

**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



Available via the World Wide Web: <http://www.govinfo.gov>

**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



Available via the World Wide Web: <http://www.govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

33-623 PDF

WASHINGTON : 2018

COMMITTEE ON FOREIGN RELATIONS

BOB CORKER, Tennessee, *Chairman*

JAMES E. RISCH, Idaho
MARCO RUBIO, Florida
RON JOHNSON, Wisconsin
JEFF FLAKE, Arizona
CORY GARDNER, Colorado
TODD YOUNG, Indiana
JOHN BARRASSO, Wyoming
JOHNNY ISAKSON, Georgia
ROB PORTMAN, Ohio
RAND PAUL, Kentucky

BENJAMIN L. CARDIN, Maryland
ROBERT MENENDEZ, New Jersey
JEANNE SHAHEEN, New Hampshire
CHRISTOPHER A. COONS, Delaware
TOM UDALL, New Mexico
CHRISTOPHER MURPHY, Connecticut
TIM Kaine, Virginia
EDWARD J. MARKEY, Massachusetts
JEFF MERKLEY, Oregon
CORY A. BOOKER, New Jersey

TODD WOMACK, *Staff Director*
JESSICA LEWIS, *Democratic Staff Director*
JOHN DUTTON, *Chief Clerk*

CONTENTS

The nominees' responses to additional questions and any other additional material submitted for the record are located at the end of each hearing transcript.

	Page
Wednesday, January 11, 2017	na
Tillerson, Rex, to be Secretary of State, transcript printed under separate cover, S. Hrg. 115-4.	na
Wednesday, January 18, 2017	na
Haley, Gov. Nimrata “Nikki,” to be Ambassador to the United Nations, transcript printed under separate cover, S. Hrg. 115-345.	na
Thursday, February 16, 2017	1
Friedman, David, of New York, to be Ambassador to Israel	9
Wednesday, April 26, 2017	71
Mushingi, Hon. Tulinabo Salama, of Virginia, to be Ambassador to the Republic of Senegal and to the Republic of Guinea-Bissau	73
Haskell, Todd Philip, of Florida, to be Ambassador to the Republic of the Congo	75
Tuesday, May 2, 2017	93
Branstad, Hon. Terry, of Iowa, to be Ambassador to the People’s Republic of China	98
Tuesday, May 9, 2017	145
Sullivan, Hon. John J., of Maryland, to be Deputy Secretary of State	149
Wednesday, May 17, 2017	207
Brown, Scott P., of New Hampshire, to be Ambassador to New Zealand, and to the Independent State of Samoa	211
Thursday, May 18, 2017	227
Hagerty, William Francis IV, of Tennessee, to be Ambassador to Japan	231
Thursday, June 15, 2017	259
Green, Mark Andrew, of Wisconsin, to be Administrator of the U.S. Agency for International Development	266
Tuesday, July 11, 2017	303
Bohigian, Hon. David Steele, of Missouri, to be Executive Vice President of the Overseas Private Investment Corporation	307
Washburne, Ray, of Texas, to be President of the Overseas Private Investment Corporation	309
Currie, Kelley Eckels, of Georgia, to be U.S. Representative on the Economic and Social Council of the United Nations	312
Murray, Jay Patrick, of Virginia, to be an Alternate Representative for Special Political Affairs in the United Nations	315

IV

	Page
Tuesday, July 18, 2017	345
Gingrich, Callista L., of Virginia, to be Ambassador to the Holy See	349
Sales, Nathan Alexander, of Ohio, to be Coordinator for Counterterrorism, Department of State	352
Glass, George Edward, of Oregon, to be Ambassador to the Portuguese Republic	355
Risch, Carl C., of Pennsylvania, to be an Assistant Secretary of State, Consular Affairs	358
Wednesday, July 19, 2017	389
Arreaga, Hon. Luis E., of Virginia, to be Ambassador to the Republic of Guatemala	389
Day, Sharon, of Florida, to be Ambassador to the Republic of Costa Rica	391
Urs, Krishna R., of Connecticut, to be Ambassador to the Republic of Peru	393
Thursday, July 20, 2017	415
Hutchison, Hon. Kay Bailey, of Texas, to be U.S. Permanent Representative on The Council of the North Atlantic Treaty Organization	425
Craft, Kelly Knight, of Kentucky, to be Ambassador to Canada	429
Johnson, Robert Wood IV, of New York, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland	432
Eisenberg, Lewis M., of Florida, to be Ambassador to the Italian Republic and to the Republic of San Marino	434
McFarland, Kathleen Troia, of New York, to be Ambassador to the Republic of Singapore	437
Wednesday, July 26, 2017	491
Raynor, Hon. Michael Arthur, of Maryland, to be Ambassador to the Federal Democratic Republic of Ethiopia	492
Brewer, Maria E., of Indiana, to be Ambassador to the Republic of Sierra Leone	494
Desrocher, John P., of New York, to be Ambassador to the People's Democratic Republic of Algeria	496
Tuesday, August 1, 2017	517
King, Stephen B., of Wisconsin, to be Ambassador to the Czech Republic ..	518
Tuesday, September 12, 2017	531
Ueland, Eric M., of Oregon, to be an Under Secretary of State (Management)	536
Bass, Hon. John R., of New York, to be Ambassador to the Islamic Republic of Afghanistan	556
Siberell, Justin Hicks, of Maryland, Nominee to be Ambassador to the Kingdom of Bahrain	560
Dowd, J. Steven, of Florida, to be U.S. Director of the African Development Bank for a Term of 5 Years	563
Tuesday, September 19, 2017	617
Huntsman, Hon. Jon M. Jr., of Utah, to be Ambassador to the Russian Federation State	624
Mitchell, A. Wess, of Virginia, to be an Assistant Secretary of State (European and Eurasian Affairs)	640
Wednesday, September 27, 2017, (a.m.)	693
Kritenbrink, Daniel J., of Virginia, to be Ambassador to the Socialist Republic of Vietnam	695
Fitzpatrick, Kathleen M., of the District of Columbia, to be Ambassador to the Democratic Republic of Timor-Leste	698
Wednesday, September 27, 2017 (p.m.)	715
Hoekstra, Hon. Peter, of Michigan, to be Ambassador to the Kingdom of the Netherlands	718
Buchan, Richard Duke, III, of Florida, to be Ambassador to the Kingdom of Spain	721

	Page
Wednesday, September 27, 2017 (p.m.) —Continued	
Grenell, Richard, of California, to be Ambassador to the Federal Republic of Germany	725
McCourt, Jamie, of California, to be Ambassador to the French Republic, and to the Principality of Monaco	728
McMullen, Edward T. Jr., of South Carolina, to be Ambassador to the Swiss Confederation, and to the Principality of Liechtenstein	732
Tuesday, October 3, 2017 (a.m.)	763
Juster, Hon. Kenneth Ian, of New York, to be Ambassador to the Republic of India	767
Tuesday, October 3, 2017 (p.m.)	789
Andre, Hon. Larry Edward, of Texas, to be Ambassador to the Republic of Djibouti	792
Barlerin, Peter Henry, of Colorado, to be Ambassador to Republic of Cameroon	794
Whitaker, Eric P., of Illinois, to be Ambassador to the Republic of Niger ..	796
Dodman, Michael James, of New York, to be Ambassador to the Islamic Republic of Mauritania	807
Fite, Nina Maria, of Pennsylvania, to be Ambassador to the Republic of Angola	810
Foote, Daniel L., of New York, to be Ambassador to the Republic of Zambia	813
Reimer, David Dale, of Ohio, to be Ambassador to the Republic of Mauritius and the Republic of Seychelles	815
Wednesday, October 4, 2017	849
Sison, Michele Jeanne, of Maryland, to be Ambassador to the Republic of Haiti	851
Brownback, Hon. Samuel Dale, of Kansas, to be Ambassador-at-Large for International Religious Freedom	855
Thursday, October 5, 2017	883
Sands, Carla, of California, to be Ambassador to the Kingdom of Denmark	884
Kohorst, W. Robert, of California, to be Ambassador to the Republic of Croatia	887
Wednesday, October 18, 2017	903
Carter, Thomas, of South Carolina, to be U.S. Representative on the Council of the International Civil Aviation Organization	905
Newstead, Jennifer Gillian, of New York, to be Legal Adviser of the Department of State	907
Singh, Manisha, of Florida, to be an Assistant Secretary of State (Economic and Business Affairs)	910
Evanoff, Michael T., of Arkansas, to be an Assistant Secretary of State (Diplomatic Security)	911
Wednesday, November 1, 2017	955
Goldstein, Irwin Steven, of New York, to be Under Secretary of State (Public Diplomacy)	957
Lawler, Sean P., of Maryland, to be Chief of Protocol of the Department of State	960
Johnson, Lisa A., of Washington, to be Ambassador to the Republic of Namibia	962
Gonzales, Rebecca Eliza, of Texas, to be Ambassador to the Kingdom of Lesotho	964
Evans, James Randolph, of Georgia, to be Ambassador To Luxembourg	966
Tuesday, November 28, 2017	1013
Poblete, Yleem D.S., Ph.D., of Virginia, to be an Assistant Secretary of State (Verification and Compliance)	1019
Ford, Christopher Ashley, D.Phil., of Maryland, to be an Assistant Secretary of State (International Security and Non-Proliferation)	1022

VI

	Page
Thursday, November 30, 2017	1071
Bierman, Hon. Brock D., of Virginia, to be an Assistant Administrator of the United States Agency For International Development	1076
Braithwaite, Rear Admiral Kenneth J., USN (Ret), of Pennsylvania, to be Ambassador to the Kingdom of Norway	1080
Trujillo, Hon. Carlos, of Florida, to be the Permanent U.S. Representative to the Organization of American States	1083
McClenny, M. Lee, of Washington, to be Ambassador to the Republic of Paraguay	1086
Tuesday, December 19, 2017	1123
Vrooman, Peter Hendrick, of New York, to be Ambassador to the Republic of Rwanda	1125
Danies, Joel, of Maryland, to be Ambassador to the Gabonese Republic and to the Democratic Republic of Sao Tomé and Príncipe	1128

APPENDIX

Alphabetical listing of nominees considered by the committee, including im- portant dates	1151
--	------

NOMINATIONS

TUESDAY, NOVEMBER 28, 2017

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

The committee met, pursuant to notice, at 10:05 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Marco Rubio presiding.

Present: Senators Rubio [presiding], Flake, Gardner, Young, Isakson, Cardin, Menendez, Shaheen, Murphy, Markey, and Merkley.

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

Senator RUBIO. The Foreign Relations Committee will come to order. This is a full committee hearing on the nominations of Dr. Christopher Ashley Ford to be the Assistant Secretary of State for International Security and Nonproliferation, and Dr. Yleem Poblete to be Assistant Secretary of State for Verification and Compliance.

I thank both of you for being here today and for your willingness to serve our country.

Ranking Member, with your permission, because I know both Senator Boozman and Congresswoman Ros-Lehtinen are scheduled, I was going to let them give their introductions before I gave mine.

Senator CARDIN. Absolutely. I am looking forward to hearing from our colleagues. So absolutely.

Senator RUBIO. And both because of how far she had to travel here across the Capitol to come over and her years of service to our country, if it is okay, Senator, I was going to give the Congresswoman the opportunity open with her remarks, and then I will recognize you.

Senator SHAHEEN. And she is from Florida. [Laughter.]

Senator RUBIO. Yes, the Florida part. Actually, as I proudly tell people, I was an intern for her in 1991, so not that long ago.

Ms. ROS-LEHTINEN. We still have high hopes for you, Senator. [Laughter.]

Senator RUBIO. I will get there one day. But anyway, I mean, for your high hopes. I do not want anyone to read into that. The commissioner job of the NFL has been taken for now, so, anyway, I appreciate you being here. Thank you for being with the committee.

**STATEMENT OF HON. ILEANA ROS-LEHTINEN,
U.S. REPRESENTATIVE FROM FLORIDA**

Ms. ROS-LEHTINEN. Thank you very much, Chairman Rubio, Ranking Member Cardin, Senators.

And thank you, Senator Boozman, for letting me go first. That is very nice of you.

Today, I have the distinct honor and privilege to introduce to the committee Dr. Yleem Poblete, originally from Florida, now of Virginia, to the Senate Foreign Relations Committee.

I have known Yleem since she was a precocious 8-year-old, volunteering on my first campaign for the Florida statehouse. It was clear then, as it is now, that public service was her true calling.

I can attest and promise to this committee, and to the entire Senate, that Yleem is a nominee who will make us all proud, that she will fulfill the duties and obligations of her office faithfully and vigilantly.

She has more than 2 decades' worth of experience on issues directly related to this position to which she has been nominated. Yleem has navigated, executed, and led the legislative agenda on a wide array of foreign affairs and national security matters for the House of Representatives.

During her time working for me and on the Committee on Foreign Affairs, she worked in a bipartisan manner to advance U.S. foreign policy interests in virtually every region of the world.

So it is quite fitting that Yleem as President Trump's nominee for the position of Assistant Secretary of State, Verification and Compliance, at the Department of State, would be before you today, at a time when verification and compliance are critical to U.S. national security interests. Whether for the Intermediate-Range Nuclear Forces Treaty, the INF Treaty; Syrian chemical weapons use; or to prevent a nuclear-armed Iran, our Nation will be well-served to have Dr. Yleem Poblete as one of the first lines of defense.

She has dedicated her professional life to holding rogue regimes and violator's feet to the fire. My dear colleagues, many of you can attest to this, having worked with her throughout the years, and I know that Senator Menendez and Mr. Rubio, you have worked with her directly.

And thanks to her diligence and acumen, multiple bills targeting some of the most complex and dangerous proliferation threats in Iran, in Syria, in North Korea, in Russia, and elsewhere, have become law.

I can go on and on about the totality of Yleem's professional achievements, because there are so many. But instead, I will just conclude with a note about her personal character and integrity.

As a young Hispanic woman working on national security interests and all issues related to the welfare of our Nation, Yleem has rightfully earned credibility and respect in her area of expertise and from her peers, despite the odds.

And all along the way, she has made it one of her primary missions to help so many others achieve their own goals. She has been a mentor and a role model for so many staffers. Yleem has encouraged them to achieve not only their educational goals, but to surpass their potential. And I know there are countless who are grateful for the care, for the support, and for the guidance that Yleem

has given to them over the years. In the 20-years-plus of working for me, whenever I needed Yleem, she was there, and I shall forever be grateful for that. But she was there also for so many others.

And now I believe that our Nation needs her more than ever, and I know that she is proud to answer that call. Her commitment to public service is admirable, and her dedication to protecting the United States and our national security interests makes Yleem the ideal nominee for this position.

Yleem is accompanied this morning by her supportive husband, Jason Poblete, and watching the proceedings from Miami are her father, Octavio; her mother, Miriam; her sister, Giselle; her brother, Jonathan.

I fully support her nomination. And with that, I am honored to introduce Dr. Yleem Poblete.

Thank you, Mr. Chairman, and Ranking Member.

Senator RUBIO. Thank you. And thanks so much for being here. We appreciate that very much.

Senator Boozman, we recognize you to present Dr. Ford.

**STATEMENT OF HON. JOHN BOOZMAN,
U.S. SENATOR FROM ARKANSAS**

Senator BOOZMAN. Thank you, Chairman Rubio and Ranking Member Cardin, for the honor of being here to introduce Dr. Yleem Poblete, the President's nominee for Assistant Secretary of State for Verification and Compliance. I have known and worked with Yleem for over 15 years and enthusiastically support her confirmation to this important position.

I first got to know Yleem as a member of the House Foreign Affairs Committee. I was always impressed by her hard work, dedication to public service, ability to quickly synthesize difficult issues, and her singular focus on developing solutions, rather than identifying problems, which is so important.

She is a consummate professional who is able to skillfully navigate competing priorities to advance U.S. national security interests and priorities. Her past successful efforts on bills targeting Iran, Syria, and North Korea are a testament, among a number of other things, but they are a testament to her skills and her determination.

In conclusion, Yleem's policy expertise and political acumen will serve the State Department and our country very, very well, and I wholeheartedly support her confirmation.

Senator RUBIO. I thank you for being here as well. And I misspoke. I apologize. I said you were representing Dr. Ford. But I appreciate two presentations, and thank you both for being here and for your time today.

And with that, I will move into my opening statements on nomination, and then we will proceed from there.

Senator CARDIN. But our two colleagues are free to leave, if they have other things to do.

Senator RUBIO. No, actually, we want you to stay and watch the whole thing, but it is on television now, so you can—[Laughter.]

Senator BOOZMAN. I am on the Budget Committee, so—

Senator RUBIO. Oh, you should go. Yes.

Senator BOOZMAN [continuing]. I have to run.

Senator RUBIO. You need to be there. But thank you again, both, for being here.

So if confirmed, the two of you will help the United States to craft and improve policies seeking to prevent the international spread of nuclear weapons, chemical weapons, biological weapons, and other deadly and destructive technologies, and to verify the full compliance of countries that have entered into bilateral or multilateral agreements with the U.S. related to nonproliferation and arms control.

While most countries comply with the 1968 nuclear Non-Proliferation Treaty and other key multilateral agreements aimed at restraining nuclear proliferation, there are certain bad actors that are posing severe challenges to the international order.

In North Korea, the Kim regime poses direct threats with its nuclear warheads, ballistic missiles, and conventional military against its neighbors, including South Korea and Japan, as well as against American military forces that are forward-deployed in the Indo-Pacific. North Korea, which has a long history of cooperating with Iran on missiles, is also trying to build ICBMs capable of delivering nuclear warheads to American soil.

We should also not forget that North Korea used the nuclear Non-Proliferation Treaty, which, by the way, it left in 2003, as well as President Clinton's 1994 agreed framework as cover to gain years to overtly and covertly acquire the capabilities to build nuclear weapons.

In the Middle East, the Iranian regime's nuclear ambitions and growing missile arsenal pose long-term threats to its neighbors, which include Saudi Arabia and other gulf nations, as well as to American military forces forward-deployed in the region, not to mention, of course, the State of Israel.

While the Obama administration was hopeful that its controversial nuclear deal with Iran would lead to restraint and moderation in the Iranian regime's behavior, the opposite, clearly, is happening.

While the regime has a long-term path to getting nuclear weapons, especially when the Iran nuclear deal's key limitations expire in little more than a decade, they are aggressively expanding their missile capabilities in the near term. The regime has also used the financial windfall from this flawed deal to increase its support for terrorist organizations such as Hezbollah, for sectarian militancy throughout the region, and even for the Assad barbaric dictatorship in Syria.

In light of the controversial nuclear deal with Iran, one of my biggest concerns is that other Middle Eastern nations may seek to enter into a race to develop civil nuclear programs, but with also having breakout capability.

In the Europe-Eurasian region, Russia and Vladimir Putin continue to violate the 1987 Intermediate-Range Nuclear Forces Treaty, and to deny some of America's overflight requests under the Open Skies Treaty. This, of course, raises serious questions about the future viability of arms control between the United States and Putin's Russia.

I should add that, in Syria, the Assad regime, which is now backed by Putin and the Iranian regime, has repeatedly used chemical weapons against its own people. The 2013 Obama-Putin agreement clearly failed to verifiably eliminate all chemical weapons in Syria.

These are just some of the many serious challenges that the international spread of nuclear weapons and other deadly and destructive technologies pose to the United States and to our allies.

Dr. Ford and Dr. Poblete, I look forward to hearing your views on these issues and other issues today, because if you are confirmed, I cannot stress how important your positions in the State Department will be in helping our Nation's leaders chart the right path toward stopping these threats.

With that, I now recognize the ranking member.

**STATEMENT OF HON. BENJAMIN L. CARDIN,
U.S. SENATOR FROM MARYLAND**

Senator CARDIN. Well, Senator Rubio, first of all, thank you for conducting this hearing and chairing this hearing.

I want to welcome both of our nominees, Ms. Poblete and Dr. Ford. Both of you, we thank you for your willingness to serve our country. And increasingly, these are very important positions.

I also want to acknowledge your past work here in Congress.

Dr. Ford, I personally enjoyed our relationship with Senator Corker and the Senate Foreign Relations Committee, and your critically important work on behalf of our committee.

Ms. Poblete, your work on the House Foreign Affairs Committee, we appreciate that. And that is a plus. We want you to know that. We appreciate people who have experience here on Capitol Hill.

I also want to acknowledge your families that are here today, your spouses, and your daughter that is here, Dr. Ford. It is impressive to see the family support, because we know it is going to be a family sacrifice, the work that you are going to be doing.

As I have indicated, these positions are critically important to our national security. They deal with arms control and nonproliferation, vital arms control treaties that we have with Russia. The chairman has mentioned the INF Treaty, which is, obviously, one of our most important bilateral treaty obligations dealing with arms control and nonproliferation, and the New START treaty, which is in its early stages, but a very important treaty, and its long-term implications, we would be interested in hearing today. Multilateral treaties and agreements, including the Nuclear Nonproliferation Treaty and the Chemical Weapons Convention, are also very much on our minds today and have been in the headlines.

