spent more than 3 decades in public service that spans all levels of government, as well as serving in uniform and in elected office.

It was at Tufts University where Senator Brown graduated cum laude that he first answered the call to serve. He enlisted in Mas-

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sachusetts National Guard in 1979 and later was commissioned as an infantry officer through the ROTC program at Northeastern University.

After earning his law degree from Boston College, he continued to serve as a member of the JAG Corps.

During his years in the military, Senator Brown won many awards and held numerous leadership positions. Recently he retired as a colonel after 35 years of dedicated service in both the Massachusetts and Maryland National Guard. His last assignment was at the Pentagon where he served as the Deputy to the Chief Counsel to the Chief of the National Guard Bureau.

Scott began his long career in public service as an assessor and selectman in the Town of Wrentham, Massachusetts. He then served in the Commonwealth's legislature serving both as a representative and later as a State senator.

In 2010, Scott Brown won a special U.S. Senate election. During his time in the Senate, he was a model of bipartisanship and a devoted advocate for our veterans and our small business owners.

In addition, he ably served on the Senate Armed Services Committee, which equipped him with the policy expertise to appreciate fully our longstanding defense, diplomatic, and intelligence cooperation with New Zealand.

Throughout his time in the Senate, Scott Brown demonstrated leadership in building consensus to achieve common sense solutions, and he did so in a very diplomatic way.

So I believe that those are essential skills for a U.S. Ambassador. In short, Senator Scott Brown's experiences have prepared him so well to represent our Nation as U.S. Ambassador in Wellington. I am confident that he will continue to strengthen our vital partnerships with New Zealand and Samoa, and I urge this committee to support this important nomination.

Again, it is a great honor to be here before you today to support my former colleague and my friend, Scott Brown. Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Collins, for those kind words of introduction. I know you have a busy schedule, so we appreciate your time to be here with you today and look forward to the rest of the confirmation hearing.

And I noticed the Chairman of the full committee.

So please, feel free to attend to the rest of your business, if you would like.

The Chairman of the full committee, Senator Corker, has joined us as well. If you would like to provide a counter to those glowing words— [Laughter.]

Senator GARDNER [continuing]. Chairman Corker, please join us at the dais.

The CHAIRMAN. If I am ever nominated for anything, I want her to introduce me. [Laughter.]

Senator GARDNER. Thank you, Chairman Corker.

Thank you, Senator Collins, for that introduction.

And though we have had our share in the past of disagreements, New Zealand is one of our oldest and staunchest allies, a historical ally, around the globe. Our nations founded the Australian, New Zealand, United States, or ANZUS, alliance in 1951. Our soldiers have fought and died side by side in many global conflicts. Many Americans are well familiar with the exceptional bravery shown by Kiwi soldiers at historic battles like Gallipoli and beyond. The 2010 Wellington Declaration and the 2012 Wellington Declaration on Defense Cooperation have elevated our relations to a new level.

Our nations have a robust trade relationship. Major U.S. exports to New Zealand include civilian aircraft, refined petroleum, autos, and auto parts. And I firmly believe that our ties are critical to regional peace and stability, and I look forward to hearing Senator Brown's testimony on how to grow this vital relationship.

With that, I will turn to the ranking member, Senator Markey of Massachusetts.

#### STATEMENT OF HON. EDWARD J. MARKEY, U.S. SENATOR FROM MASSACHUSETTS

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

And many thanks to our colleague from Maine, Senator Collins, for joining us to introduce Senator Brown.

Senator Brown, you are a true son of New England, born in Maine, now living in New Hampshire and, during the decades in between, serving the people of Massachusetts at every level of government. Your distinguished career has included stops at Wrentham town hall, the Massachusetts statehouse, the halls of the United States Senate, and the National Guard.

Your success in overcoming hardships early in life and then reaching the upper echelons of public service is an inspiration not only to the children of Massachusetts and our country but to the children everywhere that you will be now representing our country.

And I know that you are enormously qualified for this position, having been educated at Wakefield High School, Tufts University, and Boston College Law School. Like me, your education is not tainted by any values or lessons learned outside the Commonwealth of Massachusetts. [Laughter.]

Senator MARKEY. So we thank you for your service, and we thank Gail and your family. They have our heartfelt thanks for all of their service to our Commonwealth and to the nation. And we congratulate you on your nomination as our Ambassador to New Zealand and to Samoa and appreciation for your willingness, once again, to serve our country in this new role.

The United States has closely collaborated with New Zealand since World War II as partners promoting security, stability, peace and prosperity in the Asia-Pacific and throughout the world. Our relationship with New Zealand is absolutely central to the security and prosperity of the United States and the rest of the Asia-Pacific, a region that enjoys enormous opportunities but also faces looming threats to both our national security and the peace and stability of the entire world. From North Korea's nuclear and missile programs to sovereignty disputes in the East and South China Seas to the risk of nuclear proliferation, American leadership is essential for the Asia-Pacific nations to resolve differences through diplomacy and international law rather than through threats and intimidation. That is why I am glad that you have been willing to accept this nomination from the President because I think you are just the perfect person at the perfect time to have this job. So thank you. Mr. BROWN. Thank you, Senator.

Senator MARKEY. Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Markey. And I too want to echo the comments. Welcome to the family. Thank you for your commitment and service. This is a family effort. It truly is. And we appreciate it greatly.

Senator Portman, Senator Barrasso, Senator Shaheen, I do not know if you have any comments before we turn to Senator Brown's opening statements.

