

NOMINATIONS

WEDNESDAY, MARCH 3, 2021

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

The committee met, pursuant to notice, at 10:01 a.m. in Room SD-106, Dirksen Senate Office Building, Hon. Bob Menendez, chairman of the committee, presiding.

Present. Senators Menendez [presiding], Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Booker, Schatz, Van Hollen, Risch, Rubio, Romney, Paul, Young, Barrasso, Cruz, Rounds, and Hagerty.

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

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order.

We are here today to consider nominees for two critical positions, Wendy Sherman, to be Deputy Secretary of State and Brian McKeon to be Deputy Secretary of State for Management and Resources.

They are both foreign policy veterans with deep experience in Congress and the executive branch. Ms. Sherman has held a series of positions at the State Department and is well versed in international affairs.

And I would be remiss if I did not mention Mr. McKeon's long service as chief counsel and deputy staff director of this committee under then-Chairman Biden. And we appreciate your willingness to return to government service.

We thank your families as well because, inevitably they are part of the sacrifice. And I understand before I begin my opening comments that Senator Cardin would like to introduce Ambassador Sherman.

So I will recognize him for that purpose.
Senator Cardin?

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

Senator CARDIN. Well, Mr. Chairman, thank you very much, and Ranking Member Risch, thank you for the opportunity for me to introduce a fellow Marylander, a person I deeply admire, a seasoned diplomat, and, I think a person eminently qualified to take on the responsibilities as Deputy Secretary of State, and that is Wendy Sherman.

On a personal note, I have known Wendy Sherman and her family for my entire adult life. Her family represents the values of giving back to the community, and Wendy has chosen a career in public service for all the right reasons: to make our nation and world safer and to enhance opportunities for all.

So first, Mr. Chairman, I want to thank Wendy Sherman and her family for their willingness to continue in public life. We recognize the sacrifices and we thank you for being willing to serve our country.

Ambassador Sherman is extraordinarily qualified to be the Deputy Secretary of State. She started as a social worker and rose to become the chief of staff for Senator Barbara Mikulski.

She knows how to work with senators.

She was the Secretary for Children and Youth in Maryland, and also in Maryland the director of the Maryland Office of Child Welfare. She has executive experience. She knows how to manage and she knows how to lead.

She has incredible experience in the State Department as the Assistant Secretary for Legislative Affairs, a counselor for State under Secretary Albright with the rank of ambassador, Under Secretary of State for Political Affairs, the first woman to hold that position.

And if confirmed, she would be the first woman to hold the Deputy Secretary of State position. She knows the strength of diplomacy and how to use it to advance U.S. interests. I cannot think of a person better suited for this position at this moment.

We are at a critical junction. We have the opportunity to rebuild America's diplomacy, to strengthen relations with allies around the world, and to promote our reputation as a global leader for democracy, human rights, and the rule of law.

In order to seize this opportunity, we need competent compassionate leaders with deep expertise and integrity at the helm of the U.S. foreign policy. Ambassador Sherman is just such a leader. She is, first and foremost, a dedicated public servant.

Ambassador Sherman has spent her career advocating for people and the public good. Ambassador Sherman is a tested diplomat with particular experience in many of the most urgent challenges that face our global community today. She has gone toe to toe with our adversaries from North Koreans to Iranians, and represented the United States with dignity, strength, and poise.

Her achievements in community organizing and her experience in both the public and private sector give her the knowledge that she needs to carry out these responsibilities.

I want to just mention one example of why I think Ambassador Sherman is the right person for this position, and that is the Iran nuclear agreement. I was ranking member in 2015 when we took up the Iran Nuclear Agreement Review Act, and let me just set the stage because I think many of us knew at that time that there was the threatened veto by the Obama administration.

There was a deep partisan division in the Senate as to how we should review the act. And we worked together, Democrats and Republicans, with the Obama administration. Ambassador Sherman was extremely helpful in making this a reality.

And at the end of the day, that Review Act passed the United States Senate by a 98 to 1 vote and Ambassador Sherman was key in involving Congress as we reviewed that Act. She gave each of us, Democrats and Republicans, a meaningful role in how we could improve the Iran nuclear agreement. She was totally engaged with complete transparency and trust.

Ambassador Sherman and I came out with different sides on the final agreement. But I could not stress enough how impressed I was of her commitment to include all of us in the process. She gave us the opportunity to fully participate in the best traditions of the executive and legislative branches working together to strengthen U.S. foreign policy.

Ambassador Sherman is the type of leader we need at the State Department, who knows how to work with Congress and will always put the national security of America first.

I strongly endorse her nomination to be the next Deputy Secretary of State. And, Mr. Chairman, if I might, I would ask unanimous consent that a letter signed by a hundred former ambassadors endorsing Ambassador Sherman's nomination to be Deputy Secretary of State be made part of our record.

The CHAIRMAN. Without objection.

[The information referred to is located at the end of this transcript.]

The CHAIRMAN. Thank you, Senator Cardin.

As an esteemed and respected senior member of the committee, you are well served, Ambassador, by that glowing introduction. So thank you, Senator Cardin.

Let me start off with a few remarks to set the scene and then I will turn to the distinguished ranking member.

Ambassador Sherman and Mr. McKeon, before diving into some of the many regional and global issues we face, I want to address the serious challenges facing the department and its workforce. Our career Foreign and Civil Service are an invaluable resource for this nation. Their dedication, professionalism, and sacrifice deserve our gratitude and our support.

But the last few years have been trying for the department. There has been a stunning loss of expertise, steep declines in morale, little accountability for those at the top, and the department still has not achieved a workforce that reflects the diversity of this great country.

It is clear that Secretary Blinken is setting a tone and, critically, an example that will help restore trust and empower career experts. In particular, I appreciate his commitment to ensuring the department's leadership and workforce reflect the diversity of our nation, including the recent announcement of a chief diversity officer.

It will, of course, take more than just a good example and hard work from the Secretary to rebuild the department and its workforce. So I look forward to hearing from both of you how you will contribute to that cause.

You also both know the importance of a strong relationship between the department and Congress, and the value of engaging and securing congressional support on major foreign policy decisions.

In recent years, that relationship has suffered. I appreciate the Secretary's acknowledgement of the problem and commitment to productive engagement with this committee.

I expect to work with him and you to solidify this relationship so it does not vacillate from one administration to another.

While restoring and rebuilding the department, it is essential we face a series of pressing challenges around the world, and I will just highlight a few.

Iran. As I am sure you remember, I was not a proponent of the JCPOA. But I also believe that the Trump administration's decision to withdraw without a serious strategy involving our allies would, ultimately, leave us less safe and Iran emboldened.

Unfortunately, my belief has been realized by Iran's continuing aggression across the Middle East, and the recent IAEA report that Iran's enriched uranium stockpile is now more than 14 times over the JCPOA limit.

Public reports suggest that they are three months away from crossing the nuclear threshold. I support this administration's plan to return to diplomacy. But returning to the JCPOA without concrete actions to address Iran's other dangerous and destabilizing activities will be insufficient.

I believe there is bipartisan support to find a comprehensive diplomatic approach with Iran that includes working closely with our European and regional partners, and I urge you to do everything possible to find this sweet spot because without bipartisan support, no deal will be durable.

Russia continues to challenge the U.S. and our allies around the world. I welcome the President's commitment to lead again on areas requiring cooperation like strategic stability and arms control.

But the U.S. is also obligated to counter the Kremlin as it uses its military to attack neighbors, its media to lie to the world, its oligarchs to corrupt our economies, and its security forces to repress peaceful democratic opposition.

Many on this committee are focused on the Nord Stream 2 pipeline. I have supported the legislation to stop the pipeline. It is the congressional will as is evidenced by its passage, and I urge the administration to act with urgency to block this effort.

In our own hemisphere, democratic governance is under deep strain. Cuba remains under the rule of an entrenched dictatorship, Venezuela has been kidnapped by a brutal criminal regime, and fraudulent deeply flawed presidential elections have led to political crises in multiple countries.

Across the region, irregular migration has skyrocketed as citizens face diminished prospects, crime, and lose hope in their home countries. More than 5 million people have fled Venezuela, and hundreds of thousands are abandoning El Salvador, Guatemala, and Honduras. Addressing these crises require effective leadership.

I am very concerned about the viability of the peace process in Afghanistan. The Taliban is, clearly, not abiding by all of its commitments under the February 29th agreement, calling into question the future of Afghan security and governance. We need senior level focused attention from the department.

On Africa, this was another casualty, in my view, of the previous administration. We are losing the Sahel. The 2020 Global Terrorism Index found that seven of the 10 countries with the largest increase in terrorism were in Sub-Saharan Africa.

Fragile democratic transitions are in jeopardy in Ethiopia and Sudan, while there is significant democratic backsliding in Uganda, Tanzania, Mali, and the Ivory Coast. Here, too, we need senior level attention and an effective strategy.

I will save China for questions, but it is, clearly, the single most significant foreign policy challenge to the United States. We must not only confront China, but we must compete with it, and I look forward to hearing some of your views in that regard.

Finally, I would be remiss not to note that there are American citizens being held hostage or otherwise unlawfully or wrongfully detained in many countries around the world. Iran is among the worst offenders, including the wrongful detention of Siamak Nimazi, and more recently, Emad Sharghi.

As the lead sponsor of the Robert Levinson Hostage Recovery and Hostage Taking Accountability Act, which was signed into law last year, I want and expect to work with you to make sure the administration is doing everything possible to bring these Americans home now and to implement the Levinson Act quickly and effectively. There is nothing more critical to our foreign policy than the safety of Americans abroad.

With that, I look forward to hearing your remarks and I turn to the distinguished Ranking Member, Senator Risch, for his comments.

**STATEMENT OF HON. JAMES E. RISCH,
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you, Mr. Chairman. I sincerely appreciate that. And thank you to our two nominees. I want to thank you both personally for spending the time you did meeting with me.

Mr. McKeon, I really—on a personal note, I really appreciate your personal history of my office, since your attachment to that office goes back a long ways, and the way we open the closets and find things in there, your history has helped explain a lot of things as we occupy that office.

So thank you for that. I understand you worked there with then Senator, now President Biden in that office and it was—the history was interesting. Thank you.

The CHAIRMAN. Mr. Ranking Member, can you expound upon what you meant?

Senator RISCH. I will not.

[Laughter.]

Senator RISCH. But that is a question for you—Senator Lott also had that office, and I have had many interesting conversations with Senator Lott about the office and attributing certain things to certain people is important to me. So that is why I have appreciated Mr. McKeon's enlightenment in that regard and it explains a lot of things.

Well, the two nominations that we have before us today are really of considerable importance to our foreign policy and to the effectiveness, certainly, of the State Department. The Deputy Secretary

of State will serve as chief advisor to Secretary Blinken and serve as Secretary in his absence.

The Deputy Secretary of State for Management and Resources will serve as the lead officer for the management of personnel and resources at the department. We all know on this committee how important that is.

Neither job is a small task, but both serve critical functions. While the deputy secretaries will face a broad array of foreign policy issues during their tenure at the department, there is a few pressing matters I would like to talk about and I would like to focus on specifically today.

Obviously, I am not going to touch on them all. I think Senator Menendez did an outstanding job of underscoring the hotspots around the world and places that are of real concern to us.

I also want to say that I fully agree with Senator Menendez that China and the Indo-Pacific are critically important regions in the world for United States interests and are going to be the challenge of the 21st century.

The region is home to some of our strongest alliances and partnerships, and it also is the primary arena of competition with the People's Republic of China. The Chinese Communist Party routinely engages in actions that deliberately undermine U.S. interests and values, as well as the world order based on free markets and the rule of law.

This includes anti-competitive economic statecraft, aggressive military posture and coercion, and undermining the tenets of free and open societies.

These are huge challenges for you and for all Americans.

The State Department's highest priority must be to prioritize resource and respond to the challenges posed by the Chinese government.

The Senate Foreign Relations Committee is currently negotiating a legislative package on China. There are a number of bills kicking around already on the issue. Both sides of the aisle are robustly engaged, and the American people deserve a bill that is truly bipartisan and includes concrete and effective proposals.

I look forward to continue working with Senator Menendez, my other colleagues on the committee and off of the committee as they are—the jurisdiction cuts across several committees on the bill that would strengthen the U.S. position in this competition, and I hope we can put forward a strong final product.

China is not and cannot be a partisan issue. It is a common issue for all Americans. A central theme for this administration is rebuilding U.S. alliances in the Indo-Pacific. The Biden team has, in fact, already inheriting strong relationships, including with Japan, India, Australia, Taiwan, and other nations.

In addition to the lofty discussions by the current administration on that, I would really like to hear specific steps that the administration is pursuing to support and strengthen U.S. alliances.

One area that is particularly important to our alliances is extended deterrence, which is fundamental and foundational to the health and strength of U.S. alliances. The Biden administration should commit to our declaratory policy and nuclear posture will continue to reflect that reality. A failure to modernize or an em-

brace of policies that dilute or reduce our extended deterrence commitments will make the Indo-Pacific more dangerous for us and for our allies.

Finally, on the Indo-Pacific, North Korea's nuclear and ballistic missile programs continue to threaten both regional stability and U.S. forces and allies in the region.

Ms. Sherman, I would appreciate your assessment of the North Korea issue and your views on sanctions, the role of high-level diplomacy, and other matters relevant to the Biden administration's North Korea strategy, at least as much as we can in an open setting like this. We did not get a chance to talk about that much when we met. So I will be interested in hearing that from you.

Another issue of acute concern for all of us is Iran. It is really unfortunate that the Iran issue has divided us frequently more than it has brought us together, and it is absolutely critical to our relations in the region.

And my views on Iran are well known. I was robustly engaged, as Mr. Chairman knows, when we talked about this years ago, and several of my colleagues joined me in a letter to President Biden last week outlining the Republican consensus on an appropriate policy, moving forward.

I do not know if you have seen that or not, Ms. Sherman, but it does detail mine and other members of this committee's views on that. Those of us that signed it were Republican, but that does not mean that those views are strictly Republican. There are a number of us that have worked across the aisle on this issue.

The Iranians are testing this administration. They tested it again this morning, as most of you know, with an attack on American facilities in the region, and the response at the outset is going to be very important.

I have no doubt that all of you are at the present time discussing that and, I would hope, creating a very worthwhile appropriate response to the testing that is done. This testing, I think, that the Iranians are doing is emblematic of the mindset of these people. We are at a juncture here when people are talking more and more about sitting down and trying to resolve the issues and what do they do but ratchet up actual kinetic attacks against Americans.

These people, as you told me, Ms. Sherman, are not to be trusted and I agree with you on that, in that regard, and I doubt there is many people sitting around the table here that would think otherwise.

Rejoining the old nuclear accord is a nonstarter, as far as I am concerned, and it does not meet U.S. national security interest. The scope is too narrow and the sunsets have passed or remain dangerously close.

Any new deal with Iran must address its regional terrorism, ballistic missiles, and detention of U.S. persons, issues that should be addressed now while the United States has leverage.

Additionally, there must be no sanctions relief or unfreezing of assets as a precondition for negotiation. Negotiations—I am troubled by what I hear are discussions between the administration and South Korea, as far as unfreezing some of those assets. That will not be helpful, I do not believe.

To think you can enter into so-called follow-up agreements on the issues that I just discussed—terrorism, ballistic missiles, and detention of U.S. persons—anyone who would think that you could enter into follow-up agreements with Iran after a nuclear agreement I really believe is delusional.

We were—it has been proven in the past that that did not work. It did not work then. It is not going to work now, and it is all because of the Iranian mindset on these issues.

If you enter into a nuclear deal without dealing with these other malign activities, that is a delusional activity, and I believe, once again, we will walk away bamboozled by the Iranians.

I assure you, Chinese, Russian, and diplomats—excuse me.

Finally, I want to—I want to address and I hope that the Biden administration has demonstrated it has learned from the mistakes of the past. I know we are going to struggle again with if we get to an agreement point how that agreement is ratified by America.

I know everyone here has seen what has happened in the past. If, indeed, this is a partisan agreement, three years from now we will see a cadre of Republicans trying to get the nominee for the—to run as the party standard bearer, and once again, you will go along the line and they are going to say, what will you do with it, and they will say, well, I am going to set it on fire. The next guy will say, well, I am going to shred it. The next guy will say, well, I am going to put it on the floor and stomp on it.

That is what happened last time and, of course, we wound up where we wound up with that. This needs to be something that is embraced by all of us, not one of the parties, and we will wind up again where we are.

When I was—I cannot tell you how many times—I think all of us had this experience—where our European partners and others would come in and say, well, you know, America, you breached your agreement that you entered into.

And I kept telling them, you did not have an agreement with America. You had an agreement with Barack Obama and with John Kerry. An agreement with America is a treaty that goes through the United States Senate and is ratified by a vote by the United States Senate.

Now, I understand that they have already—the administration has already said that is a nonstarter. I am unhappy to hear that. But, hopefully, at least we will have very close to unanimous agreement on—agreement that—as we go forward.

Well, finally, I want to briefly address the administrative role of Deputy Secretary positions. If we did not appreciate the importance of U.S. global health security before, we certainly must now.

As the deputy is charged with coordinating policy and resources, it will be incumbent upon you to ensure that the department is organized and resourced to lead global health diplomacy and coordinate the implementation of a coherent global health security strategy overseas.

I cannot underscore enough how important this is on global health.

It will also be imperative that you seek reforms to the department where necessary. My staff and I have heard from numerous current and former diplomats over the last few years about how

difficult it is to get outside of our embassies and consulates abroad to meet with the locals.

The department's approach has been so cautious that it often stops our diplomats from doing their jobs. I assure you, the Chinese, Russian, and Iranian diplomats are not having these issues, and in order to stay ahead of our adversaries and advance our interests, the State Department needs to rebalance its risk tolerance as far as ambassadors and other people being able to get out from the embassies to do their jobs.

I also look forward to working with you as the department establishes an Office of Sanctions Coordination pursuant to the Consolidated Appropriations Act of 2021. That should strengthen the role of the department in development and implementation of sanctions policy.

This has been a matter of tension between the first and second branch for some time. Hopefully, the Act will smooth that out.

I welcome your views on all these important issues. Again, I thank you both for being here today and I look forward to hearing your thoughts on these important matters.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you, Senator Risch.

We will now proceed to the testimony of both of our nominees for the committee's information. At some point, Senator Cardin and I will rotate here because we have a vote in the Senate Finance Committee for the Secretary of Health and Human Services.

So if we get up at one point, it is not because of what you said but because we need to go cast a vote.

So we will turn to our nominees.

Ambassador Sherman, as to both of you, your full statement will be entered for the record. We ask you to summarize it more or less in about five minutes. And then we will get to a pre-agreed with the ranking member round of seven-minute questions for each member.

Ambassador Sherman?

STATEMENT OF HON. WENDY R. SHERMAN OF MARYLAND, TO BE THE DEPUTY SECRETARY OF THE UNITED STATES DEPARTMENT OF STATE

Ms. SHERMAN. Thank you very much, Mr. Chairman.

Chairman Menendez, Ranking Member Risch, members of the committee, thank you for the opportunity to appear before you today, and thank you, Senator Cardin for your very kind and generous introduction.

I am grateful to my husband, Bruce, who sits behind me, for his love and support, and my daughter, Sarah, who inspires me with her work. Bruce, Sarah, my grandsons, Ezra and Oscar, seven and five, watching in Boston, and my sister, Andrea, her husband, Kevin, their son, Eric, along with numerous friends and colleagues have sustained me in their love and counsel.

I am also deeply grateful to President Biden, Vice President Harris, and Secretary Blinken for their trust in nominating me to be Deputy Secretary of State.

If confirmed, I pledge to work every day to sustain that trust and the trust of this committee and the Senate. President Biden has

outlined a foreign policy vision that puts diplomacy center stage where we lead not just by the example of our power but the power of our example, and where our foreign policy benefits and serves the American people.

This vision is one that is deeply personal to me. In 1945, my parents were present at the founding of the United Nations. My father, then an active duty Marine still recovering from injuries he suffered at Guadalcanal, thought it was important that he and my mother attend the founding of a forum to prevent war and spare future generations from suffering their generation endured.

This same sentiment led him to help found what later became the American Veterans Committee. My parents instilled in me a profound commitment to making a safer better world for the American people. That commitment led me to social work and community advocacy, and later to politics and public service as a means of providing improving the lives of my fellow citizens.

As the President has emphasized, diplomacy must be the tool of first resort of American leadership in a more interconnected and competitive world. From the pandemic to the climate crisis to nuclear proliferation, the challenges that threaten the prosperity and security of the American people will only be solved by working together in common purpose with our allies and partners.

To do so, we have to rebuild alliances and partnerships, strengthen our democratic institutions, increase economic opportunity, and enhance respect for democratic principles, including freedom of the press, religious liberty, human rights, and the rule of law.

Engaging in the broadest way possible not only with government officials but with the private sector and all of civil society—youth, women and girls, journalists, and opinion leaders—is critical to our success in this effort.

When I served as the Under Secretary of State for Political Affairs, I traveled to 54 countries to advance Americans' interests and values. I went to Burma in support of further democratic and economic reforms, and met with both Aung San Suu Kyi and Min Aung Hlaing.

I traveled to Bangladesh after the horrific garment factory accidents to press on worker safety and labor rights. In Africa, I pushed on countering Chinese investment and welcomed rising leaders on the continent as part of the Young African Leaders Initiative.

I traveled to almost every conflict zone and engaged extensively with our transatlantic and Indo-Pacific allies and international partners who work with us to resolve those conflicts.

If confirmed, I will bring a breadth of experience and relationships to bear on the challenges that face our country today. Among all of these challenges posed by the ambitions of China to rival the United States, the determination of Russia to damage and disrupt our democracy, and the nuclear and other threats posed by Iran and North Korea, to compete and win the strategic competition with China we have to invest in America and confront and challenge Beijing where we must, including on human rights and democratic values.

We will act firmly in defense of our national interests in response to actions by Russia that harm us or our allies.

If I may, Mr. Chairman, ask for one more moment. Thank you. With respect to Iran, as the lead of the U.S. negotiating team for the JCPOA, I remain clear eyed about the threat that Iran poses to our interests and those of our allies.

I am ready to address your questions about the JCPOA. But I would note that 2021 is not 2015 when the deal was agreed, nor 2016 when it was implemented. The facts on the ground have changed, the geopolitics of the region have changed, and the way forward must similarly change.

Moving forward on the challenges that our country faces will not be easy. But I firmly believe in the capacity of the United States to meet those challenges through renewed global leadership and the exceptionally talented staff of the State Department.

During my prior service, I experienced the unparalleled professionalism of the State Department civil servants, Foreign Service officers, locally engaged staff, and contractors. I also saw the personal sacrifices and contributions of their families. I hope I will have the opportunity again to work with these extraordinary women and men.

Of course, our diplomacy to be successful in any issue we must engage with you, with Congress. I am honored to now be participating in my fourth nomination hearing before this committee. The first time was as the nominee to be the State Department's Assistant Secretary for Legislative Affairs in 1993.

I have learned firsthand the need for close and constructive coordination with Congress with consultation, not just with notification. As a former congressional chief of staff, I have a deep appreciation for the role of the Congress and the executive branch.

Secretary Blinken has spoken to this committee of his and the President's commitment to restoring Congress' traditional role as a partner in our foreign policy making, and if confirmed, I pledge to play a leading role in that effort.

With that commitment, I welcome your questions and look forward to our discussion today. Thank you.

[The prepared statement of Ms. Sherman follows:]

PREPARED STATEMENT OF HON. WENDY R. SHERMAN

Chairman Menendez, Ranking Member Risch, members of the committee, thank you for the opportunity to appear before you today.

And thank you Senator Cardin for your kind introduction.

I am grateful to my husband Bruce for his love and support and my daughter Sarah, who inspires me with her work. Bruce, Sarah, my grandsons Ezra and Oscar, and my sister Andrea, her husband Kevin, their son Erik, along with numerous friends and colleagues, have sustained me in their love and counsel.

I am also deeply grateful to President Biden, Vice President Harris, and Secretary Blinken for their trust in me in nominating me to be Deputy Secretary of State. If confirmed, I pledge to work every day to sustain that trust and the trust of this Committee and the Senate.

President Biden has outlined a foreign policy vision that puts diplomacy center stage, where we lead not just by the example of our power but the power of our example, and where our foreign policy benefits and serves the American people. This vision is one that is deeply personal to me. In 1945, my parents were present at the founding of the United Nations. My father, then an active-duty Marine still recovering from injuries he suffered at Guadalcanal, felt it was important that he and my mother attend the founding of a forum to prevent war and spare future generations from the suffering their generation endured. This same sentiment led him to help found what later became the American Veterans Committee.

My parents instilled in me a profound commitment to making a safer, better world for the American people. That commitment led me to social work and community advocacy, and later, to politics and public service as a means of improving the lives of my fellow citizens.

As the President has emphasized, diplomacy must be the tool of first resort of American leadership in a more interconnected and competitive world. From the pandemic to the climate crisis to nuclear proliferation, the challenges that threaten the prosperity and security of the American people will only be solved by working together and in common purpose with our allies and partners.

To do so, we have to rebuild alliances and partnerships; strengthen our democratic institutions; increase economic opportunity; and enhance respect for democratic principles, including freedom of the press, religious liberty, human rights, and the rule of law. Engaging in the broadest way possible, not only with government officials, but with the private sector and all of civil society—youth, women and girls, journalists and opinion leaders—is critical to our success in these efforts.

When I served as Under Secretary of State, I travelled to 54 countries to advance American interests and values. I went to Burma in support of further democratic and economic reforms and met with both Aung San Suu Kyi and Min Aung Hlaing. I traveled to Bangladesh after the horrific garment factory accidents to press on worker safety and labor rights. In Africa, I pushed on countering Chinese investment, and welcomed rising leaders on the continent as part of the Young African Leaders Initiative. I traveled to almost every major conflict zone, and engaged extensively with our Transatlantic and Indo-Pacific allies and international partners who work with us to resolve those conflicts. If confirmed, I will bring a breadth of experience and relationships to bear on the challenges that face our country today.

Among those challenges are those posed by the ambitions of China to rival the United States, the determination of Russia to damage and disrupt our democracy, and the nuclear and other threats posed by Iran and North Korea. To compete and win the strategic competition with China, we have to invest in America and confront and challenge Beijing where we must, including on human rights and democratic values. We will act firmly in defense of our national interests in response to actions by Russia that harm us or our allies. With respect to Iran, as the lead of the U.S. negotiating team for the JCPOA, I remain clear-eyed about the threat that Iran poses to our interests and those of our allies. I am ready to address your questions about the JCPOA, but would note that 2021 is not 2015 when the deal was agreed, nor 2016 when it was implemented. The facts on the ground have changed, the geopolitics of the region have changed, and the way forward must similarly change.

Moving forward on the challenges our country faces will not be easy, but I firmly believe in the capacity of the United States to meet these challenges through renewed global leadership and the exceptionally talented staff of the State Department. During my prior service, I experienced the unparalleled professionalism of the State Department's civil servants, foreign service officers, locally engaged staff, and contractors. I also saw the personal sacrifices and contributions their families make for our nation. I am grateful that, if confirmed, I will again have the opportunity to benefit from the expertise and dedication of all of the women and men who advance American interests every day in all of the 180 countries with which we have diplomatic relations.

Of course, for our diplomacy to be successful on any issue, we must engage with Congress. I am honored to now be participating in my fourth nomination hearing before this committee. The first time was as the nominee to be the State Department's Assistant Secretary for Legislative Affairs in 1993.

Since then, in three decades of work in foreign policy and national security, I have learned first-hand the need for close and constructive coordination with Congress. As a former Congressional Chief of Staff, I gained a deep appreciation of the Senate's responsibility to provide oversight of the Executive Branch. Secretary Blinken has spoken to this committee of his and the President's commitment to restoring Congress's traditional role as a partner in our foreign policy making, and if confirmed, I pledge to play a leading role in that effort.

With that commitment, I welcome your questions and look forward to our discussion today.

The CHAIRMAN. Thank you, Ambassador Sherman.
Mr. McKeon?

STATEMENT OF HON. BRIAN MCKEON OF THE DISTRICT OF COLUMBIA, TO BE THE DEPUTY SECRETARY OF THE UNITED STATES DEPARTMENT OF STATE FOR MANAGEMENT AND RESOURCES

Mr. MCKEON. Mr. Chairman, Ranking Member Risch, members of the committee, it is an honor to appear before you as the President's nominee to be the Deputy Secretary of State for Management and Resources.

I want to start by thanking President Biden, Secretary of State Blinken, for selecting me for this position. It is particularly gratifying to appear before this committee, which was my professional home for 12 years when I worked for the Democratic staff supporting then Senator Biden when he was chairman or ranking member from 1997 to 2009.

I spent a lot of hours sitting in confirmation hearings up in 419 and I never imagined I would be on the side of the dais as the President's nominee.

I would not be here without the strong support of my family, particularly my parents and my wife. My parents were both children of the Depression. They are no longer with us, but they taught us the value of hard work and perseverance.

My father, who was a lawyer by training but spent most of his time in politics, sparked my interest in public service and taught me that politics is a noble profession.

My wife, Liz, who worked in this chamber for 25 years for five different senators, has, simply put, made me a better person, giving me unstinting love and support and advice and helping me in tolerating all the long hours that go with government service.

My over 20 years of service in this chamber and eight years in the executive branch have given me a strong appreciation for the many challenges confronting our country, long experience in national security, and a deep knowledge of how the two political branches operate.

I believe I have demonstrated an ability to manage large organizations to get things done and to work across party lines, including on this committee with the staffs of Senator Helms and Senator Lugar.

I also have a great respect for the role of Congress and foreign affairs. The debates in this chamber on the Gulf War, the Iraq War, the Balkans conflicts, the Chemical Weapons Convention, and the expansion of the North Atlantic Alliance were, for me, among the most memorable and important of my time here, because in a democratic society matters of war and peace must be publicly debated and require the informed consent of the American people through their representatives here in Congress.

I know from this experience that not all wisdom resides in the executive branch. I firmly believe that we share the same commitment to protecting and advancing the security and well being of our country, although I know we will always—not always agree.

As Secretary Blinken has made clear in his recent message to the workforce, the department must consider Congress to be a full partner in its work.

My first priority, if confirmed, is to help the department build back better to meet the diplomatic and security challenges of this century.

This starts with investing in our greatest asset, the over 75,000 public servants who work in Washington at over 270 posts around the world and in dozens of facilities in the United States.

Our diplomats are on the frontlines of America's security and interests, and they deserve our support and efforts to strengthen their ranks. We must ensure that we recruit, develop, and retain a diverse and professional workforce that is prepared and empowered to advance not only our traditional diplomatic interests but also to address the pressing challenges of this era, such as climate change, global health security, irregular migration, advanced technology, increased economic competitiveness, threats to democratic governance, and not least the long-term strategic competition with China.

Let me say a few words about diversity, which will be a top priority for all of our senior leadership. Stated simply, the Department of State cannot fully represent America unless the workforce is fully representative of America.

We must make real gains in advancing diversity, equity, and inclusion through concrete actions to dismantle structural barriers at the department. Meaningful change requires sustained focus on three key areas: talent management, transparency, and accountability.

Secretary Blinken has made clear he will have such a focus and so will I, if confirmed. If confirmed, I also intend to devote considerable attention to ensuring that we are aligning our resources with our policy priorities, both investments in State operations and in State and USAID foreign assistance programs, and that we are good stewards of the taxpayer dollars.