The AVC Bureau produces an annual report, which we look to every year to see the compliance of our treaty partners and the obligations that they have entered into. And the ISN deals with preventing proliferation. And as the chairman pointed out, we have major issues today in North Korea and Iran that we would welcome your views on.

And, Dr. Ford, as we both learned recently, you also, if confirmed, will have the responsibility in regard to carrying out certain sanction programs, including that with Russia, particularly

military aspects to that. So we look forward to learning more about your views on these important subjects.

I am going to highlight four areas of concern that I hope we can get into during today's nomination hearing.

The first issue that requires immediate attention is the INF Treaty. Since 2014, the State Department, in its annual compliance report, has determined that Russia is in violation of its INF obligations to refrain from building ground-based missiles with ranges between 500 and 5,500 kilometers. Russia has continued to deny it has developed a ground-based cruise missile and has, in turn, with no evidence, accused the United States of violating the treaty.

I have advocated an approach to Russia's INF violations that emphasizes defensive measures to protect ourselves and our allies from Russia's aggression, but does so in a manner that maintains the rule-based order that bolsters European and American security. I want to hear from our witnesses today how they believe the United States should be constructively approaching Russia's INF violations.

The second issue deals with New START. By February 2018, the United States and Russia must reduce their strategic nuclear forces to a level agreed to by that treaty. Assuming Russia meets these obligations, and the size of Russia's forces are verified through the U.S. onsite inspections, the United States must decide whether it wants to extend the treaty for another 5 years until 2026. The United States could decide to negotiate a new treaty or end all legal binding nuclear arms control limitations with Russia.

I am eager to hear our witness's views on how the United States should move forward on this critical issue, given the heightened tension between the United States and Russia.

The third issue is one, probably, that this committee has spent more time on than any other single issue, and that is the Joint Comprehensive Plan of Action, the JCPOA, with Iran. In October, President Trump did not make the every-90-day compliance certification outlined in the INARA act. The President indicated he wanted to work with Congress and our allies to address the JCPOA flaws, but, "In the event we are not able to reach solution working with Congress and our allies, then the agreement will be terminated." I find the President's approach extremely troubling and puzzling.

Dr. Ford, as the current senior director of WMD at NSC, I assume you were deeply involved in the administration's view of Iran policies. I hope you can shed some light on the administration's thinking on the future of the JCPOA.

Finally, the Senate Foreign Relations Committee reviews and provides oversight on all civilian nuclear cooperation agreements, often referred to as 123 agreements, with other countries. We have heard credible reports that the Trump administration is considering entering into civilian nuclear cooperation with Saudi Arabia. In 2009, the United States negotiated a 123 agreement with the UAE, legally renounced its enrichment and reprocessing technologies and capabilities. This was the so-called gold standard.

It is important for this committee to know whether the United States is negotiating a nuclear cooperation with Saudi Arabia, and

whether it will insist on the same nonproliferation standards that were included in the UAE agreement.

So, Mr. Chairman, you see that we have two individuals who are willing to step forward on very important responsibilities for this country, but there are many questions that we are going to want to ask.

Thank you.

Senator RUBIO. Thank you to the ranking member.

To both nominees, your opening statements are in the record. I provide you the option of going straight to questions, but you are more than welcome to sort of provide them now. I would just encourage you, to the extent you can, to limit them to the time allotted, so that we can get to questions. I know that we have a lot of members coming in and out that do want to engage with you on some important matters.

And so with that, Dr. Poblete, we can start with you.

STATEMENT OF YLEEM D.S. POBLETE, PH.D., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE FOR VERIFICATION AND COMPLIANCE

Dr. POBLETE. Thank you, Senator. Mr. Chairman, Ranking Member, members of this committee, it is an honor and a privilege to be here with you today. I am truly humbled by the trust President Trump and Secretary Tillerson have placed in me via this nomination. And I wish to thank Vice President Pence for his support, and Senator Boozman, former Congressman Howard Berman, and Congresswoman Ileana Ros-Lehtinen for having taken the time to be here today or to weigh in on my behalf.

Congresswoman Ros-Lehtinen, Ilie, is more than a former boss. She is a friend. She was the key that opened the door to my almost two decades of public service on the House Foreign Affairs Committee, a trajectory which enabled me to undertake new regional or functional portfolios every few years and, as such, helped me develop a greater appreciation for the experiences of State Department personnel.

I rose through the ranks to become staff director and chief of staff, and worked with some extraordinary individuals, many of whom are in the audience here today or working on this side of the Capitol, some sitting here on the dais or behind the dais.

My committee experience enabled me to work on the threats posed by radiological weapons and the role of the International Atomic Energy Agency in securing these materials; to work on nuclear cooperation agreements, such as the 123 agreement with the UAE; to exercise oversight of U.S. statutes and of compliance by foreign countries with their obligations and commitments under bilateral and international agreements or commitments; to develop policy responses to counter threats from rogue regimes seeking nuclear, chemical, biological weapons capabilities or destabilizing numbers of advanced conventional weapons; and to secure support for the U.S. agenda and priorities in international fora.

None of this, however, would have been possible were it not for the Lord's protection and for my family. Words fail me in appropriately thanking my parents and grandparents for their many sac-

rifices, in thanking my siblings and my husband, Jason, for their unconditional love and support.

I grew up in a family who experienced, firsthand, the evils of communism. When my mother arrived in the United States from Cuba, she knelt and literally kissed the ground. Gratitude and respect for this great Nation prompted my father, a young refugee, to serve in the U.S. Army.

My family, throughout, instilled in me the firm belief that this Nation is the last best hope of man on Earth, that there are actors who seek to do her harm. And I feel privileged to have the opportunity, if confirmed, to contribute to keeping her safe through the rigorous verification and enforcement of arms control, nonproliferation, and disarmament agreements or commitments.

I am fully aware and appreciate that this mandate comes from you, the Congress, when establishing the position for which I have been nominated. Turning to the committee report for guidance, it said: The Assistant Secretary will have overall oversight of policy and resources for verification and compliance regarding not only various treaties but also executive agreements and commitments, including those falling within the purview of regional bureaus when such agreements or commitments pertain to arms control, nonproliferation, or disarmament.

I recognize the Congress sought to ensure the verification and compliance mechanisms would be integrated into these agreements from their inception and be rigorously enforced.

In that vein, Senators, I commit to you today that, if confirmed, I will dutifully fulfill this mandate and pursue effective verification, seeking to detect violations well before they become a threat to our national security and interests, and before options to address these and to correct or counter the situation are limited.

Effective verification must also include detection, documentation, and accountability for patterns of marginal violations or noncompliance. Violations must be appropriately and effectively addressed. Maximizing the expertise of the bureau, of the Department of State, of our intelligence and resources from across the U.S. Government and from partner nations will be a priority, as will identifying, applying, spurring, and maximizing new technologies in order to address today's security needs while preparing for the challenges of tomorrow.

To conclude, Chairman Rubio, Ranking Member Cardin, members of this committee, let me close by again thanking you for the privilege to appear before you today. I consider this appointment, if confirmed, to be the highest honor and solemn responsibility to undertake, and I relish the opportunity to serve our Nation. And once again, I am humbled by the trust and confidence of the President and the Secretary of State via this nomination.

Thank you.

[Dr. Poblete's prepared statement follows:]

PREPARED STATEMENT OF DR. YLEEM D.S. POBLETE

Mr. Chairman, Mr. Ranking Member, members of the committee. It is an honor and privilege to be here today. I am humbled by the trust President Trump and Secretary Tillerson have placed in me via this nomination and for the opportunity, if confirmed, to join public servants at the Department of State and throughout the administration in advancing U.S. national security and interests.

I wish to thank Vice President Pence for his support; Senator Boozman, former Congressman Howard Berman and Congresswoman Ileana Ros-Lehtinen for taking the time to be here today or to weigh in on my behalf. Congresswoman Ros-Lehtinen is more than a former boss. She is a friend. She was the key that opened the door to my almost two decades of public service on the House Committee on Foreign Affairs—a trajectory which enabled me to undertake new regional or functional portfolios every two to four years and, as such, helped me develop a greater appreciation for the experiences of Foreign Service, Civil Service, and other State Department personnel.

I rose through the ranks to become Staff Director and Chief of Staff and worked with some extraordinary individuals, many of whom are now on this side of the Capitol. My committee experience enabled me:

- to work on the threat posed by radiological weapons and the role of the International Atomic Energy Agency in securing these materials;
- to work on nuclear cooperation agreements;
- to exercise oversight of U.S. statutes and of compliance by foreign countries with their obligations and commitments under existing bilateral and international agreements.
- to develop policy responses to counter threats from rogue regimes seeking nuclear, chemical, and biological weapons capabilities, and/or destabilizing numbers of advanced conventional weapons; and
- to secure support for the U.S. agenda and priorities in international fora.

None of this, however, would have been possible were it not for the Lord's protection and for my family. Words fail me in appropriately thanking my parents and grandparents for their many sacrifices; in thanking my siblings and my husband, Jason, for their unconditional love and support.

I grew up in a family who experienced first-hand the evils of Communism—persecution, intimidation, arbitrary arrest and detention, friends and relatives killed before them. When my mother arrived in the United States as a teenager via the Peter Pan flights from Cuba, she knelt and literally kissed the ground—the soil of liberty.

Gratitude and respect for this great nation prompted my father, a young refugee, to serve in the U.S. Army.

My family instilled in me the firm belief that: “this nation is the last best hope of man on Earth”; that there are actors who seek to do her harm, and I feel privileged to have the opportunity, if confirmed, to contribute to keeping her safe through the rigorous verification and enforcement of arms control, nonproliferation, and disarmament agreements or commitments.

I am fully aware and appreciate that this mandate comes from you, the Congress, when establishing the position for which I have been nominated. Turning to the committee report for guidance, it said: the Assistant Secretary will have “overall oversight of policy and resources for verification and compliance regarding not only various treaties, but also executive agreements and commitments, including those falling within the purview of regional bureaus when such agreements or commitments pertain to arms control, nonproliferation, or disarmament.”

I recognize that by combining these components in a single bureau under one assistant secretary, the Congress sought to ensure that verification and compliance mechanisms would reflect the challenges and concerns of policymakers, would be integrated into the agreements from their inception, and would be rigorously enforced.

In that vein, I commit to you today that, if confirmed, I will dutifully fulfill this mandate and pursue “effective verification”—seeking to detect violations well before they become a threat to our national security and interests and before options to address, correct or counter the situation are limited. Effective verification must also include detection, documentation, and accountability for “patterns of marginal violations” or non-compliance.

Violations must be appropriately and effectively addressed. Failure to do so, as stated in the 2017 Compliance Report produced by the Bureau I have been nominated to lead, can “perpetuate and compound the dangers [to U.S. and allies’ security].”

Maximizing the expertise of the Bureau, of the Department of State, of intelligence and resources from across the U.S. government and partner nations will be a priority, as will identifying and applying new technologies to correct deficiencies which may exist, in order to address today’s security needs while preparing for the challenges of tomorrow.

Mr. Chairman, Mr. Ranking Member, members of the committee, let me close by, again, thanking you for the privilege to appear before you today. I consider this appointment, if confirmed, to be the highest honor and solemn responsibility to under-

take. I relish the opportunity to serve our nation and am humbled by the trust and confidence that the President and Secretary of State have placed in me via this nomination for Assistant Secretary for Verification and Compliance.

Senator RUBIO. Thank you.

Dr. Ford?

STATEMENT OF CHRISTOPHER ASHLEY FORD, D.PHIL., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL SECURITY AND NON-PROLIFERATION

Dr. FORD. Thank you, Mr. Chairman, Ranking Member Cardin, and members of the committee. It is an honor to appear before you today as President Trump's nominee to be Assistant Secretary of State for International Security and Nonproliferation.

I want to thank the President for his confidence in me and for the opportunity, with your approval, of course, to help meet the formidable challenges in protecting the American people and preserving and advancing the national interests of our great Republic in the face of ongoing challenges from the proliferation of weapons of mass destruction, delivery systems, advanced conventional weapons, and associated materials and technologies.

I would also like to thank Secretary of State Rex Tillerson for his support for my nomination.

But I also would like to take moment to thank my family, my wife, Schuyler, and my daughter, Stella-Grace, for their love and for their support.

Almost all of my professional career has been spent in government or near it in the public policy community, and I think my record demonstrates an unstinting commitment to public service. But nevertheless, it is they, my wife and my daughter, who are really the sun around which my planet revolves. I owe them a tremendous debt of gratitude for all of their patience, their kindness, and their support, especially in the months since I joined the National Security Council staff last January, as you might imagine. And I am pleased beyond words that they are able to join me here today.

So, Schuyler and Stella-Grace, I love you, and I thank you with all of my heart.

I have been, Mr. Chairman, privileged to serve in many positions of responsibility and trust in national security affairs over more than 2 decades, as, indeed, it was always my dream to be when I was studying many years ago as an undergraduate at Harvard, getting my doctorate at Oxford as a Rhodes Scholar, and getting my law degree at Yale.

I have served as an intelligence officer in the U.S. Navy Reserve, as a Principal Deputy Assistant Secretary of State at what was then the Verification and Compliance Bureau, and as the U.S. Government's Special Representative for Nuclear Nonproliferation.

In addition to that, I have worked for five different Senators on six different committee staffs here in the Senate, including at this very committee.

It has been my particular honor to serve the American people over the last 11 months on the National Security Council staff where I presently run the Weapons of Mass Destruction and Counterproliferation Directorate and serve as a special assistant to the President.

My experience with nonproliferation and related issues goes back many years now, but it is probably my time at the NSC that has best prepared me for the honor of serving, if confirmed, as the Assistant Secretary for International Security and Nonproliferation.

I am proud of the role that I have played in helping this new administration find its footing in this arena and begin to build out a farsighted and resolute approach to the many challenges that we face.

Mr. Chairman, although I have never been able to imagine not being deeply involved in working on U.S. public policy and national security issues, the WMD business is not one in which I originally expected to be. My doctoral dissertation, after all, was on international relations theory and African regional relations. When I practiced law, I worked on large toxic tort class action litigation cases, and I spent years on different congressional staffs doing investigations.

My Senate career has included doing intelligence oversight work in the years just after 9/11 and during the global war on terrorism, working on appropriations legislation round about 2013 in the time of the government shutdown at the time, and has included a broad range of legislative work for this very committee.

I have also, at various points, helped an international war crimes tribunal get itself established in West Africa, produced intelligence analysis as a naval officer, clerked briefly for a Federal appellate judge, and helped with research on elephant physiology, of all things, while living in a tent in a game park in Kenya. I have trained at a Zen center in the Sangre de Cristo Mountains. I have taught Japanese jujitsu at a dojo here in Washington. And I have written books on naval history and Sino-American relations.

But I have been drawn, especially, to the field of weapons of mass destruction, because of its combination of intellectual challenge and technical complexity, and because of its obvious criticality, not just to the preservation of U.S. national security, but also of international peace and security, and, indeed, potentially, of civilization itself. This admixture of challenge and criticality and urgency has made these issues, for me, an abiding passion.

Preventing the use and spread of weapons of mass destruction is clearly a vital national security interest of the United States. It is critical to slow, stop, or roll back the acquisition of weapons of mass destruction, delivery systems, advanced conventional weapons, and associated materials and technologies by state and nonstate actors alike. It is critical both to prevent the use of such weapons and to hold those who do use them strictly to account. And it is critical to manage wisely the challenges of stability and deterrence that are inherent in relationships between nuclear-weapon states.

If confirmed, Mr. Chairman, I look forward to working with State Department colleagues, with stakeholders from across the inter-agency, with diplomatic counterparts, with the private sector and civil society, and yes, of course, with congressional members and staffs in order to protect and advance the interests of the American people and of international peace and security.

Mr. Chairman, Ranking Member Cardin, members of the committee, I thank you for the opportunity to appear before you today, and I do welcome your questions and your comments.

[Dr. Ford's prepared statement follows:]

PREPARED STATEMENT OF DR. CHRISTOPHER A. FORD

Mr. Chairman, Ranking Member Cardin, and members of the committee, it is an honor to appear before you today as President Trump's nominee to be Assistant Secretary of State for International Security and Nonproliferation. I want to thank the President for his confidence in me, and for the opportunity—with your approval—to help meet the formidable challenges of protecting the American people and preserving and advancing the national interests of our great Republic in the face of ongoing challenges from the proliferation of weapons of mass destruction (WMD), delivery systems, advanced conventional weapons, and associated materials and technologies. I would also like to express my gratitude to Secretary of State Rex Tillerson for supporting my nomination.

But I also want to take a moment to thank my family—my wife, Schuyler, and my daughter, Stella-Grace—for their love and support. Almost all of my professional career has been spent in government, or near it in the public policy community, and I think my record demonstrates an unstinting commitment to public service. Nevertheless, it is they, my wife and my daughter, who are really the sun around which my planet revolves. I owe them a tremendous debt of gratitude for all their patience, their kindness, and their support—especially in the months since I joined the National Security Council staff last January—and I am pleased beyond words that they have been able to join me here today. Schuyler and Stella-Grace, I love and I thank you with all my heart.

I have been privileged to serve in many positions of responsibility and trust in national security affairs over more than two decades—as indeed it was my dream to do when studying many years ago as an undergraduate at Harvard, getting my doctorate as a Rhodes Scholar at Oxford University, and getting my law degree at Yale. I have served as an intelligence officer in the U.S. Navy Reserve, as a Principal Deputy Assistant Secretary of State, and as the U.S. Government's Special Representative for Nuclear Nonproliferation, and I have worked for five different Senators on six different committee staffs here in the U.S. Senate—including at the Foreign Relations Committee.

It has been my particular honor to serve the American people over the last 11 months on the National Security Council (NSC) staff, where I presently run the Weapons of Mass Destruction and Counterproliferation Directorate and serve as a Special Assistant to the President. My experience with nonproliferation and related national security issues goes back many years now, but it is probably my time at the NSC that has done the most to prepare me for the honor of serving—if confirmed—as Assistant Secretary of State for International Security and Nonproliferation.

I am proud of the role I have played in helping the new administration find its footing in this arena and begin to build out a far-sighted and resolute approach to meeting the many challenges we face.

Though I have never been able to imagine not being deeply involved in working on U.S. public policy and national security issues, the WMD business is not a line of work in which I originally expected to be. My doctoral dissertation, after all, was on international relations theory and African regional relations. When I practiced law, I worked on toxic tort class action litigation, and I spent years doing Congressional investigations on multiple Senate staffs. My Senate career has also included doing intelligence oversight during the first two years of the “Global War on Terrorism,” working on appropriations legislation during the tumultuous period surrounding the 2013 government shutdown, and a broad range of subsequent legislative work for this very committee just last year.

I have also, at various points, helped an international war crimes tribunal set itself up in West Africa, produced intelligence analyses as a Navy officer, clerked briefly for a federal appellate judge, and helped with research on elephant physiology while living for months in a Kenyan game park. I have trained at a Zen Center in the foothills of the Sangre De Cristo Mountains, taught Japanese jujutsu at a dojo here in Washington, and written books on naval history and on Sino-American relations.

But I have been drawn to the field of WMD because of its combination of intellectual challenge and technical complexity, and because of its obvious criticality to the preservation of U.S. national security, of international peace and security, and po-

tentially even of civilization itself. This admixture of challenge and urgency has made these issues, for me, an abiding passion.

Preventing the use and spread of weapons of mass destruction is clearly a vital national security interest of the United States. It is critical to slow, stop, or roll back the acquisition of WMD, delivery systems, advanced conventional weapons, and associated materials and technologies by state and non-state adversaries alike. It is critical both to prevent the use of such weapons and to hold those who do use them strictly to account. And it is critical to manage wisely the challenges of stability and deterrence that are inherent in relationships between nuclear weapons states.

If confirmed, I look forward to working with State Department colleagues, with stakeholders from across the interagency, with diplomatic counterparts, with the private sector and civil society, and—yes, of course—with Congressional Members and staffs to protect and advance the interests of the American people and of international peace and security.

Mr. Chairman, Mr. Ranking Member, and members of the committee, I thank you for the opportunity to appear before you today, and I welcome your comments and questions.

Senator RUBIO. Thank you, Dr. Ford. And you have already made an extraordinary contribution. My wife has an upcoming birthday, and you just made a statement about your family. I hope this is not on television, but I am going to use that in the card. The sun that my planet revolves around. That is going on the card next week. Don't tell anybody. [Laughter.]

Senator RUBIO. Don't tell anybody where I got it. All right.

So I will begin with the same question for both of you, and then I am going to defer to the ranking member of the committee. So I just want to start out with this opening question, because I think it will cover sort of the scope of the hearing, and I think maybe set you up for future questions here from other Senators.