### STATEMENT OF HON. ROB PORTMAN, U.S. SENATOR FROM OHIO

Senator PORTMAN. Just quickly, if I could, Mr. Chairman, to echo the comments that you and Senator Markey both made about Scott Brown's qualifications for this job. It is a big job because he will be, if confirmed—and I feel confident that he will—the only U.S. Ambassador really in the region and certainly the only one in the New Zealand-Australia area, which is an incredibly important role for us. We now have a more dangerous and volatile world, and those are two of our best allies and have been with us, literally standing with us, in conflicts from Afghanistan to Iraq and beyond. So I think it is important we have somebody there and someone who has the stature of Senator Brown and the relationships, frankly, both here in the Senate and throughout the Washington community.

So I am delighted he is willing to step forward. I have had the opportunity meet with Senator Brown and talk at some length about some of the issues with New Zealand, including trade issues, including issues with regard to our military relationship, which is much improved I think over the last several years that he wants to continue to build on. He has actually served in Afghanistan, as I understand it, at the time when New Zealand also had a contingent there and understands the importance of working cooperatively with us. Senator Brown has some interesting ideas with regard to the relationship between New Zealand and China and how the United States needs to play a more central role in that region.

So I think he is going to be the right guy, and it is really important for us to have somebody and have a U.S. presence in that region. And I am delighted he is willing to serve.

And I thank you, Mr. Chairman, for allowing me to say a few comments.

Senator GARDNER. Thank you, Senator Portman.

Senator Shaheen or Senator Barrasso?

Without any further hesitation, to Senator Brown for your opening statements.

## STATEMENT OF SCOTT P. BROWN, OF NEW HAMPSHIRE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA

Mr. BROWN. Thank you, Mr. Chairman and Ranking Member Markey, members of the committee. It is a great honor to be here before the committee, and I want to just say thank you for those kind words. Obviously, big shoes to fill with the prior Ambassador and obviously to fulfill your expectations as well. I want to thank President Trump for giving me the opportunity to represent the interests of the United States of America in these

two wonderful countries.

In addition, I want to express my gratitude to Secretary of State Rex Tillerson for supporting this appointment, and I very much look forward to working with him and his team to achieve our foreign policy goals in the months and years to come.

Finally, I am thankful for the opportunity to appear before this honorable committee. As a former member of this body, I want to say thank you to my Republican colleagues who have previously voiced their support, and I also want to thank Senator Shaheen, Senator Markey, Senator Warren, and Senator Hassan for their early indication of support. It means a tremendous amount to me and my family.

Before I begin, I would like to express the thanks of me and my family for the patience, mentoring, and guidance that Senator Collins provided me when I was here. As you know of her work ethic, I understand I may be off over the last couple of days, but 6,357 consecutive votes, which is the record in the United States Senate, and it is something that I know she is proud of and I am proud of as a citizen of this country to know that she has so much dedication to this job. And it is going to be an exceedingly difficult record to break I venture to guess.

I joined the military 35 years ago when I was 19 years old, and during that time in the military starting as an enlisted man and working my way up the ranks as an infantry officer, a quartermaster officer, JAG officer. Retired recently in the rank of colonel, as was referenced by the Senator. The last 4 years, while being a Senator, I also worked in the Pentagon as Deputy to the Chief Counsel for one of the Joint Chiefs. And it was one of the most enjoyable, uplifting experiences of my military career to be there in the hub of the action to basically be there and work hand in hand with one of the Joint Chiefs and his team.

My responsibility, one of the things I am most proud of, during that time period is that me and my team were able to rewrite the sexual assault regulations in the National Guard, which are in fact in place. Teams are investigating and they are doing incredible work. And I know Senator Shaheen is very concerned about that, as others should be. And I can tell you firsthand that it is working very, very well.

An attorney in private practice since 1985, I know that those skills that have been given me in that practice have allowed me to hone in on the ability to solve problems. And I tried to use that as a United States Senator and also will hopefully use it, if confirmed, in my role as the new Ambassador of the United States for those two great countries.

As was referenced earlier, I have over 30 years of public service, starting as an assessor, selectman, State rep, State senator, the United States Senate. I served on the Committee on Armed Services, ranking member of Airland; Committee on Homeland Security and Governmental Affairs where I was the ranking member on Federal Financial Management, Government Information, and International Security; Veterans Affairs, as well as Small Business and Entrepreneurship; four great committees where I enjoyed working with many of you on solving many of our country's problems.

Some of the highlights and things that I am most proud of is working with Senator Gillibrand on the Stock Act to prohibit members of the executive branch and Congress from using insider information to benefit themselves, working with Senator Carper on good government initiatives. As you all know, that is his thing, and we just went after every wasteful dollar to try to make it better for the American taxpayer. And then, obviously, with Senator McCaskill working on the Arlington Cemetery bill to make sure our veterans were buried with dignity and honor.

I could go on and on. I was very proud of being the lead Republican sponsor on the reauthorization of the Violence Against Women Act and also working to deal with our Hire Hero Veterans bill to give our veterans a chance to be re-employed.

For someone like me whose mom and dad were married and divorced four times each and who lived in 17 houses by the time I was 18, as Senator Markey is aware of being from Massachusetts and being my former Congressman and somebody I always have looked up to—a lot of violence in the family. There were a lot of tough choices. I had to grow up pretty quickly. And to think that, you know, Mom was on welfare for a period of time. And I remember her working two or three jobs to keep a roof over our heads and keep my sister and me safe.

And it is those life experiences—if you said, boy, you are going to be a United States Senator some day, it was very unlikely. But I was blessed and I am still blessed to have an opportunity to serve this great country. Being a United States Senator was one of the greatest honors of my life.

And my wife and family are looking forward to serving not only the President and his team but you as Members of the Senate. You know how I am and you know that if there is an issue, you just need to pick up the phone and call if you have any specific concerns about what is happening in that area. And I will be, quite frankly, looking back for your guidance and help in those areas as well.