For the last several years, Congress has, on a bipartisan basis, protected the international affairs budget from requested cuts, which has, thankfully, provided a solid foundation on which to build.

If confirmed, I look forward to working with you to ensure the department has the resources and authorities it needs to meet the challenges we face.

I am committed to ensuring the effective management of these resources. But we will need your help to make necessary investments in our workforce and information technology, and building and maintaining safe and secure embassies and in our foreign assistance programs.

With that, I appreciate the opportunity to be here today and look forward to your questions.

[The prepared statement of Mr. McKeon follows:]

PREPARED STATEMENT OF HON. BRIAN P. McKEON

Mr. Chairman, Ranking Member Risch, members of the committee, it is an honor to appear before you as the President's nominee to be Deputy Secretary of State for Management and Resources.

I would like to start by thanking President Biden and Secretary of State Blinken for selecting me for this position. It is particularly gratifying to appear before this committee, which was my professional home for 12 years, when I worked on the Democratic staff supporting then-Senator Biden during his tenure as Chairman or

Ranking Member from 1997 to 2009. I spent many hours sitting in confirmation hearings; I am not sure that I ever imagined sitting on this side of the dais as the President's nominee.

I would not be here without the strong support of my family, particularly my parents and my wife. My parents, both children of the Depression, taught me the value of hard work and perseverance. My father, a lawyer by training whose main avocation was politics, sparked my interest in public service, and taught me that politics is a noble profession. My wife, who spent 25 years working in this chamber for five different senators, has, simply put, made me a better person. She provided unstinting love, support, and advice, and patiently endured the long hours that I spent away from home over the years, for which I am deeply grateful.

My over 20 years of service working in the Senate, and eight years in the Executive branch, have given me a strong appreciation for the many challenges that confront our country, long experience in international affairs and national security policy, and a deep knowledge of how the two political branches operate. I believe I have demonstrated an ability to manage large organizations, to get things done, and to work across party lines, including through close collaboration with the staffs of Senators Helms and Lugar on this committee.

I also greatly respect the role of Congress in foreign affairs. The debates in this chamber on the Gulf War, the Iraq War, the Balkan conflicts, the Chemical Weapons Convention and the expansion of the North Atlantic Alliance were among the most memorable and important of my time here—because in a democratic society, matters of war and peace must be publicly debated and require the informed consent of the American people, through their representatives in the Congress.

I know intuitively from this experience that not all wisdom resides in the Executive Branch. I firmly believe that we share the same commitment to protecting and advancing the security and well-being of our country, and that we must work together. As Secretary Blinken made clear in a recent message to the workforce, the Department of State must consider the Congress a full partner in its work.

My first priority, if confirmed, is to help the Department of State build back better to meet the diplomatic and security challenges of the 21st century. That starts with investing in its greatest asset—the over 75,000 public servants who work in Washington, at over 270 posts around the world, and in dozens of facilities around the United States. Our diplomats are on the front lines of America's security and interests. They deserve our support and efforts to strengthen their ranks. We must ensure that we recruit, develop and retain a diverse and professional workforce that is prepared and empowered to advance not only our traditional diplomatic interests, but also to address the pressing challenges of this era, such as climate change, global health security, irregular migration, advanced technology, increased economic competitiveness, threats to democratic governance, and, not least, long-term strategic competition with China.

Let me say a few words in particular about diversity, which will be a top priority for all of the senior leadership. Stated simply, the Department of State cannot fully represent America unless its workforce is fully representative of America. We must make real gains in advancing diversity, equity, and inclusion through concrete actions to dismantle structural barriers at the Department. Meaningful change will require sustained focus on three key areas: talent management, transparency, and accountability. Secretary Blinken has made clear he will have such a focus, and so will I, if confirmed. As an initial action, the Secretary has followed through on his commitment to this committee by creating a Chief Diversity and Inclusion Office, reporting directly to him.

If confirmed, I also intend to devote considerable attention to ensuring that we are aligning our resources with our policy priorities—both investments in our operations and in State and USAID foreign assistance programs—and that we are good stewards of taxpayer dollars.

For the last several years, the Congress has, on a bipartisan basis, protected the international affairs budget from requested cuts, which has thankfully provided a solid foundation on which to build as we undertake the collective work to revitalize the Department of State. If confirmed, I look forward to working with you to ensure the Department has the resources and authorities it needs to meet the many challenges we face. I am committed to ensuring the effective management of the resources made available to us, but we will need your help to make the necessary investments in our workforce, in information technology, in building and maintaining safe and secure embassies, and in our foreign assistance programs that seek to advance our national interests.

I appreciate the opportunity to appear here today. I look forward to your questions.

The CHAIRMAN. Well, thank you both.

We will start our round of seven minutes for members. I am just going to ask you some generic questions on behalf of the full committee, and I will reserve the balance of my time to intercede as I believe is appropriate.

When I met with both of you, we discussed the department will need to rebuild and repair its relationship with the committee after the last few years.

Based on our discussion and the points that you have made in your opening statement, I am confident you understand the importance of a constructive relationship between the department and Congress. So I have a few quick questions along these lines and I would just appreciate a yes or no answer to them.

Do you agree that the State Department is accountable to Congress and the American people?

Ms. SHERMAN. Yes.

Mr. MCKEON. I do.

The CHAIRMAN. Do you commit that the department will keep this committee fully and currently informed on the department's activities?

Ms. SHERMAN. I do.

Mr. MCKEON. Yes.

The CHAIRMAN. Do you understand and agree that a constructive relationship between the department and this committee requires meaningful engagement and consultation with the committee while policies are being developed, not after the fact, and do you commit to ensuring that type of meaningful engagement?

Ms. SHERMAN. Yes.

Mr. MCKEON. Yes, I do.

The CHAIRMAN. And do you commit to working with this committee to provide answers on outstanding requests that your predecessors withheld from Congress through years of stonewalling?

Ms. SHERMAN. Yes, to the extent that I know what they are, Senator.

Mr. MCKEON. Same answer, sir.

The CHAIRMAN. Thank you.

With that, I will turn to Senator Risch.

Senator RISCH. Thank you, Mr. Chairman. I appreciate that.

Ms. Sherman, let us get right to the heart of the thing to begin with. Your comments about this not being 2015 are greatly appreciated.

I think we all understand that. You say you are clear eyed about the challenge in front of you and I—in your defense, I will say that you are carrying water for different people this time than you were last time. I and a lot of my colleagues here were deeply, deeply disappointed, as you know, in your performance in negotiating in getting to the JCPOA, and I got to tell you, one of the most surreal experiences I have had in the United States Senate is the hearing we had where I was asking you about the annexes or whatever you call them, the supplements to the JCPOA, and you would not tell me what was in them.

And as you know, I serve on the Intelligence Committee so I got the same national security clearance that you do and did at the

time. And yet, you wanted me to support the agreement but would not tell me what was in part of the agreement.

And I could not do that and I will not do that, and I will not do that in the future.

So what—you say you are clear eyed on this. We are all clear eyed, we hope. But tell me, what are your thoughts about putting in front of us another agreement that has got annexes or agreements that we cannot see, and yet you want us to support them? Are we headed down that road again?

Ms. SHERMAN. Well, Senator, thank you very much for your candor and for recalling a situation that was uncomfortable all the way around.

Senator RISCH. I bet it was. [Laughter.]

Ms. SHERMAN. What I want to say to you and to all the members of the committee today is that President Biden has been very clear about what he wants to achieve as has Secretary Blinken with regards to Iran, and it is along the lines of both the letter that you and Republicans sent as well as the sentiments that have been expressed by the Democrats.

And that is that we have to ensure that Iran does not obtain a nuclear weapon, that there be compliance-for-compliance, as the President has said, and Iran is a long way from compliance, as we all know.

The President and the Secretary have also said that we must work with you and with our partners and allies to address all the other issues of concern regarding Iran, and there are many. their ballistic missile production, their state sponsorship of terrorism, their really concerning behavior in the region, their arms sales, their human rights abuses of their own people, putting American citizens in Evin Prison. I can go on and on about all of the range of concerns.

So, in my view, Senator, and I do not have access to intelligence right now, which is considerably important in this situation. I do not have access to all of the thinking of the administration because I am not in it.

But if confirmed, I would want to learn all of that. So in the Deputies Committee, I can bring my experience. But the decisions that need to be taken will be along the lines of those laid out by the President of the United States and the Secretary of State, and indeed have to be decided on the merits of where we are today, not nostalgia for what might have been.

I think this is a very tough problem set. I think it will require serious discussions, as the chairman said, with the United States Senate on both sides of the aisle to get your views, to understand.

I do think we have the same objectives and I think the issue is how to achieve them, how to sequence various steps to get there, how to work with our allies and partners to make it real.

So I think we have a tough road ahead. You will be very important to that policymaking, as the chairman laid out and as you and I discussed in your office, and I look forward to those conversations and to working in this administration, if confirmed, to deal with what is a very difficult challenge.

Senator RISCH. Well, I agree it is a difficult challenge. As you and I discussed when you were in my office, I consider the malign activity of Iran just as important as the nuclear aspects of it.

And as I told you, the nuclear aspects of it, for me, become less important when I know that there is a country on this planet which has a tolerance that is substantially lower than ours for Iran developing a nuclear weapon.

Indeed, they consider it existential and they have said to me over and over and over again they will never allow that to happen. You guys can sign any agreements you want. You can do whatever you want. But Iran is not going to have a nuclear agreement, and these people mean it when they say it.

So, to me, it is all well and good to talk about enrichment and all that sort of thing. But the other thing is the terrorism, the ballistic missiles, the human rights, and on and on and on, as you have said to me are equally important to the nuclear aspects of this.

The enrichment thing really bothers me. We argued about this last time, and I could not believe that the JCPOA allowed enrichment. There is only one reason that Iran wants to do enrichment and that is if it eventually wants to pursue a nuclear weapon.

I do not believe them when they say, oh, well, this is for peaceful nuclear energy. I know you do not believe them in that regard. I do not think anybody believes them in that regard. But they say those kinds of things frequently.

Is it still the position of the—of the administration that they are going to go it alone and you are not going to submit an agreement as a treaty under the Constitution of the United States to the Congress?

Ms. SHERMAN. I do not know what the ultimate decision will be, Senator, because I do not know where we will be. I think that the Biden administration is absolutely committed to following the law and doing what is appropriate and necessary to whatever gets decided.

But since I do not know, none of us today know what the ultimate outcome will be here, it is hard to make a commitment in advance. And I am not in a position—I am not an administration official. Hope to be, if confirmed by this committee and by the United States Senate, to give you a definitive answer.

Senator RISCH. My time is up. Thanks, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

Senator Cardin?

Senator CARDIN. Thank you, Mr. Chairman.

Mr. McKeon, thank you for your willingness to serve, continue to serve, returning to the political life. We appreciate it very much. I appreciate the opportunity that we had to talk about the management at the State Department.

I want to give you an opportunity to talk about the commitment, if confirmed, to deal with the diversity at the State Department. This committee has for many years been concerned about the opportunities within the State Department for all people, diversity, so our State Department looks like our nation and can represent a global community more effectively.

I was pleased to hear that Secretary Blinken announced a new Chief Diversity and Inclusion Officer. I do not believe that person has been named yet.

Could you just share with the committee your commitment and strategies to improve diversity at the State Department if you are confirmed?

Mr. MCKEON. Yes. Thank you very much, Senator Cardin.

The President has made his commitment and he has made it clear that he wants to have a government that looks like America and that, of course, includes the Department of State.

The department does okay in recruiting underrepresented communities. It is not doing well in retention and promotion, and the data of officials at senior levels bear that out.

The GAO just did a report, I believe, for this committee in the House committee that emphasizes that once again. As you said, the Secretary has appointed or he has announced he will have a Chief Diversity Office. There is, I believe, a person who has tentatively been chosen and is probably embedding. So I hope that announcement will be made soon.

We really need to make it a priority across the board in everything that we are doing and emphasize to all of our leaderships that this has to be a priority in the bureaus and in overseas missions.

What we really need to focus on, among other things, on the retention and promotion side is transparency, giving people opportunities to advance in a fair and objective way and making opportunities available for people to show that they have leadership skills and the capabilities.

And we need to understand why are people leaving, why are they not finding the Foreign Service to be a good professional home.

So the department has done some work on that. There is a lot more that needs to be done, and you can be sure that I am going to spend a lot of time with the Chief Diversity Officer drilling down on this and working to make material progress.

Senator CARDIN. I can assure you that there is great interest in this committee in this, your efforts, and I would ask that, if confirmed, you share with us your strategies and work with us, so we can have accountability at the end of the day.

Mr. MCKEON. Definitely will do that, Senator. As the Secretary said in his confirmation hearing, we will be measured in significant part on this issue if we have succeeded or failed to make significant progress in the next few years.

Senator CARDIN. Ambassador Sherman, I want to talk about one of the issues that we have talked about before and that is President Biden's commitment to embrace our values in our foreign policy. We just saw with the report released in regards to the brutal murder of Jamal Khashoggi some transparency, which I think was very much appreciated.

But there is also frustration that because of the position of the Crown Prince, there may not be full sanctions imposed against him under—using Magnitsky sanctions or the like.

So I want to give you an opportunity to express how we will advance U.S. values. There is legislation that Senator Wicker and I

have put in to make the Global Magnitsky statute a permanent statute. It is, certainly, gaining global credibility.

We have also, with Senator Young, introduced legislation that would provide a clearer direction on dealing with anti-corruption around the globe.

Can you just share with me your commitment to advance U.S. values as we embrace countries that we have to have strategic relations with? We recognize that. But it needs to be under the umbrella of advancing U.S. values.

Ms. SHERMAN. Thank you very much, Senator Cardin, and thank you for your leadership and working with Senator Young as well on both the Global Magnitsky Act and trying to figure out how to better deal with the challenge of corruption around the world, which is, certainly, a very difficult and very critical challenge in so many ways.

Where the horrifying murder of Jamal Khashoggi is concerned, the administration, the Biden/Harris administration, has made it very clear from the start, as has Secretary Blinken, that the administration is recalibrating its relationship with Saudi Arabia.

It has done that by making public the report that had been kept nonpublic for so long about the murder and the accountability for that murder. The President took a very important step by saying that we would no longer sell offensive weapons to Saudi Arabia because we want to see an end to the Yemen war, which is, in fact, a very bipartisan view up here in the Senate, that that conflict should end, that it is a humanitarian disaster.

I think that we will, in other ways, and I think that when the President spoke to the King of Saudi Arabia he was quite clear that we will not be silent on human rights. We will speak up and we have, in fact, sanctioned many people in Saudi Arabia and we have said that many are barred from visas, though that visa list is not made public, Senator, given the rules of privacy around visas.

Senator CARDIN. And I understand that, and the Magnitsky statute is a statute that involves the Congress and the executive branch together, and we will be making recommendations to the administration. In many cases, this will be nonpublic correspondence in order to investigate before sanctions are considered or imposed.

Will you commit to consider the names that we present to you for sanctions in a deliberative manner and work with us to make sure that the intent of the Global Magnitsky statute is in fact carried out?

Ms. SHERMAN. I certainly believe, Senator, that on all issues we should make a commitment to be open to your ideas, your thoughts, your counsel, your advice, and so yes.

Senator CARDIN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Rubio?

Senator RUBIO. Thank you. Thank you both for being here, for your willingness to serve.

Ms. Sherman, let me just ask you quickly as we start out, what is your understanding of former Secretary Kerry's role? Is he going to be involved in Israeli-Palestinian issues? Is he going to be in-

volved in negotiating the Iran issue? Or is he solely going to be focused on the climate issues?

Ms. SHERMAN. My understanding, Senator, is that former Secretary Kerry is the President's Special Envoy on climate and that is his sole responsibility and it is quite a large one. Should take up most of his time.

Senator RUBIO. Since January 2017, have you met with any Iranian government officials?

Ms. SHERMAN. I have met with Iranian officials. I cannot remember the last time that it happened, Senator.

Senator RUBIO. Who did you meet with?

Ms. SHERMAN. I have met with Foreign Minister Zarif. I have met with my former counterparts, Abbas Araghchi and Majid Ravanchi, who is now the ambassador to the United Nations.

And when I had such meetings, they were on the margins of the Munich Security Conference, where, as you know, everyone attends from all over the world.

Before and after these meetings, Senator, I was, I think, most of the time if not every time in touch with then Under Secretary for Political Affairs Hale to let him know that I was having such a meeting and to let him know that I would certainly stay in touch.

I would represent America's policies, whether I agreed with them or not, and in those meetings my sole purpose was to urge the Iranians not to take actions that were against the deal that would escalate the security situation.

And most importantly, Senator, I am appealed to by almost every family who has someone detained in Evin Prison, and so my major purpose, quite frankly, in those meetings was to urge the Iranians that I know to get Americans out of Evin Prison because it is the most heartbreaking set of meetings anyone can have is to sit with families and hear how horrifying the situation is.

Senator RUBIO. And I would agree with that, and I appreciate your work on that and I appreciate your answer on having been in touch with members of the previous administration.

And let me—you did write an article in July of 2020 where you wrote, among other things, an area I care about is, as a result of Trump's failure people, you know, inside—the people of Cuba and Venezuela face a bitter future.

So I wanted to explore, in particular, just a number of the changes that were made under the Trump administration to see if you think that those were bad ideas. One of them was a measure that prohibited doing business with entities controlled, owned, and operated by the Cuban military, and in particular, one of them was the one that controls all the remittances. They take 10 percent right off the top.

So you can send remittances to Cuba. You just have to do it through a bank. It just cannot be through the hands of this—that takes—skims off 10 percent and you can do business with individual private Cubans. You just cannot do business with entities controlled by the Cuban military and the regime.

Was that a bad idea?

Ms. SHERMAN. I do not know the details well enough, Senator, but I do agree that we should take measures that say to the Cuban

government that we do not support their way forward and that we support the freedom of the Cuban people.

Senator RUBIO. Well, I only—the details are as follows. The goal of this strategy was to say, if you want to do business with an individual, a private Cuban, in fact, the Trump administration made it easier to send remittances to Cubans who are using that money to open up a private business, to the extent that they are allowed to do it. You are allowed to send remittances.

If they can do it through a bank you can, obviously, take the cash in yourself as an individual. The one thing they said is you cannot send it through this entity, which skims 10 percent off the top. And that is just the beginning of how they take the money that you also have to spend it at their stores. And you cannot do business, not even with the Ministry of Tourism, per se, in some cases, but with the entities controlled by the Cuban military.

The gist of it is if individual Cubans are allowed to engage in commercial activity, the United States can do a lot of things with them. But if it is going to be run through the clearing house of an entity controlled by the military in Cuba, they cannot. That is the prohibited entity.

So I am curious. I mean, that was the heart and soul of the Trump policy. Yet, you say somehow it leads to a bleak future for the Cuban people. And so I am curious of those things you thought were bad ideas as I have described it to you.

Ms. SHERMAN. So, Senator, I believe that it is very important that we support the Cuban people and that we take actions that increase their chances for freedom, their chances for private commercial activity, their ability to get remittances, which increases their own economic power.

The ability that—the primary objectives, is my understanding of the Biden/Harris administration, is to move forward on the freedom and the need for democracy in Cuba, and the greatest emissaries for that are the American people led by Cuban Americans.

And, quite frankly, Senator, you and I have not had a chance to talk. I know how much you know about Cuba. I know how much you know about what we need to do to help support the Cuban people, and I look forward to further discussions with you about that.

So yes, if there are ways to support the Cuban people, I am all for it.

Senator RUBIO. Okay. And you also mentioned Venezuela in that piece. The cornerstone of the Trump approach was the recognition of Juan Guaido, the legitimately elected president or the President of the legitimately elected National Assembly, and imposing sanctions that he and almost the entire opposition supported, which sanctioned how the regime stole money.

Was that a bad idea?

Ms. SHERMAN. I think it was a very good idea to support Guaido as the legitimate leader of Venezuela. What I would have hoped for, Senator, difficult to do, is that we would have done more work to bring together our allies and partners in the region and around the world, quite frankly, not just in Latin America but around the world, to increase the pressure and to support and recognize Guaido to try to end the horrible saga for the Venezuelan people and --

Senator RUBIO. Well, the overwhelming majority of countries in the region did recognize Guaido and did come together via the Lima Group.

Ms. SHERMAN. Yes, indeed, and beyond the Lima Group and around the world. I just think there were more steps that we could have taken. It is a very difficult situation and, again, you and I have not had a chance to talk about this and I look forward to your counsel. I know we share the same objective, and that is for the people of Venezuela to have a life, and right now they do not.

Senator RUBIO. Well, I will just close by saying this. Beyond the Lima Group, the only countries really left at that point at that time were Nicaragua, Cuba, and Argentina under—and Bolivia under Morales. Good luck with that.

Ms. SHERMAN. Beyond Latin America, Senator.

Senator RUBIO. Well, that is—the EU just sanctioned Venezuela as well, and many of those countries did. So thank you.

The CHAIRMAN. Thank you.

Senator Shaheen?

Senator SHAHEEN. Thank you. Thank you both for being here this morning, for your willingness to be considered for these very important posts and for your ongoing willingness to serve this country.

I think you are both the perfect choices for this difficult time, based on your understanding of both the executive branch and Congress, of the State Department, and your commitment to restoring America's role in the world.

So I want to begin and, really, appreciate both of you taking the opportunity to talk with me before we got to this hearing, and one of the issues that I discussed with both of you was how we are going to continue to treat those public servants from the State Department and other parts of our government who have been affected by what is known as the Havana Syndrome, the attacks against our diplomats in Cuba, China, and other parts of the world.

And there are—as I see it, there are two parts to this problem. One is to ensure that those people who have been attacked are treated properly, are believed, and that they get the medical attention and benefits that they deserve, and Congress has worked on that. We passed legislation in the last Defense Authorization Act to try and better level the playing field for those people who were affected.

But the other piece of that is ensuring that we get to the bottom of who is responsible, and I hope the State Department will work with DOD, who, as I understand, has been designated the lead agency to try and come to understand what is happening.

So I would ask that, if confirmed, will you both commit to addressing the recommendations of the National Academy of Sciences report, and more generally, to providing more transparency with Congress and the public on this issue?

Mr. MCKEON. Senator Shaheen, as we discussed yesterday, protecting the people we send overseas is our top priority. We have to take care of them. We send them out on behalf of the United States.

And so we are very grateful for the work that you have done and the committee has done and the Congress has done to make sure that benefits are being provided to those who have suffered.

But we do, obviously, need to do work to find out what is the cause of this. I do not really understand why, between the FBI and the CIA and DOD and State Department, we have not been able to figure it out. That is not a slight against anybody who is doing the work. It is just—it is kind of confounding.

So, as you know, the Accountability Review Board on this matter pointed out there was not leadership at the top of the department paying attention to this issue.

So I intend to take on this issue in coordination with Ambassador Sherman. But this will be a high priority to get after this and we will be happy to continue to talk to you about this.

Senator SHAHEEN. Thank you. Ambassador Sherman?

Ms. SHERMAN. I completely agree with what Mr. McKeon has said, and I must say, Senator, it is very disturbing that we have personnel who have gone through this and continue to suffer from it.

It is critical that they get the medical attention that they deserve and that we find out what happened so that it does not happen again.

So thank you for your leadership on this, along with others across the aisle. And I know that Secretary Blinken is committed to getting to the bottom of this as well.

Senator SHAHEEN. Thank you both for that.

One of the challenges we continue to face is the ongoing war in Afghanistan. One of the reports that did not get as much attention as the Khashoggi report in recent weeks was the Afghanistan Study Group that made a number of recommendations that I think are particularly relevant as we see the recent assassination campaign against civil society leaders in Afghanistan and, particularly, against women.

But what that report recommended is that the administration should slow the withdrawal of troops in Afghanistan, abandon the May 1st exit deadline, reduce American forces further only as security conditions improve.

And I wonder if you could respond to that, Ambassador Sherman.

Ms. SHERMAN. Certainly. I have been briefed on the Iraq/Iran study—sorry, the Afghanistan Study Group. It is hard to keep all the study groups straight. And I think they just did extraordinary work that I am sure the administration will take into account as it is undertaking its own review.

There is no question that Secretary Blinken believes that diplomacy has to be at the core of a just and sustainable settlement in Afghanistan, that the role of our troops is really to ensure that we do not have the recreation of al-Qaeda in the future or even a new ISIS foothold as a safe haven.

And so there is very careful deliberation going on with our Defense Department colleagues, it is my understanding, and ultimately, a decision by the President as we approach May 1st about how to proceed.

To your point about women, and I told you this story --I will share it with the other senators—one of the most searing meetings

I have ever been in as a diplomat was with Secretary Albright in a Peshawar refugee camp after the Taliban had driven people out of Afghanistan.

And Secretary Albright and I were able to meet with the women in that camp because we were women, and my daughter was a teenager at the time and a teenager about her age told the story of watching her sister being raped and thrown out the window.

These were women who were doctors and teachers and professionals and homemakers and moms who are just trying to keep their family together, and I was horrified. And I know there is a deep commitment to ensure that whatever ultimately happens for the people of Afghanistan that women never find themselves in such a position again.

Senator SHAHEEN. Well, thank you for that. I think there is some anxiety around the administration's announcement of Zalmay Khalilzad continuing as the Special Representative for the U.S. in Afghanistan. He has been distinctly unresponsive to the need to include women in any of the negotiations.

Now, that may have been a function of the previous administration. But I can tell you, in my discussions with him he did not hear me at all when I said this needs to be a priority for the United States.

So I hope you will take that back to the State Department and to the Biden administration and make it clear that in any work that he is doing on our behalf that he is including women at the table.

Thank you, Mr. Chairman.

Ms. SHERMAN. Senator, if confirmed, there will be no doubt that in everything I do at the State Department on behalf of the people of this country, I will make sure women are included.

Senator SHAHEEN. Thank you very much.

Senator CARDIN. [Presiding.] Senator Romney is recognized.

Senator ROMNEY. Thank you, Mr. Chairman.

Ambassador Sherman, as the Under Secretary of State for Political Affairs under President Obama, you, obviously, were very much involved in the development of the JCPOA and negotiating the JCPOA.

You know that people like myself and many in my party were very, very concerned that that was not an agreement that was effective in preventing Iran from, ultimately, having a nuclear weapon.

As a matter of fact, my read of that agreement is that it would delay Iran from being able to develop a nuclear weapon but that, ultimately, they would be permitted to develop a nuclear weapon and have the missiles necessary to deliver that to targets of their interest.

Am I correct in that understanding that the agreement would delay but not prohibit Iran from ever having a nuclear weapon?

Ms. SHERMAN. Senator, people read the agreement differently. The objective of the agreement, and the—I believe the outcome of that agreement was that Iran would never obtain a nuclear weapon.

I do completely understand why many senators and many people in Congress and many people in the world believe that if Iran can

continue to create fissile material, the stuff that goes inside a nuclear weapon, that they would be concerned that having that ability gives them the option should they choose to go there.

So I see the problem quite clearly and what I have said this morning, I think, is very important, which is that we are now where we are, which is outside of the agreement.

The Iranians have increased their enrichment capacity. They have increased their development of ballistic missiles. They have increased their bad behavior. The Maximum Pressure campaign may have put chips on the table, but it has not stopped. In fact, they have gone further than they had at the end of the Obama administration.

So we will all have to work together on what is the best strategy, going forward. The President and the Secretary have said that they want to reenter the deal if there is compliance-for-compliance. The Iranians are far away from compliance so there is a long way to go here.

Senator ROMNEY. With time, I am anxious to get your perspective as to how it is this agreement prohibits Iran from ever having a nuclear weapon. My understanding is the agreement allows them to enrich and to create fissile material down the road, and that they, obviously, had the capacity at some point to use that fissile material to develop a nuclear weapon under that agreement.

It does strike me that the purpose of our strategy with regards to Iran's nuclear program is twofold. Number one is to try and to dissuade them from ever having a nuclear weapon and that that is the ultimate objective, and number two, to exact a very high price on Iran such that they, as well as other nations thinking of going nuclear, would understand the consequence of taking that step, that the price is going to be very, very heavy, indeed.

I do not understand how reentering the JCPOA in any way either, number one, dissuades Iran from ever having a nuclear weapon, or makes the price sufficiently high to keep them from pursuing that course.

So I guess I am anxious to get your perspective as to what the purpose would be of reentering an agreement which does not prohibit them from having a nuclear weapon.

Ms. SHERMAN. The Biden administration, is my understanding, Senator, has said that they want to create a deal that is longer and stronger, but is part of a comprehensive strategy that deals with all of the elements of concern with Iran, including delivery systems for a nuclear weapon, and to ensure that any agreement ensures that Iran will not obtain a nuclear weapon.

I would be glad to but I think it probably will get us into the weeds to talk about why the JCPOA did create the assurance that you are looking for. But it is really beside the point now because we are at a very different place. The geopolitics are very different in the region.

There were many things that I disagreed with the previous administration on. But the normalization of relations of countries with Israel, known as the Abraham Accords in the previous administration, was a very good thing. It has changed the geopolitics of the region, and that means that one has to think about this in a different way because there are different elements on the table.

So I think we have to start where we are now and figure out the best way forward, and I would hope that if I am confirmed that I have an opportunity to get your views on this.

And as was laid out at the beginning of this when the chairman asked for commitments from Mr. McKeon and me, that Congress and the Senate and this committee will be there at the takeoff, not just at the landing.

Senator ROMNEY. Do you have any optimism about the prospect of Iran bowing, if you will, to our demands to pull back from their enrichment program and otherwise return to the JCPOA as, perhaps, adjusted in some ways, making it tougher?

With the attack last night by Iranian-backed militias in Iraq, it would suggest that they are flexing their muscle, not showing their weakness. Are we reading that wrong? Is there any prospect for them agreeing to a course which is more consistent with our objectives?

Ms. SHERMAN. I hope so, Senator, but I do not know. I am not privy to intelligence. I am not privy to all of the deliberations in the administration.

But, if confirmed, one has to dig into the details and into the intelligence and into consultations with you, with our allies, with our partners, with Israel, with the Gulf Arab states, with countries around the world that might have information that is useful to making those assessments.

So I cannot give you a definitive answer today. I certainly hope so because the other routes the President, the Vice President, and the Secretary of State, the Secretary of Defense, all of us, all of you, are committed to ensuring that Iran does not present an existential threat to anyone not able to deter our and our allies and partners' actions, and if they had a nuclear weapon that would change that calculus in very significant and very bad ways.

Senator ROMNEY. Like you, Ambassador, I do not have access to that intelligence. I am not a member of the Intelligence Committee, as is Ranking Member Risch.

But I would hope you study very carefully the conditions there in Iran, the health and well being of their leadership, the state of their economy, the public attitudes there.

I think there is some prospect that the Maximum Pressure campaign is actually delivering the kind of impetus that we might be looking for, and that before we bend and provide to Iran the hoped for reduction of our sanctions that we might consider the option of continuing with the Maximum Pressure campaign. I offer that only as a request on my part.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Romney.

Senator Coons?

Senator COONS. Thank you, Chairman Menendez, Ranking Member Risch, and thank you, Ambassador Sherman and Mr. McKeon. Thank you for your willingness to serve our nation again, and my thanks to your families as well.

I am particularly pleased to have the two of you with such experience, such skills, such background in the executive branch and State and DOD and the White House, and here in the Senate so that we can help work together to make sure that the foreign policy

priorities and agenda of the executive branch are supported or at least well understood, in close consultation with this committee, going forward.

And I look forward to being partners in demonstrating to the American people how foreign policy and the foreign policy of this administration actually improves their lives, advances their security and prosperity, whether it is from keeping COVID-19 variants from spreading through doing robust vaccination around the world to mitigating threats from our adversaries to addressing the existential threat of climate change.