And I will begin with you, Dr. Ford. What do you consider to be the biggest challenge that you will be facing, if and when confirmed?

Dr. FORD. Thank you, Mr. Chairman.

I would say that the biggest challenge is not any particular piece of the ISN Bureau's portfolio, but rather in the aggregate challenge that we face in dealing with nonproliferation issues generally.

I think we are at a point at this juncture in world history where the global nonproliferation regime faces the accumulated stresses of many years, frankly, of failures of the international community to address proliferation challenges as quickly and effectively as they probably should. We are and have been in something of a race between the proliferators, who are trying to develop their threat systems as rapidly as possible, and the international community, which has been trying to build diplomatic and various other sorts of support to bring pressure upon those proliferators to not take such actions, to shore up, buttress, and improve the international institutions and norms and practices that help make it very difficult, if not impossible, to advance such systems. And we have not collectively been able to react to the challenge as fast as we had. The system has been placed under a very sort of slow-motion stress that it is not yet clear that it can handle.

It is part of our challenge today in the policy community to react to these challenges across a range of policy areas, including in the areas that I would, if confirmed, have the honor to help manage at the ISN Bureau.

Part of it will be shoring up those institutions to slow, stop, and, perhaps, roll back the possession of these technologies and mate-

rials, and just impede the progress of threat programs. Part of it is to improve international solidarity against those proliferators. Part of it is also, in a slightly different arena, to shore up the alliance relationships that were very important during the Cold War, and I think still remain extraordinarily important as nonproliferation tools. And fundamentally, it is to, if necessary, position ourselves for that which we cannot prevent from happening, to make sure that we are in a position to manage the challenges that proliferation presents once it has taken root.

This is a full-spectrum challenge that we have, I think, over the years hitherto not been very good collectively addressing. And it is going to be a full-court press I think across the U.S. interagency and with international partners to address it in the years ahead.

That is most formidable challenge, I think, that we face.

Senator RUBIO. Dr. Poblete, I have the same question with a slight twist on it. In addition to the broader context, if you could, a little bit, get into, as part of the question of what the biggest challenge would be, the notion or the idea or the reality of the impact that a series of smaller violations taken in their sum on any of these agreements, the cumulative effect of a pattern of smaller violations over an extended period of time, the role they might play in your job, as well as answering the broader question of what you consider the biggest challenge you will face, if confirmed.

Dr. POBLETE. Thank you, Senator.

First, I have not had the opportunity to consult with the experts in the bureau, so in response to your question about the biggest challenges, based solely on my interpretation and my observations of these issues, and consultations with my would-be predecessors, if confirmed, I would answer it simply as integration of the Arms Control, Verification and Compliance Bureau, and restoring the bureau's statutory role.

And what I mean by that is—Senator Cardin mentioned preventing proliferation. To prevent proliferation, we also need to ensure that we have rigorous verification and compliance measures incorporated from the onset. We must also ensure that there is accountability for those immediate violations as well as patterns of marginal violations.

When I referred to patterns of marginal violations in my prepared remarks, it is, again, referring to the mandate that the Congress provided to the bureau. And unfortunately, when I look at what has transpired in the last few years—I will use the example of Iran and the JCPOA.

It is my understanding that here is a seminal, by many accounts, a seminal, politically binding commitment, not a formal agreement, but a politically binding commitment, to counter the threat posed by a rogue regime such as Iran. Yet it is my understanding that neither in the negotiation nor in its implementation was the bureau that was mandated, statutorily tasked, with verification and compliance included in these negotiations in the implementation process.

I find that to be very troubling. I do not believe that that is the intent of the Congress, of this committee.

And when referring to patterns of marginal violations, again, I must revert back to the JCPOA.

In its totality, one can see a troubling response and a troubling set of actions and activities by the Iranian regime. If those go unanswered, if we allow the Iranian regime, just as in the past we have allowed Russia or North Korea or other violators to test the waters of our commitment to these legally binding agreements or politically binding commitments, we are eroding our very priorities to prevent proliferation.

Senator RUBIO. Thank you.

The ranking member.

Senator CARDIN. Dr. Poblete, let me ask you a question in regard to the Comprehensive Test Ban Treaty. We are not a member of that treaty. It has never been ratified. Do you see any circumstances in which the United States would no longer maintain its ban on nuclear explosion testing?

Dr. POBLETE. Thank you, Senator.

First, I would like to clarify that the administration is undertaking a comprehensive review of all the arms-control agreements, nonproliferation agreements, that we are signatories to, parties to, that we have ratified and not ratified.

Now, I will not presume to assume what the administration will determine with respect to the Comprehensive Test Ban Treaty. What I will say is that in the U.S. deliberations and the U.S. role and perception of the Comprehensive Test Ban Treaty, there is value. The U.S., writ large, this administration and others, have identified certain components of the Comprehensive Test Ban Treaty such as—

Senator CARDIN. I am trying to get to the specific answer.

Dr. POBLETE. Sure.

Senator CARDIN. Are there any circumstances that you would support the United States giving up its moratorium on nuclear testing?

Dr. POBLETE. No, sir.

Senator CARDIN. Thank you. I appreciate that answer.

New START, if Russia is in compliance, if they get down to the numbers that are required, would you recommend a 5-year extension of the New START Treaty?

Dr. POBLETE. Senator, as you mentioned in your opening statement, this is still in the early stages. The Russian Federation, I understand, is on track to meet the obligations, the central tenets, of New START in February of next year. That has yet to be confirmed. That has yet to be seen. It is yet to be verified.

Senator CARDIN. We will have inspections that we will be able to determine whether, in fact, they have reached that. If, in fact, the report shows that they have reached the required limit, do you believe we should extend the New START for the 5-year provision?

Dr. POBLETE. Again, Senator, it would be premature of me to get ahead of the administration's review. However, specifically to your question, it hasn't happened yet. And again, I would be getting ahead of the facts.

Senator CARDIN. I understand you have to—and we have had nominees who have come here, given their views, and the administration has come out with different views, and they support the administration's view. I understand that.

But you are certainly aware of the New START Treaty and its obligations, et cetera. If, in fact, there is compliance, do you believe it is a useful treaty for us to continue for an additional five years? I am just asking your view on it. I understand that the administration will make the final judgments.

Dr. POBLETE. It is a useful treaty, if compliance by the Russian Federation is sustained, verifiable, and accounted for. We still have a few years before a determination needs to be made as to whether or not to extend the New START Treaty.

So all I can say to you, sir, is that I will commit to ensuring that there is the necessary information; that I put forth that information that has been verified, confirmed, and documented to the policymakers; that I will build the case one way or the other. If there are violations, I will build that case and put it forth to the policymakers. If there is compliance, I will do so as well.

Senator CARDIN. Yes, I understand. The question is not whether there is compliance or noncompliance. I am assuming there is compliance. Otherwise, obviously, we have a different issue. I was trying to assess your views as to whether this agreement should be extended if there is compliance by Russia.

And as I understand it, you are not prepared to make a statement on that at this time.

Dr. POBLETE. Sir, I think it is too early to tell since the Russian Federation has not met its central limits just yet, just yet.

There is value to intrusive inspections. There is definitely value to the data-sharing that is encompassed in the New START Treaty. However, it is too early to make a recommendation when we do not yet have a definitive conclusion on compliance by all the parties.

Senator CARDIN. Well, we do know the Russia is out of compliance with the INF. We do know that. That determination has been made. How do you believe we should proceed, in regard to Russia's violations in its GLCM missile program?

Dr. POBLETE. Senator, simply, we have a three-pronged approach. It is my understanding that the U.S. continues to engage the Russian Federation, either through the Special Verification Commission, through allies at the highest levels, to try and convince the Russian Federation to come into compliance. I also know that we are engaging our allies and partners who are directly affected by the Russian Federation's violations of the INF. And lastly, we are considering a number of countermeasures, some of which have the congressional imprimatur, such as economic countermeasures.

Our focus, however, given that our responsibilities, our international obligations to our allies and partners, must also include robust missile-defense capabilities to ensure that we are in compliance not just with our INF commitments but our global commitments to our allies and partners.

Senator CARDIN. So the National Defense Authorization Act provides authorization for defense against Russia's activities in regard to the missile program, which is something I strongly support. Do you believe we should seek compliance with the INF by Russia, not try to escalate the violations by the U.S. producing a weapon that would also be in violation of the range of the INF?

Dr. POBLETE. Well, Senator, if confirmed, what I can commit to you is that any countermeasures involving the range of U.S. Government agencies, that it will be my responsibility and my commitment to ensure that the United States is treaty-compliant and that whatever measures are undertaken do fall within the construct of a legally binding agreement, which is the INF.

I know the Russian Federation has made very false claims against the U.S., trying to create a narrative that the United States' capabilities, missile-defense platforms in Romania and Poland under the European Phased Adaptive Approach, are in violation of INF. But the U.S. position is that interceptors are not a violation of the INF, given their purely defensive capabilities.

Senator CARDIN. Thank you, Mr. Chairman.

Senator RUBIO. Senator Isakson?

Senator ISAKSON. Thank you, Chairman Rubio.

Thank you, both of you, for being willing to serve our country.

Mr. Ford, you made a comment, I think I took my notes right, but I want to repeat it, if I didn't, so you can correct it or amplify on it. You said we are confronting a time now where we are facing the aggregate accumulation of failures to deal with many non-proliferation issues.

I believe I got that right. Did I get that right?

Dr. FORD. That sounds correct to me, Senator.

Senator ISAKSON. I happen to think you are right. I come from the State that was represented here in Senate for years by Sam Nunn who was on this committee under Dick Lugar. Dick Lugar and Sam Nunn are the two most prominent Americans on non-proliferation that I think we have alive today in this country.

I think they would agree with you that we have accumulated some failures, and it is time for us to have some successes.

Should you be confirmed, which I believe you will, what are you going to focus on to put an end to the failures and begin some successes?

Dr. FORD. Thank you, Senator.

I think in that respect, I would identify two things that correlate, I think, to the most significant failures that we collectively, not just in the U.S., but in the international community, have had. One of the challenges, of course, most obviously is North Korea.

When I was last in the State Department, it was round about the time when we confronted them with evidence of their cheating under the so-called agreed-framework of 1994. They, in response to being caught with their hand in the proverbial cookie jar, pulled out of the NPT and have been busily building up their missile forces and their nuclear weapons ever since.

Clearly, getting a hand on that somehow has got to be an enormous priority. It is the single most horrific sort of bleeding sore on the global nonproliferation regime today.

The ISN Bureau has, in that respect, very important responsibilities related to the implementation of nonproliferation sanctions against the North Korean regime. And certainly, if confirmed, it would be a subject of enormous focus and emphasis for me as Assistant Secretary to make sure that we were doing absolutely everything that we can do in support of the President's what we call the maximum pressure strategy of using every available diplo-

matic, economic, sanctions, law enforcement, financial, and other tool to maximize the pressure upon the North Korean regime in ways that have not yet hitherto been done and to bring international partners along with us in that respect, to make sure that they face, finally, at long last, an incentive to make a different strategic choice.

So that would be the highest priority. And I would also identify the slightly longer term, but also extremely important challenge, Senator, of addressing the Iranian proliferation challenge.

One of the accumulated problems, I think, that the global non-proliferation regime faces is the legitimization of fissile material production in Iran, a country which, of course, for a long time had a very active nuclear weapons program. Managing the challenge that that presents to the nonproliferation regime is going to be an ongoing one for all of us. Negotiating a better way to approach Iranian proliferation challenges, especially over the long term in the years in which the current restrictions under the Joint Comprehensive Plan of Action nuclear deal are set to evaporate, and leave Iran in a place where they can build up essentially any size nuclear program they want, that is not an acceptable nonproliferation path, I think, from the United States' perspective. And it would be an important focus of effort, if I were confirmed to be Assistant Secretary for ISN, to help lead the diplomatic charge to bring that threat finally under control in an enduring not merely a temporary fashion.

Senator ISAKSON. I think you are exactly correct. I think Senator Nunn and Senator Lugar would have said the same thing were they sitting in this room today.

The two challenges that face us are the Iranians and the joint agreement, and the North Koreans, where we have almost been an enabler, in some sense, by looking the other way, allowing them to get away with some of the things that they have.

Ms. Poblete, you made a very interesting statement, which I also want to give you a chance to correct if I wrote it down wrong, because I was trying to write while I was listening. You said you were somewhat shocked by the non-inclusion of the Secretary's department that you are going to replace in the JCPOA.

Was there not any inclusion in the State Department of any State Department personnel during the JCPOA negotiations, as far as compliance issues are concerned?

Dr. POBLETE. Thank you, Senator.

It is my understanding, after having spoken with a range of former and current State Department officials, including the would-be predecessors, the former Assistant Secretaries for Verification and Compliance, that, no, that bureau was not engaged. And to go even further, if I may, Senator, on the Iran missile threat, for example, it turns out that the Verification and Compliance Bureau has virtually zero role in the implementation and verification of Iranian compliance with the U.N. Security Council Resolution 2231 regarding Iran's ballistic missile capabilities.

At most, the Verification and Compliance Bureau's role with respect to Iranian missile threats or North Korean missile threats is reassuring our allies, engaging, fortifying via the strategic dialogues with the Republic of Korea, with Japan, and really focusing

on ballistic missile defense to protect against those emerging threats, growing threats, from those two rogue regimes.

I hope, if confirmed and given the opportunity, to be a strong advocate for the bureau and ensuring that its role is restored to its statutory commitment, its statutory guidance, which is to be an integral part, perhaps not the lead, as regional bureaus tend to take the lead on these agreements, on these negotiations, but certainly to be at the table and make sure that verification and compliance is not set aside and is considered a priority.

We cannot have executive orders, national emergencies, with respect to the proliferation of weapons of mass destruction and not have the Verification and Compliance Bureau.

If I may just indulge for one second, it has been said in the compliance report, which Senator Cardin mentioned in his opening statement, it has been said by a range of administration officials that failure to hold accountable, failure to ensure the verification and compliance is an integral part from the declarations by the target nations to the implementation of agreements and throughout negotiations will only help perpetuate the problem and will only help fuel further proliferation.

Senator ISAKSON. Mr. Chairman, I know I am over time, but I allowed her to indulge herself in her answer. I am going to indulge myself in just a little amplification on that.

Your answers were fantastic, and I appreciate both of them, because no question, North Korea and the JCPOA are the two formidable challenges we have to meet in the future.

Also, with Senator Cardin's questioning on New START, I was here when we negotiated New START, did the hearings here. And the one thing about New START, and you can correct me if I am wrong, we did some breakthroughs in the compliance area that we had never done in any treaty before. We have more ability in terms of New START to verify whether the Russians are or are not complying than we have in any other agreement, collective group of agreements combined. If the JCPOA had even a smidgen of the compliance requirements that the New START has, we would not be worried about that today.

So I just want to commend both of you on your answers and hope you will follow through on that direction in your jobs. If you do, you will go down in history as two of the best appointees this President has made.

Thank you, Mr. Chairman.

Senator RUBIO. Thank you.

Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman.

And thank you both for your past service to the country and for your willingness to be considered for these very important positions.

Dr. Ford and Dr. Poblete, Secretary Tillerson has said that Iran is complying with the JCPOA.

Dr. Poblete, I understood you to say that you think they are in violation. Did I understand that correctly? And can you describe what those violations are?

Dr. POBLETE. Thank you, Senator, for the opportunity to clarify. What I was focusing on were patterns of marginal violations.

The Secretary General, the Director General of the IAEA, as you mentioned, the Secretary of State have said that Iran is in compliance. But really what the IAEA Director General has said is that it is not in material breach. But the Director General has, in fact, mentioned marginal breaches. The President also delineated a number of marginal breaches. Several members of this committee have also done so.

Senator SHAHEEN. Okay. So that is what you were referring to when you were suggesting violations.

Dr. Poblete. Right.

Senator SHAHEEN. Dr. Ford, do you agree with Dr. Poblete relative to that concern?

Dr. FORD. Thank you, Senator.

One of the things that we have tried to do as resolutely as we can over the last 11 months or so since the new administration took office is to try to ensure that the JCPOA is interpreted as strictly as possible, and that it is enforced as rigorously as possible.

In addition to all the other work that we are trying to do with respect to addressing the Iranian proliferation challenge over the long term, one of things that we have tried to do in the Joint Commission process under the JCPOA, for instance, is to work with our European partners, in particular, to end pre-existing approaches to sort of meeting in the middle when Iran and its continual efforts to sort of push the envelope of JCPOA interpretation would ask for something that is on the margins of what it clearly should—perhaps slightly beyond where it should actually be allowed to go. There was a degree of compromise in approaching those things in the past, which one can see from the publicly released Joint Commission documents that were published I believe last December.

We are not in the meeting-in-the-middle business anymore. In working with our Joint Commission partners, from whom we have been pleased to get very good support, we have been taking a much more strict line on those things within the JCPOA since last April.

Senator SHAHEEN. I appreciate that. And I think all of us agree that we want to hold Iran accountable. But if the administration and if the State Department believes that Iran is not complying, why hasn't the administration invoked the dispute resolution provisions of the agreement? For either of you.

Dr. POBLETE. Well, Senator, I have only been part of the administration since—

Senator SHAHEEN. You can just tell me what you know. You do not have to give me the response from the administration.

Although, Dr. Ford, you were part of the NSC, so I would assume this came up on the NSC and you might have discussed whether to invoke those provisions.

Dr. Ford?

Dr. FORD. Sure. Yes, we have many times and continually over the last year or so discussed Iranian compliance. At the moment, the assessment is that Iran is complying with its obligations under the JCPOA. As I indicated, we are trying to keep them from sort of nudging up to those lines in ways that they felt free to do before.

And I should also point out that in the President's speech on October 13th, he declined to recertify under the INARA statute, not on the basis of Iranian compliance questions, but on the basis of

a different INARA certification criterion set forth in the statute, whereby he determined that, in his view, the sanctions relief given to Iran under the JCPOA was not proportional and appropriate in light of what it was that we got from Iran under that deal.

There are multiple criteria under INARA. He chose that particular one, and it has been his direction to the administration to try to work with Congress and international partners to better address these challenges going forward, but remaining for now, certainly, within the JCPOA construct in order to use that remaining within the agreement in order to leverage international support, not just in addressing long-term proliferation challenges but also the range of Iranian malign acts outside the JCPOA.

Senator SHAHEEN. Right. And I think we would all agree that Iran is engaging in those malign acts outside of the JCPOA, but they are not issues that are covered under the JCPOA. And I understood you to say that you believe that Iran is in compliance, and that is why the administration hasn't invoked the dispute resolution mechanism.

Can I ask you, Dr. Ford, if you agree, and maybe I misunderstood what you were saying, Dr. Poblete, but I understood you to say, in answer Senator Cardin's question about nuclear testing, that you believe we should continue the moratorium on nuclear testing.

Did I understand that correctly? A yes or no answer would be appreciated.

Dr. POBLETE. That is correct, Senator.

Senator SHAHEEN. Do you agree with that, Dr. Ford? Yes or no.

Dr. FORD. I am sorry, Senator, do I agree that?

Senator SHAHEEN. That we should continue the moratorium on nuclear testing?

Dr. FORD. I see no reason to do otherwise at this time, Senator.

Senator SHAHEEN. Thank you.

I want to ask you both, one of the concerns that I have expressed, as have other members of this committee, has been relative to the proposed reorganization that is going on at the State Department. And you are both taking over very important bureaus at the State Department. Can you tell me if you have been consulted on the reorganization plan, either of you?

Dr. POBLETE. No, Senator.

Senator SHAHEEN. Dr. Ford?

Dr. FORD. I am not privy to what the redesign will look like. I have not consulted on this, Senator.

Senator SHAHEEN. And if you have not been, are there any concerns or changes that you believe should be made to the bureau that you are going to be heading, should you be confirmed?

Dr. POBLETE. Senator, as I mentioned previously, my goal is, if confirmed, to first meet with all the personnel that is currently in the bureau, to seek their guidance, their insight, their perspectives on what they perceive to be the challenges of the bureau and the needs of the bureau. And if confirmed, I hope to next year be actively engaged and have the opportunity to engage the Secretary directly on these redesign, budgetary, and related issues.

Senator SHAHEEN. Well, thank you. That seems like a very reasonable approach to me.

Dr. Ford?

Dr. FORD. Thank you, Senator. My contact with the ISN Bureau is quite routine in my current responsibilities, but I am less familiar with the details of how it is staffed and organized internally with respect to how it meets its current challenges.

At this point, what I should point to—and that is something to which Senator Cardin alluded earlier. It has come to my understanding that relatively recently, pursuant to the Countering America's Adversaries Through Sanctions Act, or CAATSA as its acronym, I think, goes—I do not know who is responsible for the acronyms, but that is an impressive one. The Secretary has identified the ISN Bureau as having a lead responsibility for administering Section 231 of that statute, which has to do with putting sanctions of various sorts upon those who engage in what are called significant transactions with entities affiliated with the Russian defense and intelligence sectors, as set forth in the Secretary's guidance, I believe just a month ago.