Throughout my life, no matter what job I have had, no matter what experiences I have had, there is one experience that trumps all others and that is being married to my partner and friend Gail for over 30 years and father to my two great children. Why do you always get emotional when you talk about your family? I am sorry. Ayla is here. She came in from Nashville. She is a successful music singer in Nashville. And she is here with her friend Rob. I appreciate them coming. Arianna is here somewhere. Arianna is in her fourth year at Cornell Vet School. She took time off from her surgical rotations to come down. And her husband Jimmy is here. He works for the Justice Department for 4 years, and he is going to be in the new class of the FBI academy. So we are very proud of each and every one of our family members.

Mr. Chairman, when the President asked me to serve in this post in New Zealand and Samoa, I want you to know that it was my first choice. It was my choice. I wanted to go to an area that, quite frankly, plays an integral and key role in the Pacific region, a real leader, an independent, thoughtful leader in New Zealand when it comes to addressing that region's very serious needs and concerns, especially with regard to China and its expansionism, changing the law of the sea and the law of the air, and building islands and militarizing them that really just changed international law as we have all known them.

And in addition to that, North Korea, you know, the belligerence and the constant testing of missiles. New Zealand plays a very key role as a member of the Five Eyes intelligence network to not only share information with our other partners but also in the war on terror, leading up to not only side by side helping us in the war against terror but also dealing in humanitarian efforts to make other people's lives better and more fulfilling.

New Zealand has always been an unwavering friend and partner to the United States, as evidenced by the fact that they have men and women who have served and have lost life and limb in the battle against terror. Right now, they are our tenth partner when it comes to dealing with ISIS and that battle that really needs to be taken on on a worldwide basis.

Their efforts to help reconstruct and train in Iraq the police and military forces is amazing, and they need to be commended. And I want to thank the citizens of New Zealand and the men and women who have served in that effort.

I have had the opportunity to visit China, Taiwan, and Japan. And visiting those places, as well as my cumulative experience not only in this body but in other bodies, has given me a solid understanding of the region. And we talked about the expansionism of China, the belligerence of North Korea and what they are doing. These are important areas in which we need to really stay focused and work with our friends in that region. And certainly New Zealand is one of those friends.

And just as there are challenges in the Pacific region, there are amazing opportunities. I believe notwithstanding what is happening with TPP, that there are amazing opportunities to increase trade, to increase security operations, work in training exercises with our military, work on cybersecurity, Senator, which I know you are very concerned about in that region as evidenced by what happened recently. So I look at what is happening right now in that part of the world as one of the most active, vibrant, necessary areas where we need to play a key role. So I am honored to have that opportunity, if confirmed, to participate in that process. Are there opportunities for bilateral trade with New Zealand?

Are there opportunities for bilateral trade with New Zealand? That is up to the U.S. Trade Representative. If confirmed, I look forward to playing a role to trying to bring the countries together to maximize any and all trading opportunities that we have with New Zealand and Samoa.

I feel honored to be nominated by President Trump to represent the United States as Ambassador to two such culturally and economically diverse countries. And if confirmed, within the first month and a half to 2 months of service, I plan to, obviously, go to the embassy in Samoa to make sure that we can establish and continue to nurture those amazing relations because if you remember from our conversations, we actually have a maritime border, American Samoa, with the Independent State of Samoa. And there are some very real drug trafficking, illegal fishing, safety and secu-rity, natural disaster opportunities that we can really do well to expand upon. And we have a large Samoan population in the United States, and there is a symbiotic relationship there. And they need to be treated with dignity and respect as well. So I look forward to that opportunity.

Mr. Chairman, in closing, I would like to say to you and the com-mittee that I have had a blessed life, notwithstanding those challenges, Senator, that you referenced. And being nominated to this position has been truly a humbling process. I have shard the training and other things that we have gone through as a family to get to this point in time. And I pledge to you all and to the President and the American people that I will work tirelessly and professionally to faithfully represent American interests in this ambassadorial position and in whatever capacity I am called to serve.

I appreciate the opportunity to appear, and I am certainly eager to take any and all questions that the committee may have.

[Mr. Brown's prepared statement follows:]

#### PREPARED STATEMENT OF SCOTT P. BROWN

Chairman Corker, Ranking Member Cardin, and distinguished members of the Senate Foreign Relations Committee, I am honored to appear before you today as President Trump's nominee to serve as the United States Ambassador to New Zealand and the Independent State of Samoa. I want to thank President Trump for his trust and for giving me the opportunity to represent the interests of the United States of America in these two wonderful countries.

States of America in these two wonderful countries. In addition, I want to express my gratitude to Secretary of State Rex Tillerson for supporting this appointment, and I very much look forward to working with him and his team to achieve our foreign policy goals in the months and years to come. Finally, I am thankful for the opportunity to appear before this honorable com-mittee. As a former member of this body, I want to say thank you to Senator War-ren, Senator Markey, Senator Shaheen and Senator Hassan, among others, for their early indication of support for my candidacy

ren, Senator Markey, Senator Shaheen and Senator Hassan, among others, for their early indication of support for my candidacy. Before I begin, I would like to express the thanks of me and my family for the patience, mentoring, guidance and friendship that Senator Collins has shown me over the years. Not only is she my sister Robin's U.S. Senator in Maine, but she has been someone that I have had a great amount of love and respect for over the years. I want to thank her for her dedication to public service and commend her for her 6357th consecutive vote in the US Senate. It is a record that will not only increase, but will be exceedingly difficult to break. Thank you Senator Collins. For well over 30 years, I have served my town, state and country in many dif-ferent appointed and elected capacities. I served in the military for almost 35 years, ioning the Army National Guard at the age of 19 after the big blizzard of 1978.