And I hope you will be partners in working through some of our nation's most urgent national security challenges, from building an enduring and bipartisan strategy for confronting China, cooperating where necessary and possible but being prepared for a robust and sustained competition with China, addressing Iran's nuclear program and its other threats to the region and to the world, recalibrating the U.S.-Saudi relationship in light of the release of the ODNI report on the Crown Prince's role in the murder of Jamal Khashoggi and reviewing authorizations of the use of military force to strengthen and ensure congressional oversight on critical issues of war and peace.

I look forward also in my new role as the chairman of the State and Foreign Operations Appropriations Subcommittee to aligning resources with policy and commitments, and prioritizing the protection of human rights, the defense of democracy, the revitalization of the State Department and promoting the diversity of the workforce.

It is my hope the President's budget request will increase funding to what has been a stagnant foreign affairs budget to restore our leadership by fulfilling climate pledges, strengthening global health and security, and addressing our arrears at the United Nations.

So, Ambassador Sherman, just a brief question. You will be called on to travel the world to continue your service overseas on behalf of the American people. I hope you will also spend time traveling within our nation, speaking to the American people.

Do you agree diplomats in Washington, leaders in the administration, have to do a better job of explaining foreign policy not just abroad but here at home?

Ms. SHERMAN. I quite agree with you, Senator.

When Secretary Blinken asked me and the President agreed for me to be nominated as Deputy Secretary of State, one of the things I said to the Secretary—he was not yet Secretary at that point—but said to the Secretary that I thought it was critical that not only he but myself, if confirmed, Mr. McKeon, if he was confirmed, anyone who was a leader in the State Department ought to be spending as much time in America talking to the American people as we did abroad.

Jake Sullivan, who is the National Security Advisor, said very early on that every day in consideration of national security and foreign policy we need to ask, what does this mean for the American people? What does this mean for working people? What does this mean for the middle class in America?

People do not understand why we do what we do and how it has anything to do with their day-to-day lives. So I thank you for laying out this very critical issue. I think this is something that Democrats and Republicans can agree on, which is that the American people deserve to hear from us why we are doing what we are doing and why it matters to them.

Senator COONS. Well, thank you. And I think as we work to combat the pandemic, we have right in front of us an example of how the health of the world impacts the health of the American people.

As we work to confront climate change, we have an opportunity to look at how our competition with China, our realignments around trade, may well end up also advancing our goal of combating the existential threat of climate change.

I know you have both heard of the Global Fragility Act. We discussed it in our constructive conversations before today. I just want to urge that this bipartisan tool that is available to address the real security challenges in the Sahel mentioned by the chairman in his comments is taken full advantage.

It is something that a group of us worked hard to get introduced and marked up and passed and signed into law, and it gives an opportunity for the State Department, along with AID and DOD, to really lead a strategy.

But it will only work if done in consultation with this committee and with robust funding from Congress. So it is my hope that you will let us know what you need to implement it effectively and that you will utilize, in particular, the multi-donor fund that it has authorized to leverage resources from public and private sector partners elsewhere.

If confirmed, you will have critical influence over whether we stand up for democracy and human rights at a time when China's authoritarian model is posing an increasing challenge to our principles.

How do we balance the need to impose consequences on Beijing for its horrific actions in Xinjiang and its oppression in Hong Kong while also, perhaps, cooperating in some areas like nonproliferation or climate change?

And in my view, our response to China has to bring in domestic policy, robust investments in manufacturing, IP protection, and labor, but include engagement with our allies.

I would be interested, Ambassador Sherman and Mr. McKeon, if you might, in the minute and a half I have left, just some brief comment on how the Foreign Relations Committee can best help in shaping a sustained bipartisan policy with regards to China.

Ms. SHERMAN. Thank you very much, Senator.

I agree. I think this is an area where Democrats and Republicans agree. China is a major challenge for the United States, and I think there are three elements to it. We have to compete with China, and President Biden, Vice President Harris, the Secretary have said that begins with investment here at home in infrastructure and 5G and quantum computing and artificial intelligence and jobs for Americans that will take them into the next decades ahead.

We have to compete and win. That includes ensuring that China cannot hack our networks, cannot steal our trade secrets, and cannot steal our corporate secrets.

We need to challenge and confront China where we must in the South China Sea. Certainly, what they do on human rights. Secretary Blinken said, in his view, that the treatment of the Uighurs was genocide. I would agree with him on that and we should not shy away from saying things as they truly are.

And third, there will be some small areas in which we will have to cooperate, and as strange as it may sound, global health may be one of them, starting with getting the real facts about what happened in the pandemic.

And I will turn the last 15 seconds over to my colleague.

Mr. MCKEON. As you know, Senator Coons, the President said in the campaign and since that he wants to put democracy and human rights back at the center of our foreign policy. So that means it is integral and it will inform all the decisions we make.

At a minimum, we are going to speak out about China's outrageous behavior and treatment of its citizens in international fora or as well as directly, and we need to look at new tools to amplify what is happening there.

One of them is Radio Free Asia that is funded by the U.S. Agency for Global Media. You may not know that Senator Biden was the author of the legislation to create it and it is one of the things I am proud of having worked on.

So we definitely would want to collaborate with you on the best ways to come to grips with the China challenge because it is going to be a generational one.

Senator COONS. Well, thank you both.

And, Mr. Chairman, if I might just, in conclusion, across questioning and exchanges with a wide range of members of this committee, it is clear that close consultation, briefings both classified and open, and debate with this committee around the path forward on Iran, around the path forward on authorizations of the use of military force, are critical to our success and our ability to craft something that will win bipartisan support here.

And I look forward to working with you on Africa as well, something the chairman mentioned, and I know we have great promise for making progress in this administration.

Thank you, Mr. Chairman.

The CHAIRMAN. [Presiding.] Thank you.

Senator Paul?

Senator PAUL. One of the things I agreed with candidate Barack Obama on was that he said in an interview with a Boston paper we should not go to war without congressional authorization unless under imminent attack.

I had the chance to ask him about this after the administration chose to launch attacks on Libya and he said, well, I said unless under imminent attack and Benghazi was under imminent attack. And I said, really? You were talking about imminent attack of a foreign city, not the United States? I think nobody interprets the idea of a president going to war unless under imminent attack to be anything other than a U.S. city or a U.S. interest, at the very least.

So I was shocked by that. What was your position in the Obama administration about the Obama administration's decision to go to war in Libya, Ms. Sherman?

Ms. SHERMAN. Thank you, Senator, for the question.

These decisions, as you know, are incredibly difficult to make, and when Libya began I was the Under Secretary for Political Affairs. And I think that most people thought that we were providing support to Europe for a humanitarian intervention.

It turned out to be quite something different. I am glad that today, some years later, we are now potentially facing elections in Libya, that Libya is getting back, perhaps, hopefully—fingers crossed—to a better place for Libyan people.

I will be the first to say, and I think President Obama has said so in his own memoir, that we did not have a full understanding—we have learned from this—that Gaddafi had not built any institutions. He had not created any government.

So when Gaddafi disappeared in Libya, there was nothing. There was absolutely nothing except the potential for a civil war and for an ongoing conflict. So I think we have to be very careful.

Senator PAUL. I appreciate the understanding. In retrospect, it may not have been the best activity. But one of the lessons we might learn, and we might learn from Iraq also, is that regime change does not work, that Thomas Jefferson is not waiting in the wings and American-style democracy is not going to blossom, and when we get rid of a tyrant maybe you get another tyrant.

But I guess the reason I question whether there was a lesson learned is that immediately many people in the Obama administration, the Hillary Clinton camp, et cetera, Samantha Power, Susan Rice, and I am not sure you, were then advocates of going into Syria in a big way.

In fact, your boss basically said, well, the problem was we just did not go in big enough into Syria. What was your opinion on Syria during the Obama administration on sending arms in and getting involved in their civil war?

Ms. SHERMAN. Thank you, Senator. I want to correct the record a minute, as I was thinking about this. I was not actually in the government at the time of the Libya decision. The reason it is so much in my mind is I was on the Defense Policy Board at the time and we had a big discussion about Libya. And the Policy Board believed we should not create a no-fly zone in Libya. We should not help out. We had breakfast with Secretary Gates on a Wednesday morning. He said, we are absolutely not going to do this. And on Thursday, we did it. So that is why it is very fresh in my mind. But I was not in government at the time.

On Syria, I was very torn. I thought there was a disaster happening in Syria and happening for the Syrian people. President Obama was very cautious because he understood that this was a slippery slope, that the American people were tired of war in the Middle East. And so he moved very, very carefully.

It is a struggle in those situations when you see terrible suffering of people, so not an easy decision. I think he tried to be very cautious.

Senator PAUL. But, you know, I think we have to learn some lessons sometime. I mean, many in the Democrat side of things learned the lesson very quickly. Maybe just for partisan reasons they did not like the Iraq war, and it was a disaster. But, really, it was a disaster. I mean, it is still an ongoing disaster. The whole

tipping of the balance between Iran and the rest of the Middle East was tipped by, you know, getting rid of the regime in Iraq.

And so it is this idea that we are going to make the world this great place for democracy, this Wilsonian idea of us, naivete that, you know, we are going to get rid of a regime and it is going to get better, even in Syria.

So we did not go all the way in, you know, with the full might of the U.S. We went partway in. But you could argue that had we not gotten involved and had we discouraged the other Arab nations from getting involved that it would have still been a disaster but maybe 10,000 people die instead of 500,000 people.

So I think the misguided notion that we helped anybody in Syria, it would be easy to argue. The evidence shows that a half a million people died and millions of people are dislocated because we did the half-ass approach to it. We went halfway in there.

And so then Blinken's response, in conclusion, is we should have gone all the way in there. And from my perspective, is we need to stay the hell out of these wars and toppling, you know, one strong man, one tribal leader, we get another one or we get worse.

And all along the Syrian civil war, the fiercest fighters, we would pretend that there were lawyers and doctors fighting, that there were these moderates over there fighting. Al Nusra were the fighters. Al-Qaeda were the fighters. The fiercest fighters were the jihadists.

And so I have never thought that the jihadists would be better than Assad, and I am not a fan of Assad either. But we have to learn some lessons, and I do not think we adequately learn the lessons. We go from Iraq and the power vacuum of Iraq. People say, oh, ISIS came about because we left too soon. Well, maybe ISIS came about because we got rid of Hussein. I mean, what is the original domino that leads to that? It is destabilizing in having no government.

You may be optimistic about Libya. But I see it as one of the biggest terrorist havens in the world. You got competing governments. The last administration was never really clear who they were supporting, whether it was this General Haftar or the U.N. government.

And the thing is, is it is muddled, and we have all these people we give arms to who are then giving arms to both—you know, to opposite sides in this Libyan civil war.

Maybe we would have been better off not getting involved, not bombing Gaddafi into oblivion, not thinking that he was some great saint but knowing that there was at least some stability there. And I wonder if chaos is worse, you know, a worse scenario.

And all I would ask is that we have got to learn these lessons. And I am not so positive—I do not think Blinken has. He is already sending us back into Syria. What do you think of sending more convoys into the conflict in Syria?

Ms. SHERMAN. Well, my understanding, Senator, is that is not what Secretary Blinken is about. What he is about is looking at what our interests are regarding ISIS and a de-ISIS campaign, and to make sure that we have a very small footprint and an appropriate one that is only in our interests.

But I do appreciate, Senator, the issues you raise. These are very hard decisions. You are correct that we should learn lessons of history and try not to repeat them, that regime change is rarely, if ever, successful.

So on some of your points, I would agree with you. I think, nonetheless, we do have American interests that compel us sometimes to use very precious blood and treasure.

But no President, no Secretary of State, no Secretary of Defense, makes these decisions without enormous consideration, and I hope as this administration goes forward with more and more consultation with Congress, as I think the chairman knows, finally, long overdue, there are now Title 10 notifications—pre-notifications to this committee, and I think that is a step in the right direction.

Senator PAUL. I hope you will be a constructive voice. All I will say is that we are bombing now again in Syria without congressional approval and we are sending more convoys in there without congressional approval to a messy war.

It has been going on forever. There is nothing good that is going to come out of our involvement. People say, well, U.S. lives are at risk. Yeah, because we put them there. You know, we put them in the middle of a civil war that is, largely, over, but can continue if we keep putting troops there—to put our troops as a tripwire to get involved in a further escalation of this war.

So I hope there will be sane voices and I hope you will be one of those. But I do not have a great deal of confidence that we have actually gone away from John Bolton. I think we have gone to a liberal form of John Bolton with your new boss and that is something I am very concerned with.

The CHAIRMAN. Senator Murphy?

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

Thank you to you both for your continued willingness to serve your country. Senator Paul and I do not always agree on the answers to these weighty questions but I do think he brings a healthy caution regarding American hubris, particularly in the Middle East and I appreciate his line of questioning.

I am hoping to squeeze in three questions here, two, for you, Ambassador Sherman, one for you, Mr. McKeon.

I wanted to come back to the topic of Venezuela. I remember shortly after Elliott Abrams was appointed to be President Trump's envoy, he came into my office and he talked about the big chance that the administration was taking, essentially, sort of playing all of our cards right at the outset, including the recognition of Juan Guaido, and he predicted that if Maduro had not fallen, had not left power by May of 2019, then our chance that we had taken would have been perceived as a mistake.

Last week, the Europeans, essentially, de-recognized Juan Guaido as the leader of Venezuela, essentially confirming that two years later our policy has not worked.

Maduro is still in power. Russia, China, and Cuba are more deeply involved in Venezuela and the United States, having played all those cards early on, we look feckless, not just in Venezuela but throughout the region.

And so does it make sense to continue a policy that by all objective measures has not worked and, if not, what should a new policy look like?

Ms. SHERMAN. If I knew the answer this morning to that question, Senator, you should confirm me quickly without hesitation. [Laughter.]

Ms. SHERMAN. I think this is a very thorny and very difficult situation. I think that the United States and the world community was right to recognize Juan Guaido. I do not think that the previous administration took advantage of all of the things that it might have to try to push that agenda forward.

I do not think we have supported Colombia in the way that we perhaps needed to for taking in all of the refugees out of Venezuela. I think that we have given Maduro a platform to, in fact, say that everybody is feckless and he gets to do whatever he wants to do.

There are ways, perhaps, that we can communicate with the Venezuelan people that we have not. But I do not—I will be the first to say I do not this morning—I am filled with humility in saying that I do not know that there is an easy answer to this problem.

What I can say to you, Senator, is I think it is a very critical one. It is absolutely wrapped up in China's investment in Latin America, Russia's investment in Latin America, about sort of the triad with Cuba, Nicaragua, and Venezuela, and we have to think through what a strategy going forward might be.

And, if confirmed, I look forward to speaking with you and with everyone on this committee with your ideas and thoughts about the best way we might crack this very difficult challenge.

Senator MURPHY. I hope it is also a prism through which the administration can take a review of American sanctions policy. I think there is an argument to be made that in this case the sanctions may have, ultimately, accrued to the benefit of Maduro to the detriment of Venezuelan citizens, and not gotten us the political return that we had hoped and still hoped for.

On Iran—I know we keep on coming back to this, but I just wanted to clarify an answer that you gave to Senator Romney in your exchange with him. You listed out a number of malevolent behaviors by the Iranians, the things that we hope that they eventually come to the table on.

But I just wanted to confirm that it is still your understanding that the administration's position is that we should get back into the nuclear deal, get back on the same page with the P5+1 and use that as a platform through which to put pressure on the Iranians with respect to its ballistic missile programs, its support for terrorist groups.

I think the Maximum Pressure campaign was built on a fantasy, this idea that we could have a comprehensive negotiation where the Iranians would come to the table on everything all at once. In fact, during the last four years, despite these intense sanctions the Iranians came to the table on none of Secretary Pompeo's list of 12 demands.

So it is still our belief that we should get back into the nuclear agreement and as quickly as possible, understanding that that will

take negotiation, and use that as a platform with which to bring together the world community around other behaviors that we object to by Tehran.

Ms. SHERMAN. Yes, it is my understanding that the Biden/Harris administration, Secretary Blinken, want to get back into the deal but to make it longer and stronger, and to use it as a platform to have negotiations on the other issues of concern that we have with Iran.

Senator MURPHY. And it makes me a little nervous when we sort of hear terms like longer and stronger. Again, I think many of us supported that deal on its terms. We understand that we always had to have a follow-on negotiation to make sure it was lengthened.

But by expanding out the number of things that we want to talk about at this negotiating table, I worry that, you know, we may be setting ourselves up for failure. But I look forward to continuing that discussion with you.

Thank you again for your service. I am really looking forward to supporting your nomination and working with you.

Mr. McKeon, I wanted to expand the conversation that you and I had privately and that is the question about the effectiveness of our diplomacy abroad when we have such difficulty getting outside the wire.

Diplomacy does not just happen in embassies. It needs to happen in communities. And in the wake of Benghazi, we have become much shyer, much more reluctant, much more cautious about putting our diplomats out, especially in dangerous places, and the work that Senator Coons has done on fragile states, I think, is part of the answer here.

But, you know, we also have a review process for incidences abroad that tends to, you know, make people very, very hesitant to do anything that might put any diplomat at risk.

The risk tolerance in State is fundamentally different than the risk tolerance we have in the Department of Defense, and I think that is a mistake.

I think we should pursue some congressional reforms to the Accountability Review Board process to make people less fearful of punitive action and more willing to learn from mistakes.

What is your thoughts on how we can try to push diplomacy back outside our embassy compound walls?

Mr. MCKEON. Senator Murphy, thank you. It is a hard challenge, and I appreciate you being willing to dive into it.

You know, there is no such thing as perfect security. The diplomats that work for our country are in a dangerous business, and evidence of that is on the walls of the C Street lobby in the State Department, the names of those who have been killed while serving the government overseas.

As you said, we have the statute that mandates accountability review. Our board process was enacted in the mid '80s. It does not apply in the same way to DOD or the intelligence community. So I appreciate if you and other members of committee are willing to take a look at that. We should have a conversation about it.

The department began a review under the last Secretary, being led by very senior diplomat, to look at this question which they put

it under the framework of risk mitigation. Though I do not know the timing of his work, but that will also inform our conversation.

Senator MURPHY. Great. I look forward to working with you on that.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator HAGERTY. Put your microphone on, Senator.

Senator HAGERTY. There we go. I was saying thank you very much for scheduling this important hearing for two very important positions in the State Department.

Also, Ambassador Sherman, I appreciate your acknowledgement of the success of the Abraham Accords. A tremendous amount of work went into that. I know you had been critical of the previous administration about this earlier.

But I appreciate your acknowledgement of the success because, indeed, it has changed the dynamic in the region. And I encourage the Biden administration to strongly consult with our allies in the Middle East as you consider reentry into the JCPOA.

I would like to turn now, Ambassador Sherman, to a discussion on the Iran Nuclear Agreement Review Act, if I might. You mentioned earlier that the Biden administration will follow the law. I would just like to follow up on Ranking Member Risch's comments here, if I might, because I think it is very important that we talk about the oversight dynamic here.

The Iran Nuclear Agreement Review Act of 2015 requires the executive branch to submit to Congress any and all agreements that are related to the nuclear program of Iran. Those need to be submitted for congressional review.

Ambassador Sherman, can you imagine any scenario in which the Biden administration would decide to participate again in the JCPOA concerning Iran's nuclear program or modifies any aspect of the current sanctions regime on Iran and you would not submit this to Congress for review?

Ms. SHERMAN. It is always hard, Senator. I am not a lawyer. But any lawyer would tell you and has told me never to make a completely universal comment about such a question.

But what I will say to you is that this administration, the Biden/Harris administration, Secretary Blinken, are committed to following the law. And if, indeed, whatever is decided falls within the terms of INARA, then we must, indeed, come to Congress.

Senator HAGERTY. I think this is the concern that Ranking Member Risch and I have right now and that is looking at a very specific legal interpretation of the document and not looking at the purpose of the Act.

The purpose of the Act is to ensure congressional review, not to find weasel words or ways to get out of complying with it. So I encourage this administration and you, if you are confirmed, to find a way to comply with the purpose of this Act.

Ms. SHERMAN. I think that is a fair point that the intent is to make sure that Congress has a say, and I think what is and, as Senator Cardin pointed out earlier, I was very engaged with both Senator Cardin and Senator Corker to ensure that INARA, in fact, happened, and that there was a congressional review process. I thought it was terribly important, and very grateful to then Chair-

man Corker and Senator Cardin, who was ranking at the time, for moving forward on a congressional review process.

What I would hope this time is that we have happen what is happening here, which is that you all are there at the takeoff that you are reviewing the considerations of this administration throughout the process, and that the review does not just come at the end but the review happens throughout any process that goes forward.

And if I am confirmed, you have my commitment, not just regarding any agreement with Iran but with what we are doing in foreign policy and national security, writ large.

Senator HAGERTY. Thank you, Ambassador.

Can we turn to the Central Bank of Iran now? That is another source of concern. U.S. policy has sought to deny the Iranian regime, including the Central Bank of Iran, the money, especially the hard currency that it uses to fund terrorism and many other malign activities that threaten the national security of the United States, of Israel, and our partners in the Gulf.

The Treasury Department has concluded that, since at least 2016, Iran's IRGC Quds Force, the terror outfit that exists there, has received the vast majority of its foreign currency from the Central Bank of Iran.

Ambassador Sherman, do you commit to maintaining sanctions on the Central Bank of Iran and hold it accountable for its activities to support terrorism, including any secondary sanctions that are now in place?

Ms. SHERMAN. Senator, I do not know all the ins and outs of the current sanctions that are in place because I have been out of government now for some time.

But I, certainly, do not want to do anything that supports the IRGC to continue its activities in the region that are vastly destabilizing and put our allies and our partners and ourselves at tremendous risk.

Senator HAGERTY. I think these sanctions have taken a great deal of time and effort. I was personally involved in some of the aspects of this. And I would encourage you and I would encourage the Biden administration not to grant sanctions relief to the Central Bank of Iran without a thorough review and make certain that these sanctions are—continue to stay in place until they have stopped in all aspects supporting terrorism.

A further question, Ambassador Sherman. The Iranian regime, clearly, wants the United States to lift sanctions against the Central Bank of Iran. Please, and I would love for your commitment on this to not provide any form of sanctions relief, including through the use of waivers or licenses to the Central Bank of Iran unless we can verifiably ensure that they cease all of their malign activities.

Ms. SHERMAN. I appreciate your view and I will, certainly, want to talk with you further, if confirmed, and as I learn more about the sanctions that are currently in place and how they affect different activities by Iran. Thank you for that.

Senator HAGERTY. Thank you very much.

Turn to North Korea for just a minute, you and I have spoken about this before. As you know, when I was ambassador to Japan,

I was there when Kim Jong-un launched two intercontinental ballistic missiles over Japan and, at a different time, tested a hydrogen bomb.

I have no doubt that North Korea is going to remain one of the most critical national security challenges that the United States will have to face this decade. And as we learned during the Trump administration, subordinates come and go in the negotiations, sometimes permanently, perhaps.

Kim Jong-un takes the decisions on the nuclear program. It is critical to strengthen the Maximum Pressure campaign to sharpen the choices for the Kim regime.

Ambassador Sherman, do you support additional sanctions against the Chinese companies that are doing business with North Korea?

Ms. SHERMAN. Again, because I have been out of government, I do not know all that is in place now. But, certainly, we do want to ensure that North Korea understands that unless it comes to the table to really make progress in denuclearization that we will use every tool that we have to prevent them from doing so and, certainly, want China not to be playing an adverse role in that process.

Senator HAGERTY. Yeah, they have been playing a tremendous role, as you and I both know, and I hope we can continue to work toward that goal.

Ms. SHERMAN. Thank you. I look forward to it, Senator, if confirmed.

Senator HAGERTY. Thank you.

The CHAIRMAN. Thank you.

Senator KAINE?

Senator KAINE. Thank you, Mr. Chairman. Thank you to the witnesses. I want to follow up on Senator Hagerty's line of questions with respect to congressional approval of forward steps on Iran.

I have a very different opinion about the JCPOA than the Republican members of this body, and Senator Risch and I have done this often. But I have exactly the same opinion as all the members of the body about congressional review, and I was the original—sort of one of the original drafters of INARA. Because the Obama administration—the plan was to do a deal with Iran and do it pursuant to waiver authority under the congressional sanctions and not bring it to Congress for eight years.

Eventually, at year eight, they would have to come to Congress to have a statutory lifting of the sanctions. That was the original plan. And even though I thought the negotiation was coming up with a deal that I thought was much better than the status quo ante, and Senator Corker did not think so, we both thought because congressional sanctions were being used as leverage to get the deal that Congress had to be involved. And whatever the forward steps on the deal might be, Congress needs to be involved because you are using a congressional statute that imposes sanctions as leverage in this topic. So I just want to associate myself with the comments that he made.

Now I will go to associating myself with topics raised by Senator Paul. You talked about your parents being there at the founding of the U.N. because your dad was a Marine veteran who had suf-

fered war injuries at Guadalcanal, and he wanted to be there at the founding of an organization that was designed to prevent war.

Sadly, we, as humans, cannot prevent war. No organization can. But we should try to prevent unnecessary war.

And it is interesting the way the Framers of the Constitution and then even the architects of Senate procedures have tried to help us figure out a way to prevent unnecessary war.

So the United States, unlike virtually anywhere else in the world, has a founding document, the Constitution, that says it is not for the executive to decide to go to war. It is for the legislative branch.

Nobody does that. I mean, war is for the king, the monarch, the emperor, the dictator. But not here. The initiation of war is supposed to be by Congress with the President then managing the war because the last thing you need is 535 commanders in chief.

And then within the rules of this body decisions about going to war come out of the Foreign Relations Committee, not out of the Armed Services. I am on the Armed Services Committee.

Most people guess that that is where war resolutions start. They do not, because as you said, prefer diplomacy first, and if diplomacy fails, war can be a sad necessity. But prefer diplomacy first. So it has to start in the Foreign Relations Committee.

Let me ask you this, Ms. Sherman, and I have very high regard for both of you and I will support both your nominations. Iraq right now, are they an enemy or are they a partner?

Ms. SHERMAN. I hope they are a partner, Senator.

Senator Kaine. Yeah, they are a partner. They are not an enemy anymore. There are some challenges with our partner, with Iraq, especially the activities of these Iranian-backed militia groups, which the successive prime ministers have tried to figure out how to control without completely satisfying us.

But they are not an enemy. We still have two war authorizations against the nation of Iraq that have not been repealed. Gulf War 1991, Iraq War Resolution 2002. Boy, how is that to treat a partner and have a war authorization against them?

Today, Senators Lee, Paul, Young, Grassley, Kaine, Durbin, Coons, Duckworth, we are introducing a bill to repeal the two Iraq AUMFs.

And I am not going to ask you for a commitment on that. You are not part of the administration yet. But I would think Congress should not just allow war authorizations to exist in perpetuity.

But we often do. We pass them and then they are just out there and they can be used in mischievous ways.

The President undertook on his own initiation without congressional approval missile strikes against militia positions in Syria that are connected to Iran last Thursday.

At the same time that this happened, the U.S. had an offer on the table with Europeans for Iran to come back to a table for a no-preconditions discussion about what do we do about the JCPOA. Iran was considering that offer.

The administration, from my conversations, was actually pretty optimistic that Iran was going to accept that offer. Then missile strikes happened on Thursday, and then Iran turned down the offer on Sunday.

The President asserted, as a rationale for the missile strikes, that he had unilateral power under Article 2 to do them. He did not refer to the AUMFs, which was good because those would be fig leaves. He just said, I have Article 2 power.

But the challenge is if you allow presidents unilaterally to do things, even things that are prudent, okay, president takes a step with a missile strike. Iran then turns down an opportunity to explore diplomacy.

I cannot imagine anybody at the Pentagon or at the State Department was surprised with the militia airstrikes back at the Air Force—at the Air Force Base where U.S.-led coalition forces were yesterday.

When one side decides, I can do this unilaterally, then the other side decides, I can do this unilaterally because you started it. No, you started it. No, you started it. And then we are in the midst, potentially, of a significant military engagement of war without a discussion in Congress.

I do not care how prudent unilateral executive action is. It can lead to counteraction and counteraction and reaction, and then suddenly, we are in the middle of something that has not been discussed in front of Congress, has not been discussed in front of the American people.

And I just think, again, even the events of the last couple of days since, Ms. Sherman, you and I talked on our Zoom call have demonstrated that the Framers were not really wrong when they said decisions about war and the initiation of war should be sort of aired before the people's legislative body and have an imprimatur. If we are going to do it, it should have an imprimatur on it of more than just one person.

I have shared this view about the missile strikes last Thursday and about the at least temporary collapse of this diplomatic opportunity Sunday, and then the Iraqi strikes against the base with the U.S.-led coalition.

This is the kind of thing that happens and there is no guarantee it will not happen if you have more dialogue with Congress and the public. But you reduce the risk. I think you reduce the risk of unnecessary and un contemplated escalation if you have the kind of consultation that, I think, both Democrats and Republicans on this committee would expect of you.

I know you believe that and I am confident you will push for that to all your might, and that is one of the reasons that I have the confidence that I will support you.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Young?

Senator YOUNG. Thank you, Chairman.

Mr. McKeon, I enjoyed visiting this week. When we spoke, you outlined how examining the resourcing of America's development enterprise and our foreign assistance would be one of your top priorities, if confirmed.

This is an area of particular interest to me. It dates back several years. In fact, I co-chaired a CSIS task force in 2017 with Senator Shaheen on reforming our foreign assistance programming.

And one of the recommendations that we made in that convening of former career Foreign Service officers and USAID professionals and other experts was to take a hard look at the overlapping responsibilities and, thus, the duplicative efforts and budgets of the State Department, USAID, and various development finance organizations and to empower USAID to have a bigger voice in the conversation and more of a leading role in American foreign policy.

So that starts with strategic direction from the top. From the outside, what do you find, sir, most concerning about how our foreign assistance is organized?

Mr. MCKEON. Thank you, Senator. I will have to dig out the task force report from 2017 because I am not familiar with it.

As you know, the USAID administrator reports to and is under the direct authority of the Secretary of State. But I think, from experience in the last 20 years, that relationship has probably had more—marked more by tension than collaboration.

So I think one of the first priorities would be to try to reset that working with Ambassador Power, if she is confirmed. She is going to be a great spokesperson for the mission and is not shy.

So I am sure that she will assert her views about the relationship and the direction of our program. So I think first priority is to get the relationship between State and AID in the right place and make sure that the programs are aligned and not duplicative.

Then, as you mentioned, the other agencies. The Secretary of State chairs the board of the Millennium Challenge Corporation and the Development Finance Corporation.

And so we, at the State Department, if I am confirmed and the Secretary, we need to make sure we are using that role to ensure that everyone is rowing in the same direction on our programs and are aligned with the President's priorities and strategies.

You have given us great tools with the—with these agencies, the DFC being the newest one, but we need to put them to greatest effect, and I would like to talk to you more about it as I dig into it, if I get into the job.

Senator YOUNG. While I move to our diverse array of various agencies that are tasked with foreign assistance, it is one of the things I discovered when I became a member of this committee is just the constellation of different agencies.

And one avenue to explore is how we can task some of these agencies with operating in countries with lower incomes or worse health outcomes while directing others to specifically address more developed economies and societies, rather than throwing our resources from the various agencies at the same countries.

For instance, how can the United States better utilize our more independent development organizations like the Millennium Challenge Corporation or the Development Finance Corporation and make them more strategic in their investments?