This is an area with which my current NSC responsibilities have not had much to do yet, so I am learning this area as well. But it is my understanding that this now will be a part of the responsibilities of the ISN Bureau, and it is not something that the bureau has hitherto been involved in doing.

So certainly, from this vantage point, I think one of the more important initial things for me to look at, if confirmed, would be to make sure that appropriately staffing and managing these new paths of CAATSA responsibilities under Section 231 are appropriately handled in a way that allows ISN to fulfill those responsibilities well, but also to do so in a way that does not detract from the core missions of the bureau in fighting proliferation.

So that would be, I think, certainly one management challenge that is visible immediately out-of-the-box, as it were.

Senator SHAHEEN. Well, thank you. I certainly hope you will, like Dr. Poblete, engage with members of the bureau and respond to concerns before making any sweeping changes.

Dr. FORD. Absolutely, Senator.

Senator SHAHEEN. Thank you.

Senator RUBIO. Thank you.

Senator Merkley?

Senator MERKLEY. Thank you, Mr. Chairman.

And thank you to both of you.

I wanted, Dr. Poblete, to ask a follow-up question on the verification and monitoring measures that are being used in the JCPOA. We heard reference earlier that if only they were as good as some of our other agreements like New START, we would be in good shape. My impression of the IAEA protocols is that they are more prevalent, more in number, more in high-tech, in every possible way improvements on our previous arms control agreements. But can you just comment a little bit on the extensive measures that are being used for real time monitoring?

Dr. POBLETE. Thank you, Senator.

It is my understanding, based on some of the recent statements made by the Director General of the IAEA, that it is their assessment that, currently, they have some of the most rigorous monitoring and verification capabilities that they have had in recent

years. However, as you well know, verification and compliance is an evolving process. As we develop new technology, as we look at addressing new threats and, again, trying to look at not just what is known but trying to anticipate what is the unknown.

And in the case of Iran and the JCPOA, given Iran's history, it is incumbent upon us to not just rely on the IAEA, not just provide support to the IAEA, but also spur our own efforts at identifying and developing technologies that will address the unknown, everything from trying to identify ghost particles to the lowest possible yield of nuclear material.

Senator MERKLEY. Thank you. And I have been very impressed by some of the new mechanisms that are being developed to do real-time monitoring of the gas flows in the enrichment location, in order to make sure that they stay below the 3.67 percent. So I know the IAEA is doing everything it can to utilize those new provisions.

Article VI of the Non-Proliferation Treaty states that each of the parties undertakes to pursue negotiations in good faith "on a treaty on general and complete disarmament under strict and effective international control," referring to nuclear disarmament.

Is the U.S. currently undertaking such negotiations, Dr. Poblete?

Dr. POBLETE. I am not aware, Senator, of what the status is of the U.S., with respect to your question.

Senator MERKLEY. It is one of the three pillars of the NPT. Are there various ways that you think those three pillars could be strengthened?

Dr. POBLETE. Again, Senator, I would not presume to engage until I have had the opportunity to discuss this matter, if confirmed, with the legal experts, with the technical experts, the scientific experts, to ensure that I have a holistic view of what the opportunities are with respect to the NPT.

Senator MERKLEY. Those three pillars are nonproliferation, peaceful use of nuclear power, and disarmament, and they are meant to bridge the very difference between nuclear power states and non-nuclear power states. Is that bridge, which puts different responsibilities on different parties to the treaty, one which you fully support?

Dr. POBLETE. Senator, I fully support looking at the treaty in a holistic fashion. In fact, one of the concerns that I had before, during, and after, with respect to Iran or North Korea, but particularly with respect to Iran, is that, predating the JCPOA, when Iran was in violation of its safeguard agreements, when Iran was in violation of its overarching NPT obligations, that the focus was still on its "inalienable right" to peaceful, civilian nuclear energy, without taking into consideration that there are other articles of the NPT that hold parties accountable for violations of their safeguard agreements and their overarching NPT obligations.

So I definitely agree that the NPT cannot be approached from a myopic standpoint, that we must look at all of the articles of the NPT in tandem.

Senator MERKLEY. Thank you. I want to ask you about Article VI and our responsibilities to be engaged in conversations about complete disarmament, nuclear disarmament. You indicated that you weren't familiar with such ongoing discussions. But there has

been, in the past, a P5 process that at least constitutes a forum for such discussions, discussions at least pointing in the direction of the possibility of pursuing the responsibilities under Article VI.

Do you support reengaging a P5 process?

Dr. POBLETE. Well, sir, I believe it is always helpful to engage with our allies, particularly nuclear-weapons states. I believe that, given the current security environment, however, the focus needs to be on countering the proliferation by nonnuclear-weapons states.

The P5 have demonstrated, most of them being democracies, but they have demonstrated to be fairly responsible as stakeholders, perhaps with the exception of Russia and China. But generally, the P5 have demonstrated to be responsible stakeholders.

Senator MERKLEY. Thank you.

Senator RUBIO. Senator Young?

Senator YOUNG. Thank you, Mr. Chairman.

Ms. Poblete, Dr. Ford, great to be with each of you.

Can either of you tell me whether the IAEA inspectors have inspected the military sites in Iran since the implementation of the so-called Iran nuclear agreement?

Dr. FORD. Thank you, Senator.

The specific locations of the inspected sites are treated within the IAEA system as safeguards confidential, and they do not publicly report that.

Through various means, we have frequently some insight into what the IAEA has been able to accomplish. And according to the Director General, they have not been refused, so far, any request to visit any site at which they have had reason to believe illicit activity has been occurring or which they felt it necessary to visit in order to fulfill their monitoring and verification responsibilities under the JCPOA.

It would be easier to talk about what we think we know about IAEA activity in this respect in a closed session. But so far, the IAEA has been very clear that they do not feel that they have been rebuffed in any inappropriate way, thus far.

Senator YOUNG. So that was a very precise and much appreciated answer. The short answer is you do not know, because it is difficult to differentiate between military sites and other sites, because IAEA doesn't release that information. Is that a correct recapitulation of how you started your response?

Dr. FORD. I would say the safest way to characterize it, Senator, is that it would be a much easier conversation to have if we were in closed session, so that it would be possible to discuss information that it is not possible to discuss in public.

Senator YOUNG. Okay. That is fair.

Doctor, do you have anything to add?

Dr. POBLETE. Well, Senator, as the IAEA has said, they have not been denied requested access. Now, I believe that you might be referring to what is known as the T Section of the JCPOA.

While the IAEA may feel that it has not been denied, the question rests on whether or not, if they were to ask, whether or not they have asked for specific access to these designated military facilities, some of which were part of the possible military dimensions questions that the IAEA had prior to the JCPOA, and to whether

or not they will have the authority, if they press the Iranian regime, to gain that access. That is still a subject for discussion.

Senator YOUNG. So do we know, and can you tell me in this setting, whether the IAEA inspectors have requested access to a designated military site in Iran?

Dr. POBLETE. The IAEA Director General has said that they have not been denied access to any facilities that they have requested. As to whether or not those requests have included specific military facilities, I do not know, sir.

Senator YOUNG. Is that information that you have access to?

Dr. POBLETE. In my current role, I do not have access to certain intelligence information and—

Senator YOUNG. Dr. Ford, do you have access to that information?

I am sorry for interrupting.

Dr. FORD [continuing]. Senator, I do have insight into some of these questions, which I would be happy to talk to you in a different forum, if that is all right, sir.

Senator YOUNG. Okay. I will take you up on that. I am grateful, for volunteering that. And I just note that it is pretty difficult for us to strictly and robustly verify compliance, if we do not have answers to these questions and, more specifically, if the military sites have been designated, effectively, no-go zones for IAEA inspectors.

So I see my time is dwindling down, but I will turn very quickly to Iran's ballistic missile program.

In addition to their development over the years of WMD, their delivery systems have caused great consternation for those of us who want to keep the region and the world safe and secure. In fact, Iran is the largest ballistic missile force in the Middle East. They can hit targets up to 2,000 kilometers away, including Israel, our good friend, and the thousands of U.S. troops in the region.

Dan Coats, who, of course, is our Director of National Intelligence, reiterated that the community's assessment is that "Tehran would choose ballistic missiles as its preferred method of delivering nuclear weapons, if it builds them." He also noted progress on Iran's space program could shorten a pathway to ICBM, because space launch vehicles use similar technologies.

Dr. Ford, what is your assessment of Iran's ballistic missile program?

Dr. FORD. Well, I certainly would not gainsay anything that Director Coats has said. I think you have hit the nail on the head, Senator, in pointing to that as a focus of enormous concern.

Iran does have a very extensive missile program. It has been engaged in a very elaborate and fast-paced program of missile testing. It has been building out missiles across a range of capabilities, increasing the accuracy of those that they possess.

And I should also point out they have been involved in proliferating missile technology, supplying missiles to Lebanese Hezbollah, for example, and to Houthis in Lebanon.

This is not just a question of indigenous threats in Iran, but of the spread of such threats across the region, as a part of Iran's pattern of destabilizing behavior.

Senator YOUNG. So I would like to follow up with each of you. If you have a very brief response to the following question, I would be grateful.

The proliferation of weapons out of Iran or the proliferation of material and expertise from, say, North Korea into Iran, are there additional things that we as a Nation should be doing to address those very important issues?

Dr. POBLETE. Briefly, Senator, there are a myriad of U.S. statutes that address not just the individual proliferation by rogue regimes but the collaboration between these rogue regimes. I would only add a point of caution.

As the focus is, and rightly so, on increasing and imposing crippling pressure on the North Korean regime, it is critical that we not lose sight of Iran. It is troubling to see that many of our partners and allies who are hyper-focused on the North Korean threat, because they would be directly in the line of fire, so to speak, from Pyongyang, are also now shifting gears and are investing and engaging economically with the Iranian regime.

You cannot delink the two. What benefits one ultimately benefits the other.

Dr. FORD. Senator, to take Iran as an example, I think it is precisely those regional proliferation threats that are one of the multiple centers of focus for the new Iran strategy that the demonstration has just announced in October, and which the interagency is in the process of building out even as we speak.

It is a critical part of that strategy to try to approach the range of Iranian malign acts, including missile proliferation, support for terrorist organizations' regional destabilization, such as support for the Assad regime and the Syrian civil war and those sorts of things.

From the perspective of the ISN Bureau, if confirmed as Assistant Secretary, one of my more important roles would be to support counterproliferation work on precisely these sorts of areas.

When I joined the State Department many years ago now at the Verification and Compliance Bureau, those were the early days of what is still known as the Proliferation Security Initiative. It was an effort to bring international partners into interdicting weapons of mass destruction-related shipments worldwide.

Since those days and the very early days of PSI, the U.S. interagency has built up a very formidable interagency capability to impede progress on threat systems, using a full range of tools—diplomatic, financial, law enforcement, and so forth.

I would be a proud inheritor of all the work that has been done in that respect and would certainly look for every available way to up our game, as it were, in order to impede those systems more effectively.

Senator YOUNG. I thank our witnesses.

I thank the chairman for indulging me.

Senator RUBIO. Thank you.

I am very pleased to recognize my friend, the Senator from New Jersey, Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Given the proliferation of concerns that we have seen over the past year regarding rogue regimes, developments of nuclear arse-

nals, increased ballistic missile testing, and potential violations of international agreements, I would say that these appointments are well long overdue.

Let me extend a personal welcome to Dr. Poblete, who I have known for years, going back to my tenure in the House of Representatives when she served as the staff director for the House Foreign Affairs Committee for my friend Ileana Ros-Lehtinen. Congratulations on your nomination.

Congratulations to you, Mr. Ford.

As I noted, rogue nations and nonstate actors continue to present threats to the United States and its allies. And it is imperative that the United States continue to lead the world in combating the proliferation of weapons of mass destruction and curtail the ability of nefarious actors to utilize some of the world's most dangerous tools.

Now, I did not support the JCPOA. I do not believe that it was sufficient in its construction to prevent Iran from ever developing a nuclear weapon. And I am concerned about elements of it where there will be a lifting, in just a few short years, of some other elements that are incredibly important.

However, I believe it is important for the United States to demonstrate leadership and reliability on the world stage. And as long as Iran is upholding its commitments under an agreement, which I did not think was a standard we should have agreed to, but as long as its holding it up, it serves our interests to continue to work with our international partners to ensure robust enforcement of the deal.

So what I do want to ask you about is, how will you seek to engage with our international partners to curtail Iran's ability to stockpile and disseminate conventional arms and ballistic missiles to its proxy networks around the Middle East once the U.N. lifts the embargo and terminates restrictions on ballistic missile procurement and development?

Dr. FORD. Senator, I very much share your concern at the proliferation challenges that we may well face once the restrictions of U.N. Security Council Resolution 2231, for example, and the arms provisions therein expire. That is becoming a major focus, as you will not be surprised to learn, of our Iran strategy now. And addressing that would be a major focus of concern, if I were confirmed as Assistant Secretary for the ISN Bureau.

One of the hopes that we have by remaining, pursuant to the President's direction, remaining at the moment within the JCPOA is precisely to use that step of remaining within the deal in order to make sure that we maximize our ability to work with international partners to address a range of threats in the proliferation space and more broadly on Iran, and the issue of the dramatic buildup of Iranian missile and advanced conventional weapons capabilities, and its proliferation of these capabilities to other regional players, proxy forces, and terrorist organizations, for instance, will have to be a focus of that concern. It is our hope that we can work successfully with our partners to maximize pressure.

Senator MENENDEZ. They seem to be reticent. I have seen the Europeans through, in essence, their Foreign Ministers suggests that they are not interested in any other sanctions.

The problem with this is that, if we wait for the lifting moment of these sanctions, it will be far too late. And so I hope that the administration, and through you, will take a robust set of actions to engage our partners to say we cannot wait for the moment of the twilight to ultimately engage with the advent of what comes next. And that needs to be taken advantage of now.

And I think, actually, that as I suggested at a meeting at the White House with some of my colleagues, there is an opportunity to create leverage as a result of some of the President's actions to move in that direction.

The longer we wait, the more difficult it will be, and the more consequential to Iran's destabilization of the region. So I hope to hear, for example—I am very proud of what the Senate did. I was one of the instruments of it, the sanctions legislation we passed.

But I have not seen that legislation be robustly used by the administration. They need to use the very tools we gave them that passed 98-to-2. We do not get many things around here to pass 98-to-2.

That means you have the support of the United States Senate and of the Congress, giving you tools which, up to date, I have to be honest with you, I have not seen it.

So when you want to do something to Iran to curtail its nefarious activities, the wherewithal exists already. And so I would hope that we would do that. And I would like to get your response to that.

And then, finally, on North Korea, I see we have not addressed China. And it seems to me that, on this much I agree with the President, China is clearly the pathway to do something as it relates to North Korea. They are the ones that hold the resources with North Korea to change their mind.

But I am not quite sure what the administration's philosophy is here. First, I thought we were going to challenge China to do the right thing. Then we were going to cajole it to do the right thing. But now we seem to be embracing it without it doing anything.

We could declare it a currency manipulator. We could sanction banks that are pursuing access to North Korean money. We could, ultimately, look at some of our trading statuses. But I have not heard a whimper about that.

So talk to me about sanctions and how you are going to use them. Especially since the Secretary has closed the office of sanctions coordinator, what role is sanctions going to play in countering our adversary's abilities to proliferate dangerous weapons? And how are we going to approach China, so we can deal with the question of North Korea short of military confrontation?

Dr. FORD. There is a lot to respond to there, Senator. Thank you.

I think I would say that I completely share your concerns that we must not wait until it is too late. We must not wait until the expiration point of key restrictions on Iranian threat programs, for example, and the Security Council resolution, just as I think we should not wait to try to address the challenge of putting enduring limitations upon the size and scope of Iran's nuclear program in the years in which the JCPOA's limits on that program come to expire.

So I completely agree. The time to start working on those things is now. And that is exactly why this is an important part of the Iran strategy that we are currently building out.

So I hope that you will not be disappointed in seeing how we handle that. But rest assured, Senator, that we are committed. I am personally committed, would be thus as Assistant Secretary, if confirmed, to making sure that those processes of trying to work out those enduring solutions begin sooner rather than later in order to maximize our chances of success.

With respect to sanctions on Iran, we have been, in the last 11 months, I think, very forward leaning on this going back to the very—it was in February or March, you may recall, the phrasing about putting Iran on notice. We have been working the targeteers at the Office of Foreign Asset Control at the Treasury Department virtually 24/7. We are making them work extraordinarily difficult hours and challenges to make sure that so-called sanctions packages are developed at the utmost speed.

They are a low-density, high-demand force, as they say in the military, because there is an important demand for sanctions across the proliferation space with North Korea, with Iran, also with regard to human rights issues in Venezuela and elsewhere. But we are we are processing and using the sanctions tools, which we are delighted to have from Congress, as fast as it is possible to process those packages.

I must say personally, Senator, when I joined the State Department back in 2003, I am proud of the role that we played at that time in being very forward-leaning on using proliferation sanctions to try to change the behavior of proliferation entities around the world. We felt it was important to confront proliferator-facilitating entities with a choice. They could continue to be involved with the bad guys, as it were, or they could continue to be involved with the world's largest economy here in United States. They could not do both at the same time. Forcing more of them to make more of those choices I think had a measurable impact at the time. We were very proud of that.

And since those days, thanks to the work of this committee and others, the toolkit available for imposing sanctions has expanded considerably, as have the number of executive orders devoted to providing those tools to our foreign policy apparatus as well.

So rest assured, I would be, and I think we are already, very firmly committed to using every tool available.

And finally, with respect to China, I think it is safe to say that present policy continues to use a mix of cajoling and pressures. You will notice in the implementation of sanctions that Chinese entities have begun to appear amongst those who have been sanctioned for engagements with North Korea that ultimately facilitate the North Korean weapons of mass destruction and missile programs. They have no protected status anymore.

This is a process of gradually working with Chinese interlocutors to get them to move in the way that they do need to move if there is going to be a solution here. And although I would freely agree that they are not where they need to be at this time, it is also true that they are doing a great deal more than they used to. It is still

insufficient, but there has been some Chinese movement on this, which I think has greatly discomfited the North Koreans.

It is not yet enough, but I should also point out that as we have been gradually successful in cutting back the other range of revenue streams into North Korea that have been used to facilitate the military program there, the relative role and influence of China has increased not by virtue of it having increased in aggregate terms, but in a percentage of what the North Koreans are able to get from the outside world.

So China's leverage, in a sense, is now greater than ever, and we are working very hard to work with Chinese authorities to ensure that they live up to their responsibilities as an important power and a good citizen in the nonproliferation regime to put the pressure—

Senator RUBIO. Dr. Ford, I apologize. We are running out of time here. We are going to lose our folks.

Senator Gardner?

Senator GARDNER. Thank you, Mr. Chairman.

Thank you, Mr. Ford, Ms. Poblete. Thank you very much for your service. Congratulations on the nominations. And I appreciate your willingness to perform the duties before you.

Thanks, Mr. Chairman, as well, for holding the hearing today.

Mr. Ford, is it the Trump administration's position to seek complete, verifiable, and irreversible denuclearization of the Korean Peninsula?

Dr. FORD. That is our objective, Senator. That is correct.

Senator GARDNER. And we talked about in my office whether that was China's goal or not. Senator Menendez talked about China. What is China's goal, as it relates to the proliferation in North Korea?

Dr. FORD. Well, Senator, speaking only personally and not on behalf of the intelligence community or anyone like that, my own view is that China is trying to figure out what its goal is.

The working assumption for many of us working on these issues has been in the past that China's principal objective is to ensure stability in the peninsula and to avoid what they see as a kind of parade of horrors: were the Kim regime to collapse, were we to get into a war with the North Koreans, or whatever else it might be, and that they have hitherto concluded that it is better to remain as a kind of grumpy facilitator and enabler of the North Korean regime's weapons of mass destruction—

Senator GARDNER. But complete, verifiable, and irreversible denuclearization of the Korean Peninsula is not China's goal?

Dr. FORD [continuing]. I do not think it has been, but I think they are beginning to reconsider that and realizing that if they are, in fact, in favor of stability in the peninsula, the time is now for them to join us, because the status quo is not one that points toward stability. It points only toward increasing risk and danger and uncertainty.

Senator GARDNER. And I think when it comes to that proliferation, and the position that China is in right now, it is one reason why I was pleased, one of the reasons I was pleased, that we moved away from the failed doctrine of strategic patience to a new doctrine of maximum pressure.

And I do believe we have put additional pressures on North Korea that were not in place over the past several years. I believe we have put pressure on China to help make sure we accomplish this CVID goal on the Korean Peninsula and to enlist their support in that goal.