joining the Army National Guard at the age of 19 after the big blizzard of 1978. After that tragic storm, I saw how our Massachusetts National Guardsmen saved the lives of our citizens, inspiring me to emulate their call to service. Soon thereafter, I raised my hand and took the oath to serve, and joined as an enlisted man. During my time in the military, I was branch qualified as an Infantry Officer, Quar-termaster Officer, and a Judge Advocate General. Two years ago I retired at the rank of colonel, with my last four years of service being at the Pentagon as the Deputy to the Chief Legal Counsel for the Joint Chief of the National Guard

Bureau. During that time at the Pentagon, my team and I wrote the sexual assault regulations and set up the investigation teams that are being used today in the National Guard with great effectiveness and results.

In addition, I have been an attorney in private practice since 1985, and I am con-fident that, if confirmed, I can bring the interpersonal skills and problem solving ability that I have honed in that role to my new role as Ambassador. In public service, I was honored to serve as a town Assessor, Selectman, Massa-chusetts State Representative and State Senator. From 2010-2013, I served with most of you as a United States Senator from the Commonwealth of Massachusetts. During my time in the U.S. Senate, I served on the Committee on Armed Services, as the Ranking Member on Airland, on the Committee on Homeland Security and Governmental Affairs, and as the Ranking Member on Federal Financial Manage-ment, Government Information and International Security, the Committee on Vet-erans' Affairs and the Committee on Small Business and Entrepreneurship.

I was proud to have been recognized as one of the most bipartisan Senators during my years here. Among the accomplishments I am proud of, I worked with Sen-ator Gillibrand to pass the Stock Act—which stops insider trading for members of Congress—Senator Carper on good government and fraud, waste and abuse issues, Senator McCaskill to pass the Arlington Cemetery Bill, and many other Senators on the Hire A Hero Veteran's Bill, the elimination of the 3 percent withholding, no contracting with the enemy, and re-authorizing the Violence Against Women Act (VAWA) and more.

For someone like me, whose mom and dad were married four times each, living in 17 homes by the time I was 18, being an abuse survivor and my family being periodic welfare recipients, I remember my mom having to work two to three jobs to keep a roof over our heads to keep my sister and me safe. For me, becoming a U.S. Senator was not only unlikely, but without a doubt was one of the greatest honors of my life. Being asked to serve again as an ambassador to two great countries is another great honor.

However, no matter what jobs I have had throughout my life, or political or civilian capacities for which I served, there is one experience that trumps all other ac-complishments. That is being married to my partner and wife of 30 years, Gail and complishments. That is being married to my partner and wife of 30 years, Gall and being the father to our two children Ayla, a country music star living in Nashville, and Arianna, a third year Veterinary Student at Cornell University. With the Chairman's permission, I would like to introduce those members of my immediate family who are with me: Gail, Ayla, Arianna, Jimmy, mom. Mr. Chairman, when the President asked me where I would like to serve, the posting in New Zealand and Samoa was my first choice.

I am honored to be considered for the posts in New Zealand and Samoa and ex-cited for the opportunity to serve in Asia-Pacific because of the region's incredible importance to the world's security, economic prosperity, and innovation opportuni-ties. There is great potential for us to improve and strengthen our ties in all of those areas.

If I am confirmed as Ambassador to New Zealand and Samoa, I will do all I can to grow our ties with New Zealand and Samoa and ensure stability, security, and prosperity for our three countries. With the help of our diplomatic and national se-curity professionals at the State Department and in all other parts of our govern-ment, I will advance American interests and support these two longstanding partners.

New Zealand has historically been an unwavering friend of the United States. That long and remarkable history has had its challenges, but hard work and strong communication efforts have made our ties even stronger. The U.S.-New Zealand re-lationship has also been strengthened due to New Zealand's commitment to our shared war against terror as well as reconstruction and stability efforts in the Middle East. I would like to publically thank the citizens of New Zealand and especially the men and women of its armed forces. If confirmed as Ambassador, I will help

the men and women of its armed forces. It confirmed as Ambassador, I will help to deepen our security relationship. I have had the opportunity to visit China, Taiwan, and Japan. Visiting those places, as well as my cumulative experience in government and military service, has given me a firsthand understanding of the region. Chinese military and economic expansion, as well as the North Korean nuclear threat, pose a challenge to Amer-ican interests in the Asia-Pacific region and the world. There are many important areas in which we need to work with our partners in New Zealand, to properly deter notation confirmed and the second se potential conflicts in this region.

Just as there are challenges in the Pacific region, there are also opportunities. The United States is one of New Zealand's top trading partners. If confirmed, I hope to dramatically assist in the promotion of even greater economic, scientific, and cul-tural exchanges between the United States and New Zealand, including strengthening Pacific cooperation. With regard to investments, I will focus on both New Zealand's investment in the United States, and American investment in New Zealand. I am also committed to assisting in increasing bilateral trade and commerce op-

I am also committed to assisting in increasing bilateral trade and commerce opportunities, assisting with the illegal fishing concerns, and recognizing and helping to solve environmental issues. In addition, I look forward to working on cyber security issues, and ensuring strong intellectual property protection and enforcement as we address our mutual priority intellectual property issues. Above all, my greatest responsibility will be to assist and protect the interests of U.S. citizens who are either living in or visiting New Zealand and Samoa.