I would like you to sort of speak to that generally, and then answer this specifically. Can the Development Finance Corporation be more focused on middle income countries that face more pressure from Russian and Chinese influence?

Mr. MCKEON. Senator I need to dig into the DFC statute. My understanding from a briefing paper is they are supposed to prioritize their investments in lower income countries. I think there is some

exception for middle or higher income countries in some respects. But the primary focus is supposed to be on the lower income countries. If I have that wrong, please tell me.

Senator YOUNG. Respectfully, I think that is just been the construction of the statute. The statute actually does call for development assistance to lower income countries, and then there is—in the same charge, it indicates that the resources may also be deployed strategically.

So it is like so many of our statutes. It is a vaguely written statute, which I lament, but my own views, which you might have sort of inferred by the question, is that we have an opportunity here to perhaps use DFC in a more strategic fashion vis-&-vis some of our strategic competitors, like Russia and China.

So I would look forward to working with you or others within the administration to—on that effort.

Ambassador Sherman, I do not want to neglect you, and I am grateful for your long-standing service and for your appearance here today.

President Biden has signaled that working with our partners and allies is going to be a foundation of his foreign policy and that he will seek to renew relations with our European partners.

In fact, in his recent address before the Munich Security Conference, he called the transatlantic relationship the cornerstone of all we hope to accomplish in the 21st century.

I agree that we must be engaging with our democratic allies in order to reach agreements on security and trade and technology development and health resiliency and all manner of other things.

But we also have to be willing to embrace our own ability to shape these areas and not the other way around, right. So there is a balance to be struck.

So if the leaders of Europe are unwilling to confront the threats emanating from around the globe, most especially the threats emanating from China and Russia, how would you recommend the United States adjust its strategy to engage with them?

In 10 seconds or less, please.

Ms. SHERMAN. I think it is absolutely critical that we engage with the transatlantic relationship around China and Russia. We are so much stronger together than we are apart, and I think that it will take vigorous diplomacy, which Secretary Blinken is going to lead, and, if confirmed, I hope to help him do exactly what you are suggesting, that we help to drive that agenda.

Europe is not always excited about us being back at the table because they are wary, given some years of us being away. But they also respect and understand the power of the United States of America, and I think that it is time that we lead by our example by what we are doing to compete and build our own infrastructure to do that competition.

But doing it together will make us much more powerful in challenging China, competing with China, and dealing with all of the threats that are put forward by Russia.

The CHAIRMAN. Thank you.

Senator YOUNG. Thank you.

The CHAIRMAN. Thank you, Senator.

I understand we have Senator Markey virtually.

Senator MARKEY. Okay. Thank you, Mr. Chairman, very much, and thank both of you for your long-term service to our country and we hope that you will be given the opportunity to continue because I think you would be enormous assets to ensuring that we have a safer better world that we are living in for everyone in our society.

If I may, Mr. Chairman, just want to go through a few bits of facts from the past so that we can just establish it as part of this hearing record.

Before you helped to get the world's major powers and Iran to the negotiating table, Iran was about two months away from producing enough highly-enriched uranium for its first nuclear bomb.

Is that correct?

Ms. SHERMAN. Yes, that was the assessment.

Senator MARKEY. And after all sides began implementing the Iran nuclear deal, that breakout time extended to more than a year. Is that correct?

Ms. SHERMAN. Yes.

Senator MARKEY. And Senator Risch asked you about enrichment, so I would like to go back to that. As part of the Iran nuclear deal, Iran reduced, reduced, its stock of low-enriched uranium by 98 percent to 300 kilograms.

But as a result of the Trump administration's unilateral exit from the Iran nuclear deal, that number increased to 12 times over that 300-kilogram limit.

Is that correct?

Ms. SHERMAN. That is my understanding. Yes, sir.

Senator MARKEY. Okay. So, again, while many of my colleagues have spent time criticizing the Iran deal, the effect of that arrangement did dramatically reduce the ability of Iran to have a quick breakout time towards producing a nuclear weapon.

And I just want to make sure that all of that is out on the table, and again, you played an instrumental role in ensuring that that would be part of that agreement.

So compliance-for-compliance is what President Biden is now saying his goal is. So can you just, again, expand a little bit more on what the Biden administration's policy will be in terms of compliance-for-compliance in ensuring that we do go back to a position where Iran's breakout time is lessened dramatically?

Ms. SHERMAN. Thank you, Senator.

It is my understanding what the Biden/Harris administration hopes to do is to get Iran to come back into full compliance with the deal.

Then we would be in compliance with the deal and that we would build from that to get a longer and stronger agreement, given that the deal is now some years old and, as you have pointed out, Iran has now increased its stockpile, increased the depth of its enrichment, increased many of its capabilities more—using more sophisticated centrifuges as a result of our leaving the deal, and that we would not only get back to where we were but we would build a better, stronger, longer platform. And then we would address the other issues of concern.

And as you pointed out, Senator, that one-year breakout time is critical because it allows us if for some reason Iran is able to cheat,

though there were the most extraordinary verification and monitoring mechanisms, we would have time to slap back on sanctions or even to take military action.

So we would maintain all of our options to ensure that Iran not obtain a nuclear weapon.

Senator MARKEY. Yeah, and I agree with you. A one-year breakout time gives us time to put additional pressure on, but if it goes down to only two months or one month as a breakout time, our capacity to respond is, obviously, diminished dramatically.

So I think the approach which the Biden administration is taking is the correct one.

If I could just move over to Burma, that recent coup carried out by the Burmese military against the democratically-elected civilian government has been condemned by the Biden administration, and I welcome the steps which the administration has already taken, including imposing targeted sanctions against the military.

What role do you think China should play in partnering with the United States and do we have a capacity to get China to partner with us in order to put pressure on the military in Burma to allow for the civilian democratically-elected government to return to power?

Ms. SHERMAN. Thank you for that really important question, Senator.

It is my understanding that Linda Thomas-Greenfield, our ambassador now to the United Nations, is going to use our platform since we are in the presidency in the month of March to have a more serious discussion in the U.N. Security Council about Burma and encouraging China to urge a return to a democratically-elected government and to end the military coup, which in its wake is just having a horrifying impact on the rights and the freedoms of the Burmese people.

We have lots of issues with Burma even before this coup, given the treatment of the Rohingya. But now it is of great concern for all of the people of Burma and their freedom and their way forward.

I applaud Ambassador Linda Thomas-Greenfield for taking this subject up as one of the first things that she does, and Secretary Blinken has made it very clear this is a very high priority for him and to not only look at those sanctions but see that we get everyone engaged in ensuring that we return the government.

Senator MARKEY. Okay, thank you. And I do believe we have to put much more pressure on those military leaders and I hope that that is part of the Biden plan. And no one has done more thinking about the North Korean nuclear program than you have, historically. You have just a rich history of the three generations of the Kim family and their attitudes about this issue.

Could you give us your sense of what the steps should be that are taken by the Biden administration in conjunction with the regional allies, especially in order to reduce this ever-increasing nuclear threat from North Korea?

Ms. SHERMAN. Thank you, Senator. It is my understanding that a review is going on in the administration to decide on how best to proceed with North Korea. Very tough challenge.

Quite agree with you it needs to be done with partners and allies in the region, particularly Japan and South Korea. But with everyone who has a stake in ensuring that Kim Jong-un does not develop even more nuclear weapons, greater delivery systems, and pose even a greater threat to the region and to the world.

So I understand that review is ongoing and, if confirmed, I would be glad to be talking with everyone here more about it to get your views and ideas as well.

The CHAIRMAN. Thank you very much.

Senator MARKEY. Do you—okay. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Cruz?

Senator CRUZ. Thank you, Mr. Chairman.

Welcome to the both of you. Congratulations on your nominations.

In the last six weeks, the Biden administration has embraced China, has bombed Syria, has empowered Russia and Putin, has refused to stand with Israel on the Golan Heights, and has lifted sanctions on Iranian-backed terrorists.

That is not an encouraging opening for the foreign policy of this country for the next four years. I want to focus on a couple of those areas.

Let us start with an area that should be a potential for bipartisan cooperation. It is a topic that I discussed with both of you at length in the past week, and that is Nord Stream 2.

Nord Stream 2, in the last year, was an incredible bipartisan victory for the United States. The pipeline was over 90 percent completed from Russia to Germany. Congress acted not once but twice, passing strong bipartisan sanctions.

Sanctions supported by Republicans and Democrats on this committee passed it into law, and despite mountains of Russian disinformation, the pipeline ceased minutes before those sanctions were signed into law.

Unfortunately, the Biden administration has been sending mixed signals and those signals have been heard by Putin. And so Putin, after ceasing building the pipeline for a year, has gone back to building the pipeline because Putin and Russia believe the Biden administration will not hold them accountable, will allow them to complete this pipeline, which would put billions of dollars in Putin's pockets to be used against America, against Europe.

The European Parliament, by the way, in December 2018 voted 433 to 105 to oppose Nord Stream 2, and in January 2021, after Putin attempted to murder Navalny, they voted again to condemn it, this time 581 to 50.

Let me start with both of you. Do both of you agree that allowing Nord Stream 2 to be completed would be terrible policy for the United States?

Ms. SHERMAN. Senator, the President of the United States, the Secretary of State, have both said they oppose Nord Stream 2 and do not believe it should be completed.

Mr. MCKEON. Senator that is my understanding as well. The President has said it is a bad deal.

Senator CRUZ. Well, if they oppose it, they are not very effective at opposing it because when their administration came into office,

suddenly it commenced, and to be particular, last month the State Department transmitted a mandatory and overdue report to Congress about who is helping Putin build the pipeline. The report included one ship and its owner, which the Trump administration had already sanctioned.

So it simply reiterated what the Trump administration had done. It did not include any entities that are plainly in violation, not even the company that is actually constructing the pipeline Congress has instructed the President to sanction.

Then, yesterday, the Biden administration imposed sanctions for the poisoning of Russian dissident Alexei Navalny, but those sanctions went out of their way not to touch the Nord Stream 2 pipeline.

That was not an accident. Now that construction is resumed, we have precious little time. I told both of you that if the Biden administration does not change course, we are going to wake up in six months or a year and this pipeline is going to be built because the Biden administration failed to act.

And so I want to ask you, Ms. Sherman, if confirmed, will you move immediately to ensure that the Biden administration meets its mandatory obligation imposed by Congress to name and sanction all of the entities that are engaged in pipe laying, pipe laying activities, certification, or insurance related to Nord Stream 2?

Ms. SHERMAN. Well, Senator, even if confirmed, I will not have the authority to make those decisions unilaterally. But I can say to you that I will do everything I possibly can to ensure that Nord Stream 2 does not go forward, and I know that the administration will welcome advice and counsel from you and from the Senate and we will move forward on everything that they can do legally to stop the pipeline.

Senator CRUZ. Well, I want to be very clear so that no one in the administration is surprised. This was an incredible victory for U.S. foreign policy and an incredible loss for Putin and Russia.

The sanctions legislation was supported by virtually the entirety of the committee when we voted on it. The vote was 20 to 2, an overwhelming bipartisan majority.

The administration has all of the tools to stop the pipeline, as evidenced by the fact that we stopped it for a year that it worked, that we know it worked.

And it has only been in the last few weeks with the new administration that Putin has felt he has the green light to go ahead. I understand that the Germans want the pipeline built, that the German government does.

But going soft on Russia is a serious mistake, and once it is built, it likely is impossible to unwind. So the window and the urgency is now.

Ms. SHERMAN. Senator, we share the sense of urgency, and I just want to say although I am not yet a part of the administration and will not be unless confirmed by the Senate, that I do not believe that the Biden/Harris administration has been soft on Russia in any way, shape, or form.

I know we disagree when it comes to Nord Stream 2. But they are very clear. As we heard, Ambassador Burns, who is, I hope, about to be confirmed to be the director of the CIA, said and who

is our ambassador to Russia, that we all should be very clear eyed about Russia being an adversary. Secretary Blinken has spoken at length about ways in which Russia threaten our country and I think there is a commitment to move in a tough way.

Senator CRUZ. Ambassador Sherman, with all due respect—with all due respect, words are cheap. And so if the Biden administration wishes to not be soft on Russia, rather than saying we do not want to be soft on Russia they could actually follow the mandatory law and stop the pipeline.

The test is going to be real simple. If Putin has billions of dollars and Europe is energy dependent on Russia because the Biden administration refused to comply with mandatory bipartisan sanctions, that will be the test and not any political rhetoric about we are tough on Putin.

If you are tough on Putin, do not give him billions of dollars. The State Department needs to file a supplemental interim report on Nord Stream 2 that sanctions every entity and they are refusing to do so.

And if this pipeline gets completed, it will be the fault of this administration. I do not want this to happen. I want that to be a bipartisan victory and a victory for the United States. You both have the opportunity to make sure that happens and so I implore you to do that.

Thank you.

Ms. SHERMAN. Thank you, Senator.

The CHAIRMAN. Thank you. Just since the chairman reserved his time I am going to take a moment of that time.

President Trump could have used sanctions for the course of his four years in office on Nord Stream. He did not need congressionally-approved sanctions to affect the pipeline. Would that be from your experience a fair statement?

Ms. SHERMAN. That is a fair statement, Senator.

The CHAIRMAN. And yet he did not do that. So I join my colleague in my concern for Nord Stream. I mentioned it in my opening remarks, and I urge the administration to do everything they can to stop Nord Stream.

But it would be intellectually unfair to suggest that the Biden administration is going to be the reason why Nord Stream gets built when four years were lost with no sanctions whatsoever.

I understand that Senator Schatz is up next virtually.

Senator SCHATZ. Thank you, Mr. Chairman, and thank you to both of you for being willing to serve again.

My first question is for Ambassador Sherman. You know, as people think of Asia, the mind races across the Pacific to China and not the nations in between us and them, and so I want to talk a little bit about Oceania.

It has got 12 million people, 14 island states, 17 territories, and 6 percent of the votes that we may need at the United Nations. And so how do we step up engagement in Oceania?

Ms. SHERMAN. It is a great question, Senator, and you probably understand this part of the world better than most of us do, representing Hawaii, where it is very much a part of your neighborhood in many ways.

I think that it is critical to engage with Oceania and with the island states. They are often, as you point out, critical votes at the United Nations and, certainly, in the General Assembly.

And I know that in the Obama administration we, in fact, created a special forum to have those conversations and to ensure that we had diplomats who traveled to those island nations. That often does not happen because they are far away. Sometimes the travel is difficult. But it is quite critical.

So I thank you very much for raising it and, if confirmed, I certainly will commit to you to pay attention to what is often a swing vote.

Senator SCHATZ. Thank you. And I think one area for potential cooperation, you know, we think of climate action as an objective of American foreign policy.

But climate action is a shared response to the climate crisis, especially in the disaster preparation, disaster response space, and as we look at more long-term impacts of sea level rise, especially in island nations and coastal nations, there are opportunities to step up what USAID is doing and other sort of, as you like to use the term, avenues of smart power.

And so I am particularly excited about the opportunities for us to deploy those resources throughout island nations for selfish reasons but also for good humanitarian reasons.

Can you talk a little bit about what is going to be the climate action strategy? I know we have got, you know, a lot of horsepower behind this, including the President of the United States, the former Secretary of State.

But how does that get operationalized in the international context? And I am particularly interested not just in Paris but how we use shared climate response as a tool of diplomacy.

Ms. SHERMAN. So let me make a couple of comments and then Mr. McKeon may want to add to it as well in terms of how we are organizing to tackle this very critical challenge.

The President of the United States, the Secretary, the vice president have made clear that climate and our response to the changing climate is a whole of government approach and it is also a whole of State Department approach.

So as much as we have a special presidential envoy for climate in former Secretary Kerry, every part of the department, every bureau of the department, will have a focus on climate as well because, as you well know, some of these island nations are at risk of even disappearing, let alone the changes in the ecosystem of the oceans, which affects fishermen and the ability to have maritime and fishery economies. So it is a critical issue that we will all have to pay attention to.

And your point, Senator, about disaster preparedness is often a place where countries even with whom we do not agree on everything can work together because it is such a necessity, and the United States brings, really, unparalleled capabilities in disaster preparedness and response.

Mr. McKeon, I do not know if you want to add to that.

Senator SCHATZ. Mr. McKeon, before you answer, I would like you to perhaps provide some emphasis on those areas where we can make some permanent structural change within the depart-

ment so that our climate strategy becomes so embedded into American foreign policy objectives that it does not swing in one direction or the other depending on the partisan affiliation of the President herself or himself.

Mr. MCKEON. Thank you, Senator.

As Ambassador Sherman said, we really have to integrate the emphasis on climate action throughout the department. It is not just going to be Secretary Kerry's team, but, of course, they will be leading the diplomacy.

But it has to be front of mind for the work of everyone in the department in all of the regional and functional bureaus to think about how in pursuit of their programs and their planning they are integrating a climate action dimension to it, not just in our diplomacy but also in our assistance programs, as you suggested.

So I think we owe you more thinking on this and I am not sure what planning has gone on already because we are not in the department.

But we will come back to you once we are—once we are in the seat, if confirmed, to give you more detail about how we are moving forward on this.

Senator SCHATZ. Thank you.

My final question for Ambassador Sherman, global press freedom is on the decline. Reporters Without Borders found that the protection of rights for journalists has decreased 12 percent since it started reporting on such things in 2013.

What can we do to reverse this trend?

Ms. SHERMAN. Really important, Senator, and we have already had some discussion here this morning about our response on the horrifying death of Jamal Khashoggi. I think it is critical that we engage with journalists around the world, that we talk about press freedom wherever we go.

Yes, journalists are separate and apart, and they are part of holding us accountable and administration accountable. But they are also citizens. They are also standing for freedom.

And, in fact, one of the great parts of the United States is when we find ourselves challenged, as we have in many ways over the last years, it is often the press who hold all of us accountable for what we are doing.

And so we have heard Secretary Blinken speak of the importance of press freedom and making it essential to our human rights agenda around the world and our agenda on democracy.

Senator SCHATZ. Thank you to you both for testifying, for being willing to serve again. And I just want to thank the chair and the ranking member and all the staff for welcoming me on to the committee.

The CHAIRMAN. It is very good to have you with us, Senator Schatz.

Senator Van Hollen?

Senator VAN HOLLEN. Thank you, Mr. Chairman and Ranking Member, and I want to thank both of you for your prior public service and your willingness to serve again.

Mr. McKeon, I want to associate myself with the remarks from my fellow Maryland senator, Senator Cardin, about the importance

of your commitment to greater diversity in the Foreign Service and the State Department.

Senator Sullivan and I are the co-chairs of the Foreign Service Caucus and will soon be reintroducing legislation we introduced last year, the Foreign Service Families Act.

It is to provide Foreign Service spouses and families serving overseas with the same opportunities that we rightly provide now to military spouses and families serving overseas.

I am just looking for your commitment that you will review this legislation and provide us with your feedback as soon as possible.

Mr. MCKEON. Senator, you definitely—you have that commitment. I have already looked at the bill and it looks, on its face, very straightforward. I am sure colleagues in the department will tell me we might need a tweak here or there to make it more workable for—from the perspective of the department. But we can work with you on that.

Senator VAN HOLLEN. I appreciate that. One of the benefits of going last here is you also get to associate yourself with some of the prior comments, and I do want to associate myself with the comments of Senator Young and Senator Coons, and I know the chairman shares this, about better coordinating all the tools available in our both diplomatic arsenal and our development arsenal. USAID, the International Development Finance Corporation. You and I spoke about that and I look forward to working with you on that as well.

Ambassador Sherman, I teamed up with Senator Toomey to pass two pieces of legislation. One is the BRINK Act, to apply secondary sanctions against entities doing business with the North Korean regime, and the Hong Kong Accountability Act to apply sanctions to those Chinese officials who are tasked with implementing the crackdown on democracy and human rights in Hong Kong.

I would like your commitment to work with us to both fully and effectively apply the sanctions under both those pieces of legislation.

Ms. SHERMAN. It is an easy commitment to make, to make sure that whatever sanctions we have we use them effectively and efficiently.

Senator VAN HOLLEN. So let me turn now to a little bit of the Middle East, and JCPOA has been well covered here. President Biden has made clear that he supports what had been for a long time a bipartisan objective of U.S. foreign policy, which is a secure State of Israel and a viable Palestinian state—a two-state solution.

The Biden administration has also indicated that it would oppose unilateral steps by either party that undermines the prospects of a two-state solution, and we need to hold everybody accountable there.

You would agree with, would you not, that expanding settlements in East Jerusalem of the West Bank are unilateral measures that do not serve the interests of protecting the prospects of a two-state solution, would you not?

Ms. SHERMAN. It has been a long-standing position that settlements, in my understanding, do not help to achieve a two-state solution when they go beyond the current outlines of the two states—the potential for two state.

Senator VAN HOLLEN. I appreciate it. Well, one of them under consideration is an area called E-1, which the Bush administration made clear, Secretary Condoleezza Rice made clear would be a very clear violation of our efforts to preserve the opportunity for a two-state solution. So I hope you will look into that right away.

While ISIS no longer controls any substantial territory, you would agree that it remains a very potent threat to the United States and our allies, would you not?

Ms. SHERMAN. I do agree it remains a threat.

Senator VAN HOLLEN. And you would also agree, I believe, that our Syrian Kurdish allies have been absolutely essential partners in our fight against ISIS and have been a major part of why we have been able to diminish ISIS' influence in the region, would you not?

Ms. SHERMAN. Yes.

Senator VAN HOLLEN. So can you commit to working with us to work with Turkey to stop trying to, essentially, kill and destroy our Syrian Kurdish allies who have been such key partners in that fight against ISIS?

Ms. SHERMAN. You know, Senator, I certainly understand why—Turkey's concerns. But, nonetheless, I agree with you that the Kurds have been immensely helpful partners to us and that we need to work with Turkey to find a way forward for them to understand that that partnership does not threaten them if we all manage it in a sane kind of way.

Our relationship with Turkey is very complicated and one in which I think, if confirmed, I would certainly pay some considerable attention to.

Senator VAN HOLLEN. I appreciate that, and the chairman and the ranking member and I have been very involved in the legislation to impose the CAATSA sanctions on Turkey for their purchase and deployment of the S-400. Turkey is talking about another round of purchasing S-400 from Russia. So I hope you will work with us and with Turkey to discourage them from moving forward there.

On the JCPOA, I just want to underscore the fundamental principle behind it, which is it is our policy to prevent Iran from getting a nuclear weapon, right?

Ms. SHERMAN. Yes.

Senator VAN HOLLEN. And it is also our view, your view, my view, that resolving that through diplomatic means is better than going to war with Iran, right?

Ms. SHERMAN. Yes.

Senator VAN HOLLEN. And the United States has lots of troops in Iraq right now, do we not?

Ms. SHERMAN. We do indeed.

Senator VAN HOLLEN. And I actually agree with Senator Paul's analysis of the consequence of the—our actions with respect to Iraq, which is the biggest geopolitical winner was Iran, which, of course, neighbors Iraq.

If we were to go to war with Iran, our troops in Iraq would be put in grave danger, would they not?

Ms. SHERMAN. It is my belief that they would be, yes, Senator.

Senator VAN HOLLEN. I think it is pretty clear that they would be right in the line of fire. So I encourage you to continue your efforts with respect to JCPOA compliance-for-compliance and I hope that we can get to that position as soon as possible.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Booker?

Senator BOOKER. Thank you, Mr. Chairman. I appreciate that.

I would like to jump in. Ms. Sherman, I am grateful to see you here and very excited to support your nomination on the floor of the Senate.

You and I talked a lot about the Horn of Africa and some of the challenges we see going on within Ethiopia that are really painful and discouraging. Amnesty International said over the weekend and CNN has reported that there have been massacres by Eritrean forces, which have killed hundreds of civilians in the Tigray region of Ethiopia.

It is really a point that I think we are at the level of a major humanitarian crisis affecting millions of people, and that there is the possibility of a famine, and I know you are aware of it.

I really did appreciate Secretary Blinken's receptiveness to appointing a special envoy to the Horn of Africa in a statement last week, and I really do hope that we move forward in that direction.

But the government of Ethiopia continues to deny that there is even ongoing fighting there, and this puts us in a difficult situation. They are even putting out a lot of misinformation that makes it hard to understand what is happening.

And so understanding that the U.S.-Ethiopia relationship is important, as we know, could you just maybe give some more, publicly in this hearing, some more thoughts on how you would engage Prime Minister Abiy to cease hostilities and ensure that humanitarian access is in the region and how we create better governmental accountability?

Ms. SHERMAN. Thank you very much, Senator, and thank you for your concern about the Horn of Africa and about what is happening in Ethiopia, which is quite horrifying.

Secretary Blinken, in my understanding, spoke to the prime minister yesterday and made it very clear that we expect him to ensure humanitarian access.

He had said that he would, but the Secretary wanted to make sure that he understood that there would be consequences if he did not, that he has responsibility for ensuring peace in the Tigray region of Ethiopia, that Eritrean troops should leave and others who are not helpful actors should not be in the region.

I think we will have to follow this up, working with our diplomatic presence in Ethiopia, to ensure that that humanitarian access continues, that this conflict ends, and the Ethiopian prime minister understands that the United States is not only watching but we will take action.

And I am very grateful as a citizen, as a person who cares about the rights of people around the world, that Secretary Blinken was so forthright yesterday with the prime minister.

Senator BOOKER. I am really grateful. Can we shift to Libya and Somalia as well, another really difficult area of conflict?

[Senator Booker requested and was granted permission to submit the material referenced above for inclusion in the hearing record. That information is located at the end of this transcript beginning on page 144.]

And we can see that this was an internationalized conflict with more countries being involved. Libya, UAE, Russia, Turkey, have all fueled this conflict that I believe is another strike point on the continent.

In Somalia, you see these other groups that are pursuing, really, their own interests that are really to the detriment of Somalia's government and federalized system.

And so could you maybe give some insights on what you will do to address the issues of foreign interference in a situation that is really fragile and could destabilize even more, and how you will help the regional bureaus of the State Department cross between their silos?

That is the challenge you have in the Near East and Africa bureaus that I am a little concerned about, that structurally we are not really organizationally prepared for the conflict that we are seeing there.

Ms. SHERMAN. Thank you, Senator. On Libya, I actually have a small sliver of hope, given the pending elections and the peace process that has begun in Libya. It is very fragile, as you say, led by the Europeans.

And yes, I agree with you there. Lots of it became a proxy place for conflict, and that those who represent those proxies should be out of Libya and let the Libyan people decide their own future.

I was in Libya right at the point where Hadi was about to run as the only presidential candidate. It was fragile then. It remains fragile now, and—I am sorry, Hadi is Yemen. Long in the process here. I apologize.

But I was in Libya at the point of the conflict and before we had to shut down our embassy in Libya. So I hope that there is a more—a chance for peace in Libya, led by Europe with our support.

In terms of Somalia, which I also visited when I was Under Secretary for Political Affairs, and I thought we were on the road to a better future for the Somali people. It has, clearly, gone backwards in just terrible ways.

And so I think we have to engage across bureaus, as you suggest, to make sure that we bring all of our resources to bear. I know that our ambassador to the U.N. will also play a role both in the Libyan and the Somalia circumstances.

And I do not know whether my colleague has something he wants to add on sort of how we are organized to become a better matrix organization and less siloed.

Senator BOOKER. I appreciate you opening the door to Mr. McKeon and maybe I will turn to him. I had this incredible couple paragraphs written here, knowing you are a Notre Dame graduate, to remind you of my exploits as a football player against your school and defeating them soundly. But I am going to—

Mr. MCKEON. After we talked the other day, I watched the video of you making that catch and avoiding tackle from the all-star NFL star.

Senator BOOKER. I appreciate you saying that because my chairman, I am not sure if he even knows that I played.

Mr. MCKEON. I texted some friends, and they were just wondering how you got away from Lou Holtz.

[Laughter.]

Mr. MCKEON. So they would like to hear the story.

The CHAIRMAN. The chairman recognizes that the junior senator from New Jersey excels in everything. [Laughter.]

Senator BOOKER. Thank you very much. I am actually going to just ask you—I just want to maybe say it on the record. You were so gracious. But I have a lot of concerns about diversity, paid internships.

I am going to introduce a bill today about paid internships in the State Department because that is just an issue to me that has always troubled me, as I have traveled around the world, seeing our State Department, these amazing heroic frontline folks, but they do not really reflect the diversity of our country.

And I just would love to just maybe get in the five, 10 seconds I have left maybe some thoughts from you on that effort.

Mr. MCKEON. Yes, thank you.

As I said to you the other day, the department has scraped together a few million dollars to start paying interns. It is not for the entire program. And it appears that I need to dig into it some more.

We might need some legislative authority to facilitate this in addition to the resources. So we will come back to you and look forward to working with you on this legislation.

Senator BOOKER. I look forward to supporting you as well on the Senate floor, and thank you both for your extraordinary service to our nation.

The CHAIRMAN. Thank you, Senator Booker.

So the Chair will reclaim his time, and we appreciate that you have been through two and a half hours without relief. So we will try not to make this too prolonged.

But, Ambassador, is it fair to say that the Trump administration's maximum effort campaigns did cause economic consequences to Iran?

Ms. SHERMAN. Yes, I would say that it did.

The CHAIRMAN. Yeah. But it is also fair to say that Iran is now closer to crossing the nuclear threshold than it was before and during the Maximum Pressure campaign?

Ms. SHERMAN. Yes, it is.

The CHAIRMAN. Is it also fair to say that we could not get one vote for many of our major allies at the United Nations to extend the arms embargo that ceased?

Ms. SHERMAN. That is my understanding, Senator. Yes.

The CHAIRMAN. Is it also fair to say that the Maximum Pressure campaign has done nothing, ultimately, to get Iran to stop its nefarious activities throughout the region?

Ms. SHERMAN. That is my assessment as well.

The CHAIRMAN. Or, for that fact, to diminish its support for terrorism in the world?

Ms. SHERMAN. It appears so, yes, Senator.

The CHAIRMAN. So I say these only because I recognize that the Maximum Pressure campaign cost Iran financially, but it did not meet the goals that I think we, collectively, want. So let me ask you this.

There is no question—well, let me ask you, do you believe that a nuclear-armed Iran is an existential threat to the State of Israel?

Ms. SHERMAN. I do.

The CHAIRMAN. And I share that view, and I also believe that it is a threat to the United States of America, not just about Israel or our allies in the region. So, therefore, I believe that it is President Biden's view that Iran cannot be allowed to obtain a nuclear weapon.

Ms. SHERMAN. That is correct.

The CHAIRMAN. Now, in that regard, how we achieve that goal is really the question, and so I appreciate the phrase "stronger and longer." Longer, I get what it means. Stronger, I am hoping for definition.

Because the reality is if all—from my perspective, and I have heard my colleagues on both sides here—from my perspective, if all we do is return to the JCPOA, that certainly is not stronger.

And if we extend it, it might be longer, but it is not stronger because there are still sunset issues that are now more prevalent today than they were in 2016 when the agreement went into effect.

And so it also will not have dealt with the ballistic missiles. It will not have dealt with the destabilization of the region. It will not have dealt with its support for terrorism or the violation of its own people's human rights.

And so, you know, the question in my mind is not so much JCPOA. The question is, what is the JCPOA Plus or what do we do, but how do we, in fact, ensure that we have more than illusory promise in terms of what comes, the follow-on, and the connection between any return to some form of the JCPOA with some clearly determined process to deal with these other issues.