But I am concerned about the slow pace that we have taken with China. And again, the doctrine is and should be maximum pressure, not maximum cajoling. And so if we can continue the pressure on China to the level it should be, we know over 5,000 businesses that are doing business right now with North Korea in China, start ratcheting that pressure up to a degree that we have not yet so far, then we will start to see more results as a result of the maximum pressure doctrine. So that is a discussion we can continue to have.

How do we achieve the CVID goal then, the complete, verifiable, and irreversible denuclearization? How do we achieve that strategy? How do we achieve the strategy as it relates to China?

Dr. FORD. Well, I think as I indicated a moment ago, one of the steps is to make it very clear through a range of tools to emphasize to the Chinese Government the degree to which their strategic interest is not, perhaps, what they once assumed it to be.

China's strategic interest, I would argue, and I think that recent events are increasingly making this very clear, and I hope that they are coming to realize it, their strategic interest now is very much aligned with ours in making every step possible to ensure that the North Korean regime changes its strategic course and adopts a policy of ratcheting back rather than ratcheting up the WMD and nuclear threats that they present in the region.

It seems clear to me that the status quo trajectory of the peninsula is downhill at an alarming and disturbing rate, and that China is now in a position of beginning to realize, perhaps not enough and not fast enough yet, but certainly the hope is that we can help them come to recognize that the circumstances are not what they were say 10 or 15 years ago, and that the way to ensure that all the parade of horrors they do not wish to see happen, the way to ensure that those things do not happen is not to remain as a facilitator, sort of a quiet enabler, of weapons of mass destruction and missile programs in the Kim regime, but, in fact, to join us in making sure that those threats are emphatically put back in the box so that the situation is brought back under control.

Senator GARDNER. Now, will you enter into negotiations with North Korea outside of the CVID, the complete, verifiable, and irreversible denuclearization parameters?

Dr. FORD. I am sorry. I did not understand.

Senator GARDNER. Will you negotiate with North Korea outside of those parameters, the complete, verifiable, and irreversible denuclearization?

Dr. FORD. I do not believe there is any anticipation of doing that. What Secretary Tillerson has said is that what we are looking for is some kind of an indication of North Korean seriousness to be finally willing to sit down and have that kind of a conversation. We have not seen that seriousness yet. And until such point as we do, we are endeavoring to steadily tighten the screws on the North Korean regime to incentivize finally making that choice.

Senator GARDNER. In your role of International Security and Nonproliferation, could you describe any cyber role that you might have?

Dr. FORD. Well, to my knowledge, Senator, there has not been much of one for the bureau hitherto. However, it is one of the roles of the bureau to, essentially, scan the horizon, speaking metaphorically, for emerging threats and emerging areas that may be in need of better nonproliferation norms or new nonproliferation norms or institutions or practices in the future.

I know that cyber issues are already emerging as one of the subjects for discussion within the Wassenaar Arrangement, which is an international dual-use and conventional technology export control standards regime. So cyber issues are emerging as a subject of increasing emphasis in the nonproliferation world.

It is not a terribly well-developed discipline at this point, but certainly, if confirmed, one of my responsibilities at ISN would be to make sure that we had an appropriate handle on emerging technologies and challenges out there that may need to be addressed in the future in ways, perhaps, analogous to how we have tried to address chemical and biological, radiological, and nuclear nonproliferation over the years. There may well be new areas in which that is very relevant.

Senator GARDNER. Ms. Poblete?

Dr. POBLETE. Yes, thank you, Senator. I would like to start with the cyber issue.

It is my understanding that the Arms Control, Verification and Compliance Bureau actually has had a role on the cyber issue. We have—the royal “we”—the AVC Bureau has provided support to the cyber coordinator. In fact, the Nuclear Risk Reduction Center, which, as you know, is the 24/7, 365-day communications hub with respect to verification and compliance issues on a broad range of international agreements, was directly involved in the notification to the Russian Federation of information that we had available that the Russian Federation had, in fact, attempted to interfere with our elections.

In addition to that, the Verification and Compliance Bureau using the history, the long history, in the implementation of a broad range of agreements has also been working with the interagency, and with our allied nations, to ensure that we are thinking about best practices, that we are thinking about emerging security challenges.

In fact, the AVC Bureau, the Arms Control, Verification and Compliance Bureau, has an office in the bureau just dedicated to emerging security challenges. And beyond the cyber issue, it is also looking at space security and challenges from Russian aggression, from Chinese aggression, and attempts to deny unfettered access to space by responsible parties.

And if I may go back to your question and Senator Menendez’s references, while sanctions implementation and development is not in the AVC Bureau, you cannot de-link the AVC Bureau from ISN or from the rest of the T family, or from any discussion about sanctions.

Number one, I believe that the AVC Bureau, by developing the evidence, confirming and verifying the evidence, builds the case to

support a policy determination on whether or not to impose sanctions.

Further, by leveraging the threat of sanctions, by leveraging the actual implementation and enforcement of sanctions, and not just sanctions specifically designed to address a particular bilateral or multilateral agreement, but that are targeting the other actors, the other parties to those agreements, can certainly help fortify and strengthen our own capabilities in ensuring that, one, we do have verifiable, permanent compliance with the range of commitments and agreements. But also, it serves our deterrence objectives, both nonproliferation, writ large, and, again, to deter rogue regimes or state parties to agreements not to continue their aggressive stance.

Senator RUBIO. Thank you, Dr. Poblete. We need to move on. I apologize.

Senator Murphy?

Senator MURPHY. Thank you, Mr. Chairman.

Thank you, both of you, for your willingness to serve.

Both of you have identified the administration's belief that the JCPOA is insufficient in many respects, and the administration has made it clear they are seeking to strengthen or renegotiate the agreement. It has been a little hard for many of us in Congress to get a handle on exactly how the administration wants to go about this process, and so I want to ask you both about what the administration policy may be, what your recommendation may be to the administration or to Congress.

To me, it seems as if there are four ways to go about changing the agreement, if you are of the opinion, as this administration is, that it needs to be changed. First, you could renegotiate with your partner, with the Iranians. Second, you could make changes to the agreement unilaterally, but in coordination with your European partners, make changes all together. You could make changes alone through executive actions of the administration. Or you could ask Congress to make changes to the agreement.

And so I want to ask what your recommendation is going to be. I will ask you, Ms. Poblete, and then you, Mr. Ford, as to what the best course of action should be, if you desire to change the terms of this agreement. And most specifically, what is your recommendation to Congress? When the President failed to certify under INARA, it was unclear whether he was asking us to pass legislation that would change the terms of the agreement.

So what is the best course of action to try to address insufficiencies that the administration has identified? And specifically, are you asking, are you going to be expecting to be working with Congress to pass legislation that would change the terms of the agreement?

Dr. POBLETE. Thank you, Senator.

The focus of the AVC Bureau will be, and if confirmed, that will be my mantra, my overarching objective, is to whatever agreement we have, whether it is the existing JCPOA or a future agreement, that we are able to both unilaterally, with our allied partners in support of the IAEA, that we are able to verifiably confirm or not that Iran is in compliance with its obligations.

Now as a point of personal privilege, in light of my background, particularly with respect to Iran, I always found it was most useful

when there was unanimity of purpose, unanimity of mission, from the entirety of the U.S. Government. So while I would not have a role on the actual development of the administration policy, I would just be feeding the information to the policymakers, I certainly would prefer, if asked, and would recommend, if asked, and if confirmed, that we do work, that the executive branch does, in fact, work closely with the Congress, particularly with this committee.

Senator MURPHY. Mr. Ford, I want to ask one more question. So let me turn to you.

What are you asking Congress to do here?

Dr. FORD. Thank you, Senator.

What the President said in his October 13th speech is, he directed us and the administration to try to work both with Congress and with international partners to move forward on these issues. And I guess you could sort of think of those as two parallel and complementary tracks.

With respect to the congressional piece of it, there have been, actually, a series of ongoing discussions, still, with Congress on this topic, in the hope of finding a constructive way forward in a number of respects.

One of them has to do with, as I mentioned before, the challenge of the so-called sunset terms of the JCPOA, the fact that in I think 8 to 13 years' time now, the restrictions upon the size of Iran's nuclear program will sunset, pursuant to the terms of the JCPOA.

From a congressional legislative perspective, it may be possible to work with the Congress. We hope that it is possible to work with the Congress to change Iran's incentives with respect to the choices that it might make.

Senator MURPHY. But are you asking us to do something that would violate the terms of the agreement?

Dr. FORD. Actually, in fact, Senator, we have been asking Congress—we have been working very hard to try to make sure that the Congress does not do anything that would cause Iran immediately to run afoul. We have been trying to resist the insertion of so-called poison-pill pieces into the legislative framework. The hope is to be able to find a way to incentivize Iran to make choices that keep us from having enduring proliferation problems in the future, but not to blow up the deal.

Senator MURPHY. Let me ask you one thing—thank you for that—one quick question on Iran's ballistic missile program.

I was proud to support the sanctions bill here that levies new sanctions on Iran for their ballistic missile program. But let's be honest, Iran's ballistic missiles right now are not pointed at the United States. They are pointed at Saudi Arabia.

Simple question: Do you believe that Saudi Arabia's military buildup contributes to Iran's motivation to continue to develop their ballistic missile program?

Dr. FORD. I am confident that the Iranians would say so. If I were in Riyadh speaking personally, I would be very concerned by the path that Iran has taken over the last—

Senator MURPHY. But do you believe that is part of their motivation?

Dr. FORD [continuing]. Frankly, I am not comfortable trying to get into the heads of Iranian leaders in that respect. I worry that there is an action-reaction dynamic in the Middle East, which is one of the reasons why I was so unhappy, personally, to see that the Iran deal, in fact, took the steps that it did to provide legitimacy to and international acceptance of Iranian production of fissile material, for fear that that would set in place a further action-reaction dynamic that would increase the proliferation pressures elsewhere in the region.

So I think it is part of our challenge as a policy community to try to do what we can to put that cat back in the bag, as it were. And part of that will be working to provide the kind of solidarity against Iran that we hope to achieve by working with our international partners across the range of Iranian activity. Part of it will be bolstering our relationships with others in the region.

Historically speaking, at least, I think it is the solidity of the U.S. security relationship that has over many decades since the dawn of the nuclear age been very important to helping persuade countries that might otherwise have considered indigenous weaponization that that is not necessary, and certainly not a wise choice, and that their needs can be met through other means.

I hope we can continue to do that and meet these challenges in the Middle East as the years move forward, Senator.

Senator MURPHY. Thank you.

Senator RUBIO. Thank you.

Senator Markey?

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

I am very concerned to learn that the United States is engaged in active, ongoing discussions with both Saudi Arabia and Jordan on concluding 123 nuclear cooperation agreements. These agreements are essential for ensuring that nuclear technologies and expertise that can be used to make nuclear weapons do not spread and that nuclear cooperation with the United States is not used as a cover, as a hedge against or a leg up on one's neighbors.

And that is especially true in the Middle East, which remains a volatile, contentious region plagued by religious rivalries and proxy wars. In Iran, we have experienced firsthand how incredibly difficult it is to curb nuclear proliferation once the ball is rolling inside of that country, and the deep, unshakable suspicion that remains about its intentions on this committee, across our country, and across the world.

So even as we were moving forward on this effort to curb Iran's nuclear program, Saudi Arabia warned that the whole region "could be plunged into a nuclear arms race," and that if Iran goes for a nuclear program, "nothing could prevent us from doing it, too, not even the international community."

So that sounds like a recipe for trouble to me, and I would hate for the United States to be further exacerbating those tensions, especially in a part of the world blessed with such abundant solar and fossil resources that it could power the entire region's electricity needs alone, without ever having to deal with the complications of nuclear power.

So the Atomic Energy Act requires the President to keep the Senate Foreign Relations Committee "fully and currently informed

of any initiative or negotiations relating to a new or amended agreement for peaceful nuclear cooperation." It also mandates that Congress review the terms of any 123 agreement and give Congress the power to block these agreements.

So it seems that, at this point, the Trump administration has forgotten this. So I will be sending a letter shortly to request a full and immediate briefing on these negotiations.

But for now, I am going to ask just some questions to try to understand better what the current status of these negotiations is.

Mr. Ford—and again, thank you both for your service to our country—yes or no, is the United States at present negotiating terms of a 123 agreement with Saudi Arabia and Jordan?

Dr. FORD. Thank you, Senator. We are presently in discussions with both the Saudis and the Jordanians about 123 questions. That is something that is not new. We have been in on-again, off-again discussions of that sort for some time, certainly predating the current administration.

But the short answer is, there are discussions underway.

Senator MARKEY. Did the Trump administration decide or did Saudi Arabia and Jordan approach the Trump administration to restart or revitalize the 123 negotiations after January of 2017?

Dr. FORD. Actually, the short answer is I do not know who spoke with whom first. I am afraid I do not know, Senator. I am sorry.

Senator MARKEY. Can you describe to us at what stage these negotiations are right now?

Dr. FORD. They are still very preliminary. To my knowledge, there has not been any engagement of technical experts at this point.

Senator MARKEY. So you are saying, at this point, neither Saudi Arabia nor Jordan have proposed specific terms or responded to terms posed by the United States?

Dr. FORD. I am, unfortunately, not at liberty to discuss these ongoing bilateral discussions in this forum. This is something that, perhaps, we would be able to discuss in a different context, Senator.

Senator MARKEY. Does the Trump administration believe the gold standard, the commitment not to enrich uranium or reprocessed plutonium, is a requirement in order to conclude terms for 123 agreements with these countries?

Dr. FORD. I would say, Senator, that it remains U.S. policy, as it has been for some time, to seek the strongest possible non-proliferation protections in every instance.

Senator MARKEY. Is that the gold standard?

Dr. FORD. Well, the strongest that has yet been achieved is the gold standard with the United Arab Emirates.

Senator MARKEY. Is that your goal, to keep that standard?

Dr. FORD. I would love to keep that standard in place, if we can, Senator.

Senator MARKEY. Do you personally believe the gold standard is a requirement, in order to conclude a 123 agreement with these countries?

Dr. FORD. It is not a legal requirement. It is a desired outcome.

Senator MARKEY. Have Saudi Arabia or Jordan asked for terms more permissive than the gold standard?

Dr. FORD. I would go back to my earlier comment, Senator, that it would be much easier to talk about ongoing bilateral negotiations in a closed forum.

Senator MARKEY. If we agreed to anything less than the gold standard with Jordan or Saudi Arabia, how do you think the United Arab Emirates would respond? The United Arab Emirates has been an excellent partner in agreeing to the gold standard, but has a legal right under the terms of their 123 agreement to drop these nonproliferation provisions if others receive better terms. How do you think the United Arab Emirates would respond, if there was no gold standard negotiated with Saudi Arabia?

Dr. FORD. I cannot speak for them, Senator, but I think you are quite correct that there is a provision in their 123 agreement that would allow them to initiate new discussions about the terms of their deal were someone else in the region to have gotten a different one.

Senator MARKEY. Do you believe the administration is meeting its requirement to keep Congress fully and currently informed about its current 123 negotiations with Saudi Arabia and Jordan?

Dr. FORD. I believe that it is, and that at such point as it is possible to have more to say, we would be delighted to have that briefing in a closed context, Senator.

Senator MARKEY. And if you are confirmed, would you commit to briefing this committee on the status of these negotiations in a classified, nonpublic setting within 30 days of your confirmation?

Dr. FORD. I would, Senator. As a long-time Senate staffer, you can be assured that close cooperation and communication with this body, as well as with the House, would be an enduring priority of mine.

Senator MARKEY. So my problem, Mr. Chairman, with this entire area is that there are now auctions in Mexico: 3 cents a kilowatt hour for solar—3 cents a kilowatt hour—below coal, below natural gas.

So in Saudi Arabia, the one thing we do know is it is sunny 365 days a year, and we know that the price of solar has completely plummeted. They also are flaring their own excess fossil fuels.

So we are heading into a very dangerous area here. As our concern about nuclear proliferation continues to expand in that region, we have an agreement that keeps the Iranian program under control. But again, what has made it possible for them to move forward is the fact that they had already been given access to nuclear technology.

If we continue down this pathway, then there is a recipe for disaster, which we are absolutely creating ourselves with our own policies. And so I just think it is very important area for us to pursue, and I think that this committee should be briefed immediately on the status.

Senator RUBIO. And the ranking member has a final question, too, but let me just ask real quick, in that vein, we talk about the UAE agreement as the gold standard for restraint. The JCPOA then happened and it allows Iran to retain and even grow its enrichment program.

Is it your opinion that that agreement has made it harder to do more UAE-type deals or easier?

Dr. FORD. I would say, Mr. Chairman, that the international agreement to allow Iran fissile material production capability has made it considerably more difficult to ask gold standard-type agreements, or, indeed, any type of limitations upon enrichment or re-processing technology of others.

Senator RUBIO. All right.

Ranking Member?

Senator CARDIN. I want to just very quickly comment on Senator Markey's and Senator Rubio's points, because I agree with both.

But if we do not draw a line in the Middle East, it is going to be all-out proliferation. So I just will express my own view, but I think it is of many members of this committee and the Senate, that we need to maintain the UAE standards in our 123 agreements in that region. There are just too many other countries that could start proliferation issues that would be against our national security interests and the interests of the region.

So I want to thank Senator Markey for raising that, because, yes, we get involved in the process, the earlier, the better.

So as a former staffer here, I look forward to us getting engaged before decisions get beyond the point where our only option would be to vote against the 123 agreement.

I want to get to another area, Dr. Ford, that you should be very comfortable with, and that is carrying out the intent of this committee and the United States Senate and Congress in the Russia sanction bill that we passed. You have commented on it. And I learned a little bit today, that that will come under your portfolio, if confirmed.

And our law is pretty specific. They are mandatory sanctions. We give 180 days for improvements in the process by the Russian defense and intelligence sector. That expires on January the 29th.

The dates are pretty specific. Are you committed to working with this committee and working with—I might tell you, the Banking Committee is also very interested in it, Senator Crapo and Senator Brown; Armed Services is very interested, Senator McCain and Senator Reed; as well as this committee, to make sure the law is carried out.

Will you be working with this committee to make sure that that law, in fact, is carried out?

Dr. FORD. If confirmed, Senator, absolutely, I would.

The so-called CAATSA sanctions are a new area for me. It is not an area that my directorate at the NSC currently deals with, so I have been something of a newcomer to this as well, and I am trying to learn it as I go along.

It is very important. I completely agree, it would be very important that these things be implemented and be implemented well and effectively.

It is a very complex process. A list of Russian entities has been promulgated by the Secretary of State, I believe on October 27th or sometime thereabouts, pursuant to a delegation of authority that came from the President a month before that.

So this is a very new and emerging area. It is the responsibility of the State Department to identify those who have engaged in significant transactions with entities that are listed on that list that

corresponds to a number of entities of the Russian defense and intelligence sectors.

And then I think it is also the responsibility, once a transaction of significance since the effective date of the act has been identified, to apply to them a series of at least five from a list of as many as 12 penalties to those engaged in those transactions.

While all these determinations are going on, which are both complex factual and policy determinations, at the same time, it is part of Secretary Tillerson's direction that we would need to be coordinating very closely with international partners and with other stakeholders in the U.S. interagency to make sure that we work with international partners who engage or may have engaged or may in the future engage in transactions with Russian entities, in order to help them minimize any exposure they might have, help them understand how we are approaching these things.

And this is an enormously complex process. It will take a lot of doing to put this into place. But I am certainly committed to trying to make this work as well as possible.

Senator CARDIN. Let me make this clear. We made it more complicated, basically, at the request of our international partners and the administration, so they had flexibility. But the intent was very clear, that these are mandatory sanctions and that they need to be enforced in a timely way.

So I appreciate that we want to coordinate with our allies, and I agree with that. I would hope that some of the stakeholders would also include the Members of Congress who have been engaged in this process as you go through this process.

But I would just urge you, that January 29th date we expect to be complied with. We are not looking for extensions of that date. And I would just urge you to be mindful that good faith here goes two ways, and there will be other legislation that will be considered in the future. And I can assure you that if this law is not complied with, some of the discretion that is included in this statute will not be included in future enactments.

So it is of good faith, back and forth with the administration to have flexibility. But these are mandatory sanctions, and they must be applied, based upon Russia's behavior. And you have some discretion, but they have to be applied, if they have not complied with the law.

Dr. FORD. Message clearly received, Senator.

Senator CARDIN. One last point on sanctions. Here, I have seen similar comments made by the administration about Turkey's acquisitions of Russian technology contrary to their NATO commitments, but also in violation of the Russian sanction law.

I understand you may not be prepared to answer that question today. But this committee is going to be very interested in how we treat a NATO partner violating our Russia sanctions provisions, that they make it clear that this is mandatory sanctions and sanctions need to be applied, even if it is a NATO partner.

Dr. FORD. The short answer is yes, that sounds like a very challenging determination under the statute, but rest assured that I fully understand the mandatory nature of the sanctions and that this would be a focus of great concern.