I feel truly honored to be nominated by President Trump to represent the United States as Ambassador to two such culturally and economically diverse countries. If confirmed, within the first two months of service, I plan to visit the independent State of Samoa, which shares a maritime border with the United States. The Independent State of Samoa and parts of American Samoa have experienced serious environmental disasters, including a devastating tsunami that destroyed many parts of the islands. Being an island state presents many different challenges and opportunities. If confirmed, I plan to learn and try to understand how the United States can assist Samoa and strengthen our relationship. That relationship was enhanced in 2012 when both countries signed a Mutual Law Enforcement Agreement, which allows Samoan maritime officials to utilize U.S. Coast Guard and Navy Vessels in policing Samoan waters. We will continue to work in cooperation on maritime issues, including putting a stop to the trafficking of drugs and human beings and halting illegal fishing. For over 50 years, the Peace Corps has maintained a vibrant and necessary assistance program in the country and I look forward to learning more about how we can assist even more.

As you are aware, American Samoa has a strong cultural and geographic bond with not only the Independent State of Samoa, but also has a strong bond with Samoan communities in the United States. It will be important to cooperate closely with the American Samoan delegation to the U.S. Congress to see how we can improve trade and promote tourism and democracy. Mr. Chairman, in closing, I would like to say to you and the committee, that I

Mr. Chairman, in closing, I would like to say to you and the committee, that I have had a blessed life. Being nominated to this position has been a humbling process. I pledge to you, our President and the American people that I will work tirelessly and professionally to faithfully represent American interests in this Ambassa-dorial position, and in whatever capacity I am called to do so.

dorial position, and in whatever capacity I am called to do so. I appreciate the opportunity to appear before you today, and I would be pleased to answer any questions that you may have.

Senator GARDNER. Thank you very much for that testimony.

And we will begin with questions, and I will just start with this. You talked about the role that New Zealand plays in the Pacific. Obviously, New Zealand plays a very important role in terms of political stability and economic stability and security as well.

What role as Ambassador would you play to help further New Zealand's role in the region?

Mr. BROWN. Thank you for the question, Senator.

If confirmed, I would obviously seek immediately the appropriate briefings dealing with commerce, with security, and any opportunities that this President, this administration, and you as Senators want to put forth. My understanding, with all the research that I have done and speaking and listening and learning during training, is that there are some really wonderful opportunities. We have about \$11.5 billion to \$12 billion of trade going back and forth, a slight trade deficit, but we have a surplus when it comes to services. The areas in particular where we provide planes, cars, replacement parts, high tech, biotech opportunities—also, there is a relationship now with NASA and trying to expand job opportunities in that field. We also have, on the other hand, beef, lamb, wine. So there is a pretty active and vibrant trading between the two countries right now.

And I am hopeful that if confirmed, I will have an opportunity to work with the Commerce Department and the U.S. Trade Representative to find other niches where not only U.S. citizens can invest in New Zealand to create jobs but also, more importantly, the other way around, have New Zealand, which they are already the number two investment in the United States for that country, try to increase those opportunities.

Senator GARDNER. Thank you, Senator Brown.

I want to make sure that we get to the other Senators who have attended the hearing this morning. So I will turn right now to Senator Markey and then come back for questions.

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

In my office, we spoke about the fishing industry and the involuntary servitude issues that New Zealand has. Could you expand upon that, explain to the committee what your views are in terms of what the American position should be in dealing with those issues?

Mr. BROWN. Well, Senator, first of all, if confirmed, I look forward to really doing a deep dive into those very important issues. From the research and other information I have gathered, Senator Shaheen and you, Senator Markey, and former Congressman Barney Frank, we worked tirelessly on fishing issues. It is something that is very personal to me and hopefully, if confirmed, I will be able to bring that expertise or maybe suggestions or new ideas to the people of New Zealand and Samoa.

That being said, with regard to, if I may expand upon it a little bit, human trafficking, drug trafficking, and involuntary servitude, New Zealand is a tier 1 country. They have done amazing work in addressing those very real concerns because there is a flow from China, Indonesia, and other parts of that region in or through New Zealand and/or through Samoa. The Government of New Zealand has recognized it. They have passed legislation not only for those issues, but in addition, for the victims who have been affected by that.

With regard to your specific question, something that really kind of stuck out when I was doing my research and doing that deep dive to the limit that I can was the fact that, obviously, fishing is huge. It is an island nation. And there are folks who will sign onto a fishing vessel and, you know, they will say, hey, come on board. You will be the first mate and you will get paid X. Then they get on board and it is not quite what it seems to be. And New Zealand has recognized that, and they have passed legislation to address that type of thing where they now have mechanisms in place to not only do spot boarding, spot checking, they keep excellent records of boats and vessels that have a history of that. And they have passed legislation, maritime legislation, in dealing with that type of arrangement.

Quite frankly, I had no idea it was actually something that happened. It is not only that. It is in other industries potentially, tourism, agriculture, and the like. And I look forward, if confirmed, to really learning more about it and trying to offer any suggestions based on our experiences.

Senator MARKEY. There was a lull in the relationship between the United States and New Zealand in defense cooperation in the 1980s, and that relationship has been rebuilt. How does your experience in the National Guard inform this relationship in terms of what you think might be possible in the years ahead?

Mr. BROWN. Thank you, Senator.

As the chairman referenced earlier, we have had a historic and wonderful partnership with New Zealand and Australia through the ANZUS Treaty. There was a point when New Zealand changed its position on nuclear proliferation, the use of nuclear weapons and the like, and the United States did not agree with that. Obviously, if confirmed, I am going to do a deeper diver and get the appropriate briefings.