Otherwise, my own view will be that we will have failed. And so this—I drive this because while I also, in fairness, for the record, you are not going to be the lead on the Iran portfolio. That has already been designated to others.

But upon confirmation as a deputy you are going to be in all the deputy meetings, and you also have expertise and experience in this regard and you will be called upon to express both the Secretary and the administration's view but also on your expertise.

So could you give me a sense of what that would be in broad strokes, understanding—and I appreciate your comments in response to other questions about looking at the intelligence when you have access to it again because I think a deep dive into the intelligence will be very important to understand what Iran has and has not complied with in its actions and its intentions.

Ms. SHERMAN. Thank you very much, Senator.

I do not know all of the answers at this point because not only have I not made a deep dive into the intelligence because I am not in the administration, I do not know what deliberations have gone on so far in the administration as they try to think through the strategy that is best here.

You know, I have seen what others see from press reports about our offer to open diplomacy, which I think should be the first resort always. I have seen the strike in Syria in retaliation for the threat against Americans.

I have seen the response, perhaps, or just a separate action against Al Asad Airbase. I, you know, read in some of the Iranian press what is going on politically in their country. But I do not know all the pieces of the puzzle anymore. You have to be really inside to get the fingertips for what is going on.

But I do agree with you, Senator, that there has to be very careful deliberations which will include, and I hope already have begun to include, you and the members of this committee and other senators who have interest in this arena to get your advice and counsel, as I have said in this hearing, at the takeoff, not just at the landing, to have true consultation, not just notification, how we sequence sanctions, how we sequence any lifting of sanctions, what we expect from the Iranians, what those who are in the negotiation and in the JCPOA yet believe we need to do going forward.

So there are a myriad of puzzle pieces here and, if confirmed, I would look forward to extensive discussion with you and with others who have interest in this to sort through how the administration goes forward.

The CHAIRMAN. Let me ask you this. If we were still in the agreement and Iran had done what it has done today, would that not be subject to snap back?

Ms. SHERMAN. Absolutely.

The CHAIRMAN. And I would consider that it would be a set of actions that would require snap back, from my own perspective.

Let me ask you this. Sanctions relief for whatever deal may come forward, clearly, we have to be very careful. There are sanctions which I helped fashion that are not about the nuclear portfolio and issue, but about terrorism and other things.

Iran likes to try to claim that all sanctions that we levy are just about their nuclear portfolio. We cannot tolerate that or else we will have nothing in our arsenal of peaceful diplomacy to deal with Iran's other nefarious activities.

Is that a fair statement?

Ms. SHERMAN. It is a fair statement that we have to keep sanctions on that deal with human rights abuses, state sponsorship of terrorism, arms sales, et cetera, what we have done in terms of Hezbollah and Hamas.

So, yes, I think there are many things that need to stay in place.

The CHAIRMAN. Let me turn to another subject for a moment. First of all, my dear friend and colleague, Senator Rubio, on Venezuela, you know, I agree with him and our cause in Venezuela.

I think what you meant in response to his question, and correct me if I am wrong, that one of the things you thought should have been done is to take the international recognition of Guaido and, ultimately, maximize that recognition beyond simple recognition, but an effort to multilateralize sanctions against the Maduro regime. Or am I wrong?

Ms. SHERMAN. No, very well said. Wish I had said it as well.

The CHAIRMAN. Okay. So, but—and let me refer to Senator Murphy, who said that the European Union no longer recognizes Guaido.

The European Union never recognized Guaido. Individual member states of the European Union recognized Guaido and some of them have a concern because the basis of that recognition was under the Venezuelan Constitution.

The President of the National Assembly, in the absence of the President or a legitimate president, ultimately is recognized as the interim president of Venezuela.

He is, according to the view of some, no longer the President of the National Assembly because we had an internationally-condemned false elections in Venezuela that elected a new National Assembly.

But it is not because he lost his title. It is because they had an election that has been internationally condemned. Is that a fair statement?

Ms. SHERMAN. I believe so, yes, sir.

The CHAIRMAN. And so how we internationalize this is incredibly important.

Let me turn to Cuba for a moment, which is, along with Iran, one of my passions. You know, do you know that a Cuban worker in Cuba cannot be employed directly by a foreign entity?

Ms. SHERMAN. I did not.

The CHAIRMAN. Hotels in Cuba, or a U.S. company that gets created in Cuba, cannot directly hire a Cuban worker. They go to the state employment agency controlled by the regime. The regime sends the worker, for example, to the hotel. The regime gets paid in dollars by the foreign company and then gives the worker a fraction of their wages in return.

Do you know that Cuban doctors that are sent abroad, ultimately, have their passports taken from them so that they cannot leave the country they are sent to, and that payment for their service by that country is sent to the regime and not paid to a Cuban doctor?

Ms. SHERMAN. I had been aware about the passport issue and I better understand now from you how the payment system works.

The CHAIRMAN. Do you understand that when we talk about we want to help the Cuban people, of which I am all in favor, but when we send a remittance to Cuba as a U.S. citizen for one of our family members that the regime takes 10 percent of it right off the bat, and you do realize that?

Ms. SHERMAN. I had heard of that.

The CHAIRMAN. And then after that, they turn the balance of the remittance not in dollars, which have a far more vibrant buying ability within the island, but they turn it into worthless pesos.

So when we send money, we allow money to be sent under these circumstances, what we are doing is empowering the regime.

Do you realize that a U.S. company that wants to open up in Cuba has to go through one of Castro's two relatives in order to be able to open up and the state becomes a co-owner with them?

Ms. SHERMAN. I had not realized that, sir.

The CHAIRMAN. That is exactly what happens, in tourism and whatnot. You have Castro's son and son-in-law. Both heads of the

Cuban military are parts of the Cuban military and they direct the two corporate entities that do all these.

So I share these with you because I find it interesting, you know, lying on the beach in Veradero and sipping a Cuba Libre, which is an oxymoron, is not going to liberate the Cuban people.

Have you heard of the San Isidro movement?

Ms. SHERMAN. Yes.

The CHAIRMAN. Okay. The San Isidro movement is a bunch of artists and writers who just want freedom of their expression. The Government cracked down on all of those, and so they started a movement in what is a black majority part of Havana to, ultimately, denounce their artistic and freedom of expression movement.

The Government has viciously attacked them and arrested them. These are the realities of Castro's Cuba, not the romanticism that some people seem to have, and I personally have a problem—I like to be consistent. In this town, consistency is not a great virtue. But I like—I try to be consistent.

My advocacy for human rights and democracy globally is not subject to where it lies. So whether it be in Burma, whether it be in Venezuela, whether it be on the Uyghurs and human rights in China, whether it be about the Rohingya, my view is pretty universal.

And the problem I have with some is that when it comes to certain places in the world they are enormous advocates of democracy and human rights; but when it comes to other places in the world, they are willing to look totally the other way and act in a different way than we would seek to act in other places. And I think that is problematic.

I understand the world. There is not a single way we can—do not get to treat everybody in a cookie cutter fashion.

By the same token, when we send different messages—that here is where we will promote human rights and democracy, here is where we will not, here is where we will sanction the consequences of violations of human rights and here is where we will not—then it becomes a really problematic area to stand up for what I believe President Biden is about, which is about standing up for democracy and human rights—based upon the time I served with him on this committee.

So I hope we are thinking about that, whether it is about Cuba or any other place. I want to help the Cuban people, ultimately, live a better life. I would like them to be free. I would like them to choose who governs them. I would like them to be able to worship at the altar that they choose.

But that is not, for the most part, the reality of life in Cuba. So we need to understand the realities, not the romanticism, and when we seek to help; what we cannot do is, ultimately, help a regime that oppresses them.

Finally, I hope you will pay some attention to, upon your confirmation, to the eastern Mediterranean region. I passed into law with Senator Rubio the Eastern Mediterranean Security and Energy Partnership Act of 2019. It is incredibly important that we look at Greece, Cyprus, Israel, and others in an eastern Mediterranean strategy that is both about energy, but at the—and that can

diversify and, therefore, not have the pipeline issue as important as issue as it is, but at the same time deals with security.

Several of these countries host us in very significant ways, are our security partners. With Turkey being under Erdogan, the—not the reliable NATO ally that we have aspired it to be, not to be the bridge between East and West, not to be—you know, there are more lawyers and journalists jailed in Turkey than in any other place in the world. That is an extraordinary statement about a NATO ally.

And so what we do as it relates to Turkey but also in our own interest. Even if Turkey was a perfect partner, which it is not, the East Med is an incredibly important area and I want to commend that to your attention as you look forward to take duty.

And then, very finally, I hope the President will keep his commitment to recognize the Armenian genocide. The United States Senate by unanimous consent passed it last year. I was proud to sponsor that. The House of Representatives has passed it.

It is time for the President of the United States to do what the rest of the Congress of the United States has represented to the American people, which is to recognize the genocide. Let us call history for what it is.

And in that regard, I also hope that we will look to help the people of Armenia and help to facilitate the release of POWs that the Azerbaijanis have. It is in violation of international law what they are doing.

We need to speak out, which the previous administration did not, and we need to work to try to get that region to look forward to what the Minsk process was. There is some suggestion that this is all over. No, it is not, and we need to get—released the POWs and we have to help Armenia as it gets all of these people, refugees, back into their country.

With that, before I close, I am introducing into the record a letter written by 19 of Brian McKeon's former Republican colleagues during his time on this committee expressing enthusiastic support for his nomination and complete confidence in his character and abilities.

I am quoting from the letter. They note their deep respect for Brian as a leader who exhibits unfailing integrity, fairness, professionalism, devotion to our national interest.

[The information referred to is located at the end of this transcript.]

The CHAIRMAN. Due to COVID precautions, my staff will email the letter directly to the clerk.

With that, and thanks to the committee for your attendance, the record will remain open until the close of business tomorrow, March the 4th.

I urge both of you, if there are questions for the record, to respond to them in—as quickly as possible so that your nominations can be considered at a business meeting of the committee.

And with the thanks of the committee, this hearing is adjourned.

[Whereupon, at 1:02 p.m., the committee was adjourned.]

Additional Material Submitted for the Record

Letter in Support of Hon. Wendy R. Sherman's Nomination, Signed by Former Ambassadors and National Security Of- ficials

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March 1, 2021

U.S. Senator Robert Menendez
528 Hart Senate Office Building
United States Senate
Washington, DC 20510

U.S. Senator James E. Risch
483 Russell Senate Office Building
United States Senate
Washington, DC 20510

Dear Chairman Menendez and Ranking Member Risch,

We, the undersigned, write to express our strong and enthusiastic support for the nomination of Ambassador Wendy Sherman to be Deputy Secretary of State.

It would be hard to think of a more qualified candidate for the second-ranking position in the State Department than Ambassador Sherman. She brings to the position long experience in foreign affairs and at the State Department particularly. Under President Clinton, she served as Assistant Secretary of State for Legislative Affairs (1993-1996) and then as Counselor of the State Department (1997-2001). She was also the Clinton administration's policy coordinator for North Korea and head of North Korea negotiation policy. During the presidency of Barack Obama, Ambassador Sherman returned to the State Department's third-ranking position as Under Secretary for Political Affairs. She has served with distinction in all these positions. Dealing with North Korea and Iran is not for the faint-hearted but Ambassador Sherman proved herself many times over to be a shrewd, persistent and tough negotiator. In the State Department, she is remembered as someone who worked closely with its career employees, made good use of their talents and mentored many. She earned their loyalty and respect. Ambassador Sherman's long and distinguished career of public service make her, in our view, exceptionally well qualified to serve as Deputy Secretary of the State Department.

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In addition to her time at the State Department, Ambassador Sherman has occupied prestigious positions in the non-governmental sector, including director of the Fannie Mae Foundation and director of the Center for Public Leadership at the Harvard Kennedy School.

Last but not least, we welcome Ambassador Sherman's appointment as proof of the Biden Administration's strong commitment to diversity at the top levels of the U.S. government.

We urge the Committee to give favorable consideration to her nomination at the earliest possible time.

All of us signing this letter are former diplomats or national security officials. We are also members of the American Academy of Diplomacy but we write in an individual capacity and not in the name of the Academy, which as a matter of policy does not formally endorse candidates for State Department or diplomatic positions.

With best regards,

Gina Abercrombie-Winstanley (former Ambassador)
Bernard Aronson (former Assistant Secretary of State)
Brian Atwood (former Administrator, U.S. Agency for International Development (AID)
and Under Secretary of State for Management)
Liliana Ayalde (former Ambassador)
Joyce Barr (former Ambassador and Assistant Secretary of State)
Adrian Basora (former Ambassador)
Robert Beecroft (former Ambassador)
Robert Blake (former Ambassador and Assistant Secretary of State)
Peter Bodde (former Ambassador)
Barbara Bodine (former Ambassador)
Avis Bohlen (former Ambassador and Assistant Secretary of State)
Michele Bond (former Ambassador and Assistant Secretary of State)
Eric Boswell (former Ambassador and Assistant Secretary of State)

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Richard Boucher (former Ambassador and Assistant Secretary of State)
Thomas Boyatt (former Ambassador and President of the American Foreign Service Association)
Aurelia Brazeal (former Ambassador)
Ken Brill (former Ambassador)
Kenneth Brown (former Ambassador)
Peter Burleigh (former Ambassador)
Johnnie Carson (former Ambassador and Assistant Secretary of State)
Robert Cekuta (former Ambassador)
Wendy Chamberlin (former Ambassador)
James Collins (former Ambassador)
Thomas Countryman (former Assistant Secretary of State)
William Courtney (former Ambassador)
Ryan Crocker (former Ambassador)
Glyn Davies (former Ambassador)
Ruth Davis (former Ambassador, and Foreign Service Director General)
Jeffrey DeLaurentis (former Ambassador)
Elizabeth Dibble (former Senior Foreign Service Officer)
James Dobbins (former Ambassador)
Paula Dobriansky (former Under Secretary of State for Global Affairs)
Charles Dunbar (former Ambassador)
Alan Eastham (former Ambassador)
Robert Einhorn (former Assistant Secretary of State)
Harriet Elam-Thomas (former Ambassador)
Susan Elliott (former Ambassador)
Jeffrey Feltman (former Ambassador and Assistant Secretary of State)
Harold Geisel (former Ambassador, and acting Inspector General)
Robert Gelbard (former Ambassador)
Edward Gnehm (former Ambassador and Foreign Service Director General)
Rose Gottemoeller (former Under Secretary for Arms Control and International Security and NATO Deputy Secretary General)
Lino Gutierrez (former Ambassador)
Thomas Hubbard (former Ambassador)
Robert Jackson (former Ambassador)
Janice Jacobs (former Ambassador and Assistant Secretary of State)
Susan Jacobs (former Ambassador)
Tracey Jacobson (former Ambassador)
James Jeffrey (former Ambassador)
Howard Jeter (former Ambassador)
Deborah Jones (former Ambassador)

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James Jones (former Ambassador)
Theodore Kattouf (former Ambassador)
James Keith (former Ambassador)
Kenton Keith (former Ambassador)
Laura Kennedy (former Ambassador)
Patrick Kennedy (former Assistant Secretary of State and Under Secretary of State for Management)
Kristie Kenney (former Ambassador)
Michael Klosson (former Ambassador)
John Kornblum (former Ambassador and Assistant Secretary of State)
Daniel Kurtzer (former Ambassador)
Dawn Liberi (former Ambassador)
Frank Loy (former Under Secretary of State for Global Affairs)
William Luers (former Ambassador)
Deborah Malac (former Ambassador)
Deborah McCarthy (former Ambassador)
Donald McHenry (former Ambassador)
Thomas E. McNamara (former Ambassador)
William Milam (former Ambassador)
Richard Miles (former Ambassador)
Cameron Munter (former Ambassador)
Larry Napper (former Ambassador)
Ronald Neumann (former Ambassador)
Thomas Nides (former Deputy Secretary of State)
Joseph Nye (former deputy Under Secretary of State for Security Assistance, Science and Technology)
Phyllis Oakley (former Assistant Secretary)
Anne Patterson (former Ambassador and Assistant Secretary of State)
Douglas Peterson (former Ambassador)
Thomas Pickering (former Ambassador and Under Secretary of State for Political Affairs)
Steven Pifer (former Ambassador)
Michael Polt (former Ambassador)
Nancy Powell (former Ambassador and Foreign Service Director General)
Charles Ray (former Ambassador)
Charles Ries (former Ambassador)
Marcie Ries (former Ambassador)
Peter Romero (former Ambassador and Assistant Secretary of State)
William Rugh (former Ambassador)
Janet Sanderson (former Ambassador)

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Eric Schwartz (former Assistant Secretary of State)
Teresita Shaffer (former Ambassador)
Thomas Shannon (former Ambassador, Assistant Secretary and Under Secretary of State for Political Affairs)
Doug Silliman (former Ambassador)
Joan Spero (former Under Secretary of State for Economics, Business and Agriculture)
Pamela L. Spratlen (former Ambassador)
Sylvia G. Stanfield (former Ambassador)
Gregory Starr (former Assistant Secretary of State)
William Swing (former Ambassador and Special Representative of the UN Secretary General for the Congo)
Francis X. Taylor (former Assistant Secretary of State)
Arturo Valenzuela (former Assistant Secretary of State)
Michael Van Dusen (former Vice-President of the Woodrow Wilson International Center and Democratic Chief of Staff for the Committee on International Relations, House of Representatives)
Alexander Vershbow (former Ambassador and NATO Deputy Secretary General)
Jenonne Walker (former Ambassador)
Alexander Watson (former Ambassador and Assistant Secretary of State)
Earl Anthony Wayne (former Ambassador and Assistant Secretary of State)
Bruce Wharton (former Ambassador)
Phillip Wilcox (former Ambassador)
Frank Wisner (former Ambassador and Under Secretary of State for International Security)
William Wood (former Ambassador and Assistant Secretary of State)
Marie Yovanovitch (former Ambassador)

CC: Senator John A. Barrasso, Senator Cory A. Booker, Senator Benjamin Cardin, Senator Christopher Coons, Senator Ted Cruz, Senator Bill Hagerty, Senator Ron Johnson, Senator Tim Kaine, Senator Edward J. Markey, Senator Jeff Merkley, Senator Christopher S. Murphy, Senator Rand Paul, Senator Rob Portman, Senator Mitt Romney, Senator Mike Rounds, Senator Marco Rubio, Senator Brian Schatz, Senator Jeanne Shaheen, Senator Chris Van Hollen, Senator Todd Young.

**Letter in Support of Hon. Brian McKeon's Nomination,
Signed by 19 Republican Former SFRC Staff Members**

January 29, 2021

The Honorable Bob Menendez, Incoming Chairman
Senate Foreign Relations Committee
Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

We are all former Republican staff members of the Senate Foreign Relations Committee (SFRC) who served under Senator Richard G. Lugar after 2003 when he was Chairman and Ranking Member of the Committee. Each of us had the opportunity to work with Brian McKeon during this period when he was Democratic chief counsel on the SFRC. We write on our own initiative to express our enthusiastic support for Brian's confirmation as Deputy Secretary for Management and Resources at the U.S. Department of State. We are motivated by our deep respect for Brian as a leader who exhibits unflinching integrity, fairness, professionalism, and devotion to our national interests.

As you know, the relationship between Democratic and Republican staff members on a committee can be adversarial at times. Brian was a faithful and vigorous defender of the policies and views of Senator Biden and Democratic members of the committee. But he also was a partner who consistently worked with us to find bipartisan solutions to matters before the committee. We trusted Brian's word and frequently counted on his expansive knowledge of global affairs and the mechanisms of U.S. national security decision-making. Our own work and the accomplishments of the committee were enhanced greatly by Brian's leadership.

We are proud to have served with Brian and have complete confidence in his character and abilities. We highly recommend Brian to the Foreign Relations Committee, and have full confidence that he will be a tremendous asset to the State Department and our nation's security in the coming years.

Sincerely,

Daniel Diller, Republican Deputy Staff Director, 2003-2013

Kristen Armitage, Republican Administrative Director, 2003-2007

Jay Branegan, Republican Senior Professional Staff Member, 2003-2013

Shellie Bressler, Republican Senior Professional Staff Member, Global Health Affairs, 2007-2013

Neil Brown, Republican Senior Professional Staff Member, 2005-2013

Paul Clayman, Republican Chief Counsel, 2003-2007

Brooke Daley, Republican Legislative Assistant, 2005-2008.

Ellona Fritschie, Republican Professional Staff Member, 2003-2006

Patrick Garvey, Republican Senior Professional Staff Member, Middle Eastern Affairs, 2003-2012

Chris Ann Keehner, Republican Deputy Chief Counsel, Global Health Affairs, 2003-2007

Mary Locke, Republican Senior Professional Staff Member, State Department and Foreign Assistance Affairs, 2003-2008

Keith Luse, Republican Senior Professional Staff Member, East Asian and Pacific Affairs, 2003-2013

Kate Maloney, Republican Administrative Director, 2003-2005

Alison McCormick, Republican Legislative Assistant, 2006-2008

Carl Meacham, Republican Senior Professional Staff Member, Western Hemisphere Affairs, 2003-2013

Ken Myers III, Republican Senior Professional Staff Member, European and National Security Affairs, 2003-2009

Michael Phelan, Republican Senior Professional Staff Member, African and Afghanistan/Pakistan Affairs, 2003-2019

Nilmini Rubin, Republican Senior Professional Staff Member, International Economic Affairs, 2003-2011

Kim Kavrell Savit, Republican Senior Professional Staff Member, Middle Eastern and Central and South Asian Affairs, 2003-2006

Responses to Additional Questions Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
HON. WENDY R. SHERMAN BY SENATOR ROBERT MENENDEZ

Question. The FY21 NDAA includes a requirement for the Secretary of State to develop and implement a strategy for countering white identity terrorism globally. The attack on Congress earlier this month underscores the importance of this issue. Do I have your commitment that you will submit this strategy on time if confirmed?

Answer. If confirmed, I commit to developing a Department of State strategy for countering white identity terrorism globally, in line with the NDAA requirement. Countering white identity terrorism and other Racially or Ethnically Motivated Violent Extremism (REMVE) is a top priority for the Biden-Harris Administration. The State Department has an important role to play on these issues, as we are seeing increasing transnational links between white identity terrorists and other REMVE actors. If confirmed, I will prioritize working closely with the interagency and our partners around the world to address the threat of white identity terrorism and other REMVE, as well as all forms of terrorism and violent extremism—offline and online.

Question. How specifically will you ensure that the State Department prioritizes this issue?

Answer. “white identity” terrorism, including terrorism designations as appropriate, and foreign partner engagement. The United States developed effective tools to counter the spread of ISIS and al-Qa’ida that can be adapted to address this threat. Among these tools, public diplomacy programs that promote people-to-people engagement help increase awareness and build international consensus to counter white identity terrorism.

Question. I am a strong supporter of the U.S.-India relationship, which will be critical in addressing 21st century challenges ranging from climate change to China. In light of this, I introduced the Prioritizing Clean Energy and Climate Cooperation with India Act to boost U.S.-India cooperation on clean energy. If confirmed, what aspects of the Trump Administration’s work on energy in India will you continue and what will you change?

Answer. In view of Prime Minister Modi’s announced target of installing 450 GW of renewable energy capacity by 2030, if confirmed, I would support the work advancing cost-effective strategies to enhance the flexibility and robustness of India’s electricity grid to encourage India’s clean energy transition over the next decade. In contrast to the previous administration’s approach, in order to support India raising its climate ambition, if confirmed, I would prioritize lower cost alternatives to carbon-intensive energy such as coal-fired power, including by promoting renewable energy, battery storage, and load shifting.

Question. I also believe that the U.S.-India partnership is strongest when based on shared democratic values, and I am concerned by the recent trend away from those values in India. From the recent crackdowns on farmers peacefully protesting the new farming laws and corresponding intimidation of journalists and government critics, to the rising anti-Muslim sentiment and related government actions like the Citizenship Amendment Act, to the continued repression in Kashmir nearly a year and a half after the abrogation of Article 370, there are a significant number of human rights and democracy issues facing India. Do I have your commitment that you will actively raise human rights and democracy issues with the Indian government, at your level and all levels of the Department?

Answer. I share your belief that the U.S.-India relationship is underpinned by a common commitment to democracy and democratic institutions. The Biden-Harris administration will ensure human rights and religious freedom remain core pillars of U.S. foreign policy, and if confirmed, my engagement with the Indian government will reflect our values and commitment to human rights.

Question. What is your plan for ensuring that discussion of these important issues does not get lost amidst other priorities in the bilateral relationship?

Answer. The U.S.-India strategic partnership is one of our most critical relationships in the Indo-Pacific. If confirmed, I will work with counterparts in the U.S. and Indian government to deepen our comprehensive partnership based on mutual interests including regional security and economic growth, promoting shared values of democracy and human rights, and cooperation on shared challenges including cli-

mate change, COVID-19 response efforts, and trafficking in persons. By prioritizing our shared interests and values, we can advance broader U.S. national security interests for regional peace and stability in the Indo-Pacific.

Question. A democratic, stable and resilient Ukraine is in the national security interest of the United States, and efforts towards that end receive broad bipartisan support in the Senate. If confirmed, how will your policy approach to Ukraine differ from the approach taken during the Obama and Trump Administrations?

Answer. I am committed to revitalizing our bilateral relationship with Ukraine. If confirmed, I will continue to oppose Russia's occupation and attempted annexation of Crimea and support diplomatic efforts to end the conflict in eastern Ukraine. Sanctions on Russia will remain in place until Russia ends its occupation of Crimea and aggression in eastern Ukraine. Further, if confirmed I will work with Congress to continue providing the security assistance, including lethal defensive weapons, Ukraine requires to defend itself against Russia's aggression. I will support Ukraine's chosen Euro-Atlantic path, including by pushing for progress on rule of law and economic reforms that strengthen Ukraine's institutions and lead to a brighter future for all Ukrainians.

Question. Do you support the provision of lethal security assistance for Ukraine, beyond providing Javelin missiles?

Answer. If confirmed, I would look forward to working with Congress to continue providing the assistance Ukraine requires to defend itself against Russia's aggression, including lethal weapons, based on a U.S. and Ukrainian assessment of Ukraine's defense requirements. This includes the provision of defensive lethal assistance that has already expanded beyond Javelin missiles, such as armed Mark VI patrol boats this year, for instance.

Question. How will you work to urge Ukrainian officials and its private sector to deny Chinese efforts to take over significant military production capabilities in the country?

Answer. The United States is prepared to work with our Ukrainian partners to advance our shared interests and protect Ukraine's sensitive industries. I was pleased to see Ukraine's decisive action to sanction Chinese firm Skyrizon, which has attempted to take control of Motor Sich, on January 29. This action protects U.S. and Ukrainian national security. The administration has urged and will continue to urge Ukraine to remain vigilant about People's Republic of China (PRC) influence in its strategic industries and to pass legislation creating a mechanism for reviewing investment. If confirmed, I would work closely with the U.S. International Development Finance Corporation to support U.S. investors as alternatives to predatory PRC investors.

Question. Do you believe that our Indo-Pacific strategy ought to be a function of our China policy, as was the case with the Trump administration, or that our China policy ought to be a function of our Indo-Pacific strategy? Put another way, can we get China "right" if we don't get the region right, first?

Answer. Our global policy to compete with China and the U.S. commitment to a free and open Indo-Pacific are complementary strategies. Our relationship with China will be competitive when it should be, collaborative when it can be, and adversarial when it must be. The common denominator is the need to engage China from a position of strength. To do that, the United States needs to support a free and open Indo-Pacific, where our engagement builds broad cooperation with allies and partners in pursuit of common interests, including advancing COVID-19 recovery and returning to sustained economic prosperity, dealing with the climate crisis, upholding international law and multilateral institutions, and reinforcing democracy, human rights, and good governance. As the President has said, how the United States and Asia work together to secure the peace, defend our shared values, and advance our prosperity across the Indo-Pacific, including how we address the China challenge, will be among the most consequential efforts we undertake.

Question. With regards to China and the broader Indo-Pacific region, aside from words of condemnation and economic sanctions: What other tools does the Biden Administration have to counterbalance China's growing influence around the world, including in contentious regions such as the South China Sea, Hong Kong, and Tibet?

Answer. If confirmed, I will promote Department efforts to re-engage with allies, partners, and international organizations to create a level playing field for U.S. businesses across the globe, support those who fight for democracy and human rights in China and across the Indo-Pacific, maintain our technological edge, protect U.S. intellectual property from theft, promote freedom of navigation and overflight

and other lawful uses of the sea, and continue to work with Congress to spotlight and combat malign PRC actions and human rights violations, including in Hong Kong, Tibet, and Xinjiang.

Question. There is little question that the Trump administration's failed North Korea policy has left us worse off than we were before. North Korea's nuclear and missile programs are unconstrained, our alliance with the Republic of Korea has been put under great stress, and the sanctions regime is in tatters. President Trump's diplomatic failure with North Korea is the latest in a long-line of failed efforts to achieve a denuclearized North Korea. How will the Biden administration approach North Korea?

Answer. North Korea's weapons of mass destruction program and proliferation activities constitute a serious threat to international peace and security and undermine global nonproliferation efforts. If confirmed, I plan to join the Biden-Harris Administration's ongoing policy review, in consultation with our allies, of the state of play on North Korea. I support the U.S. commitment over the long term to the complete denuclearization of North Korea, while also focusing in the near term on limiting the threat to the United States and our allies.

Question. What is the pathway to denuclearization and a stable, peaceful and prosperous Korean Peninsula?

Answer. Denuclearization of North Korea must remain a top national security priority for the United States. I support the Administration's plan to evaluate and adopt, in consultation with our allies, a strategy to keep the American people and our allies safe and that takes into account pressure options and the potential for future diplomacy with North Korea. If confirmed, I look forward to consulting with Congress on efforts to limit the dangers posed by North Korea's WMD and ballistic missile programs.

Question. What does success with North Korea look like?

Answer. Foremost, success entails achieving the complete denuclearization of North Korea and a durable peace on the Korean Peninsula, which would promote stability for our allies, the region, and the world. Further, success would entail an end to malign North Korea-linked actions globally, including cyber-enabled malicious activities and arms trafficking, and involve greater respect for human rights and fundamental freedoms in North Korea. If confirmed, I plan to join the Biden-Harris Administration's ongoing policy review, in consultation with our allies, of the current state of play on North Korea.

Question. The war in Yemen is about to enter its 6th year and, in spite of the efforts of UN special envoy Martin Griffiths, little progress has been made toward ending a conflict that has killed more than 17,000 civilians and created the world's worst humanitarian crisis. Iran continues to ship weapons, including ballistic missiles, which have allowed the Houthis to menace Saudi Arabia and continue their war against the internationally recognized Yemeni government. Meanwhile, Saudi Arabia continues to hit civilian targets in Yemen with U.S.-made warplanes and munitions. I am pleased to see that the Administration shares my concerns about the civilian casualties resulting from Saudi Arabia's use of U.S. munitions, and is reviewing arms sales to both Saudi Arabia and the UAE, while ending U.S. support for the Saudi-led war in Yemen. What evidence will the Administration need to see regarding the improved use of offensive U.S. weapons systems by those countries before it is comfortable with further sales?

Answer. As President Biden said, the Administration is committed to reinvigorating diplomatic efforts, alongside the UN and others, to achieve a ceasefire and end the war in Yemen. The Administration is recalibrating our relationship with Saudi Arabia to reflect U.S. values. The President announced the ending of U.S. support for offensive operations in Yemen, including relevant arms sales, and appointed Special Envoy Tim Lenderking to spearhead our diplomatic efforts and support to the UN. The Administration paused two arms sales with Saudi Arabia, and, if confirmed, I will support efforts to evaluate other potential sales to help ensure they are consistent with our values and that Congress will be consulted. The Administration will work with our partners to help them reduce the risk of civilian harm.