As I mentioned earlier, I think it would be an important priority for me, if confirmed as Assistant Secretary, to make sure that the staffing and resources of the bureau were appropriately aligned to making sure that we are able to do that work to which you are referring, Senator.

Senator CARDIN. And, Dr. Poblete, I just want to underscore one additional area of concern that has not come out, and that is the Russia veto of the joint investigative mechanism under the chemical weapons inspection regime. That is going to present challenges as to how we enforce the prohibition on use of chemical weapons, particularly in Syria, without the inspection regime contemplated.

I note that Ambassador Haley has commented on this, but I want to make sure that is on your radar screen, that you have an effective way to enforce the chemical weapons bans.

Dr. POBLETE. Absolutely, Senator. It has been on the administration's radar screen. It has been on my radar screen from the onset.

I would like to point out that the United States has not given up on trying to hold the Syrian regime accountable. I would like to point out the meeting of the Executive Council of the Organization for the Prohibition of Chemical Weapons that took place last week.

And regrettably, the Russian Federation once again demonstrated that it is not a responsible partner and a responsible stakeholder internationally, partnering up with the Iranian regime to block even accountability at the OPCW executive council.

We are currently engaged in the Conference of States Parties of the OPCW. That began yesterday. And I assure you that it is a priority for the administration to ensure that we have the necessary support and coalition to hold the Syrian regime accountable, because we understand that this is not just about the Syrian regime's actions, not just about the actions of nonstate actors within Syria. This is about sending a message to the world that the United States will not stand idly by and allow the use of chemical weapons in any theater in any scenario by any actor or nonstate actor.

Senator CARDIN. Thank you. And I thank both our witnesses again for their response today.

Senator RUBIO. Absolutely. Thank you both for being here today and for your service and your willingness to continue to serve. I think it has been a very good and informative hearing, and I really look forward to moving forward on the process.

The record for this hearing will remain open for 48 hours. And for the members and their staff, the questions for record, we hope to have them in by close of business on Thursday.

So without objection, the hearing is adjourned.

[Whereupon, at 12:04 p.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. YLEEM D.S. POBLETE 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. The defense and protection of universal human rights has been an integral part of my professional trajectory.

For me, there is a correlation between the manner in which foreign governments treat their people and the threats they pose to U.S. security interests and priorities. A regime which engages in violations of the fundamental freedoms of its people, other degrading and inhumane treatment, and demonstrates a blatant disregard for the survival and welfare of its citizens, will not be concerned about threatening its neighbors with missiles or undermining peace and security via the pursuit of nuclear, chemical, biological, radiological, advanced or destabilizing numbers of conventional weapons.

As a longtime Congressional staff member, I have been involved in the development, negotiation, and implementation of such legislative initiatives as the North Korea Human Rights Reauthorization Act, the Iran Freedom Support Act, the Iran Threat Reduction and Syria Human Rights Act, the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, and the Fourteenth Dalai Lama Congressional Gold Medal Act. In my capacity as staff of the House Foreign Affairs Committee, I exercised continued oversight over the implementation of such U.S. laws as the International Religious Freedom Act, the Trafficking Victims Protection Act, and the Middle East Partnership Initiatives; pressed foreign government officials on their human rights records; and worked to highlight the plight of religious and ethnic minorities around the world such as Christians in the Middle East, the Ahmadiyya Muslims in Pakistan, and the Baha'is in Iran.

I was fortunate to work on efforts against the lifting of sanctions or granting of PNTR to various countries due to ongoing human rights abuses and, in some instances, as in the case of the Russian Federation, to leverage the repeal of Jackson-Vanik and the granting of PNTR to help secure support, in the House of Representatives, for the inclusion and adoption of the Magnitsky Act in the final legislative package.

In certain international fora, I worked on advancing the U.S. agenda—from ensuring international condemnation of the genocide in Darfur; lobbying against adoption of anti-Semitic and anti-Israel UN resolutions; convincing foreign ministers from the Middle East and North Africa to agree to an Inter-Arab Democratic Charter and support the Plan of Action of the Community of Democracies Ministerial; to blocking the Libyan, Syrian, and Iranian regimes from assuming leadership posts at UN bodies focused on human rights matters (or disarmament and nonproliferation).

There are several ways to measure success in this arena but, on a personal level, the most rewarding was when former prisoners of conscience, thanked me because a resolution, a bill, a hearing, a statement I worked on in helped save their lives.

Question 2. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. Helping others realize their potential is a personal priority.

When I think about my service on the staff of the House Committee on Foreign Affairs, one of the accomplishments I am most proud of is the myriad of other staff members who began as interns or fellows; whom I encouraged and supported to pursue advanced degrees; whom I helped advance in their careers; and who are actively engaged and succeeding in the national security arena. To this day, many seek my advice before pursuing new opportunities.

As a Hispanic, I am a member of an underrepresented group at the Department of State. I look forward to the opportunity, if confirmed, to use my personal and professional experiences to help address the diversity gap which exists at the Department of State and help implement the Secretary's vision to convert the Department into a reflection of the American people of our nation.

If confirmed, I commit to engaging staff to identify professional goals and opportunities and to ensure that all personnel, including the Foreign Service and Civil Service, are afforded equal access to programs for career advancement and development.

Question 3. What steps will you take to ensure that each of the supervisors in the Bureau of Arms Control, Verification, and Compliance are fostering an environment that is diverse and inclusive?

Answer. I will lead by example. More specifically, I take the issue of workforce development very seriously and, if confirmed, one of my priorities will be to work with supervisors to identify young talent with diverse backgrounds, expertise and training and afford this next generation the opportunity to learn from skilled professionals in order to develop the full range of skills essential to the vital areas covered by the AVC Bureau.

Together, Civil Service and Foreign Service personnel bring deep experience and knowledge to the Bureau. If confirmed, I will welcome the expertise of the Foreign Service Officers who add critical diplomatic skills and unrivaled connections with our foreign interlocutors. Military and other advisors on AVC staff contribute a needed perspective to the Bureau's work and help strengthen AVC's connections with the Department of Defense and other U.S. agencies. Conversely, they return to their agencies with a greater appreciation of the important and complementary role of AVC and the State Department in the field of national security.

Question 4. Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

Question 5. Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

Question 6. Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

Question 7. The latest NDAA conference report stripped all funding to the CTBT Preparatory Organization, except for money directed towards the International Monitoring System. The administration's budget request to Congress provided full funding to the organization. What impact do you believe cutting funding to CTBTO will have on U.S. global leadership on nonproliferation issues?

Answer. The administration is in the process of reviewing its policy on a number of arms control and nonproliferation issues, including the CTBT. Section 1279E of the NDAA conference bill provides that no U.S. funds may be made available to the CTBTO Preparatory Commission (PrepCom), except for U.S. funds for the International Monitoring System (IMS) or U.S. funds used solely for analysis and dissemination of data collected under the IMS. As you noted, the President's FY 18 budget request fully funds the U.S. planned contribution to the PrepCom. I pledge that, if confirmed, I will work with Congress to ensure U.S. support for the PrepCom is consistent with U.S. law and supports U.S. leadership on nonproliferation issues, including international efforts to ensure our ability to detect nuclear tests by North Korea and potentially others in the future.

Question 8. President Trump has previously stated a desire to vastly increase the size of the U.S. nuclear force, with some sources articulating he wanted a tenfold increase in our nuclear forces. Do you agree with this statement and what impact would that have on strategic stability with Russia?

Answer. Nuclear deterrence remains a foundational element of U.S. national strength and security and assures our Allies and partners that we can and will meet our extended deterrence commitments. To ensure the United States maintains an effective nuclear deterrent, President Trump directed the Department of Defense to conduct a new Nuclear Posture Review (NPR) to "ensure that the United States nuclear deterrent is modern, robust, flexible, resilient, ready, and appropriately tailored to deter 21st century threats and reassure our allies." The Department of State is participating in the NPR which, when released, will establish U.S. nuclear deterrence policy, strategy, and posture for the next five to 10 years and guide modernization of the U.S. nuclear deterrent for the 21st century security environment. Both Russia and China are modernizing their nuclear forces, while North Korea continues to advance its nuclear and missile programs. The U.S. nuclear sustainment and modernization program is designed to provide a safe, secure, and effective nuclear deterrent; assure allies; and preserve strategic stability with Russia and China.

The United States and the Russian Federation held a meeting in Helsinki, Finland on September 12 to discuss issues relating to strategic stability. The U.S. dele-

gation was led by Under Secretary of State for Political Affairs Thomas A. Shannon, Jr. and the Russian delegation was led by Deputy Foreign Minister Sergei Ryabkov. The discussions provided both sides with an opportunity to raise questions and concerns related to strategic stability and to clarify their positions.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. YLEEM D.S. POBLETE BY SENATOR EDWARD J. MARKEY

Question 1. Some have asserted that the United States should not remain in treaties to which other parties are in violation. Do you agree with this sentiment?

Answer. I would say that it depends on the circumstances. If a particular treaty remains in the national security interests of the United States, the U.S. should work toward bringing the violating state party back into compliance with the treaty.

Question 2. Russia is currently testing the boundaries of a number of arms control treaties, including the Intermediate-range Nuclear Forces (INF) Treaty and the Open Skies Treaty. Do you believe these treaties are in the national security of the United States? Are they valuable even when they are under duress?

Answer. The U.S. goal is to preserve the viability of the INF Treaty and other arms control agreements as a means of reducing threats to the United States and our allies. With regard to the Open Skies Treaty, approximately 95 percent of all Treaty flights take place without incident. The Treaty gives States Parties the ability to gather information through aerial imaging on military forces and activities of concern to them. It provides an opportunity to improve transparency among the States Parties. Our Allies and partners, over whom the great majority of flights take place, believe this transparency is an important confidence building measure in Europe, especially during times of increased tensions and uncertainty.

Question 3. How do we push Russia to bring Russia back into compliance with its obligations under these treaties and build consensus amongst our European partners about the importance of pushing Russia in that direction?

Answer. Since the United States declared Russia in violation of its INF Treaty obligations in July 2014, Russia has refused to engage in any meaningful way, and it continues to move forward with the production and deployment of the violating system.

The Trump administration reviewed the intelligence and the steps taken by the prior administration regarding Russia's violations of its INF Treaty obligations. The administration has engaged in consultations with Allies and has embarked on a strategy to press Russia to return to full and verifiable compliance with the Treaty. Although this is essentially a bilateral treaty, Allies have a common interest in full compliance.

With respect to the Open Skies Treaty, the United States concluded earlier this year that Russia is not in compliance with some of its Open Skies Treaty obligations. The U.S. has developed and declared a set of initial responses that are compliant with our treaty obligations and reversible should Russia address its violations.

Given that this is a multilateral Treaty process, we are working in close coordination with our Allies and partners, many of whom also greatly value the Treaty for the transparency it provides, particularly in this time of heightened tensions, to encourage Russia to return to full compliance with its obligations under the Treaty. Although Russia continues to facilitate numerous flights per year over most of its territory, its violations undercut the confidence building purpose of the Treaty and must be addressed.

Question 4. Do you believe that the United States should exhaust all available tools, such as the dispute resolution mechanisms often included in these agreements, before deciding to walk away from them?

Answer. Yes. Since entry into force of the Open Skies Treaty, the United States has been an active participant in the Open Skies Consultative Commission (OSCC) and its Informal Working Groups, which are charged with resolving questions that arise in the implementation of the Treaty. These mechanisms, augmented by bilateral meetings between U.S. and Russian experts, have worked in the past to resolve a number of issues. Not so, in recent years. The United States remains committed to working with our Allies and partners to consider next steps to bring Russia back into compliance with the Treaty.

With regard to the Intermediate-Range Nuclear Forces (INF) Treaty, the United States convened the Treaty's Special Verification Commission (SVC) in November 2016 for the first time since 2003 due to Russia's unwillingness to engage bilat-

erally. The United States will continue to use diplomacy, including bilateral engagements and the SVC, in an attempt to return Russia to compliance.

Question 5. The United States and Russia have been trading accusations about noncompliance with the 1987 Intermediate Nuclear Forces Treaty (INF). We have accused Russia of flight testing a ground-based cruise missile with a range prohibited by the agreement. In December 2017, the two countries held a meeting of the Joint Verification Commission, an implementation mechanism established by the treaty, to try to resolve the matter, and I understand another meeting of this body has been requested and will likely take place soon.

The administration has made a number of policy decisions regarding how to respond to Russia's violation of the 1987 INF Treaty but has yet to publicly describe its strategy. The Wall Street Journal reported on November 16 that the Trump administration has begun preliminary research on a new, road-mobile ground-launched cruise missile (GLCM) that if tested would violate the treaty. The report also indicated that the administration has informed Russia of the decision and that Secretary of Defense Mattis briefed NATO defense ministers on the approach during his recent visit to Brussels. Meanwhile, The Washington Post reported that same day that the administration has requested another meeting of the treaty's Special Verification Commission (SVC) to discuss our compliance concerns.

- On what basis does the administration believe that developing and possibly deploying a new U.S. GLCM will convince Russia to return to compliance with the INF Treaty? Doesn't the development of a new GLCM provide Putin a propaganda victory and a "legitimate" reason to blame the US for the collapse of the INF Treaty and begin deploying large numbers of illegal missiles without any constraints?

Answer. Since the United States declared Russia in violation in July 2014, Russia has refused to engage in any meaningful way, and it continues to move forward with the production and deployment of the violating system. The U.S. continues to seek a diplomatic solution to Russia's violation, including continuing to respond to Russia's allegations of U.S. noncompliance and considering how best to change the current diplomatic deadlock.

After reviewing the intelligence and the steps taken by the prior administration to seek Russia's return to compliance, the Trump administration has approved additional U.S. actions to pressure Russia to return to full and verifiable compliance. Should Russia return to compliance with the INF Treaty, the U.S. is prepared to reverse or cease these activities.

With regard to any military steps, I would defer to the Department of Defense. However, the United States takes very seriously its commitments under the INF Treaty and complies with those obligations.

These are steps the Russians are forcing us to take in an effort to save a framework that has helped preserve international security for decades.

Question 6. How did our NATO allies react to the news that the United States plans to develop a new road-mobile GLCM that if deployed would necessarily be placed in Europe? To your knowledge, are there any NATO or East Asian allies that would allow the United States to base a new road-mobile ground-launched cruise missile on their territory? If the development of a new GLCM becomes a controversial issue within the alliance, wouldn't that play into Moscow's efforts to divide the alliance and take the spotlight off its violation? ?

Answer. The United States has closely consulted with Allies in Europe and the Asia-Pacific region and will continue to coordinate with them on this and other matters that affect our common security. Such consultations are held in confidence and we do not release their content. I want to highlight and reaffirm what NATO Secretary-General Stoltenberg said last month about the Treaty: "it's extremely important that it is fully implemented, so we will continue to call on Russia to address the serious concerns in a substantial, transparent and verifiable way because the INF Treaty's important for all of us."

Question 7. To help resolve the noncompliance issues, will the new administration consider offering transparency measures to address the Russian charge that U.S. SM-3 launchers in Europe can contain ground-launched cruise missiles?

Answer. The United States is in compliance with its INF Treaty obligations. The U.S. takes these obligations seriously. Rather than address its own violation, the Russian Federation has raised baseless allegations against the United States in a clear attempt to deflect attention from Russia's INF-violating system. The U.S. has directly and substantively refuted these allegations with Russia on multiple occasions and provided our NATO Allies a detailed explanation of why U.S. systems are in full compliance with the INF Treaty.

The Aegis Ashore missile defense system being deployed in Romania and Poland is only capable of launching air and missile defense interceptor missiles. These missiles are not subject to the INF Treaty. Further, the Aegis Ashore system has never contained, launched, or prepared for launch any INF-prohibited missile. Therefore, it is fully consistent with U.S. obligations under the INF Treaty.

Question 8. In testimony to the House Armed Services Committee in March, Vice Chairman of the Joint Chiefs of Staff Gen. Paul Selva stated that "There are no military requirements we cannot currently satisfy due to our compliance with the INF Treaty." Do you agree with this statement?

Answer. I have no reason to disagree with this assessment by the Vice Chairman of the Joint Chiefs of Staff on military requirements.

Question 9. Over the past several years, the prohibition against chemical weapons use established by the Chemical Weapons Convention (CWC) has been violated multiple times in Syria. Although the joint U.S.-Russian-OPCW operation removed the bulk of Assad's chemical weapons arsenal and manufacturing capacity, United Nations Organization for the Prohibition of Chemical Weapons (UN-OPCW) inspectors have found that the Assad regime and elements of ISIS have used chemical weapons and they have done so since the Trump administration struck the Government military air base suspected of launching the deadly Sarin attack on a village in Syria earlier this year. Unfortunately, Russia has irresponsibly opposed efforts by the United States and other members of the United Nations Security Council to extend the mandate of the Joint Investigative Mechanism to help hold CWC violators in Syria accountable.

- What strategy do you believe the United States should pursue to ensure that all states, including Russia, Syria, and others, respect the CWC and allow the OPCW and UN members states the ability to hold violators accountable?

Answer. The United States is pursuing a multifaceted strategy to ensure all States Parties comply with the CWC and deter future use by identifying and holding accountable those responsible for the use of chemical weapons. The United States continues to lead the effort with international partners. Action should be taken in cooperation with allies and partners, though the United States should be willing to act alone, if necessary. The United States will continue to engage diplomatically on chemical weapons issues at both the United Nations and the Organization for the Prohibition of Chemical Weapons (OPCW). Beyond taking action at the United Nations Security Council, the use of General Assembly mechanisms, such as the International, Impartial and Independent Mechanism (IIIM) and the Commission of Inquiry on Syria, provide additional reinforcing support for attribution efforts. There are also other tools available, to include multilateral and domestic sanctions, to address CWC violations. Finally, the United States has sometimes provided financial support to ensure compliance with, and effective implementation of, the Chemical Weapons Convention. To name two examples, we did so for the removal of chemical weapons precursors from Libya in 2016 for destruction, and are now supporting the OPCW Fact Finding Mission, which is investigating suspected chemical weapons use in Syria.

Question 10. How will do you plan to deal with the demographic staffing issues in AVC since 50 percent of the Bureau is eligible to retire in the next 5 to 10 years? How will you bring new, young experts into the Bureau? How will you enhance gender and diversity balance? How will you attract new Foreign Service officers into the Bureau?

Answer. I take the issue of workforce development very seriously and, if confirmed, one of my priorities will be to identify young talent with diverse backgrounds, expertise and training and afford this next generation the opportunity to learn from skilled professionals in order to develop the full range of skills essential to the vital areas covered by the AVC Bureau.

It takes years of experience to build up the reservoir of talent, international reputation, and expertise. If confirmed, I will focus not only on today's portfolio, but on developing the skills for the future.

Together, Civil Service and Foreign Service personnel bring deep experience and knowledge to the Bureau. If confirmed, I will welcome the expertise of the Foreign Service Officers who add critical diplomatic skills and unrivaled connections with our foreign interlocutors. Military and other advisors on AVC staff contribute a needed perspective to the Bureau's work and help strengthen AVC's connections with the Department of Defense and other U.S. agencies. Conversely, they return to their agencies with a greater appreciation of the important and complementary role of AVC and the State Department in the field of national security.

Question 11. AVC has a number of career civil servants in leadership positions. Do you plan to retain those leaders?

Answer. If confirmed, I will meet with all the staff to gain their insight on AVC's needs, challenges and opportunities, relying heavily on their creativity, expertise, experience and international connections to assess and develop the policy course within the Department, the interagency and with the international community. I will seek to encourage a diverse and highly skilled workforce that brings in the best minds to contribute to U.S. arms control, verification and compliance.

Question 12. During your confirmation hearing, you indicated a belief that the Verification and Compliance bureau should be more involved in implementation of the Joint Comprehensive Plan of Action (JCPOA).

- Please describe the role you see your bureau playing in implementation of the Joint Comprehensive Plan of Action (JCPOA). Do you believe Iran is meeting its commitments under the JCPOA?

Answer. The Assistant Secretary of State for Verification and Compliance is statutorily responsible for "the overall supervision (including oversight of policy and resources) within the Department of State of all matters related to verification and compliance with international arms control, nonproliferation, and disarmament agreements or commitments." (Public Law 106-113-Appendix G). If confirmed, I will work with my State Department colleagues on their ongoing efforts to ensure that all relevant aspects of the JCPOA are rigorously verified, that Iran's compliance is strictly assessed, and that any and all violations are addressed. In all aspects of the administration's efforts related to the JCPOA, I will work with my colleagues to ensure the Bureau's integral role is represented.

As for whether Iran is currently meeting its JCPOA commitments, the President and the Secretary have been clear about their concerns regarding the JCPOA, including the need for Iran's strict compliance. I share these concerns. While the IAEA has reported that Iran continues to implement its nuclear-related commitments under the JCPOA, questions remain about authorities and access to Iranian military facilities. The administration has made clear that Iran's continuing malign activities in the region, including ballistic missile activities and support for terrorism, have undermined the expectations set out in the JCPOA that the deal would positively contribute to regional and international peace and security. The administration further concluded that the sanctions relief Iran received as part of the deal is not "proportionate" to the specific, limited-duration measures taken by Iran with respect to terminating its illicit nuclear program.