But that seems to have warmed somewhat in that to celebrate the country's 75th anniversary, the New Zealand Royal Navy asked if we would send a representative. And the USS Sampson was able to go there. There has always been a—recently since that change, the Government of New Zealand prohibits any type of nuclear militarized or powered vessels from coming into their ports. That is their choice. We went in and were asked to come in. We were approved at the highest levels by the New Zealand Government. And it was really a wonderful first step in rehabilitating that relationship.

Sadly or ironically, while the Sampson was there, the country of New Zealand had a 7.8 on the Richter scale earthquake that really did some very serious damage to that country. And the Sampson was asked to stay for relief, humanitarian and other disaster relief. And I am understanding only from what I have read and researched—and obviously, if confirmed, I want to do the deeper dive—that the people of New Zealand were very, appreciative of that humanitarian effort. And it showed I think the United States and New Zealand—we are really brothers when it comes to these issues. We are people of the world. I believe we are one of the most philanthropic countries in the world and the most helpful people in the world, and I believe New Zealanders are very similar. And it just created a great opportunity.

So, Senator, to answer your question about my military experience, I look forward to getting the appropriate briefings, if confirmed, and meeting with their minister of defense and see if there are opportunities to do more in terms of cooperation in that region.

Senator MARKEY. And, Mr. Chairman, I was able to talk for about 45 minutes with Senator Brown in my office, and I felt that he had a real grasp of all the key issues that confront our relationship with New Zealand. I would just like to put that on the record as well.

Mr. BROWN. Thank you, Senator.

Senator GARDNER. Thank you, Senator Markey.

Senator Portman?

Senator PORTMAN. Thank you, Mr. Chairman.

I appreciate, Senator Brown, you talking about the USS Sampson experience and what a change that they not only permitted us to be there but then looked to us for help and we responded in kind. And that is consistent with the broader relationship. So I think your being there will help to cement that relationship in so many ways, but one is the military cooperation and the ability to be of assistance in something like a natural disaster that you talked to me about in my office.

I want to ask you something that you may not be able to talk about to the extent that you have classified information that is not appropriate. But it is about the special relationship we have with New Zealand as a partner in the Five Eyes intelligence group. What do you think the value of that is to the United States, to the extent you can address it? And how does that work so folks who are not knowledgeable about the importance of that can better understand it?

Mr. BROWN. Well, Senator, thank you for your question.

And I have not been briefed yet. If confirmed, I will get those appropriate briefings before I head out to post. But from what I understand, there has been a very positive relationship, obviously, between the United States, Canada, Great Britain, Australia, and New Zealand to gather and share information for security purposes to understand what is happening throughout the world.

I know that we value very, very much New Zealand's contribu-tions and, quite frankly, guidance in a whole host of issues in that region because that is their turf. And the fact that they are thereand they are in an interesting position in which they do a tremendous amount of trade. China is their number one trading partner.

And the thing that has really kind of stuck out with me is the fact that even though there is that business relationship, that trade relationship, they are not afraid to stand up and say, excuse me, China, by the way, the fact that you are building islands and mili-tarizing them and changing the law of the air and the law of sea and international law as has been in place forever, we do not like that. And I think that says a lot about not only the leadership in New Zealand but the fact that they are not afraid to stand up and be counted.

So I look forward, Senator, once confirmed, to learn more about

that and be our country's representative in assisting in that area. Senator PORTMAN. Yes. They are fiercely independent, kind of like some New Englanders I know.

Senator PORTMAN. You know, it is interesting you say that, Senator. They are fiercely independent. And you cannot tell them what you want. You have to ask them. And one of the things that my family and I—my wife and I look forward to in particular is getting a fair go by the people of New Zealand. What that means is a fair shot. Going down there, we are a clean slate. We want to be there. We are eager to go. We want to serve. We want to listen and learn

and then bring that back to our citizens and to you as Senators. Senator PORTMAN. You mentioned China. New Zealand and China signed a free trade agreement back in 2008. And since that time, the trade between the two has grown significantly. Now they are negotiating an upgrade to their FTA, their free trade agreement, and exploring how New Zealand can fit into China's One

Belt, One Road initiative, sort of recreating the Silk Road. In your view, might this developing trade relationship with China be a problem for us? And what should the United States do in response to it? And how can we perhaps deepen our economic ties with New Zealand at this time?

Mr. BROWN. Well, as you referenced, Senator, they are renegotiating the free trade agreement, and if confirmed, I will learn more about that, obviously. But from all my research, we are in fact the number three trading partner. I would like to be number two and potentially number one. Can that happen? I am not sure, but I know that if there is an opportunity for a business in New Zealand to come into the United States and I am notified of it, I am going to notify the Commerce Department and the U.S. Trade Representative and make sure that we can make that happen. If there are opportunities and niches that we as businesses in the United States can actually do business in New Zealand like we do with planes and cars and now with NASA working on the weather balloon experimentation, I want to seek those opportunities out. I think that is part of a role of an ambassador is to work with the business leaders and civilian leadership to try to enhance those great relationships. I think there is a great opportunity, subject obviously to many factors, to work in that regard and improve that relationship.

Senator PORTMAN. Just one final question and give you a chance to talk about Samoa for a second because I know this is an ambassadorship actually to New Zealand and Samoa, as explained to me.

Mr. BROWN. Correct.

Senator PORTMAN. I did not know that previously.

And then, of course, the special relationship with Australia in that region. As I said, you are going to be the first Ambassador confirmed and maybe the first one for a while in that region.

But in terms of Samoa, what are your objectives there? What would be your hopes to be able to achieve with regard to our relationship with Samoa?

Mr. BROWN. As I said in my original testimony, Samoa—we share a border. They are 3,000 miles away from New Zealand by the way. So it is not like I am just going to hop on a plane and I will be there in an hour. It is going to be something that we are going to have to plan for a good week away.