Question. I am under no illusions about the Houthi's malevolent role in the conflict, but Secretary Blinken's reversal of his predecessor's poorly thought-out FTO designation of the Houthis has prevented Yemen's humanitarian crises from exponentially worsening. At the same time, I am also deeply concerned by the previous administration's freeze on assistance to Northern Yemen. Will the Biden Administration lift this freeze? What steps will the Administration take, alongside the UN

and other international donors, to ensure that the Houthis are not able to divert or place unacceptable conditions on international assistance?

Answer. USAID was forced to partially suspend some assistance to NGOs in northern Yemen in March 2020 due to Houthi interference in partners' operations. This decision is currently under review. As with all humanitarian programs, the United States aims to ensure our partners can deliver assistance in a timely manner without undue interference. Without proper oversight of taxpayer money, we adjust or terminate funding to specific programs as necessary. Over the last year, the U.S. has worked closely with our partners, including the UN and other donors, to advocate with the Houthis to cease interference in aid operations, and there have been some positive changes. The Administration continues to press all parties to allow for the unhindered provision of aid.

Question. I am also concerned by the recent Houthi advance into Marib province, which threatens to displace hundreds of thousands of Yemenis, many for the second or third time. How will the Biden Administration build leverage to push all warring parties to agree to a nationwide ceasefire in Yemen and begin talks aimed at a sustainable political solution to the conflict?

Answer. The President committed to ending all support for the Saudi-led Coalition's offensive operations in Yemen, including relevant arms sales. There is no military solution to the conflict and the Department redoubled its diplomatic efforts to find a political end to the war and address the dire humanitarian crisis. The Secretary named a U.S. Special Envoy for Yemen in order to redouble U.S. efforts to find a peaceful resolution as soon as possible. If confirmed, I will support efforts towards a nationwide ceasefire that quickly moves to negotiations and increases international pressure against the Houthis to convince them to halt their assault on Marib.

Question. The Taliban's commitments on counterterrorism are an indispensable part of the February 29th agreement. Its compliance with those commitments, or lack thereof, must inform the decisions the U.S. makes regarding our future in Afghanistan and will certainly be the basis of future congressional support for assistance to Afghanistan. Do you commit to make the Taliban's compliance with the February 29th Agreement, especially with the counterterrorism provisions, the basis of any decisions the U.S. makes regarding our future in Afghanistan?

Answer. I agree it is important to ensure Afghanistan never again serves as a safe haven for terrorist groups that threaten the security of the United States and our Allies. To this end, I support the Administration's ongoing review of compliance by all parties with their commitments in the February 29 U.S.-Taliban Agreement and the February 29 U.S.-Afghanistan Joint Declaration. This review includes assessing whether the Taliban are fulfilling their commitments relating to counterterrorism, reducing violence, and engaging in meaningful negotiations with the Islamic Republic of Afghanistan.

Question. Our relationship with Mexico is one of the most important in the world. However, I have serious concerns over the growing challenges to the rule of law in Mexico by armed criminal organizations—especially when certain groups increasingly appear to be equipped with military-grade arms and vehicles. While the Mexican government rightfully raises concerns about international arms trafficking from the U.S. to Mexico, that only tells half the story. The arrest and botched release of former Mexican Defense Minister Cienfuegos last year, as well as other high profile cases, suggest that criminal organizations have coopted certain officials and institutions at various levels of the Mexican government. And, despite these challenges, the Lopez Obrador government has taken steps to complicate bilateral law enforcement cooperation. What is your assessment of challenges to the rule of law in Mexico and how will you work with Mexican authorities on these issues?

Answer. U.S.-Mexico security cooperation remains a top national security priority. It is critical that U.S. efforts to dismantle transnational criminal organizations, reduce impunity and corruption, and strengthen the rule of law in Mexico receive the full cooperation of the Mexican government. If confirmed, I look forward to comprehensive conversations with the Mexican government so that this cooperation deepens and works for the benefit of both nations. In the context of those conversations, I will not hesitate to raise any issues with the Mexican government that I believe to be obstacles to our bilateral security cooperation.

Question. The U.S. has a long-running strategic interest in the stability of the East Africa region, given its proximity to the Red Sea, the Gulf of Aden, and the Western Indian Ocean. The last administration never developed a holistic plan to consolidate democratic gains, prevent democratic backsliding and pursue our

geostrategic interests. I am working on legislation to develop such an approach, and I hope you will work closely with me on that effort. Ethiopia is one country that will be impacted by my efforts. The transition to democracy there is jeopardized by an ongoing conflict in Tigray, communal violence in other parts of the country and closing political space. Prominent political opposition figures are in jail, along with thousands of opposition supporters, journalists, and others. Under the current circumstances, do you believe Ethiopia can hold credible elections in June? What action should the USG consider in addressing the deep humanitarian, political, and security crisis that is now impacting Ethiopia?

Answer. If confirmed, I will work to ensure that the State Department develops and implements a comprehensive strategy for the Red Sea region. One critical element of this is a strategy to address the ongoing issues in the Tigray region of Ethiopia, and the ongoing border dispute with Sudan. A peaceful, stable, democratic Ethiopia at peace with its neighbors is essential for the Horn of Africa and the wider region. The Ethiopian government has promised national elections in June. Inclusive dialogue among all political actors is a prerequisite to identifying and adopting necessary reforms. All detainees need to be afforded due process. The violence in Tigray must end; humanitarian and human rights workers must receive unhindered access; and independent investigations into reported human rights abuses and violations must proceed.

Question. Sudan, another country along the Red Sea Corridor, is undergoing a fragile transition as well. What specific steps will you take to ensure a successful transition?

Answer. If confirmed, I will support Sudan's democratic transition and Civilian-led Transitional Government, as well as efforts to promote economic reform and development. Further, if confirmed, I intend to ensure consistent engagement with Sudan's civilian leaders to encourage progress in taking the difficult, but necessary, next steps, including governance and security sector reforms, expanded protection of civilians in Darfur, resolution of ongoing conflicts, and accountability for past atrocities.

Question. As I told Undersecretary Hale over a year ago, we are losing the Sahel. The 2020 Global Terrorism Index found that seven of the ten countries with the largest increase in terrorism were in sub-Saharan Africa; Burkina Faso topped the list. But this is not just a security crisis; we need a comprehensive strategy that addresses Diplomatic, Development, and Defense issues (3Ds). Will you make the crisis in the Sahel a top priority for the State Department, and ensure that the interagency pursues a "3Ds" strategy in the region?

Answer. I agree with your concern about rising violent extremism, governance challenges, and humanitarian concerns in the Sahel. The path to lasting stability lies in accountable governance, providing services and economic opportunities, protecting the rule of law, and engaging communities in decisions. The Biden-Harris Administration has committed to undertake an interagency review of our diplomatic, security, and other assistance programs. As part of the review, the Administration will work to understand threats in the region and evaluate our overall approach to address the drivers of insecurity. If confirmed, I will work with the Department of Defense, USAID, and other agencies to ensure that the U.S. government has and implements a unified strategy to support sustained security and stability in the Sahel.

Question. As Deputy Secretary, how will you ensure close coordination between regional bureaus to develop strategies and integrated approaches to geographic regions such as the Sahel and the Red Sea?

Answer. The President's interim national security guidance underscores that we must be prepared to manage crises and challenges that do not respect borders. If confirmed, I will work closely with the Department's regional and functional bureaus to make sure they understand the President and Secretary's policy imperatives in both the Sahel and the Red Sea region and that they work collaboratively through working groups, joint briefings, and persistent coordination to develop strategies around which we can organize our diplomatic engagement and foreign assistance. If confirmed, I will guide the Department to work across bureaucratic and geographic seams to address regional challenges by understanding, engaging, and cooperating with allies and partners; building strong partnerships; and strengthening long-standing connections.

Question. Multilateralism has long been a pillar of U.S. foreign policy, and an avenue for advancing international human rights. However, over the last four years, the U.S. government went from being a strong champion of human rights and of

the rights of women, girls and LGBTQ individuals, to being an obstacle to those goals at the United Nations and other multilateral forums. It is vital that this Administration send an early signal that it is fully committed to reversing that, and to advancing human rights and gender equality globally. How will you demonstrate, through early action at the State Department, a renewed U.S. commitment and leadership to promote global gender equality, women's and girls' rights, and the rights of LGBTQ persons?

Answer. As President Biden has said, the promotion of democracy and human rights is central to this Administration's foreign policy and if confirmed, I will examine all options to address threats to gender equality and the human rights of women, girls, and LGBTQI+ persons. I fully support the objectives outlined in President Biden's memorandum on advancing the human rights of LGBTQI+ persons around the world. The work to promote gender equality and respect for the human rights of all women, girls, and LGBTQI+ persons is amplified when the United States works multilaterally and coordinates with international partners. If confirmed, I will support the Department's efforts to increase U.S. engagement on these issues bilaterally and across relevant UN fora and regional organizations, as appropriate.

Question. How will you use your role to immediately halt and reverse dangerous rollbacks on women's rights and LGBTQ rights in intergovernmental processes and multilateral forums?

Answer. Advancing the human rights of women, girls, and LGBTQI+ persons is essential to ensure just and equitable societies where all individuals can fully contribute. If confirmed, I pledge to work closely with partner nations, civil society, and multilateral institutions, as appropriate, to advance women's health and human rights, including women's and girls' sexual and reproductive health and reproductive rights. I will also fully support the objectives outlined in President Biden's Presidential Memorandum on Advancing the Human Rights of LGBTQI+ persons around the world and will work with other governments and multilateral institutions to ensure that U.S. diplomacy and foreign assistance promote and protect these rights.

Question. On June 18, 2020, following a year-long investigation by my staff, I published a comprehensive report on the Global Forced Migration Crisis, which examined the urgent plight of millions of people forced to flee their homes due to conflict and persecution. It provided a blueprint for addressing this growing crisis. What actions will you take, including with our partners, to address the global forced migration crisis? How, specifically, will you work to address the root causes of displacement, such as new and unresolved conflicts, support populations on the move and those enduring lengthy displacement, and seek to assist the low-income countries who host the majority of refugees and displaced people?

Answer. If confirmed, I will ensure State and USAID are strengthening protection and durable solutions for the millions of forcibly displaced people across the globe by pursuing new strategies for addressing the root causes of migration, including climate change; rebuilding the U.S. Refugee Admissions Program; enhancing U.S. engagement in international institutions; and standing up for democratic values and human rights. The State Department will continue to work with our partners and the Department of the Treasury to engage multilateral development banks on support in protracted situations of displacement. In addition, the Department aims its diplomacy at continuing to strengthen the global humanitarian architecture, including through donor engagement, and at promoting respect for international humanitarian principles.

Question. Principled humanitarian action is under attack around the world. Violent conflict has reached record highs, and nearly 235 million people worldwide need emergency humanitarian assistance—a 40% increase from last year. There has also been a steep escalation in the deliberate, willful obstruction of humanitarian access to those in need, the targeting of innocent civilians and humanitarian aid workers, and an overall noncompliance with international law. What will you do to minimize the abuse of humanitarian assistance, including the blocking or diverting of humanitarian aid, and to minimize the targeting of civilians and humanitarian aid workers?

Answer. I support the United States taking a strong leadership role in support of principled humanitarian action. If confirmed, I intend to engage publicly and privately where necessary to promote the protection of civilians and humanitarian workers, and humanitarian access, working closely with our global and multilateral partners. Further, I will support the efforts of the State Department to prevent and immediately address any diversion or abuse of U.S. humanitarian assistance. The

Administration's commitment to these principles has already been clear in the Secretary's engagement on the protection of civilians and unhindered humanitarian access.

Question. How can the United States best hold accountable the perpetrators of such abuses, and promote accountability and compliance with the law of armed conflict and human rights law?

Answer. I support using all tools available to promote accountability for those responsible for targeting civilians, including humanitarian aid workers, consistent with international law. If confirmed, I would encourage all parties to armed conflict to comply with international humanitarian law and ensure the protection of those providing humanitarian aid. If confirmed, I will work to ensure that the United States supports a variety of tools at our disposal, including investigations and prosecutions at appropriate international and national tribunals, targeted sanctions, and other mechanisms, to promote accountability for those responsible for targeting civilians, including humanitarian aid providers.

Question. We are in a 15-year democratic recession, and this past year has been among the worst we've seen for global democracy. For the first time since 2001, more people live under autocracies than democracies. The COVID-19 crisis has created new opportunities for authoritarians and those leaders who strive to consolidate power to cement their hold on government structures and erode the fundamental human rights of their countrymen. How will you address democratic backsliding and emerging global electoral challenges? These include foreign interference; the manipulation of new media platforms; advancements in artificial intelligence and sophisticated cyber threats; and corruption in electoral processes that undermines governance?

Answer. I share concerns over the need to defend democracy and counter growing authoritarianism globally, including authoritarian responses to the global pandemic that suspend or severely curtail democratic governance, rule of law, and human rights. President Biden committed to host a global summit to bring together democracies around a common agenda to defend and strengthen democratic institutions, including commitments on combating corruption, pushing back on authoritarianism, and advancing human rights, including online. If confirmed, I will support the Administration's goals of promoting good governance at home and abroad with all available diplomatic, programmatic, and other foreign policy tools to counter democratic backsliding and strengthen democratic resilience to malign influence.

Question. How will you invest in democracy programs, particularly in the context of the secondary impacts of COVID-19 on elections and democracies worldwide?

Answer. The United States has long been a leader in promoting democracy and human rights, including advancing civil and political rights abroad. Adhering to democratic principles is essential for an effective global response to COVID-19, and it is imperative that countries not use the pandemic as a means to suspend or severely curtail democratic governance, rule of law, and respect for human rights. If confirmed, I intend to ensure that democracy programs support civil society groups and governments in strengthening protections for human rights by fostering accountable, responsive and inclusive democratic institutions and processes that directly address the secondary impacts of COVID-19.

Question. The Department of Defense annually seeks to duplicate various security assistance authorities heretofore reserved to the Department of State, to the detriment of the Secretary of State's fundamental mission to oversee and direct U.S. foreign policy. If confirmed, will you personally and aggressively defend the Department of State's prerogatives in this area?

Answer. I am aware of the Defense Department efforts in this area and recall selectively supporting some security assistance authorities for Defense, where for example they provided clearly for the Secretary of State to "concur" in Defense's use of such authorities; were time-limited; did not duplicate State's authorities; and provided for joint formulation. If confirmed, I will certainly study this matter thoroughly, as I share your concerns. Among my key goals will be personally to uphold and defend prerogatives of the Secretary and the Department and to protect the fundamental and primary responsibility of the Secretary to carry out for the President the fundamental mission of overseeing and directing US foreign policy.

Question. Will you commit that you and your staff will work closely with this Committee to protect the Secretary of State and the Department of State's primacy in this regard?

Answer. I look forward to working closely with you and the Committee to protect the primacy of the Secretary of State and the Department in this regard. I also consider that protecting such primacy means also protecting and enhancing the tools to engage internationally, such as reserving to, or enhancing the broadest range of agile foreign assistance authorities of the Secretary of State. If confirmed, I also look forward to working with you to ensure that such authorities are robust and flexible, particularly given the view by some countries that Defense authorities may be less restrictive than those of the State Department.

Question. Section 10 U.S.C 127(e) allows the Secretary of Defense to provide undefined support to any foreign person that is in any undefined way supporting U.S. Special Forces operations in a country, so long as the Chief of Mission of such country concurs. There is no requirement in the law that the Secretary of State, nor the Department of State, be aware of such activities. Such “support” has included, at least, the provision of lethal defense articles to unknown foreign persons, who could be involved in criminal or even terrorism-supporting activities. It is vital that the Secretary of State be aware of this support. Secretary Blinken, when asked this question, confirmed that he would look into the current practices and procedures in the Department with respect to reporting and concurring with such transfers and, if necessary, make amendments. Will you, if confirmed, ensure that this issue is put to the Secretary for decision, or if delegated to you, that you will direct all Chiefs of Mission not to agree to any such request without first consulting with you or the Secretary of State?

Answer. The Departments of State and Defense are working closely to address the changing global threat environment. If confirmed, I will coordinate closely with the Secretary of State and critical Department stakeholders to review the current Department practices and procedures related to Section 10 USC 127e. In the event this issue is delegated to me, I will take appropriate action to communicate Department procedures to chiefs of mission and will initiate a discussion with Department of Defense counterparts to clarify reporting and concurrence procedures and make amendments as necessary.

Question. It is no secret that the Department’s morale has sunk to historic lows over the past several years under President Trump and Secretary Pompeo. Secretary Blinken has already made great strides in addressing distrust and improving morale at the Department, but much work remains to make sure that the Department’s workforce is empowered and trusted to carry out its critical diplomatic work. What steps will you take to rebuild the morale of the people who serve at the Department and to ensure the Department has a workforce that is supported and empowered to carry out their mission to the best of their ability?

Answer. The people who work for the U.S. Department of State are committed public servants who uphold U.S. policies to protect Americans and their interests abroad. The marginalization and loss of career talent over the last four years coincides with declines in overall employee job satisfaction in annual workforce. That said, the nearly 77,000 State Department employees worldwide remain resilient. If confirmed, I am committed to improving and maintaining State Department to advance our security and prosperity, including by developing a diplomatic corps that fully represents America in all its talent and diversity. That means recruiting, retaining, and providing career development opportunities to officers with the skills to contend with 21st Century challenges and who represent the diversity of the country we represent. I will spare no effort, if confirmed, to ensure their safety and well-being and demand accountability for fostering a more diverse, inclusive and non-partisan workplace.

Question. Last year, I published a report *Diplomacy in Crisis*, which laid out the challenges facing the Department workforce. It cited employee survey data that showed some disturbing trends—for example, steep increases in the number of staff who said they feared reprisal or retribution if they were to report a violation of law. Does that concern you, and how do you plan to reverse that culture?

Answer. I agree that retaliation for participating in the EEO process or anti-harassment program, for requesting a reasonable accommodation, or for opposing discriminatory practices is unlawful, grounds for discipline, and counter to good management; employees do best when they have the ability to speak up and help us improve. If confirmed, I plan to amplify the Chief Diversity and Inclusion Officer’s, Bureau of Global Talent Management’s, and the Office of Civil Rights’ efforts to promote a culture of speaking up, free from fear of retaliation.

Question. A recent survey of executive-level staff at the State Department conducted by Executive Women at State found concerning trends that inhibit career ad-

vancement for women. More than half of the respondents ranked 15 of the 22 barriers measured in the survey as having a huge or significant impact on the advancement of women at the Department; 75% of respondents described gender-related bias as having substantial impact on their career. Do you commit to reviewing this report and its recommendations, and prioritizing a review of how the Department can reduce barriers for women to increase retention and help more women serve in senior roles?

Answer. I am committed to ensuring that women have equal opportunities for career advancement and professional development. Throughout my career, I have benefitted from strong mentors and leaders who have helped me shape my career, and I have worked to mentor others. If confirmed, I will ask those who report to me to serve as models for the Department on mentorship and promulgating the tenets of fairness and transparency in building their teams. I will hold my senior leadership responsible for creating environments where everyone's contribution is valued. I will also prioritize reviewing recommendations on initiatives to help address the gender gap in the Department from our employee affinity groups and associations.

Question. As you know, Ahlam Tamimi is responsible for masterminding a terrorist attack that killed 15 people, including two Americans at a restaurant in Israel in 2001. She has been living in Jordan since 2011 and the United States has continued to try to bring her to justice. Do you commit to pursuing justice for Americans murdered in this brazen attack?

Answer. If confirmed, I will explore all options to bring Ahlam Al-Tamimi to justice. The Department will continue to ask that the Government of Jordan extradite Al-Tamimi, and will continue to raise this issue at the highest levels. The Department will also engage Jordanian officials at all levels on the extradition treaty, which is in force.

Question. Will the administration continue to pressure Jordan to publicly condemn Tamimi and her actions?

Answer. If confirmed, I will explore all options to bring Ahlam Al-Tamimi to justice. The Department will continue to ask that the Government of Jordan extradite Al-Tamimi, and will continue to raise this issue at the highest levels. The Department will also engage Jordanian officials at all levels on the extradition treaty, which is in force.

Question. Will the administration press Jordan to seek parliamentary ratification of the 1995 extradition treaty?

Answer. If confirmed, I will explore all options to bring Ahlam Al-Tamimi to justice. The Department will continue to ask that the Government of Jordan extradite Al-Tamimi, and will continue to raise this issue at the highest levels. The Department will also engage Jordanian officials at all levels on the extradition treaty, which is in force.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED TO
HON. WENDY R. SHERMAN BY SENATOR JAMES E. RISCH

Question. In your view, are the Maduro regime's involvement in transnational organized crime and its poor economic and political policies in Venezuela to blame for region's most significant security and humanitarian crisis? Can humanitarian conditions improve on the regime's watch?

Answer. The illegitimate Maduro regime's corruption and repression are responsible for the economic collapse and the resulting humanitarian crisis in Venezuela. Maduro and his enablers tolerate and often cooperate and collude with criminal and terrorist networks, non-state armed groups, and many malign actors that perpetrate human rights abuses and human trafficking. Instead of applying Venezuela's resources to respond to its humanitarian crisis, Maduro and those allied with him pilage state coffers.

I understand the impact the current crisis in Venezuela is having on the region, and the pain it is inflicting on Venezuelans and their families. If confirmed, I am committed to addressing the humanitarian situation affecting millions of Venezuelans both inside the country and the millions who have fled to neighboring countries, pressing for a peaceful, stable, democratic outcome in Venezuela through free and fair elections and helping the Venezuelan people rebuild their lives and their country.

Question. Please describe your views on what would constitute adequate conditions under which free and fair presidential, legislative, and local elections could be conducted in Venezuela.

Answer. There are several conditions that should be met before we can consider any Venezuelan elections free and fair. The illegitimate Maduro regime should free all political prisoners, return political party organizations to their duly chosen leaders, and remove all undue restrictions on individuals and political parties to allow their free participation. All candidates, political parties, and the electorate should have unrestricted access to independent news sources and other sources of information. An independent National Electoral Council should be appointed and allowed to organize the elections free from undue influence. Finally, consistent with the bipartisan Venezuela Emergency Relief, Democracy Assistance, and Development Act (VERDAD) of 2019, elections should be observed and certified as free and fair by an independent electoral observation mission comprised of domestic and international experts.

Question. Please describe the conditions under which you would recommend the re-establishment of diplomatic relations with Cuba.

Answer. The United States continues to maintain diplomatic relations with Cuba, which provides an opportunity to communicate directly with the Cuban government regarding matters of human rights. The Biden-Harris administration's Cuba policy will be governed by two principles. First, support for democracy and human rights will be at the core of our efforts through empowering the Cuban people to determine their own future. Second, Americans—especially Cuban-Americans—are the best ambassadors for freedom and prosperity in Cuba. We have serious differences with Cuba on a range of issues, including Venezuela and human rights, but the administration will engage directly on those differences and on other issues that are in the interest of the United States.

Question. If confirmed, do you commit to conduct meaningful consultations with me, my office, and the rest of the Committee before and during any negotiations with Cuba?

Answer. Through three decades of work in foreign policy and national security, I have learned firsthand the need for close and constructive coordination with Congress. I recognize there are many different views in Congress on what our approach to Cuba should be. If confirmed, I look forward to consulting with Congress on a range of policy topics, including Cuba.

Question. If confirmed, how will you work to ensure that U.S. public and private engagement in Cuba does not disproportionately benefit the Cuban military, intelligence, or security services or personnel at the expense of the Cuban people?

Answer. The administration committed to carefully reviewing U.S.-Cuba policy, including our posture regarding economic sanctions on Cuba, to ensure they advance the goals the administration is trying to achieve in empowering the Cuban people to determine their future. If confirmed, I will support the Department's review of the policy with an eye toward assessing its impact on the political and economic well-being of the Cuban people and look forward to consulting with Congress on this issue.

Question. In December 2020, Mexico approved reforms to its national security law, limiting the power of foreign law enforcement agents in the country and restricting their ability to operate. If confirmed, what steps will you take to ensure effective law enforcement cooperation with Mexico?

Answer. It is critical that the United States and Mexico work together to dismantle transnational criminal organizations and their operations, reduce impunity and corruption, and strengthen the rule of law in Mexico. If confirmed, I look forward to comprehensive conversations with the Mexican government, and I will not hesitate to raise any concerns I believe to be obstacles to our bilateral law enforcement cooperation.

Question. If confirmed, how will you prioritize the recommendations of the Bureau of International Organizations as compared to the regional bureaus?

Answer. I have long appreciated and valued the expertise available from the Bureau of International Organizations. If confirmed, I will ensure the bureau's perspective is solicited, whenever appropriate, and in all circumstances welcome its recommendations. The bureau's voice and role in U.S. foreign policy is crucial as the administration re-engages with international organizations, restores its partnerships, and returns to its traditional alliances.

Question. Will you support the creation of an Office of Integrity in the United Nations System within the Bureau of International Organizations?

Answer. If confirmed, I look forward to working with Congress to ensure the State Department is organized and resourced effectively to push back against the rising influence of China and others in the UN system and other international organizations and to select qualified and independent candidates to lead and staff these bodies, including highly specialized agencies.

Question. Nations have increasingly used hostage diplomacy in an attempt to gain leverage through coercion. Multiple Americans are victims of this trend, and Americans are currently wrongfully detained in Russia, China, Iran, and Venezuela, among other countries. What role do you believe the Deputy Secretary has in returning Americans and preventing hostage diplomacy?

Answer. Bringing home U.S. hostages and wrongful detainees is a top priority for the administration and the Department of State. If confirmed, I will work closely with the Secretary and Special Presidential Envoy for Hostage Affairs to make every effort to quickly recover all U.S. nationals held hostage or wrongfully detained abroad. Additionally, it will be of the utmost importance to closely coordinate with, and lend support to, family members of hostages and wrongful detainees.

Question. If confirmed as Deputy Secretary of State, in what concrete ways will you work to bring home Americans wrongfully detained abroad and support the work of the Special Presidential Envoy for Hostage Affairs?

Answer. The safety and security of U.S. citizens is one of the highest priorities of the Department of State. If confirmed, I will ensure the Department continues to use all the diplomatic means at our disposal to work for the release of those U.S. citizens wrongfully detained or held hostage and provide support to their families. Specifically, I will support the Special Presidential Envoy for Hostage Affairs and the interagency in implementing the Robert Levinson Hostage Recovery and Hostage-taking Accountability Act. The Levinson Act is critical for harnessing all of the U.S. government's capabilities to resolve these cases quickly and provide support to families.

Question. The Iranian regime received billions in sanctions relief as a result of the Joint Comprehensive Plan of Action (JCPOA). The Obama administration argued that "our best analysts expect the bulk of this revenue to go into spending that improves the economy and benefits the lives of the Iranian people." However, a vast body of follow-on reporting indicates that a majority of sanctions relief was, instead, funneled to the regime's defense budget and to its proxies in Syria, Lebanon, Iraq and Yemen.

- Do you believe that sanctions relief provided to Iran as a part of the JCPOA improved the economy and the lives of the Iranian people?

Answer. While the DIA testified in 2017 that the majority of sanctions relief was used for domestic purposes, the Biden-Harris administration is under no illusions about Iran's destabilizing activities in the region and about its government's willingness to divert funding that should be used to better the lives of its citizens to those purposes. It is also clear that the reimposition of sanctions has not had the effect of drying up Iran's proliferation of missiles, support for terrorism, and regional activities.

We need to address all of these activities using a variety of tools—deterrence, sanctions on Iranian entities providing support to violent groups and militias in the region, and, in the event we rejoin the JCPOA, in any follow-on talks with Iran—in close consultation and coordination with our allies and partners. If confirmed, I am committed to consulting closely with Congress on the path forward.

Question. What tools and safeguards exist that would prevent Iran from directing future sanctions relief to malign activities?

Answer. The U.S. Government maintains a range of tools to combat terrorist financing, and we will continue to use these to counter Iran's destabilizing activities and support for terrorism.

We will continue to maintain and impose sanctions on Iranian entities and individuals providing support to terrorist groups in the region. The Biden-Harris administration will take action, in coordination with our allies and partners, to both deter and counter Iran's destabilizing activities and to vigorously pursue talks on these critical issues. If confirmed, I am committed to consulting closely with Congress on the path forward.

Question. Do you commit not to pursue sanctions relief or unfreezing of Iranian assets as a precondition for nuclear negotiations with the Iranian regime?

Answer. We are ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the Joint Comprehensive Plan of Action as a starting point for follow-on negotiations. Our first order of business is consulting with Congress and our allies on the path forward.

Question. You have previously expressed skepticism over the prospects of U.S. re-entry into the JCPOA, indicating that if such a development were to take place, the United States would need to be willing to put “more on the table.” Please describe in detail the prospects for U.S. re-entry into the JCPOA, to include views of UNSCR 2231-mandated Transition Day in 2023 and Termination Day in 2025.

Answer. The Biden-Harris administration is committed to ensuring that Iran does not obtain a nuclear weapon and to addressing the many other issues of concern related to Iran. The administration remains ready to engage in meaningful diplomacy to achieve a mutual return to compliance with JCPOA commitments as a first step, but the work will not end there. The administration intends to build on the JCPOA and use it as a platform to lengthen and strengthen the constraints on Iran’s nuclear program and to address other critical issues.

Question. Exactly what form should “more on the table” take in your view? What do you see as being acceptable to both the United States and Iran?

Answer. The Biden-Harris administration remains ready to engage in meaningful diplomacy to achieve a mutual return to compliance with JCPOA commitments. While it is too early to speculate on the specific details, if confirmed, I commit to robust consultation with Congress and our P5+1 partners on the best way forward.

Question. The Iran Nuclear Agreement Review Act (P.L. 114-17) (“INARA”) requires the President to provide to Congress the text and related materials of any agreement with Iran relating to the nuclear program of Iran within five days of reaching the agreement. Additionally, INARA stipulates that the administration certify that such an agreement is not “inimical to or constitute an unreasonable risk to the common defense and security.”

- Would the requirements of INARA cited above apply to any future nuclear deal with Iran?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under INARA and to ensuring that the requirements of INARA are satisfied, including its transmission and certification requirements.

Question. Would the requirements of INARA cited above apply to any process of rejoining or reaffirming U.S. participation in the Joint Comprehensive Plan of Action (JCPOA)?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under INARA. The JCPOA was submitted under INARA in 2015 and underwent close Congressional and public scrutiny. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied.

Question. Would any agreement between the United States and Iran regarding how the United States and Iran might return to compliance with the JCPOA constitute an “agreement with Iran relating to the nuclear program of Iran”?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under the Iran Nuclear Agreement Review Act (INARA). The JCPOA was submitted under INARA in 2015 and underwent close Congressional and public scrutiny. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied.

Question. What are the reporting requirements of INARA that you believe that the administration is currently subject to?

Answer. If confirmed, I will consult within the administration to identify and confirm those requirements. I am committed to ensuring that the requirements of INARA are satisfied, including its reporting requirements.

Question. In 2014, in your capacity as Under Secretary of State for Political Affairs, you hosted a roundtable in which you suggested that the JCPOA contained “in one way or another, all the concerns that must be addressed.” While the 2015 agreement did secure time-limited curbs on Tehran’s nuclear program, it failed to address Iran’s destabilizing support for proxy militias and its ballistic missile development. Further, it failed to secure the release of American hostages, like Washington Post reporter Jason Rezaei, who remained illegally detained by the Iranian regime until January 2016.