Question 13. Do you believe that Article VI of the Treaty on the Nonproliferation of Nuclear Weapons (NPT) obligates parties to pursue disarmament measures in good faith? What does that mean to you? In your estimation, what are some ways that we can strengthen all three pillars of the NPT? If the United States decides to build new nuclear weapons, how do you think the rest of the world will respond?

Answer. The administration is committed to the NPT in all its aspects, including Article VI. Adhering to this commitment in good faith entails pursuing effective measures that can help to create the security conditions that would facilitate further progress on nuclear disarmament. This approach looks at disarmament within the context of the overall security environment and is entirely consistent with the NPT.

If confirmed, I look forward to working with other NPT States Parties to maintain and strengthen the Treaty in all its aspects, while emphasizing the central role of nonproliferation in achieving the full benefits of the Treaty.

With regard to international reaction to a hypothetical decision by the U.S., the administration remains in the process of conducting its Nuclear Posture Review, and I would not presume to speculate on the outcome of that review or the potential reaction to it. If confirmed, I look forward to ensuring that the United States remains at the forefront of international efforts to promote nonproliferation and effective measures that enhance our security and create the conditions that will allow for nuclear disarmament.

Question 14. Does the Trump administration believe the "gold standard"—a commitment not to enrich uranium or reprocess plutonium—is a requirement in order to conclude terms for 123 agreements with Saudi Arabia or Jordan? If the United States agrees to anything less than the "gold standard" with Jordan or Saudi Arabia, how do you think the United Arab Emirates would respond?

Answer. In addition to the legal requirements of Section 123 of the Atomic Energy Act, the United States has a longstanding policy of seeking to limit the spread of enrichment and reprocessing (ENR) capabilities around the world. The Trump administration remains committed to seeking the highest nonproliferation standards possible in 123 agreement negotiations with both Jordan and Saudi Arabia.

The "Equal Terms and Conditions for Cooperation" clause of the 2009 U.S.-United Arab Emirates (UAE) 123 Agreement provides if the United States enters into a nuclear cooperation agreement with another non-nuclear weapon state in the Middle East with more favorable terms, the United States, at the request of the UAE, will consult with the UAE regarding the possibility of amending the U.S.-UAE Agreement. Since the United States has not entered into a civil nuclear cooperation agreement with a state in the Middle East since 2009, I cannot speculate on how the UAE would react to a hypothetical scenario.

Question 15. Twenty years ago, the United States was the first country to sign the Comprehensive Test Ban Treaty (CTBT), which now has 183 signatories. The commitment to conclude negotiations on the CTBT was critical to securing the indefinite extension of the NPT in 1995, and it has been essential to establishing a global norm against nuclear weapons test explosions, which are prohibited by the CTBT. Today only one state—North Korea—conducts nuclear test explosions.

But the CTBT has not yet formally entered into force because the United States and seven other states have not yet ratified the pact. Nevertheless, Democratic and Republican administrations have supported the U.S. nuclear test moratorium in place since 1992 and the global monitoring system to detect and deter nuclear testing, and we have worked hard to prevent the resumption of nuclear testing by others.

In September 2016, the UN Security Council passed a resolution (2310) that was endorsed by 42 countries, including Israel that calls on all remaining states to ratify the CTBT and support the global test monitoring system. Last year, the three U.S. nuclear weapons lab directors reported that they are in a better position to maintain the arsenal with their multi-billion system of science-based stewardship than they were during the era of nuclear weapons test explosions.

- Are you aware of any technical reason to resume testing to maintain the current warhead types in the U.S. nuclear arsenal?

Answer. No, I am not.

Question 16. While the Trump administration may still be in the process of reviewing its policy on the CTBT, will the Trump administration support efforts reinforce the global norm against nuclear testing, including possible nuclear testing by North Korea, and will you pledge, if confirmed for this position, to take steps to strengthen the global nuclear test moratorium?

Answer. The administration has repeatedly called for North Korea to cease its nuclear testing activities, and continues to work with our international partners to increase pressure on North Korea to do so. If confirmed, I commit to calling on national states to declare and maintain national moratoria on nuclear explosive testing.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. YLEEM D.S. POBLETE BY SENATOR CORY BOOKER

Question 1. The Comprehensive Test Ban Treaty is a cornerstone of both the efforts to prevent the spread of nuclear weapons and to verify the activities of countries that have nuclear weapons through the use of international monitoring. I was pleased to hear that you support the continued moratorium on testing. However, the United States has signed but not ratified the treaty.

- Does the Trump administration support United States ratification of the CTBT?
- Does the administration support continued American funding for the Comprehensive Test Ban Treaty Organization and the international monitoring stations?

Answer. The administration is in the process of reviewing its policy on a number of arms control and nonproliferation issues, including the CTBT. As such, the administration has not made a decision regarding ratification of the Treaty. The President's FY 18 budget request fully funds the U.S. planned contribution to the CTBTO Preparatory Commission (PrepCom), of whose budget, approximately 85 percent is devoted to developing, operating, and maintaining the International Monitoring System and the systems which support it, such as the International Data Center. I pledge that, if confirmed, I will work with Congress to ensure our support for the PrepCom is consistent with U.S. law and supports U.S. leadership on nonproliferation issues, including international efforts to ensure our ability to detect nuclear tests by North Korea and potentially others in the future.

Question 2. The Intermediate Range Nuclear Forces Treaty, signed with the Soviet Union in 1987, remains a landmark accomplishment, with both sides agreeing

to eliminate an entire class of destabilizing nuclear weapons. I am dismayed at the recent evidence of Russian cheating on the INF treaty, but do not believe that the answer is to develop a new class of American intermediate range systems. Rather, I believe that we need to bring Russia back into compliance.

- What steps to you and the Department of State plan to take to incentivize Russia to come back into compliance with the INF treaty?
- What are your views on the development of a new American missile system of a range that would violate the terms of the INF treaty?

Answer. Since the United States declared Russia in violation in July 2014, Russia has refused to engage in any meaningful way, and it continues to move forward with the production and deployment of the violating system.

The Trump administration has reviewed the intelligence and the steps taken by the prior administration to seek Russia's return to compliance. Following this review, the Trump administration has approved additional countermeasures as part of U.S. efforts to pressure the Russian Federation to return to full and verifiable compliance. Should Russia return to compliance with the INF Treaty, it is my understanding that the U.S. is prepared to reverse or cease these activities.

With regard to the military steps, I would defer to the Department of Defense. However, I would emphasize that the United States takes very seriously its obligations under the INF Treaty and complies with those obligations.

These are steps the Russians are forcing us to take in order to save not only the INF Treaty itself, but also the broader arms control framework that has preserved international security for decades. The goal for the United States is to preserve the viability of the INF Treaty by pressuring Russia to return to full and verifiable compliance with its INF Treaty obligations.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. CHRISTOPHER ASHLEY FORD 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. Probably the most important single contribution I have made to promoting human rights and democracy was the role I played in helping establish the Office of the Prosecutor at the Special Court for Sierra Leone (SCSL) in Freetown, Sierra Leone, in the autumn of 2002.

The SCSL was established by agreement between the Government of Sierra Leone and the United Nations in the wake of the Sierra Leone Civil War of 1991–92. The civil war had been a terribly brutal struggle, leaving over 50,000 people dead and involving grotesque human rights abuses. Human Rights Watch, for instance, reported that rebel forces in Sierra Leone “systematically murdered, mutilated, and raped civilians,” and these forces became particularly notorious for intimidating the civilian population by amputating civilians’ “hands, arms, legs, and other parts of the body.”

The SCSL was established after the war ended in order to prosecute “persons who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law” during the war. I was asked by the incoming Chief Prosecutor of the SCSL, David Crane, to join a group of international lawyers helping him establish the Office of the Prosecutor as the new court was being set up in Freetown.

At the time, I was working for Senator Richard Shelby as Minority Counsel to the Senate Select Committee on Intelligence (SSCI). I took leave from this position in October 2002, however, in order to help Mr. Crane set up the prosecutor’s office. (U.S. law—specifically 5 U.S.C. §§ 3353 & 3382—permits federal employees, with their employer’s permission, to be temporarily detailed to qualified international organizations in order to make U.S. Government expertise available to them.) I worked at the SCSL for about three weeks as an appellate litigation advisor to the prosecutor.

The SCSL was an important innovation in international humanitarian law. While purely international war crimes tribunals already existed (e.g., the International Criminal Tribunal for the former Yugoslavia), the SCSL was at the time an entirely unique model—a “hybrid” court established by agreement between a sovereign state and the United Nations as a new experiment in how to bring to justice those who had brutalized innocent civilians with crimes against humanity. And indeed the court was able to break new legal ground in holding such perpetrators to account.

To date, I believe, proceedings have concluded against 21 persons, and eight are still serving sentences for their crimes. Most significantly, the SCSL successfully prosecuted former Liberian President Charles Taylor, the first African head of state to be convicted of war crimes.

Because of the need to return to my duties at the SSCI, I was unable to stay in Freetown for longer. Nevertheless, I am proud of the role I played in helping establish the prosecutor's office, and thus in helping the Special Court find its footing and begin its important work in bringing war criminals to justice.

Question 2. What will you do to promote, mentor and support your staff that come from diverse backgrounds and underrepresented groups in the Foreign Service?

Answer. I am committed to enabling professional and personal success for all staff under my direction. The Bureau of International Security and Nonproliferation is staffed through various employee categories, including foreign service, civil service, contractors, military detailees, and interns. If confirmed, I pledge to support communities of interest in each category in order to better understand their unique concerns and to solicit advice for how best to strengthen an inclusive, diverse, and supportive working environment for all.

Question 3. What steps will you take to ensure each of the supervisors in the Bureau of International Security and Non-Proliferation are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I pledge to work with supervisors and staff to strengthen all aspects of management within the bureau, including fostering an environment that is diverse and inclusive. I will encourage all supervisors to continue advancing their skills as managers and leaders through training and developmental activities. I will also ensure bureau staff are aware of all channels for employees to report concerns without fear of retribution.

Question 4. Do you commit to bring to the committee's attention (and the State Department Inspector General) any change in policy or U.S. actions that you suspect may be influenced by any of the President's business or financial interests, or the business or financial interests of any senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

Question 5. Do you commit to inform the committee if you have any reason to suspect that a foreign government, head of state, or foreign-controlled entity is taking any action in order to benefit any of the President's business or financial interests, or the interests of senior White House staff?

Answer. I commit to comply with all relevant federal ethics laws, regulations, and rules, and to raise concerns that I may have through appropriate channels.

Question 6. Do you or do any members of your immediate family have any financial interests in any country abroad?

Answer. No.

Question 7. The ISN Bureau plays a leading role in preventing the advancement of North Korea's nuclear and ballistic missile program.

- If confirmed, what steps will you take to ensure the international community is complying with UN Sanctions regimes?

Answer. All members of the international community are obligated to fully implement the United Nations Security Council Resolutions (UNSCRs) on North Korea. The UNSCRs are designed to impede North Korea's access to weapons technologies and to block sources of the revenue needed to advance its unlawful nuclear and ballistic missile programs. The Department devotes substantial resources to support UNSCR enforcement activities, and the bureau I have been nominated to lead, International Security and Nonproliferation (ISN), plays a leading role initiating diplomatic and economic actions to promote and ensure strict implementation.

Over the past year, the Department of State, with strong interagency support—including with my own strong support and encouragement from the Weapons of Mass Destruction and Counterproliferation Directorate at the National Security Council, which I have had the privilege of heading since January 2017—has conducted multiple rounds of engagement with countries around the world to strengthen UNSCR implementation. ISN has engaged, for instance, with a range of countries seeking to provide any sort of service to, or to be the jurisdiction of record for, a company owning a DPRK-associated vessel in order to press them to comply with UNSCR sanctions. The Bureau has also targeted DPRK WMD procurements and worked aggressively to detect and disrupt suspected North Korea's arms transfers and to sever the underlying political and commercial relationships from which they result. ISN actively participates in ongoing interagency processes through which the

U.S. Government employs a broad range of diplomatic, economic, financial, law enforcement, and other tools to ensure UNSCR enforcement and impede progress on North Korea's nuclear and missile programs. If confirmed, I will ensure that this important work to impede and counter DPRK efforts continues, and will actively seek ways in which to improve the effectiveness of such activity. I will vigorously promote compliance with Security Council resolutions in regions where North Korea is known to operate, and will work with countries around the world to ensure robust implementation of the resolutions.

Question 8. How can the U.S. verify that these sanctions regimes are effective?

Answer. United Nations Security Council resolutions (UNSCRs) on the DPRK contain the strongest set of provisions against Pyongyang yet, and end a strong message to North Korea that the international community stands united in condemning Pyongyang's continued violations of its UNSC obligations and demands the immediate cessation of its unlawful nuclear and ballistic missile programs. As countries have improved their implementation of these sanctions, the revenue streams upon which the North Korean regime depends to fund its weapons of mass destruction and missile programs have been increasingly constricted, placing the regime under unprecedented stress, while broad international counterproliferation cooperation has also limited North Korean access to financing, technology, and materials relevant to these threat programs.

We have seen a number of governments take important steps to implement the UNSCRs and—in so doing—exert pressure on the DPRK. For example, Angola recently announced it had deported DPRK forced laborers, Uganda ordered the DPRK to withdraw two proliferation-related officials, and Sudan committed to sever arms and commercial ties with the DPRK in accordance with UNSCR obligations.

Overall, the comprehensive UN sanctions regime against North Korea now bans over 90 percent of that country's publicly reported exports, including coal, textiles, seafood and other items assessed in 2016 at a total of \$2.7 billion. Since China's ban of coal imports in February, the DPRK has forfeited an estimated \$805 million in revenue from coal exports at current market prices. On August 14, the Chinese Government issued a notice announcing a comprehensive ban on the import of coal, iron, iron ore, lead, and lead ore from the DPRK, effective August 15 in compliance with UNSCR 2371. Regional Chinese authorities also tightened restrictions on the import of seafood coming from North Korea after adoption of UNSCR 2371.

Furthermore, in light of the immediate and urgent DPRK threat, the State Department has led the administration's maximum pressure campaign by calling on all countries and working with international partners to persuade them to take steps above and beyond UNSCR requirements. We are encouraged by the strong measures countries across the world have done to answer this call. In Africa, for instance, Equatorial Guinea announced the termination of its trade relations with DPRK companies. In Asia, Singapore followed the Philippines' lead in terminating trade with North Korea. Multiple governments have signaled their concern by expelling DPRK officials, thus reducing the size of the DPRK's diplomatic presence and downgrading diplomatic relations—which has an important signaling effect in addition to its concrete impact in reducing North Korea's ability to use diplomatic personnel in illicit WMD-related procurement and revenue-generating smuggling activities.

In addition to individual countries' announced actions, the UN Panel of Experts (POE) gathers, examines and analyzes information from States regarding the implementation of the UNSCRs, investigates violations, and prepares and publishes reports on its findings. The POE is an important tool in drawing attention to violations as well as reports of implementation, compliance, and activities by UN Member States. If confirmed, I will continue to press countries to comply with the UNSCRs, provide reports to the POE, and support the POE's efforts to monitor UNSCR implementation and investigation violations.

In short, the UNSCR sanctions regime against North Korea has been effective in imposing unprecedented costs and pressures upon the DPRK regime, and powerfully supports U.S. and international efforts to bring about the end of destabilizing threats from Pyongyang's WMD and missile programs. The ISN Bureau has been at the forefront of this work, and if confirmed, I will work diligently to ensure that this critical activity continues and that we remain constantly active in trying to improve its effectiveness further.

Question 9. In your estimation, do you believe there is a military solution to the North Korea issue?

Answer. While the State Department has made clear our preferred approach of resolving the North Korea matter peacefully, the President has said repeatedly that all options are on the table. We are constantly reviewing our current posture to bet-

ter counter the DPRK's evolving threat, and we remain firmly committed to seeking a negotiated solution if we can. Diplomatic options remain viable and open, and indeed it is the purpose of our current campaign to maximize North Korean incentives to engage in the kind of negotiations that would be necessary in order to roll back its nuclear and missile programs. As Secretary Tillerson recently underscored, the United States remains committed to finding a peaceful path to denuclearization and to ending belligerent actions by North Korea. If confirmed, I will work with our allies and partners to deepen cooperation to this end, and to hold nations accountable to their commitments to isolate the regime.

To be clear, however, both Secretaries Tillerson and Mattis have unequivocally stated that "any attack by the DPRK will be defeated, and any use of nuclear weapons will be met with an effective and overwhelming response."

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. CHRISTOPHER ASHLEY FORD BY SENATOR EDWARD J. MARKEY

Question 1. The President has threatened to "tear up" the Iran nuclear deal, the Joint Comprehensive Plan of Action (JCPOA). In your current White House role, you are one of the Senior Directors directly responsible for advising the President on this issue and- if confirmed—you will lead a bureau that plays an important role in ensuring Iran is complying with its nuclear commitments under the JCPOA. Do you believe the JCPOA is in the U.S. national security interest? Is Iran in compliance with its commitments under the nuclear deal?

Answer. The President and the administration have been clear about our concerns regarding the JCPOA. While we share the assessment of the International Atomic Energy Agency that Iran continues to implement its nuclear-related commitments, we have made clear that Iran's continued malign activities in the region, including ballistic missile activities and support for terrorism, have undermined the expectations set out in the JCPOA that the deal would positively contribute to regional and international peace and security. This does not mean that the administration believes it is impossible to fix the flaws of the JCPOA or that it is time for us to leave the deal. Indeed, pursuant to the President's direction and following a review of our policy toward Iran, we are continuing to implement our JCPOA commitments, and will continue to ensure that Iran strictly implements its own. The President has requested that Congress work with the administration to address the JCPOA's flaws, including through amending and strengthening the Iran Nuclear Agreement Review Act, while continuing to hold Iran accountable to its commitments under the JCPOA, and he has directed his administration to work with international partners to meet long-term Iranian proliferation challenges and prevent Iran from acquiring the capability rapidly to produce enough fissile material for a nuclear weapon. If confirmed, I would work diligently with international counterparts, with U.S. inter-agency partners, and with the Congress to ensure that the strongest possible protections are put in place, on an enduring basis, to deny Iran any viable pathway to nuclear weapons.

Question 2. Why have the President and other members of his administration said that Iran is violating the agreement? Are all other parties to the agreement and the International Atomic Energy Agency (IAEA)—the world's international nuclear watchdog—wrong in continuing to affirm that Iran is complying with its nuclear commitments under the JCPOA?

Answer. The President and the administration have been clear about our concerns regarding the JCPOA. While we share the assessment of the International Atomic Energy Agency that Iran is implementing its nuclear-related commitments under the JCPOA, we continue to be concerned that Iran has tried to push limits in the deal and, in the past, has exceeded some limits, such as those related to heavy water. In addition, Iran's continued malign activities in the region, including ballistic missile activities and support for terrorism, have undermined the expectations set out in the JCPOA that the deal would positively contribute to regional and international peace and security.

Question 3. If Iran is violating the deal as the President has claimed, why hasn't the United States engaged the dispute resolution process laid out in the text of the JCPOA? Some members of the administration, including Secretary Mattis, believe it is in the national security interest of the United States to remain in the JCPOA. Given this, should the United States be trying to exhaust every tool available to us—including the JCPOA's built-in dispute resolution mechanism—before walking away?

Answer. The administration has not announced an intention to end participation in the JCPOA at this time, and we continue to uphold our JCPOA commitments while working with Congress and international partners to improve how we meet long-term Iranian proliferation challenges. While we do so, we will continue to hold Iran strictly accountable to its nuclear-related commitments under the deal. The United States continues to engage Iran directly and in cooperation with our P5+1 partners to ensure technical implementation of the deal is strictly enforced. While to date we have not deemed it necessary to invoke the dispute resolution mechanism contained in the JCPOA, we recognize it is a tool available to us as appropriate.

Question 4. If the United States leaves the JCPOA or continues trying to unilaterally change the terms of the agreement either through legislation or the threat of re-imposing U.S. sanctions, what do you think the implications are for our relationships with other parties to the JCPOA such as the United Kingdom, France, Germany, Russia, China, Iran and the European Union? Do you think such a step will impact the credibility of the United States with these parties and other countries around the world? How do you think such a move by the United States would impact international nuclear nonproliferation efforts and efforts by the United States to negotiate arms control and nonproliferation agreements with other countries like North Korea that pose a threat to U.S. national security interests?