That being said, it is going to be very exciting to work with an island country that we actually share a border with and the fact that they have actually been subjected to a tsunami and had joint needs and we were able to come in and help with those needs.

The Independent State of Samoa is just that. It is an independent state. It has a very strong and stable government, wonderful people who are looking forward to living and growing and taking care of their families like everybody else in the world. And they deserve the representation that they are going to get, just like New Zealand does, regardless of its size. So I anticipate going there and working with the consul general there. We have an embassy but there is one American representative, and we have a larger staff, obviously—if confirmed, going and listening and learning to what his needs are and then moving forward in trying to develop those relationships. I am excited to have two countries.

Senator PORTMAN. Well, we are excited that you are interested in serving, and we look forward to getting the confirmation process going here in this committee and then helping you on the floor and then seeing you serve our great country in that important region of the world.

Thank you, Mr. Chairman.

Mr. BROWN. Thank you, Senator.

Senator GARDNER. Thank you, Senator Portman.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

And congratulations, Senator Brown. I certainly very much appreciate your willingness to continue to serve the country. And welcome to your family, to Gail. I know that when we you serve, Gail serves too. So we very much appreciate that joint effort.

And thank you for taking some time to sit down with me and talk about how you view this position. I very much appreciated your insights into New Zealand. And as we said, you are going to a beautiful country that has been a very good friend of the United States for a very long time.

And I want to follow up a little bit on Senator Portman's question about China and the trade relationship because, as you know, New Zealand was a founding member of the Trans-Pacific Strategic Economic Partnership, which was really the foundation for TPP. And without that, as you pointed out, there is a question about how New Zealand will continue to go forward with China.

So I know you have talked about the potential trade opportunities between the United States and New Zealand. So can you talk a little bit about where you think some of those opportunities lie?

Mr. BROWN. Thank you for your question, Senator.

As we discussed and as you just referenced, we have pulled out, it appcars, from TPP. New Zealand has moved forward in that regard. I learned today that they are moving forward with Japan as well.

So subject obviously to confirmation and getting the details of that particular relationship and what the opportunities are, through the research that I have actually been doing, I think there is a great opportunity actually to continue to work on the high tech, biotech areas that we really have expertise in. In addition, there is a wonderful opportunity I think to help them with their fishing and some of the illegal fishing that is happening there, to give them some guidance on what we have done in our region to protect fishing stocks and protect that livelihood. There are some potential opportunities dealing with climate. It is something that is very real and serious there. And I look forward to going and listening and learning and understanding what their challenges are, then conveying it back to you and the administration to see where we can find common ground.

Without having been given the appropriate economic briefings yet, I can only guess and I think that would be inappropriate. But if there are opportunities, Senator, if there are opportunities in New Hampshire, for example, please note that you have my word that I will work very closely with you to make sure we create jobs in New Hampshire and make sure we can create an opportunity to grow and expand jobs in our State.

Senator SHAHEEN. Well, thank you. I appreciate that. And I know Senator Markey talked about your history in Massachusetts, but I would point out that you are currently a resident of New Hampshire. So I especially appreciate that.

And you mentioned climate change. And I know that you have supported alternative energies, solar and wind and nuclear power, as a way to reduce our U.S. dependence on foreign oil. Can you talk about other potential areas of cooperation with New Zealand as we look at our alternative energy future and what we need to do?

Mr. BROWN. Thank you, Senator. Yes. I am an all-of-the-above approach: wind, solar, nuclear, hydro, geothermal, siting, permitting. I think it is really an entire and total package. And if confirmed, I look forward to learning more about what New Zealand's needs are, but I know they have done a tremendous amount to try to reduce their use of fossil fuels and dealing with the issues that dramatically affect that region by using wind and solar.

If there are opportunities, once again, in our country to bring those goods to New Zealand, I am all ears, and I will work with you and work with anybody in this building, to include the Com-merce Department and the Trade Representative, to say, hey, by the way, we have a better way of doing it. Can we bring the people over to talk to you? And that is, I think, one of the most important jobs that an ambassador has is that facilitator to try to create economic opportunity.

Senator SHAHEEN. Absolutely.

Mr. BROWN. So, Senator, I am all ears. If you have suggestions, when I find out, I am happy to personally brief you and see if there are any joint things that we can work on.

Senator SHAHEEN. Thank you.

And finally, you referenced this in your opening statement and some of your responses, but that is the important role that the New Zealand has in the South China Sea or in terms of what is happening in the South China Sea and what China is doing. How important is our relationship with New Zealand as we look at trying to continue to deter some of the expansionist tendencies of China and the concern that our other allies in the Pacific region have about what China is doing?

Mr. BROWN. I think the concern about China is real as I have said publicly when I was a U.S. Senator. We took action in dealing with the manipulation of China's currency. You were there. You voted on it. It passed 100 to nothing, if my memory serves me.

Once again, if confirmed, I am going to immediately get the appropriate briefings as to the extent of what is really happening, but based on what I have seen and read, there is no real reason to be building islands and militarizing and changing the law of the air and law of the sea and changing potential trade and travel routes in that part of the world just because.

And the thing that I love about what New Zealand has done, even though they have a very strong trading relationship with them, they were the first ones—one of the first countries to actu-ally stand up and be counted and be noticed and point out their objections to those actions.

In addition, when North Korea, as it is still lobbing missiles around the region—they were one of the first ones to say this is completely unacceptable. And I love the independent spirit of the New Zealand people based on what I have learned and heard, and I have been asking a thousand questions every day.