- Is it still your position that the 2015 nuclear agreement contained a sufficient basis for the United States to address all of its most pressing national security concerns?

Answer. The objective of the JCPOA was to ensure that Iran would never obtain a nuclear weapon, which is just one of the myriad issues of national security concern the United States and our allies and partners face regarding Iran. The situation we face in 2021, however, is different from the situation in 2015. The facts on the ground have changed, and our path forward must take this into account. The Biden-Harris administration is committed to addressing not only the concerns about Iran's nuclear program, but also broader concerns, including Iran's unjust detentions of U.S. citizens, its ballistic missile program, and destabilizing regional activities.

Question. Would you recommend the United States pursue re-entry into the 2015 nuclear agreement absent the release of American hostages, including Morad Tahbaz, Baquer Namazi, and Siamak Namazi?

Answer. The safety of U.S. citizens overseas is a top priority for the U.S. government. The continued unjust detention of U.S. citizens in Iran is atrocious. I have spoken with family members of U.S. citizens detained in Evin Prison and their stories are horrific. As President Biden has said, the administration will aggressively work for the release and return of all our unjustly detained U.S. citizens.

Question. The Biden administration has indicated that it will attempt to address Iran's regional terrorism and ballistic missile activity in follow-on agreements after rejoining the JCPOA. Assuming the United States grants nuclear-related sanctions relief as a part of U.S. re-entry into the JCPOA, what leverage would the Biden administration retain to ensure Iran engages in meaningful discussions on its support of regional terrorism and ballistic missile program? Please be specific.

Answer. As President Biden has said, we are ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the Joint Comprehensive Plan of Action (JCPOA), and then use that as a platform to lengthen and strengthen the constraints on Iran's nuclear program and address other issues of concern. The framework of U.S. sanctions on Iran remains robust, and there are many layers of that sanctions architecture that would remain in place, even in the event of a U.S. return to the JCPOA. This certainly includes the primary U.S. embargo on Iran, and many other U.S. sanctions on Iran. Working with allies and partners, we also have other avenues to place pressure on Iran.

Question. The Abraham Accords have the potential to fundamentally change the Middle East for the better. The previous administration had an empowered agent in the White House, Jared Kushner, to pursue normalization agreements. We understand that the Biden administration will push this role back down to the State Department—currently at the Deputy Assistant Secretary level. Given the importance of the Abraham Accords, how do you plan to expand and strengthen the Accords without a similar empowered staff?

Answer. The 2020 normalization agreements are an important contribution to peace and security in the Middle East. The Biden-Harris administration will seek to build on the agreements to expand the circle of peace between Israel and its neighbors. If confirmed, we will also closely monitor the status of the normalization efforts to date, encouraging the states that have signed such agreements with Israel to uphold their commitments to establish full diplomatic relations with Israel.

Question. Will you assign responsibility for additional normalization agreements to more senior staff?

Answer. If confirmed, I look forward to reviewing the normalization agreements with the relevant subject matter experts and determining the best way forward, including with respect to staffing responsibilities.

Question. In your hearing testimony, you referenced a number of meetings that you had with Iranian officials after you had concluded your service at the Department of State in 2015. What meetings did you have with any Iranian officials since leaving the State Department in 2015? Were these meetings scheduled ahead of time? If so, by whom?

Answer. To the best of my recollection, I met with Foreign Minister Zarif twice on the margins of the Munich Security Conference, in 2018 and 2019. I also participated in two bipartisan group meetings in New York on the margins of UNGA: in 2018 with President Rouhani, and in 2019 with FM Zarif. Those meetings were facilitated by the Carnegie Endowment for International Peace (2018) and the International Crisis Group (2019). Finally, in October 2017 I participated in a panel with

Deputy FM Abbas Araghchi at a nonproliferation conference sponsored by the Center for Energy and Security Studies in Moscow, and we spoke on the margins.

In every meeting, I urged Iran to stay in full compliance with the JCPOA, even after U.S. withdrawal, and pressed for Iran to end its regional violence and to release American prisoners. I consistently kept Undersecretary of State for Political Affairs David Hale apprised of meetings and offered to convey any useful information back to him.

Question. Who were the participants in those meetings? When and where did those meetings occur? In what capacity did you engage in those meetings?

Answer. As noted in the previous answer, the meetings were principally with Foreign Minister Zarif. At the Munich Security Conference, I believe he was accompanied by DFM Abbas Araghchi. When I saw FM Zarif in New York he was also accompanied by the DFM and by Iran's Ambassador to the United Nations. When I saw DFM Araghchi in Moscow, he was alone.

Question. Please describe in detail the purpose of the meetings, the scope of the discussions that occurred in the meetings, the positions you took in those discussions, and how those discussions inform your views on Iran policy issues.

Answer. As I stated in my confirmation hearing, I kept Under Secretary Hale apprised of the meetings and committed to sharing any useful information with him. I attended meetings to urge Iran to not escalate the situation, to stay compliant with the JCPOA, to cease its regional violence, and to release U.S. citizens who had been unjustly detained. As I noted, families have continued to call me and urge me to do whatever I can to help gain release of their loved ones. My views on Iran policy were offered in the confirmation hearing and were not changed by the meetings.

Question. Did you inform any sitting U.S. official that you had planned or were likely to have each of these meetings? If so, please provide details for each meeting.

Answer. As noted, I kept Under Secretary David Hale apprised of the meetings.

Question. After each of these meetings occurred, did you inform any sitting U.S. official that the meetings had taken place and/or share what was discussed? If so, please provide details for each meeting.

Answer. As noted, I offered to apprise Under Secretary Hale of any useful information and did so as appropriate.

Question. Outside of these meetings, have you had any other contacts with any Iranian officials since leaving the State Department in 2015? Please provide details.

Answer. None that I recall.

Question. What are the tools and strategies the Department can best employ to address cross-regional security, political, and economic challenges in the Red Sea, Horn of Africa, Sahel, and Maghreb regions of Africa?

Answer. It is essential that we bring an end to deadly conflicts and prevent the onset of new ones; help African nations address climate change; violent extremism; promote development, health security, environmental sustainability, democratic progress, responsive and responsible governance, and rule of law; assist countries facing economic distress, including health and food insecurity; and support economic and political independence in the face of undue foreign influence. If confirmed, I will ensure we work across bureaucratic and geographic seams to address these regional challenges by cooperating with allies and partners, building strong partnerships, investing in civil society, and strengthening long-standing political, economic, and cultural connections.

Question. Do you believe Special Envoys are the most effective tool in confronting such complex regional issues?

Answer. Special Envoys have been an important tool for responding to complex security and political challenges, in certain cases where sustained, high-level diplomatic engagement is needed. When well-coordinated with regional and functional bureaus and embassies, envoys can help to integrate and lead cross-regional policy efforts, such as building international coalitions to counter transnational threats. Envoys can play an important role in responding to conflicts of a cross-border and cross-regional nature that require complex, negotiated solutions with buy-in from multiple states and actors. If confirmed, I intend to play an active role in the policy discussions surrounding the potential deployment of future envoys.

Question. What other tools should the United States consider?

Answer. The Biden-Harris administration recognizes that many of the biggest threats we face are transnational in nature and must be addressed collectively, in-

cluding through international organizations. Nowhere is this more true than in Africa—the African Union (AU) and sub-regional institutions play an important role on governance, economic, and security issues across the continent. If confirmed, I will ensure increased U.S. engagement with the AU and other sub-regional bodies. Additionally, I will work to pursue mutually beneficial partnerships across Africa. Coordination and collaboration are essential, and we must work to align our approaches to holistically address security and governance challenges.

Question. If confirmed, will you commit to building greater interagency coordination and strategy regarding U.S. security policy and programs in Africa, namely between the Department of State and the Department of Defense, and specifically with the United States Africa Command (AFRICOM)?

Answer. Yes. If confirmed, I will work closely with the Department of Defense and AFRICOM to make sure we are united in our efforts to implement the President and the Secretary's policy imperatives in sub-Saharan Africa and that we work collaboratively to develop unified U.S. government policies around which we can organize our diplomatic, security, and development engagement.

Question. The U.S.-Germany relationship has been increasingly strained in recent years. Among our points of disagreement are the Nord Stream 2 pipeline, military spending, attitudes towards China, and questions of the use of nuclear weapons. What steps will you hope to take to improve the United States' relationship with Germany?

Answer. Reinvigorating and modernizing relations with U.S. Allies, including Germany, is one of this administration's highest priorities. The administration has already begun this process by conducting extensive consultations with the German government on a range of issues of mutual concern. The administration also halted the withdrawal of U.S. troops from Germany and lifted the cap on the number of U.S. troops that can be stationed in Germany. If confirmed, I look forward to further strengthening the U.S.-German relationship, consulting closely on our common security priorities, especially at NATO, and partnering based on our shared values on challenges, including climate change, recovering from the COVID-19 pandemic, and addressing threats posed by China, Russia, and Iran. We will not always agree, but we will look to manage those differences constructively as Allies.

Question. Under German leadership, the European Union just concluded an investment deal with China. How do you view the German government's attitudes towards China, doing business with China, and their recently published Indo-Pacific Strategy?

Answer. The EU's investment deal with China is a demonstration of the amount of work we have before us to reinvigorate our Transatlantic alliance and develop a more unified response to the challenge posed by China. If confirmed, I will engage actively with the EU, Germany, and other European partners on shared concerns about China. My engagements will include discussions on how to advance our shared economic interests and counter China's aggressive and coercive actions, prevent goods made with forced labor from entering global markets, create a level playing field and promote private enterprise, and highlight China's failure to uphold its international commitments.

The Biden-Harris administration will work jointly with Germany, NATO, the EU, and other partners to address China's predatory economic practices, the challenges China poses to our collective security, and its human rights violations. Ultimately, the onus will be on China to show that its new pledges on forced labor, state-owned enterprises, and subsidies in its new agreement with the EU are not just cheap talk. The United States welcomes Germany's support for a rules-based international order, including in the Indo-Pacific, where Berlin recently announced it will send a naval vessel to demonstrate Germany's active engagement in the region.

Question. Former German Chancellor Gerhard Schroeder recently wrote in *Handelsblatt* that "a moralizing foreign policy" towards China, implying that, when it comes to China, human rights should be placed after economic interests. Do you agree?

Answer. China has engaged in gross human rights violations that shock the conscience and must be met with serious consequences. The President has been clear that the administration will put our democratic values back at the center of our foreign policy and stand up for democracy, human rights, and human dignity. The United States will work with Germany and other allies and partners to condemn human rights violations by China in Hong Kong, Xinjiang, and elsewhere. Promoting respect for human rights will be a pillar of U.S. engagement with Germany and other allies with respect to China both in bilateral and multilateral settings.

Question. How do you and the Biden administration intend to work with those European voices and actors that fall on either side of the human rights-economics divide?

Answer. The President has made it clear that revitalizing our ties with allies and partners, including in Europe, is an administration priority. The administration is working to demonstrate that democracies that protect human rights deliver for their people and that human rights, democracy, and the rule of law are essential to meet the challenges of our time. Vibrant democracies that protect human rights are more stable, more open, better partners to us, and more dependable markets for our goods and services. If confirmed, I will strengthen our relations with our allies, work with likeminded partners, and pool our collective strength to promote human rights, democracy, and the rule of law.

Question. Do you believe that the Nord Stream 2 pipeline should be completed?

Answer. The President has made clear his belief that the Nord Stream 2 pipeline is a bad deal and that the administration will oppose it, and I strongly agree with this position. Nord Stream 2 expands Russian malign influence, threatens Europe's energy security, makes Allies and partners more vulnerable, and divides Europe. This project has the potential to destabilize Europe and embolden Russian aggression toward the West. I understand that the Department and our embassies in the region are carefully monitoring any activities taken to construct the pipeline and will respond in accordance with our obligations under PEESA and CAATSA. The administration continues to engage with Germany to express the United States' continued opposition to the pipeline and to highlight our concerns. If confirmed, I will continue to use all available tools to counter Russian malign influence, to work with Allies and partners in the region, and to support Transatlantic energy security goals.

Question. Do you commit to following the law and fully implementing the Protecting Europe's Energy Security Act and the Protecting Europe's Energy Security Clarification Act?

Answer. Yes. The State Department submits a report to Congress every 90 days on vessels engaged in pipe-laying and pipe-laying activities, and various entities providing and supporting those vessels, for the Nord Stream 2 pipeline, as required by the Protecting Europe's Energy Security Act (PEESA), as amended, with the next report due to Congress in mid-May. I understand the Department submitted the first report required by PEESA, as amended, in February. If confirmed, I will continue to use all available tools to counter Russian malign influence and to work with Allies and partners in the region to support Transatlantic energy security goals. The administration will continue to examine entities involved in potentially sanctionable activity and will designate additional entities as appropriate.

Question. Do you believe the United States should entertain potential proposals from the German government that might allow the Nord Stream 2 pipeline be completed?

Answer. The administration has made clear to Germany and other European partners that Nord Stream 2 is not just a commercial deal. The administration views Nord Stream 2 as a geo-political project that is a threat not only to Europe's energy security, but to strategic stability on the continent. The United States will continue to work with allies and partners, including Germany, Denmark, Ukraine, Poland, and the Baltic states, to ensure Europe has a reliable, diversified energy supply that enhances, rather than undermines, its collective security.

Question. Do you believe that it would be worthwhile to allow the completion of the Nord Stream 2 pipeline in hopes of improving the U.S.-German relationship?

Answer. The Biden-Harris administration has clearly stated that the Nord Stream 2 pipeline should not be completed and has consistently conveyed this to German officials. Germany is an important economic and security ally and, if confirmed, reinvigorating and modernizing relations with U.S. allies will be among my highest priorities. Close friends and allies should be able to talk frankly to one another about disagreements, as we do with German officials on Nord Stream 2. The administration remains hopeful that through diplomatic engagement, bolstered by the tools provided by Congress, Germany will address our concerns raised by the pipeline related to energy security, Ukraine, and malign Russian influence.

Question. Are such proposals currently being entertained?

Answer. The administration continues to engage Germany to make clear our view that Nord Stream 2 is a bad deal and should not be completed. The administration

has not received any formal proposals from the German government related to Nord Stream 2.

Question. The Biden administration has stated its intent to achieve “a carbon pollution-free power sector by 2035” that puts the United States “on an irreversible path to a net-zero economy by 2050.” To this end, President Biden has ordered that federal agencies move to a fully electric vehicle fleet for automotive transportation needs and begin to use the federal procurement system for smaller equipment to drive demand for low energy-use appliances. What specific steps will you take to achieve these goals at the Department?

Answer. If confirmed, I will ensure the Department continues to comply with relevant authorities of Energy Policy Act of 2005 (PL 109-58), in full consideration of the administration’s net-zero goal and Federal Acquisition Regulations.

Question. Will these environmental goals impede other Department missions?

Answer. If confirmed, I will support the Department’s operations, logistics and procurement experts to implement relevant policies, strategies and plans in a manner consistent with federal laws and regulations and as outlined in the President’s Executive Order on Tackling the Climate Crisis at Home and Abroad.

Question. Will the Department be expected to offset carbon emissions from activities such as air travel?

Answer. If confirmed, I will work to ensure the Department supports the administration’s goals, which may include future carbon offsets.

Question. Do you agree that extended nuclear deterrence is foundational to U.S. strategy in the Indo-Pacific, and to the strength of U.S. alliances?

Answer. Extended deterrence plays a foundational role in advancing U.S. national security objectives, including ensuring a free and open Indo-Pacific. It does so by providing assurance to allies and partners, which are our greatest strategic asset, and promoting nonproliferation. If confirmed, I look forward to consulting with Congress, allies, and partners on this important issue.

Question. Do you believe that adoption of a sole purpose doctrine, a no first use policy, or a posture that fails to modernize U.S. nuclear forces would serve U.S. and allied interests in the Indo-Pacific?

Answer. The United States will ensure our strategic deterrent remains safe, secure, and effective and that our extended deterrence commitments to our allies remain strong and credible. As directed by the President, this administration will conduct reviews of various nuclear policies. In that process, we will consult with our allies and partners, including those in the Indo-Pacific, as well as with Congress.

Question. The Trump administration advanced a “free and open” Indo-Pacific strategy, which yielded a lot of concrete cooperation, especially with Japan, Australia, and Southeast Asia. If confirmed, what are the key principles, initiatives, and other elements of the previous administration’s Indo-Pacific strategy that will you continue?

Answer. The Biden-Harris administration is committed to working with allies and partners to advance a free and open Indo-Pacific region. As President Biden has said, working with allies and partners to secure peace, defend our shared values, and advance our prosperity across the Indo-Pacific will be among the most consequential efforts we undertake. If confirmed, I will join the administration’s review of our Indo-Pacific policy, and I commit to working closely with Congress to make sure we have the right components in place.

Question. What major policy changes would the administration make in U.S. strategy towards the region?

Answer. The Biden-Harris administration is committed to working with allies and partners to advance a free and open Indo-Pacific region. The administration is conducting a review of our Indo-Pacific policy and, if confirmed, I commit to working closely with Congress to make sure we have the right components in place.

Question. The Obama administration failed to secure congressional support for the Iran nuclear deal. If confirmed, and if the Biden administration pursues an agreement with North Korea regarding its weapons programs, do you commit to regular briefings at both the member and staff levels in advance of and following negotiations with North Korea?

Answer. If confirmed, I will consult with Congress on efforts to limit the dangers posed by North Korea’s weapons of mass destruction and ballistic missile programs.

Question. If confirmed, and if the Biden administration pursues an agreement with North Korea regarding its weapons programs, do you personally commit to appear before this committee prior to the completion of any such agreement for public hearings on the matter?

Answer. If confirmed, I commit to consulting with Congress on efforts to limit the dangers posed by North Korea's weapons of mass destruction and ballistic missile programs.

Question. Do you believe that an agreement with North Korea regarding its weapons programs should be submitted to the Senate as a treaty for the Senate's consent to ratification? If no, please explain in detail.

Answer. Denuclearization of North Korea remains a top national security priority for the United States. I understand the administration, in consultation with our allies, will evaluate and adopt a strategy to keep the American people and our allies safe and that takes into account pressure options and the potential for future diplomacy with North Korea. If confirmed, I look forward to consulting with Congress on efforts to limit the dangers posed by North Korea's weapons of mass destruction and ballistic missile programs, including through any agreements that may be negotiated.

Question. The Indo-Pacific is the most important region for U.S. security and economic growth. It represents nearly half of the global population and is home to some of the most dynamic economies in the world, but is also home to security challenges that threaten to undermine U.S. national security interests, regional peace, and global stability. The Trump administration articulated a strategy to advance a "free and open Indo-Pacific," and has expanded partnerships with regional countries and implemented multiple initiatives in the region to support this goal. Do you agree with the core tenants of a vision for the "free and open Indo-Pacific" strategy advanced over the last several years?

Answer. Yes.

Question. If so, what should the State Department's role be in this strategy? If not, why not?

Answer. While our Indo-Pacific policy is still under review, the State Department will have a major role in supporting a free and open Indo-Pacific, including by reinvigorating our alliances and partnerships, helping the region recover from the global pandemic, promoting democratic resilience, and confronting climate change. As the President has said, we will work with partners in the Indo-Pacific and across the world to protect the free exchange of ideas in open, democratic societies and to ensure the benefits of growth are shared broadly and equitably.

Question. Chinese influence in Europe continues to grow. It has invested billions across Europe and has sought to acquire strategic infrastructure and companies in Europe. European countries are starting to take a much more robust approach to China across the board, including on investment and human rights. What is your assessment of China's objectives in Europe and with regard to the transatlantic alliance?

Answer. The objective of the People's Republic of China's (PRC) is to make Europe more reliant and compliant, by dividing and weakening alliances forged through the European Union and NATO. They attempt this through abusive, unfair, and illegal economic and trade practices, including market-distorting subsidies, intellectual property theft, forced technology transfers, and predatory investments. With economic leverage comes political influence, security vulnerabilities, and the ability to coerce countries. This weakens countries' willingness to oppose the PRC's efforts to reshape the international order, creating a threat to the transatlantic alliance itself.

Question. How should the United States respond to growing Chinese influence in Europe?

Answer. Our engagement with Europe to counter the growing influence of the People's Republic of China should begin with a common understanding of the threats facing our mutual prosperity and national security and must include collaboration with NATO. Working with our Allies and partners, we will address vulnerabilities to Transatlantic security, promote technology innovation, information sharing, and energy security within the Alliance. We will support transparent economic growth and fair labor practices. We are developing foreign assistance programs to reach 24 countries that focus on transaction advisory, cybersecurity, and strategic infrastructure protection.

Question. Last year, I published a report on how the United States and Europe can cooperate on shared challenges related to China, including a chapter on contending with China's anti-competitive economic practices. I argued that the United States and Europe should revitalize trade negotiations, continue important initiatives at the World Trade Organizations such U.S.-EU-Japan efforts on subsidies, fix current sticking points like ongoing disputes between Boeing and Airbus, coordinate on export controls, and strengthen supply chain resilience. How would you advance these goals?

Answer. The Biden-Harris administration is committed to rebuilding and revitalizing relations with our European allies and working with them as using the full array of tools to counter China's abusive economic practices, both in bilateral and multilateral fora, including the WTO. The administration will work with our allies and partners to ensure the resilience of the United States, as well as global supply chains, particularly under the February 24, 2021, Executive Order on America's Supply Chains. As of March 5, the administration announced a four-month suspension of tariffs on the UK and EU with the goal of a permanent settlement, under the Section 301 Boeing-Airbus case. If confirmed, I will continue these efforts to take on the challenge of China's abusive and illegal economic practices.

Question. What additional areas would you prioritize?

Answer. In addition to those issues discussed in the previous question, presenting positive alternatives to China, which showcase the value of the U.S. model against the techno-authoritarian model proliferated by Beijing, is critical. If confirmed, I will work with our European allies and partners on a coordinated approach to China's abusive economic practices, human rights violations, and other challenges. The EU has made it clear it is willing to cooperate with the Biden-Harris administration on China. The administration will work in bilateral and multilateral fora, including the UN and others, to ensure U.S. national security is protected with respect to investments in critical infrastructure and sensitive technologies, and to push back against PRC attempts to weaken standards, rules, and institutions that support our economic prosperity.

Question. The incoming administration has stated that global health cooperation with China will be a major priority. The United States invested a lot of resources and personnel over many years to pursue health cooperation with China. That included a close relationship between the U.S. CDC and China's CDC, including co-location arrangements where they worked side-by-side for many years. While co-location arrangements ceased because of concerns about the physical security of U.S. diplomats, cooperation still continued. However, in the world's hour of need at the beginning of a serious pandemic originating in China, the Chinese Government's response proved that global health cooperation would always take a back seat to the standing and reputation of the CCP. While some level of cooperation may be necessary, how can we have confidence in these initiatives without reciprocal good faith efforts by Chinese Government interlocutors?

Answer. It is important that we get to the bottom of the early days of the pandemic in China so that we can take steps to prevent future pandemics. The Biden-Harris administration will rebuild and expand the systems to prevent, detect, and respond to biological threats globally, including in China. The administration will work to get our experts back into China so that our scientists have the access and relationships needed to prepare for and respond to the emergence and spread of potential future outbreaks around the globe. If confirmed, I will test whether China is willing to play a constructive role on certain issues, including on global health, but will be guided by a clear-eyed assessment of China's intentions.

Question. How will you overcome this fundamental challenge, and why should the American people trust that use of taxpayer dollars and other resources will bear fruit?

Answer. China poses the most significant challenge of any nation state to the United States and our interests. There are competitive, cooperative, and adversarial aspects to the U.S.-China relationship. We must advance our economic interests, counter China's aggressive and coercive actions, sustain our key military advantages, defend democratic values, and restore our vital security partnerships as we also conduct results-oriented diplomacy with China on shared challenges such as global health. The Biden-Harris administration will test whether China is willing to play a constructive role on certain issues, including on global health, but will be clear-eyed about China's intentions.

Question. What areas of health cooperation will the incoming administration prioritize with China?

Answer. Promoting global health is in China's interests as well as ours. The Biden-Harris administration is willing to test whether China is willing to play a constructive role in certain areas where we may share interests but will be clear-eyed about China's intentions. We will not trade off our core interests or values in discussions with China or any other country.

Question. What will be the role of the State Department in this regard?

Answer. The State Department can play a leading role in elevating global health diplomacy to identify potential global health risks, to work with the international community to detect and prevent epidemics and pandemics before they occur, and to ensure effective international responses when they do. This includes addressing the root causes of these events and strengthening the prevention and response capabilities of local health systems. If confirmed, I will strengthen the Department of State's diplomatic engagement in support of the COVID-19 health and humanitarian response, as well as global health security more broadly, in close alignment with USAID, HHS, CDC, and other agencies involved in this space.

Question. Would you advise the President to send high-level visitors to Taiwan, boost defense ties, explore negotiations for a Free Trade Agreement, strengthen the economic partnership set up by the Trump administration, and advocate for Taiwan in international organizations?

Answer. If confirmed, I support sending senior-level visitors to Taiwan to deepen and broaden our relationship. I support boosting defense ties and strengthening the economic partnership with Taiwan, as well as advocating for Taiwan's participation in international organizations. I understand that USTR is the lead agency on trade, and pending confirmation of the new USTR, I will work with the office of the USTR on a review of trade policy toward Taiwan.

Question. The previous administration authorized many critical capabilities via arms sales to Taiwan over the last several years, including fighters to replace and augment those being worn out from Chinese Air Force incursions, ground-launched anti-ship missiles, mobile artillery rocket systems, and surveillance drones. Do you commit to fulfilling these arms sales with speed and urgency so that the capabilities get to Taiwan in a timely manner?

Answer. My support for Taiwan is rock solid. Taiwan is a leading democracy, a major economy, and a critical security partner. I support a peaceful resolution of cross-strait issues, consistent with the wishes and best interests of the people on Taiwan. If confirmed, I will continue to support efforts to make available defense articles and services necessary to enable Taiwan to defend itself, consistent with the law, U.S. export regulations, and nonproliferation policy.

Taiwan remains a priority for this administration. In my position at the Department of State, working together with the Department of Defense, I will implement that priority wherever feasible to assist Taiwan to maintain a sufficient self-defense capability.

Question. Do you commit to ensuring that the Department of State adheres to a regularized process with regard to Taiwan arms sales, including avoiding the practice of bundling?

Answer. Yes, that would be my intent, if confirmed. Consistent with the Taiwan Relations Act and our One China Policy, the United States continues to make available to Taiwan the defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability. This longstanding policy contributes to the maintenance of peace and stability across the Taiwan Strait.

If confirmed, I will continue to support U.S. policy to assist Taiwan to maintain a sufficient self-defense capability. Doing so increases stability both across the Taiwan Strait and within the region.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR BENJAMIN L. CARDIN

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. Throughout my life, my most important contribution has been to help open doors for women and to advocate for their human rights, and I have sought to stand for any group of marginalized people in the United States and around the world. In politics, I ran Barbara Mikulski's successful campaign for the Senate, helping her to become the first Democratic woman elected to the Senate in her own

right. I was also Executive Director of EMILY's List, helping Democratic women get elected to the U.S. House and Senate. As Undersecretary of State, on virtually every overseas trip, I made it a point to meet with women leaders, women business owners, and women crafts persons to give women visibility and press coverage and regularly spoke out about ensuring that half of the world should be included.

As I traveled as a diplomat, I met with LGBTQI+ youth in Nepal, the first country to allow citizens to check 'other' on their passport, and I met with LGBTQI+ advocates in other countries as they sought their rights. I met with the Rohingya in Bangladesh and had a frank conversation in Burma with Aung San Suu Kyi. I have also worked to help free those unlawfully detained and imprisoned, particularly in Iran, and helped achieve some releases over the years.

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. Studies show how diverse teams outperform other teams based on their ability to innovate and address new challenges creatively. Diversity is America's competitive advantage on the global stage. Addressing today's challenges across the globe will require the Department to harness the wealth of diversity and experiences in our workforce to address increasingly complex challenges impacting our foreign policy as well as the lives of the American people. If confirmed, I commit to fostering an inclusive workplace throughout the Department so that every employee's contribution is valued. If confirmed, I will hold our senior leadership accountable for the conduct of their teams and for perpetuating an environment where each individual is heard and seen.

Question. What steps will you take to ensure each of the supervisors at the Department of State is fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will ensure that my team upholds the values of diversity, inclusion, and mutual respect by setting that example myself and cultivating an environment where every contribution is valued and considered, regardless of differences in race, gender, ethnicity, or other attributes. I will ensure my team takes the proper training to cultivate an office environment that creates opportunity for dialogue and for innovation across diverse backgrounds. If confirmed, I will hold my leadership accountable and will work with the Department's new Chief Diversity and Inclusion officer to ensure our administrative and foreign policies support the values of diversity and inclusion.

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

Answer. My spouse's and my investment portfolio includes mutual funds that may hold interests in companies with an international presence, but these mutual funds are exempt from conflict of interest laws. I am committed to following all applicable ethics laws and regulations and remaining vigilant with regard to my ethics obligations. I will divest any investments the State Department Ethics Office deems necessary to avoid a conflict of interest.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR MARCO RUBIO

Question. Do you agree that Iran is the world's leading exporter and supporter of terrorism?

Answer. Iran remains the foremost state sponsor of terrorism. Its support for terrorism threatens international security, our forces, diplomatic personnel, and partners in the region and elsewhere. The administration is committed to countering any Iranian threat to our personnel and our vital interests and will respond to any such threat using all appropriate means.

Question. Do you believe that the United States should trust the world's leading exporter of terrorism to honor any international agreements?

Answer. The administration is ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the Joint Comprehensive Plan of Action (JCPOA). The JCPOA does not rely on trust; it provides the most intrusive nuclear verification and monitoring procedures ever negotiated. Diplomacy is a tool; it is not a reward or concession. It is a means to advance U.S. interests. I remain clear-eyed about the threat Iran poses to us and our allies.

Question. What policies will you be pressing for to address Iran's non-nuclear threats?

Answer. The administration is ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the Joint Comprehensive Plan of Action (JCPOA) and then use that as a platform to build a longer and stronger deal and also address other areas of concern. The administration also intends to pursue full implementation of relevant U.N. Security Council resolutions involving Iran.

Question. Regarding "compliance for compliance" with the Iranians, can you commit today that you will not be counseling the administration to take the first step or dilute its existing leverage vis-a-vis the Iranians amid this process? Could you please explain to us how you define compliance by the Iranians with the JCPOA?

Answer. The administration is ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the Joint Comprehensive Plan of Action (JCPOA) as a starting point for follow-on negotiations. There are many steps in the process to getting there that we will need to evaluate. If confirmed, I am committed to consulting with Congress and our allies on the path forward.

Question. Do you believe that for any Iran policy to be sustainable, it needs to have bipartisan support?

Answer. The administration agrees that a bipartisan approach to Iran is the strongest way to safeguard U.S. interests for the long term, and if confirmed I will work to engage with Congress on this and other issues. As the Biden-Harris administration develops its Iran policy, it is committed to consulting closely and regularly with Congress, as well as U.S. allies and regional partners, to listen to their ideas and concerns.

Question. Do you believe that the Iran's Islamic Revolutionary Guard Corps (IRGC) is a terrorist organization?