Answer. The administration has not announced an intention to end participation in the JCPOA at this time, and we continue to uphold our JCPOA commitments. While we do so, we will continue to hold Iran strictly accountable to its nuclear-related commitments under the deal. The President has requested that Congress work with the administration to address the JCPOA's flaws, including through amending and strengthening the Iran Nuclear Agreement Review Act (INARA). Our allies in Europe strongly support the JCPOA and want the United States to remain in the deal, and we have made clear that our efforts to strengthen INARA are a domestic matter outside the JCPOA. Our European partners have signaled a willingness to cooperate with us to address Iran's malign actions outside the JCPOA and long term Iranian proliferation challenges, as well as to continue to work together elsewhere where international support remains crucial, such as in addressing the threats presented by North Korea.

Question 5. Under a proposed re-organization of the State Department, the Iran Nuclear Implementation team at the State Department, which had previously reported directly to the Secretary, would be placed under the ISN bureau you are nominated to lead. Do you believe this is the right place for this team? What are your plans for this critical office and how do you intend to manage parts of this agreement that don't fall within your bureau's purview, such as the sanctions issues and engagement with the United Nations?

Answer. Based upon my previous experience at the State Department and my serving on the National Security Council staff, I am a firm believer in the principle that the American people are best met when organizations and personnel with deep functional and technical expertise are able to employ that expertise to address functional and technical challenges in foreign and national security policy, in close and collaborative coordination with their counterparts who specialize in broader regional affairs. The ISN bureau has unique technical expertise that provides an important locus for coordinating the strict implementation of the Joint Comprehensive Plan of Action (JCPOA) with Iran and developing improved ways to ensure that enduring constraints are placed upon Iran's ability to present nuclear and missile proliferation challenges in the future. If confirmed, I will work closely with senior leadership in the Department and key bureaus and offices including the Bureau of Near Eastern Affairs, the Bureau of Economic and Business Affairs, and the Bureau of International Organizations, among others, to coordinate with our friends and allies in supporting this strict implementation of the JCPOA and to address Iran's destabilizing activities.

Question 6. North Korea is one of the most pressing foreign policy challenges the United States faces right now. Do you believe denuclearization should be a pre-condition for any negotiations with North Korea? What is the administration's strategy for rolling back and eliminating North Korea's nuclear weapons program? During your confirmation proceedings, you indicated that strengthening sanctions on North Korea is one of your top priorities if confirmed. How do you plan to do this? What do you believe is missing from our current sanctions regime against North Korea?

Answer. U.S. policy is to achieve the complete, verifiable, irreversible denuclearization of the Korean peninsula. We have long made clear that we will not negotiate our way back to talks, and our current maximum pressure campaign is designed to incentivize a North Korean decision finally to engage seriously on roll-

ing back the destabilizing nuclear and missile threats it presents. We aim to demonstrate that North Korea will not achieve the security or prosperity it seeks until it changes its current course and returns to serious and meaningful talks aimed at denuclearization. The administration has made clear North Korea's flagrant violations of international law and its disregard for international norms will not lead to acceptance as a nuclear-armed state.

In 2017 alone, North Korea conducted its sixth nuclear test and more than 20 ballistic missile launches in violation of its international obligations and commitments. Its most recent launch was a likely intercontinental ballistic missile, highlighting the direct threat that Pyongyang seeks to present to the American homeland. North Korea's words and actions continue to demonstrate that it is not willing or interested in engaging in serious talks on denuclearization at this time. As Secretary Tillerson stated earlier this year, when the time comes for talks, it will not be enough for the DPRK to stop its program where it is today. North Korea must be prepared to come to the table ready to chart a course to "cease and rollback" its nuclear program.

In order to help bring this about, we are working hard to strengthen sanctions against North Korea, for both multilateral and U.S. sanctions play a critical role in our maximum pressure campaign strategy to counter the threat posed to the United States by the DPRK's prohibited nuclear and ballistic missile programs.

If confirmed, I will continue to push for strong multilateral sanctions against the DPRK at the United Nations. The current sanctions regime is unprecedentedly strong, and we will seek more sanctions as needed in order to contribute to bringing North Korean threats under control. We will also continue to work with partners around the world to improve the effectiveness of sanctions implementation, in order to ensure that these measures work as well as possible to choke off the DPRK's access to revenues, technology, and materials that can support development and maintenance of its nuclear and missile programs. We continue to press countries around the world to fully implement all UN Security Council Resolutions against North Korea—including UNSCRs 2270, 2321, 2356, and 2371—and to harmonize their domestic sanction regimes with our designations on North Korean and third-country entities. Since April, we have asked countries around the world to cut diplomatic and economic ties, including bilateral trade, with the DPRK. In every bilateral relationship we have around the world, we have made clear that we expect to see countries reduce these ties, or face consequences.

We are also aggressively using the United States' own nonproliferation and DPRK-specific sanctions authorities to target a range of North Korean activity, and these efforts will expand as we begin implementing the Countering America's Adversaries Through Sanctions Act to impose new restrictions on the DPRK and to designate individuals and entities that enable the DPRK's illicit activities. These actions send a strong signal to the DPRK and third-country facilitators that we are watching their activities and will hold them accountable. On September 21, moreover, the President announced Executive Order 13810, imposing additional restrictions on North Korea and expanding the scope of U.S. sanctions authorities, including targeting funds the DPRK generates through international trade to support its nuclear and missile programs and weapons proliferation.

If confirmed, I will lead an ISN team that is staffed with experienced sanctions and interdiction experts who devote their time to leading State operational efforts to detect, prevent, disrupt, stop, and/or sanction arms and WMD transfers, related financial transactions, sanctions evasion, and other illicit activities. As is widely known, the DPRK is very adaptive and skilled at using deceptive practices to evade sanctions, so our sanctions posture must therefore also continuously adapt to meet this challenge. To maintain our edge, it is usually best that we not telegraph specific moves before they occur, for this can give the DPRK more time to seek ways around them. If confirmed, however, I will ensure that our efforts remain squarely directed at the DPRK threat and that we adapt and evolve our approaches in order to ensure their ability to meet counterproliferation needs, and I will work diligently to improve the effectiveness of this work wherever possible.

Question 7. Is the United States at present negotiating terms of a 123 agreement with Saudi Arabia and Jordan? Did the Trump administration decide to—or did Saudi Arabia and Jordan approach the Trump administration to restart or revitalize—123 negotiations after January 2017? Has the United States engaged in discussions on a new 123 agreement, renewal of a 123 agreement, or modification of an existing 123 agreement since the start of the Trump administration?

Answer. The United States has been in negotiations with Saudi Arabia on a 123 agreement since 2012, and with Jordan since 2008. While both these negotiations have remained open, it has been more than a year since any substantive discussions

on the respective 123 agreement texts have occurred. Separately, administration officials have spoken to Saudi counterparts in general terms regarding the Kingdom's nuclear power plans and its interest in pursuing U.S. nuclear technology, including U.S. legal and regulatory requirements for export of U.S. nuclear materials, equipment, and technology. Given the sensitive nature of those engagements, it is not possible to say more about these contacts here, but the Department would be happy to provide a closed briefing for committee staff on the substance of those discussions.

When the Trump administration came into office, it began a review of all ongoing 123 agreement negotiations and civil nuclear cooperation policy. That review is ongoing. The United States is also in negotiations with the United Kingdom and Mexico on 123 agreements.

Question 8. Please describe in as much detail as possible the status and tenor of any of the above negotiations.

Answer. Negotiations with Jordan, Saudi Arabia, the United Kingdom, and Mexico are ongoing, cordial, and cooperative. Given the sensitive nature of 123 agreement-related engagements, it is not possible to say more here, but the Department would be happy to provide a closed briefing for committee staff on the substance of those negotiations.

Question 9. Does the Trump administration believe the "gold standard"—a commitment not to enrich uranium or reprocess plutonium—is a requirement in order to conclude terms for 123 agreements with Saudi Arabia or Jordan? If the United States agrees to anything less than the "gold standard" with Jordan or Saudi Arabia, how do you think the United Arab Emirates would respond?

Answer. In addition to the legal requirements of Section 123 of the Atomic Energy Act—which include important nonproliferation protections such as requirements for materials and facilities security, as well as a prohibition upon enrichment or reprocessing of U.S.-origin material without U.S. consent—the United States has a long-standing policy of seeking to limit the spread of enrichment and reprocessing (ENR) capabilities around the world. The Trump administration remains committed to seeking the highest nonproliferation standards possible in 123 agreement negotiations with both Jordan and Saudi Arabia.

The "Equal Terms and Conditions for Cooperation" clause of the 2009 U.S.-United Arab Emirates (UAE) 123 Agreement provides that if the United States enters into a nuclear cooperation agreement with another non-nuclear weapon state in the Middle East with more favorable terms, the United States, at the request of the UAE, will consult with the UAE regarding the possibility of amending the U.S.-UAE Agreement. Since the United States has not entered into a civil nuclear cooperation agreement with a state in the Middle East since 2009, I cannot speculate on how the UAE would react to a hypothetical scenario.

Question 10. The Atomic Energy Act (AEA) requires the Executive branch keep Congress through this committee "fully and currently informed of any initiative or negotiations relating to a new or amended agreement for peaceful nuclear cooperation." The AEA also requires Congress to review the terms of any 123 agreement and gives us the power to block any 123 agreement. How do you interpret this requirement? Do you believe the administration is meeting these requirements in its current 123 negotiations with Saudi Arabia and Jordan? If confirmed as Assistant Secretary for International Security and Nonproliferation, will you commit to fully briefing this committee on the status of these negotiations in a classified or non-public setting within 30 days of your confirmation?

Answer. The Department is committed to honoring its statutory obligations. In accordance with the AEA, the State Department briefs the appropriate committees before commencing negotiations on a 123 agreement. Beyond those statutory notifications, the Department also offers periodic briefings as negotiations progress.

The administration has fully met all legal requirements in consulting with Congress regarding longstanding 123 agreement negotiations with Saudi Arabia and Jordan. If confirmed, I am committed to keeping the committee fully abreast of the status of all 123 agreement negotiations, and would be pleased to personally brief the committee in a classified setting within 30 days of my confirmation.

Question 11. Do you believe the United States Government is providing adequate funding to the International Atomic Energy Agency (IAEA)? Do you believe the United States should increase its contributions to the IAEA?

Answer. The United States works closely with the IAEA and other member states to ensure the IAEA has the resources it needs to carry out its important work. For the IAEA's 2018 regular budget (as in previous years), the United States joined a consensus agreement in the IAEA Board of Governors on a revised budget level that was requested by the IAEA Director General. The United States contributes 25.5

percent of the IAEA regular budget, by far the largest share of any IAEA member. In addition to the assessed regular budget, the Department of State annually provides approximately \$90 million in voluntary contributions to support activities that advance U.S. priorities. If confirmed, I will look at U.S. contributions to the IAEA to ensure we are providing adequate funding.

Question 12. Are you aware of any technical reason to resume testing to maintain the current warhead types in the U.S. nuclear arsenal?

Answer. No, I am not aware of any technical reason to resume nuclear explosive testing at this time to maintain current warhead types in the U.S. nuclear arsenal.

Question 13. While the Trump administration may still be in the process of reviewing its policy on the CTBT, will the Trump administration support efforts reinforce the global norm against nuclear testing, including possible nuclear testing by North Korea, and will you pledge, if confirmed for this position, to take steps to strengthen the global nuclear test moratorium?

Answer. The administration has repeatedly called for North Korea to cease its nuclear testing activities, and continues to work with our international partners to increase pressure on North Korea to do so. If confirmed, I will continue to call on all states to declare, observe, and maintain national moratoria on nuclear explosive testing.

Question 14. What is the policy of the United States regarding the criteria that should be used to evaluate membership bids from non-NPT member states to the NSG? Please be specific and please explain how such an approach will strengthen rather than weaken compliance with the goals and principles of the NSG and of the NPT?

Answer. The United States believes that the factors for consideration of applications contained in the Nuclear Suppliers Group (NSG) Procedural Arrangement are sufficient for participation from any government. The State Department is working closely with NSG Participating Governments (PGs) to identify a path forward on the issue of possible membership for states that are not party to the NPT, and if confirmed I will continue this effort.

The NSG and global nuclear nonproliferation regimes are strengthened when all major suppliers of nuclear technology abide by stringent export control regulations and cooperate in crafting the NSG Guidelines that influence the formation of those domestic regulations.

Question 15. How would Indian membership in the NSG build on the nonproliferation commitments it already made, and has not fully met, on the eve of the NSG's September 2008 decision to exempt India from the NSG's longstanding requirement for full-scope IAEA safeguards? Be specific and use examples.

Answer. India is a responsible actor in the field of civil nuclear power and nuclear nonproliferation. India's likemindedness with Nuclear Suppliers Group (NSG) Participating Governments (PGs) is demonstrated by the large number of bilateral and multilateral nonproliferation commitments and the large number of bilateral nuclear cooperation agreements it has signed. Once India becomes an NSG member, it would commit to abide by the NSG Guidelines for transfers of nuclear and dual-use items, as well as its previous bilateral and multilateral nonproliferation and nuclear cooperation commitments.

Question 16. As you know, Section 104 of the Henry Hyde U.S.-India Peaceful Nuclear Cooperation Act of 2006 requires an annual implementation and compliance report regarding a number of issues relating the arrangement. This report must, among other things, contain an estimate of the rate of production in India of fissile material for nuclear explosive devices and whether imported uranium has affected the rate of production of nuclear explosive devices. The law requires that the report shall be unclassified but may contain a classified annex.

- Can you confirm that there has been no finding of material noncompliance by India with any commitment made by India pursuant to this section of the Hyde Act and that India has not increased its rate of production, or capacity to produce, fissile material for nuclear weapons or other unsafeguarded purposes?

Answer. Every year since the Hyde Act passed into law, the Department of State has provided a report on the nuclear activities of India. In the 2017 report, in Part 1: Section 104(g)(1), as amended: Information on Nuclear Activities of India, the Department wrote that there has been no finding of material noncompliance by India with any commitment made pursuant to the Hyde Act.

In Part 2: Section 104(g)(2), as amended: Implementation and Compliance Report, the Department wrote that (SBU) "Both India and Pakistan continue to produce fissile material that can increase their nuclear weapons stockpiles."

Question 17. Will you commit to keeping my office and the committee “fully and currently informed” regarding implementation and compliance with this agreement? Will you provide a written copy of each annual report as required by Section 104 of the Hyde Act?

Answer. If confirmed, I commit to keeping your office and the committee “fully and currently informed” regarding implementation and compliance with the Hyde Act and will provide a written copy of each annual report as required.

Question 18. Do you believe that Article VI of the Treaty on the Nonproliferation of Nuclear Weapons (NPT) obligates parties to pursue disarmament measures in good faith? What does that mean to you? In your estimation, what are some ways that we can strengthen all three pillars of the NPT? If the United States decides to build new nuclear weapons, how do you think the rest of the world will respond?

Answer. Article VI of the NPT obligates all States Party to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. The administration is committed to the NPT in all its aspects, including Article VI, and is committed to encouraging other States Party to fulfil their commitments too. Adhering to this commitment in good faith entails pursuing effective measures that can help to create the security conditions that would facilitate further progress on nuclear disarmament. This approach, which looks at disarmament within the context of the overall security environment, seeks to address disarmament as a real-world policy problem and is entirely consistent with the NPT, the Preamble of which expressly envisions easing tensions and strengthening trust among states “in order to facilitate” disarmament.

If confirmed, I look forward to working with other NPT States Party to maintain and strengthen the Treaty in all its aspects, while emphasizing the central role of nonproliferation in achieving the full benefits of the Treaty. The widespread benefits of the peaceful use of nuclear energy and technology are a great success story of the NPT, which is only possible because of a strong nonproliferation regime. We will continue to highlight this success and seek opportunities to promote building further capacity in this area, consistent with global nonproliferation obligations.

With regard to international reactions to a hypothetical decision to build new nuclear weapons, the administration remains in the process of conducting its Nuclear Posture Review, and I cannot speculate on the outcome of that review or the reaction to it. If confirmed, I look forward to ensuring that the United States remains at the forefront of international efforts to promote nonproliferation and effective measures that enhance our security and create the conditions that will allow for nuclear disarmament.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO DR. CHRISTOPHER ASHLEY FORD BY SENATOR CORY BOOKER

Question 1. One of the most dangerous developments of recent years has been the proliferation of nuclear weapons in South Asia. Since the 1998 tests, India and Pakistan have both deployed increasingly sophisticated nuclear weapons on a range of platforms. A nuclear war in South Asia could easily lead to millions of casualties and the United States needs to do everything in its power to prevent such a conflict:

- What are the ISN bureau plans to improve strategic stability in South Asia to move India and Pakistan away from the precipice of nuclear war?
- What are your ideas for slowing or ending the arms race in South Asia?

Answer. In line with the President’s South Asia strategy, we continue to encourage restraint in Pakistan’s military nuclear and missile programs, and to urge Pakistan and India to reduce tensions and the risk of conflict. At every opportunity, we raise with India and Pakistan the need to engage with each other to ratchet down tensions. We do this in informal and in formal discussions, such as by encouraging both countries to engage in dialogue, to enact new confidence building measures, to adhere to self-imposed nuclear testing moratoria, not to mate nuclear warheads and delivery systems, to avoid development or deployment of types of weapon or delivery system that could destabilize their relationship, to improve nuclear security in order to ensure that non-state actors cannot acquire access to nuclear weapons or materials, and to exercise restraint aimed at improving strategic stability.

Question 2. One of the great challenges we face today is the spread of dual use technology that enables nuclear or other WMD proliferation. In some cases countries lack the capacity to enforce their United Nations Security Council Resolution 1540

obligations to prevent such proliferation. In other cases, countries ignore the proliferation activities of their national companies. We need to do everything possible to prevent proliferation:

- Given the role of the Export and Related Border Security Program in improving countries capacities to meet their UNSCR 1540 obligations and prevent proliferation, do you have plans to expand that program to other countries where we currently do not have an EXBS advisor?

Answer. U.S. capacity-building assistance has made important contributions to the global nonproliferation regime for many years. The EXBS Program currently works in 67 countries, including advanced technology suppliers and key transit/transshipment hubs. To support cost-effective program implementation and maintain ongoing liaison with host governments, EXBS employs 24 in-country advisors, some of whom have regional responsibilities. EXBS recently established two regional advisor positions for the Middle East and North Africa to support expanded assistance to this region. In South Asia, where EXBS has robust programming but few advisors, EXBS has been working to increase in-country support beginning with the addition of a regional EXBS advisor in Colombo, Sri Lanka, in 2016. In countries without an EXBS Advisor, EXBS utilizes locally-employed staff, partners with other U.S. Government agencies, or engages contractors to execute program activities. The EXBS program also periodically reviews export control and border security challenges and requirements in key regions of the world in order to ensure that its efforts are appropriately focused and prioritized upon the greatest needs. If confirmed, I will review our overseas EXBS staffing and other programs to ensure we are doing all we can to prevent proliferation.

Question 3. In the case of countries that willfully ignore proliferation by their companies (we can discuss specifics privately or in closed session), will you commit to bringing more pressure on them to prevent proliferation of dual use technologies?

Answer. Yes. The Department of State closely monitors such activity and works closely with U.S. interagency and foreign partners to address such concerns, including by promoting effective implementation and enforcement of export controls and UNSC Resolutions, and using tools such as interdiction and the use or threat of sanctions to prevent shipments of proliferation concern. If confirmed as Assistant Secretary, I will ensure that we continue to do all we can to encourage countries to abide by their international obligations to halt proliferation to programs of concern and to contribute ever more effectively, even beyond what U.N. Security Council resolutions require, to choking off proliferators' sources of funding, technology, and materiel. Where proliferation-facilitating activity occurs, I will recommend sanctions against the entities involved when warranted and consistent with U.S. legal authorities, in order to spotlight deficient export control practices, constrain their ability to conduct business, incentivize improved behavior in the future, and signal to all other entities that might be considering such misbehavior that involvement with proliferation activity entails great cost and risk.

Question 4. Starting in 1967, one of the ways that the regions of the world have sought to prevent proliferation is to create nuclear weapons free zones. The nuclear weapons states can adhere to these treaties via protocols. Under those protocols, the United States and other NWS would pledge not to use nuclear weapons against, or place nuclear weapons in NWFZ regions. The Obama administration in 2011 submitted the protocols to the nuclear-weapon-free zones (NWFZs) in Africa and the South Pacific to the Senate for ratification and in 2015 it submitted the Central Asian protocol to the Senate as well:

- What is the Trump administration's view of the value of NWFZs?

Answer. The United States supports, in principle, nuclear-weapon-free zones (NWFZs) that are consistent with U.S. national security interests, are developed in accordance with the guidelines adopted by the United Nations Disarmament Commission and are vigorously enforced, and evaluates them on a case-by-case basis. The United States believes that NWFZs can play an important role in the international non-proliferation regime by complementing and reinforcing the Treaty on the Non-Proliferation of Nuclear Weapons.

Question 5. Does the Trump administration support the ratification of these protocols?

Answer. U.S. policy on these protocols is under review.