So rest assured, they are a critical friend and partner when it comes to helping us understand what is going on in that region. And without Australia and New Zealand and our other partners in that part of the world, I think we would be at a tactical disadvantage. So I am excited to try to enhance and improve that relationship.

Senator SHAHEEN. Well, thank you very much. And again, thank you for your willingness to serve. I look forward to working with you when you are confirmed.

Mr. BROWN. Same here, Senator. Thank you.

Senator SHAHEEN. Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Shaheen.

And, Senator Brown, I want to reiterate some of the comments that have been made as we look at the interests of the United States as it rests with the rest of the region, how we make sure that we are working with New Zealand in our interests and helping further their interests because they do overlap many times and making sure that we can coordinate that work together. Many of us on the committee are pursuing efforts in Asia that would help provide reassurance to the entire region and then, of course, New Zealand, Australia—the work that they can do in China and trade opportunities with our Asia partners to make sure that we are fur-thering interest in trade, furthering interest in security, furthering interest in economic opportunities. I look forward to the leadership that you are going to provide when this committee gives you that fair go for your nomination.

And so I want to thank you for attending today's hearing, to ev-eryone here, to Senator Brown for providing us with your testimony and responses.

For the information of the committee members, the record will remain open until the close of business on Friday, including for members to submit questions for the record.

I want to thank your family and to certainly kindly ask you to make sure that he gets his homework done on those questions for the record as soon as possible. Those responses will be made part of the record.

And with that, thank you all. The committee is adjourned. [Whereupon, at 2:48 p.m., the hearing was adjourned.]

### Additional Material Submitted for the Record

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO SCOTT BROWN BY SENATOR BENJAMIN L. CARDIN

Question 1. What are the most important actions you have taken in your career to date to promote human rights and democracy? What has been the impact of your actions

Answer. Promoting human rights and democracy is something that I have taken Answer. Promoting human rights and democracy is something that I have taken seriously throughout my career and I am proud of my record on these critical issues. I am very proud to say that I helped rewrite the sexual assault regulations for the National Guard, while performing my National Guard service at the Pentagon. These regulations were implemented and are being used today with great success. Additionally, as a Member of the U.S. Senate, I was involved in supporting legis-lation and working with advocates to prohibit child and human trafficking. I am mateful to how out of the logislitic and figure for a supering the work

grateful to have been part of that legislation, and if confirmed, will continue to work to combat this battle as Ambassador.

Finally, as someone who has endured hardships myself, I understand the need to make every effort to combat sexual abuse and protect the rights of victims. I have worked on these issues for a very long time and have been fortunate to be recognized and receive awards for my efforts. Should I be confirmed as Ambassador to New Zealand and Samoa, I would continue to prioritize this work.

Question 2. What are the most pressing human rights issues in New Zealand and Samoa? What are the most important steps you expect to take—if confirmed—to promote human rights and democracy in New Zealand and Samoa? What do you hope to accomplish through these actions?

Answer. As I said in my hearing, New Zealand is a Tier 1 country with respect to trafficking in persons, and they have done great work so far to address this issue through legislation and stepped up law enforcement. In just this past year New Zealand has taken a number of additional measures to increase awareness, crack down on traffickers, and engage civil society. Samoa, as an island nation, faces similar challenges with respect to trafficking in persons. If confirmed, I look forward to working with New Zealand and Samoan officials to continue addressing these issues and share best practices between our two governments.

Question 3. If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response?

Answer. New Zealand takes the issue of trafficking in persons seriously and I look forward to partnering with their authorities to find better ways to address it, as well as other human rights issues. Thanks to our close bilateral relationship and New Zealand's commitment to human rights, they are natural partners for addressing human rights issues not only in New Zealand, but in the wider Pacific region and beyond. I look forward to working with them to advance these issues.

Question 4. Are you committed to meeting with human rights, civil society and other non-governmental organizations in the U.S. and with local human rights NGOs in New Zealand and Samoa?

Answer. Yes. I am committed to meeting with human rights, civil society, and non-governmental organizations in New Zealand and Samoa.

Question 5. Will you engage with New Zealand and Samoa on matters of human rights, civil rights and governance as part of your bilateral mission?

Answer. Yes. If confirmed, I will work with New Zealand and Samoa authorities to engage on matters of human rights, civil rights, and governance. I will also seek to exchange best practices between our governments.

Question 6. Will you commit to providing information to this committee if you become aware of emoluments from foreign governments or government-owned companies being directed to the President, his immediate family, or anyone else in the executive branch?

Answer. Yes.

Question 7. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and productivity. What will you do at the Mission to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign and Civil Service? What steps will you take to ensure each of the supervisors at the Embassy are fostering an environment that's diverse and inclusive?

Answer. If confirmed, I will work with all members of the embassy community to promote and foster an inclusive and diverse embassy team. Encouraging this type of community will foster creativity and productivity for our whole workforce.

#### RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO SCOTT BROWN BY SENATOR ROBERT MENENDEZ

Question 1. The environment in New Zealand continues to be challenging for U.S. innovative biopharmaceutical companies looking to invest and compete successfully. Specifically, significant challenges exist regarding intellectual property protections and transparency in decisions made by the Government. How will you work with New Zealand to improve the business environment to ensure that innovative industries, such as the biopharmaceutical industry, have the protections and security necessary to succeed?

Answer. If confirmed, I am committed to increasing bilateral trade and commerce opportunities for all U.S. companies in New Zealand. As I said in my hearing, I look forward to working to ensure New Zealand has strong intellectual property protection and enforcement as we address our mutual priority intellectual property issues. The United States is an important trading partner for New Zealand, and I will work with USTR and other government agencies to ensure U.S. companies have all the support they need to succeed and thrive in the New Zealand market.

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