Answer. The Iran Islamic Revolutionary Guard Corps (IRGC) is designated as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act and it is a Specially Designated Global Terrorist under Executive Order 13224. I believe Iran remains a state sponsor of terrorism and that, as the IRGC branch focused on extraterritorial activities, the IRGC-Quds Force has been directly involved in planning, directing, and supporting terrorist acts outside of Iran. Iran's support for terrorism threatens U.S. forces, diplomatic personnel, and partners in the region and elsewhere. The administration is committed to countering any Iranian threat to our forces, personnel, and our vital interests, and will respond to any such threat using all appropriate means.

Question. Are you committed to strict enforcement of sanctions against the IRGC and its subsidiaries and affiliates?

Answer. The Biden-Harris administration is committed to countering Iran's destabilizing activities, including its ballistic missile program and support for terrorist groups and violent proxies in the region. The Biden-Harris administration will continue to maintain and impose sanctions on Iranian entities and individuals supporting terrorist activity or responsible for serious human rights abuses, and will work with our allies promote accountability for those involved.

Question. During your nominations hearing before the Senate Foreign Relations Committee on March 3, 2021, you acknowledged that you met with officials of the Iranian regime—a regime that is a U.S.-designated State Sponsor of Terrorism—during your time out of government since 2017. You also stated that you coordinated directly with Under Secretary for Political Affairs Ambassador David Hale concerning your interactions with Iranian regime officials.

- Did you also coordinate directly with any of the following senior U.S. State Department officials who handled Iran in their portfolio: Assistant Secretary of State for Near Eastern Affairs David Schenker, Special Representative for Iran Brian Hook, Special Representative for Iran Elliott Abrams, Deputy Secretary of State Stephen Biegun, or Secretary of State Michael Pompeo?
- If yes, please identify dates of consultation? If not, why not?

Answer. I did not engage with any of the named individuals beyond Undersecretary for Political Affairs David Hale.

Question. Besides in-person meetings, have you otherwise been in contact with any Iranian regime officials, including via e-mail, text exchange, or secure messaging platforms, between January 20, 2017, and today? If yes, please identify dates of contact and the text of the exchanges.

Answer. To the best of my recollection, since January 2017 I have not had additional contact with Iranian officials beyond the meetings discussed, other than to arrange logistical details for those in-person meetings. I do not have records of those exchanges.

Question. Do you agree that a credible option to use military force is an important component of U.S. policy to prevent Iran from obtaining nuclear weapons and to deter Iran's regional ambitions?

Answer. Should Iran threaten U.S. personnel, the United States will respond in a way that is calculated, on our timetable, consistent with all applicable domestic and international law, and using a mix of tools seen and unseen.

Question. Do you believe there were gaps in the JCPOA that must be addressed to truly stop Iran from ever acquiring a nuclear weapon?

Answer. As a non-nuclear-weapon state party to the Nuclear Non-Proliferation Treaty (NPT), Iran is obligated not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Under the JCPOA, Iran reaffirmed that under no circumstances would it ever seek, develop, or acquire any nuclear weapons and committed to a series of limits on its nuclear activities that would verifiably block any path to producing nuclear material for weapons for their duration. The Biden-Harris administration has made clear it is committed to ensuring that Iran never acquires a nuclear weapon.

Question. You have previously stated that the JCPOA provided the most comprehensive inspection regime ever negotiated. But in 2018, Israel revealed Iran's nuclear archive—which was unknown to the IAEA. Do you agree Iran lied to the IAEA about the possible military dimension (PMD) of its nuclear program?

Answer. The IAEA has made clear that it takes no information provided by Iran on its nuclear program at face value. The IAEA has previously reported that it found evidence of possible military dimensions of Iran's program to be credible, and that a "range of activities relevant to the development of a nuclear explosive device were conducted in Iran prior to the end of 2003 as a coordinated effort, and some activities took place after 2003." The administration will not take Iran at its word regarding assertions about its nuclear program, and fully supports the IAEA as it uses its verification authorities to investigate any indication of undeclared nuclear material or activities in Iran.

Question. Can you describe your understanding of the regime's financial system with respect to terrorism finance, money laundering, corruption, and other illicit activity? Did the JCPOA change this behavior?

Answer. Iran remains the foremost state sponsor of terrorism. Its support for terrorism threatens our forces and partners in the region. President Biden is committed to countering Iran's destabilizing activities, including its ballistic missile program and support for terrorist groups and violent proxies in the region. The United States and our partners negotiated a deal that verifiably prevented Iran from acquiring a nuclear weapon and subjected it to the most intrusive inspection regime ever negotiated. It was working. The President has made clear that the United States will be prepared to resume participation in the deal if Iran resumes strict compliance, as a starting point for follow-on negotiations to lengthen and strengthen these nuclear constraints, and address other issues of concern, including Iran's ballistic missile program and its destabilizing regional activity.

Question. Do you agree that the Iran Nuclear Agreement Review Act of 2015 (INARA) is permanent law and is binding on the Biden administration?

Answer. The Iran Nuclear Agreement Review Act (INARA) is binding law. I understand that the Biden-Harris administration is committed to implementing the requirements of INARA.

Question. Do you agree that because INARA requires any agreement with Iran relating to the nuclear program of Iran to be submitted to Congress for review “regardless of the form it takes”, “whether a political commitment or otherwise”, and “regardless of whether it is legally binding or not”, that any informal agreement, including even an unwritten oral understanding, reached about how the United States and Iran will return to compliance with the JCPOA, or move in the direction of returning to compliance with the JCPOA, must be submitted to Congress for review pursuant to INARA?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under the Iran Nuclear Agreement Review Act (INARA). The JCPOA was submitted under INARA in 2015 and underwent close Congressional and public scrutiny. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied, including with respect to the transmission requirement.

Question. Do you agree that prior to and during the period for transmission of an agreement to Congress for review pursuant to INARA, and during the period for congressional review provided in INARA, “the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement” required to be transmitted to Congress for review pursuant to INARA?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under the Iran Nuclear Agreement Review Act (INARA). The JCPOA was submitted under INARA in 2015 and underwent close Congressional and public scrutiny. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied, including with respect to the transmission requirement.

Question. Do you agree that the sanctions that may not be waived, suspended or otherwise obviated under the circumstances described in the preceding question include sanctions that may have been waived, suspended or otherwise obviated pursuant to the JCPOA following congressional review of that agreement pursuant to INARA, but which were subsequently re-imposed by the United States Government?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). I understand that the Biden-Harris administration is committed to implementing the requirements of INARA and if confirmed, I am committed to ensuring that the requirements of INARA are satisfied, including with respect to limitations during any congressional review period.

Question. Are you personally committed to upholding the spirit of INARA’s restrictions on sanctions relief for Iran referred to in the preceding two questions by not seeking to extend sanctions relief to Iran in circumvention of those restrictions?

Answer. I am aware that the Iran Nuclear Agreement Review Act (INARA) contains certain limitations on sanctions relief during the congressional review period. I understand that the Biden-Harris administration is committed to implementing the requirements of INARA. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied.

Question. Are you personally committed to ensuring that Congress will be able to review pursuant to INARA any agreement that is hereafter reached with Iran relating to the nuclear program of Iran, irrespective of the level of formality or politically or legally binding nature of such agreement, to include any agreement providing for return to compliance with the JCPOA, as well as any agreement that amends, augments, or supersedes the JCPOA?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran’s nuclear program as called for under Iran Nuclear Agreement Review Act (INARA) and to ensuring that the requirements of INARA are satisfied, including its transmission requirement.

Question. Do you agree that INARA requires the President to “keep the appropriate congressional committees and leadership fully and currently informed of any initiative or negotiations with Iran relating to Iran’s nuclear program, including any new or amended agreement”?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I commit to consulting fully with Congress on any agreement relating to Iran's nuclear program as called for under INARA.

Question. Are you personally committed to keeping the appropriate congressional committees and leadership fully and currently informed of any initiative or negotiations with Iran relating to Iran's nuclear program, including any new or amended agreement?

Answer. If confirmed, I commit to consulting fully with Congress on any agreement relating to Iran's nuclear program as called for under INARA.

Question. Do you agree that INARA requires the President to submit a report to Congress not less frequently than every 180 calendar days "on Iran's nuclear program and the compliance of Iran with the [JCPOA] during the period covered by the report"?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under INARA, and to ensuring that the requirements of INARA are satisfied, including its reporting requirements.

Question. Do you agree that INARA requires the President to make a determination and certification to the appropriate congressional committees and leadership not less than every 90 calendar days regarding Iran's compliance with the JCPOA?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under INARA, and to ensuring that the requirements of INARA are satisfied, including the requirement to determine whether to make the certification called for in Section 135(d)(6).

Question. Do you agree that, should any new agreement or agreements be reached with Iran relating to the nuclear program of Iran, INARA will require the President to submit a report to Congress not less frequently than every 180 calendar days "on Iran's nuclear program and the compliance of Iran with [each such new agreement] during the period covered by the report"?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under INARA, and to ensuring that the requirements of INARA are satisfied, including its semi-annual reporting requirements.

Question. Do you agree that, should any new agreement or agreements be reached with Iran relating to the nuclear program of Iran, INARA will require the President to make a determination and certification to the appropriate congressional committees and leadership not less than every 90 calendar days regarding Iran's compliance with each such new agreement?

Answer. I am aware of reporting and certification requirements of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program, as called for under INARA, and to ensuring the requirements of INARA are satisfied, including the requirement to determine whether to make the certification called for in Section 135(d)(6).

Question. Do you agree that the Biden administration will be required under INARA to resume submitting reports and certifications to Congress that are mandated under INARA should the administration announce that the United States has returned to the JCPOA, or is returning to the JCPOA?

Answer. I am aware of the reporting and certification requirements of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program, as called for under INARA, and to ensuring that the requirements of INARA are satisfied, including its reporting requirements.

Question. If you agree that the Biden administration will be required under INARA to resume submitting such reports and certifications to Congress should it announce that the United States has returned to the JCPOA, or is returning to the JCPOA, on what date will the first such report be due, and on what date will the first such certification be due? If you are not able at this time to specify the dates on which such reports and certifications will be due, please specify the method or formula you will use to calculate the respective due dates.

Answer. I am aware of the reporting and certification requirements of the Iran Nuclear Agreement Review Act (INARA). The United States has not announced it has returned to the JCPOA, and I am not able to specify dates for potential future reporting requirements. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program, as called for under INARA, and to ensuring that the requirements of INARA are satisfied, including meeting its reporting requirements in a timely manner.

Question. Can you assure the committee that there are no circumstances under which the Biden administration will not abide by the understandings about compliance with INARA spelled out in your responses to the foregoing questions?

Answer. I understand that the Biden-Harris administration is committed to implementing the requirements of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to ensuring that the requirements of INARA are satisfied.

Question. Do you agree that U.S. policy in the region is best advanced when working closely with our ally Israel?

Answer. President Biden has been one of Israel's strongest supporters over the last fifty years. The U.S.-Israel relationship is deeply personal to him and he has met and worked closely with every Israeli Prime Minister since Golda Meir. The President believes the ties between our two countries, rooted in strategic interests and shared values, should transcend domestic politics. In this vein, his administration will not only further strengthen the U.S.-Israel relationship, but also ensure that it enjoys bipartisan backing. If confirmed, I will support the administration's goals to work closely with Israel, to include building on normalization agreements to strengthen cooperation between Israel and its neighbors.

Question. Do you believe Israel is and should always remain a Jewish State?

Answer. President Biden supports Israel's future as a Jewish and democratic state. He continues to believe the two-state solution is the best way to ensure that Israel remains both Jewish and democratic. If confirmed, I will support the Biden-Harris administration's efforts to restore credible U.S. engagement on the Israeli-Palestinian conflict and look for opportunities for the type of diplomatic progress that can protect Israel's long-term security.

Question. Do you agree with United States policy (and law) that Jerusalem is the capital of Israel?

Answer. This administration recognizes that Jerusalem is central to the national visions of both Israelis and Palestinians. Jerusalem is the capital of Israel and its ultimate status is a final status issue, which will need to be resolved by the parties in the context of direct negotiations. The administration will handle all issues related to Jerusalem with the care and sensitivity that they deserve.

Question. Do you agree the United States Embassy in Israel should remain in Jerusalem?

Answer. The U.S. position is that our embassy will remain in Jerusalem, which we recognize as Israel's capital. The ultimate status of Jerusalem is a final status issue, which will need to be resolved by the parties in the context of direct negotiations.

Question. Do you support full funding for United States security assistance to Israel as laid out in the current 10-year Memorandum of Understanding?

Answer. President Biden's commitment to Israel's security is ironclad. As you know, the President played an important role in helping to negotiate the 2016 Memorandum of Understanding (MOU) on security assistance, among the largest aid packages in U.S. history. If confirmed, I will support the administration's pledge to preserve the terms of the MOU without reservation.

Question. The MOU is a comprehensive agreement that outlined the terms and conditions of this assistance to Israel. If confirmed, will you oppose efforts to impose additional conditions or restrictions on this aid?

Answer. The administration will continue to uphold President Biden's strong commitment to Israel and its security. If confirmed, I will advance the administration's position that we oppose efforts to place additional conditions on U.S. military assistance to Israel.

Question. Do you support the United States' commitment to Israel's Qualitative Military Edge?

Answer. The United States is required by law to help preserve Israel's Qualitative Military Edge in the Middle East. If confirmed, I will champion President Biden's priorities related to Israel's security, including our commitment to maintain Israel's Qualitative Military Edge.

Question. If confirmed, will you make ensuring Israel's Qualitative Military Edge is maintained a priority?

Answer. President Biden's commitment to Israel's security is inviolable. If confirmed, I will support the administration's objective to continue U.S. military assistance to Israel and uphold Israel's Qualitative Military Edge, which is critical to ensuring Israel has the means to defend itself.

Question. Do you agree that the only way to reach a lasting solution to the Israeli-Palestinian conflict is through direct, bilateral negotiations between Israelis and Palestinians rather than one imposed by outside actors?

Answer. The United States is working toward a more peaceful, secure, and prosperous future for the people of the Middle East. As part of this, the United States seeks to advance the possibility of achieving a negotiated two-state solution, in which Israel lives in peace and security alongside a viable Palestinian state. If confirmed, I will support direct negotiations between the two parties to advance this goal. I will also support the administration's goals of working closely with Israel, engaging the Palestinians, and consulting with partners in the region who have a common interest in supporting efforts to advance lasting peace.

Question. Israel constantly faces terrorist attacks and threats—including rocket attacks by Hamas in Gaza and attacks from Iranian-backed groups in Lebanon and Syria. Do you fully support Israel's right to defend itself from terrorist attacks, including taking pre-emptive action to disrupt weapons shipments from Iran to its terrorist proxies?

Answer. President Biden's commitment to Israel's security is a key foreign policy tenet. The administration will continue U.S. military assistance to Israel and uphold Israel's Qualitative Military Edge, which is critical to ensuring Israel has the means to defend itself. The administration will take action, in coordination with our allies and partners, to both deter and counter Iran's destabilizing activities. There should be no doubt that the President has Israel's back. If confirmed, I will support the administration's goals regarding Israel's security.

Question. If confirmed, will you make it a priority to counter the global Boycott, Divestment, and Sanction (BDS) campaign against Israel? Will you work to expand Israel's inclusion in the international community and ensure our ally is treated as a normal nation?

Answer. President Biden, Secretary Blinken, and I firmly oppose the Boycott, Divestment, and Sanctions (BDS) campaign against Israel. This movement unfairly singles out Israel and too often veers into anti-Semitism. While the Biden-Harris administration will respect the American people's First Amendment rights, it will not hesitate to voice our disapproval of the BDS campaign or to fight efforts to delegitimize Israel on the world stage. The administration will work tirelessly to support Israel's further integration into the international community.

Question. The International Criminal Court over the last several years has taken actions potentially leading to the prosecution of American and Israeli nationals despite neither country being a member of the court. If confirmed, will you oppose and work to prevent ICC prosecutions of Americans or Israelis?

Answer. The United States shares the goals of the ICC in promoting accountability, respect for human rights, and justice for victims of atrocities. However, the United States has always objected to any attempt by the ICC to investigate U.S. personnel, as the United States is not a State Party to the Rome Statute. If confirmed, I will work to protect U.S. personnel from legal jeopardy before the ICC. I share the administration's serious concerns about the ICC's attempts to exercise jurisdiction over Israeli personnel. Israel is not a State Party, and Palestine is not a State.

Question. Hezbollah's arsenal, particularly its precision guided munitions (PGM), represents a clear threat to U.S. and allied forces across the Middle East. If confirmed, what specific actions will you recommend the U.S. take to address the PGM threat from Hezbollah?

Answer. If confirmed, I will work to ensure the United States uses all the tools at its disposal to push back on Hizballah's terrorist and illicit activities. Hizballah's actions threaten regional stability, as well as Lebanon's security, stability, and sov-

ereignty. Hizballah's actions demonstrate it is more interested in advancing its own interests than those of the Lebanese people. If confirmed, I will also consult closely with Israel on how to address threats to regional security and stability.

Question. What actions will you take to press all our European allies and the United Nations to designate Hezbollah in its entirety as a terrorist entity?

Answer. Hizballah has been designated by the State Department as a Foreign Terrorist Organization since 1997 and a Specially Designated Global Terrorist since 2001. The Department remains concerned about Hizballah's terrorist and illicit activities around the world and its destabilizing actions in Lebanon. If confirmed, I will continue to advance our long-standing diplomatic efforts to press countries and the European Union to fully designate, ban, or restrict Hizballah from operating in their territory. Thirteen governments around the world, including in Europe, took significant domestic action along these lines against Hizballah in recent years. The administration will encourage others to follow suit.

Question. If confirmed, will you work to ensure that the U.S. continues support for the Kurds of Syria during the Biden administration?

Answer. I am committed to supporting our local partners, the Syrian Democratic Forces. They cannot continue to root out ISIS terrorists or guard the tens of thousands of ISIS detainees and families who are still in their custody without U.S. support. If confirmed, I will also support renewed U.S. efforts to stabilize areas of northeast Syria liberated from ISIS, to include an ongoing Syrian Intra-Kurdish Dialogue, which aims to de-escalate tensions with the Syrian opposition and advance more inclusive governance in northeast Syria.

Question. In a July 2020 piece in Foreign Policy titled "The Total Destruction of U.S. Foreign Policy Under Trump", you criticized the Trump administration for having "made no effort to find areas of cooperation with China, such as climate change." Should cooperation or competition be the dominant U.S. policy approach to Beijing?

Answer. As Secretary Blinken has said, "our relationship with China will be competitive when it should be, collaborative when it can be, and adversarial when it must be. The common denominator is the need to engage China from a position of strength." China has been growing more authoritarian at home and more assertive abroad. Beijing is now challenging our security, prosperity, and values in significant ways that require a new U.S. approach. If confirmed, I will be committed to meeting this challenge.

Question. If you seek to cooperate with the PRC, do you believe that the Chinese Communist Party will cooperate in good-faith?

Answer. The Biden-Harris administration approaches China through the lens of strategic competition and recognizes there are adversarial and cooperative aspects to the U.S.-China relationship. The administration is willing to test whether China is willing to play a constructive role on certain issues but will be clear-eyed about China's intentions. China's failure to act consistently with its international obligations and commitments will significantly factor into how the U.S. approaches China on issues where our interests may align. If confirmed, I will keep these past shortcomings in mind in future dealings with Beijing and will consult with Congress on any potential areas of cooperation.

Question. Can you name bilateral agreements between the United States and the PRC that Beijing has honored in full and without later renegeing? How do you plan to ensure that Beijing fulfills its part of any agreement on climate change given its long record of broken promises?

Answer. China poses the most significant challenge of any nation-state to the interests of the American people. The Biden-Harris administration is committed to working closely with our allies and partners to press China to act more constructively. If confirmed, I will be unflinching in our diplomacy with China on climate change. Given Beijing's track record of failing to honor its international obligations, the United States will keep eyes wide open and not limit its options in addressing the China challenge just because Beijing makes offers of cooperation. The administration will judge Beijing by its actions, not its words.

Question. Does China have more or fewer coal-fired power plants today than in 2016?

Answer. China has more coal-fired power plants now than it did in 2016. China currently has approximately 1,005 gigawatts (GW) of installed coal power generation capacity, which is roughly half of the world's total. According to the Center for Research on Energy and Clean Air, China also accounts for 41 percent of planned

coal-power construction, approximately 200 GW over the next five to ten years. Although China has made efforts to decommission old coal plants and curtail future builds, it has continued to expand its coal-fired power fleet and added a net 36.8 GW and 29.8 GW of coal-fired generation capacity in 2019 and 2020, respectively. Media report that, in 2020, alone China built more than three times the amount built elsewhere around the world.

Question. If confirmed, how will the State Department, under your leadership, push for international transparency and accountability to ensure we learn what caused the COVID-19 pandemic and how to prevent the next pandemic?

Answer. The Biden-Harris administration recognizes COVID-19 is a global challenge that requires a global response and will engage globally to respond to and recover from COVID-19, as well as to prepare for the next threat. The administration will work with allies and partners to strengthen and reform the WHO, push for a transparent investigation into the emergence and spread of COVID-19 to better prepare for future outbreaks, and support multilateral efforts to end the COVID-19 pandemic. The commitment to combat COVID-19, promote public health, and advance global health security, as embodied in National Security Memorandum-1, will save lives, foster economic recovery, and build better resilience against future biological threats.

Question. If confirmed, do you commit that the State Department will follow up on the Department's January 2021 disclosure of new information on activities at the Wuhan Institute of Virology? Will you commit to sharing with Congress—and with the public as appropriate—further details on the disclosures including the names of the Wuhan Institute of Virology researchers who were sick in the fall of 2019?

Answer. The Biden-Harris administration has made clear it supports a robust and transparent investigation into the origins of the COVID-19 pandemic. An impartial public health investigation into the origins and early spread of any novel outbreak is vital to protecting against future health security threats. The administration will review all information available to us about the origins of SARS-COV-2. It is imperative to have transparency on the early events of the pandemic and determine how COVID-19 spread, so future emergence events with pandemic potential can be averted. If confirmed, I commit to follow up—with Congress and with the public—on disclosures of new information and relevant diplomatic reporting.

Question. If confirmed, will you support the suspension of U.S. funding to research institutions in China engaged in virological studies, including the Wuhan Institute of Virology and all branches of the PRC Center for Disease Control and Prevention, and discontinue all joint research projects involving Chinese scientists and U.S. scientists that receive funding from the U.S. taxpayers so long as none of this impacts U.S. national security, until PRC authorities allow a credible and unfettered international investigation into the origin of SARS-COV-2?

Answer. If confirmed, I am committed to reviewing the current policy and funding priorities for any programs the Department may have for joint research projects with China.

Question. On April 3, 2020, you signed a statement entitled “Saving Lives in America, China, and Around the World,” which read in part: “No effort against the coronavirus—whether to save American lives at home or combat the disease abroad—will be successful without some degree of cooperation between the United States and China. China’s factories can make the protective gear and medicines needed to fight the virus; its medical personnel can share their valuable clinical experience in treating it; and its scientists can work with ours to develop the vaccine urgently needed to vanquish it.” Do you still believe today that the same regime that infected the world with this deadly virus, and then lied to cover it up, can really be part of the solution?

Answer. Promoting global health is in China’s interests as well as ours. It is not a favor to be bargained for, but a challenge best addressed with China’s cooperation. The Biden-Harris administration will test whether China is willing to play a constructive role on certain issues where we may share interests, such as global health, but will be clear-eyed about Chinese intentions. The administration will not trade off U.S. core interests or values in discussions with China or any other country.

Question. How would you characterize the nature of the Chinese Communist Party? Do you believe their worldview and value system are compatible with our own?

Answer. The Chinese Communist Party is illiberal, authoritarian, and increasingly aggressive. Under the Biden-Harris administration, the United States will ad-

vance an alternative world view that promotes democratic governance and transparency.

Question. What are the ambitions of the Chinese Communist Party? Are they purely domestic in scope? Regional? Global? If global, how do they challenge U.S. interests?

Answer. The People's Republic of China (PRC) seeks to expand its domestic, regional, and global influence and drive wedges between the United States and our partners and allies. The PRC's coercive economic activity and aggressive acquisition of critical technologies through licit and illicit means—coupled with a corresponding expansion of its military footprint and collection capabilities—seek to expand Chinese influence around the globe. These actions pose a threat to U.S. interests and undermine our own military, diplomatic, and economic influence. If confirmed, I will work with the Department of Defense, other national security agencies, and Congress to address this challenge.

Question. In what areas do you think the United States should try to frustrate the CCP's ambitions and undermine the party's ability to achieve their international ambitions?

Answer. The United States is committed to working with our allies and partners to counter China's malign actions around the world. The U.S. should engage in international institutions and make the necessary investments in our military to ensure we can deter any aggression. Economically, we can and must out-compete China, including by preventing U.S. intellectual property and technology from being used in ways that could undermine our competitiveness and security. If confirmed, I will work closely with our allies and partners to confront the challenges posed by China from a position of strength.

Question. Do you believe that the Chinese Communist Party's united front and intelligence activities inside the borders of the United States, as well as inside the borders of our allies and partners, challenge the integrity of our policymaking? Why?

Answer. It is important that we bring greater transparency to bear on malign People's Republic of China influence activities in the United States. China's use of information operations and other coercive and corrupting efforts to undermine and interfere in democracies poses a threat to the United States and our allies and partners. If confirmed, I will push back on Beijing's attempts to write the rules of the information age by working with allies and likeminded partners to support an affirmative, democratic vision for the global information space, while building resilience against these threats and exposing China's malign activity. Further, if confirmed, I will also work to educate important U.S. constituencies, including state and local governments, on these threats.

Question. Do you agree that the goal of the Chinese Communist Party is not merely to make China stronger and more developed, but rather for China to ultimately supplant the United States as the world's dominant economic, political, and military power?

Answer. The Chinese Communist Party (CCP) intends for the People's Republic of China, which is growing increasingly illiberal, authoritarian, and aggressive, to become a dominant world power. Its values are often at odds with our own. The administration is committed to working with our partners and allies to address the challenges the CCP poses to democratic values from a position of strength. The Department will communicate this clearly and directly in our public diplomacy efforts. The Department will confront the CCP's growing authoritarianism and escalating efforts to divide and manipulate others and write the rules of the information age. It will work with allies and partners to define an affirmative, democratic vision for the world.

Question. Is Xi Jinping's "Community of Common Destiny for Humanity" compatible with your views of the international order and the ways in which countries conduct diplomacy? If not, why not?

Answer. China seeks to make America and its allies more dependent on China and erode the international system that has provided peace and stability since the end of World War II. Xi's "Community of Common Destiny for Humanity" policy framework is no exception. If confirmed, I will prioritize renewed engagement with our allies and partners. I will rally their support to push back against China, including its attempts to reshape the international order and assert a set of values inconsistent with our own.

Question. How would you assess the United States' policy of engagement with Beijing from 1979 to 2017? In retrospect, did that policy effectively protect and advance of our most vital national interests? Do you support a return to that policy?

Answer. The strategic environment has changed significantly in recent years, as has China itself. While there was once a broad consensus that economic liberalization in China would lead to political liberalization, that has not happened. China has grown more authoritarian at home and more assertive abroad. The CCP is illiberal, authoritarian, and intends for China to become a dominant world power. Beijing is working across the spectrum to compete with and challenge the United States. This necessitates a new U.S. approach. If confirmed, I will commit to addressing China from a position of strength in coordination with allies and partners.

Question. Please explain how you believe the United States should act to defend our national interests when challenged by the Chinese authorities, even if our allies and partners are reluctant to join us.

Answer. The most effective way to defend our national interests when challenged by Chinese authorities is to build positions of strength with U.S. allies and partners. On its own, the United States represents about a quarter of global GDP. When we join with fellow democracies that share more than doubles. China cannot afford to ignore more than half the global economy. When it is in the United States' interest to act on our own, we will do so. It is essential to confront directly China's economic abuses, defend our values, and protect the long-term prosperity and security of the United States.

Question. While multilateral efforts are preferable, do you support unilateral action to counter China's malign activities if diplomatic efforts to secure multilateral action should fail?

Answer. The challenges that China poses to our security, prosperity, and values, and how we conduct this competition in coordination with our allies and partners, will be crucial for defining the 21st century. PRC actions hurt American workers, blunt our technological edge, threaten our alliances, and undermine international organizations. If confirmed, I will work with partners and allies to counter Beijing's aggressive and coercive actions, sustain our military and economic advantages, and defend our democratic values from a position of strength. However, when it is in the United States' interest to act on our own, we should do so.

Question. If confirmed, in future dialogue with Beijing, will you press for meaningful progress as a precondition for further rounds of dialogue? Do you commit to supporting the administration and Secretary in raising issues that Beijing deems "sensitive"—such as human rights, Taiwan, Hong Kong, Tibet, and the Uyghurs—regardless of whether doing so may affect the CCP's willingness to engage in further dialogue?

Answer. If confirmed, I will stand up for our values when human rights are being abused in Xinjiang and Tibet—or elsewhere in China—or when autonomy is being assaulted in Hong Kong. The administration is willing to test whether the Chinese government is willing to play a constructive role on certain issues but will be clear-eyed about U.S. interests. The People's Republic of China's (PRC) failure to uphold its international commitments will significantly factor into how we develop our approach to the PRC. If confirmed, I will keep these past shortcomings in mind in future dealings with Beijing. The Biden-Harris administration will put our democratic values at the center of our foreign policy and stand up for democracy, human rights, and human dignity.

Question. Do you support the Trump administration's designation of the National Association for China's Peaceful Unification as a foreign mission of the PRC? What steps will you take to ensure other such front organizations are properly designated, and to inform relevant stakeholders within the U.S.—including state and local governments, universities, and business associations—of the nature and mission of such front organizations?

Answer. China's use of coercive and corrupting tools of influence to undermine and interfere in democracies is a concern for the United States and our allies and partners around the world. The Biden-Harris administration will take action to counter this malign Chinese influence, including by increasing transparency and accountability. The administration will work with our allies and likeminded partners to build resilience against these threats, to expose China's malign activity and, when appropriate, to impose costs. The administration will also work with important U.S. constituencies, including state and local governments and academic institutions, to address these threats.

Question. Do you support the Trump administration's reciprocity requirements that PRC diplomats report certain categories of meetings to the U.S. government, including meetings with educational institutions and Chinese community groups?

Answer. The United States seeks for our diplomats in China the same open access PRC officials enjoy in the United States. For years, Beijing has systematically obstructed access by U.S. officials. The administration will use all the tools at our disposal to achieve reciprocal access for our diplomats in China.

Question. If confirmed, do you commit to ensuring that human rights concerns are integrated in every senior bilateral engagement, and that specific prisoner cases are raised at the highest levels, both publicly and privately, with the PRC?

Answer. If confirmed, I will put our democratic values at the center of our foreign policy and stand up for democracy, human rights, and human dignity. Effective diplomacy on human rights issues requires not only general statements but also targeted engagement on specific cases. If confirmed, I will integrate advocacy on specific cases into our human rights diplomacy.

Question. Do you see the link between China's pervasive, egregious human rights abuses and its failure on so many other fronts to be a responsible global actor?

Answer. The People's Republic of China seeks international acceptance of its authoritarian alternative to the rules-based international system that has been the mainstay of global security and prosperity over the course of decades. At the same time, Beijing denies or obfuscates that it has an alarming record of violations and abuses of international human rights. If confirmed, I will work with the Department to challenge authoritarian governance and stand up for the human rights of all individuals, including by calling on PRC authorities to respect human rights and fundamental freedoms consistent with China's international obligations and commitments.

Question. In December 2018, Chinese authorities detained Pastor Wang Yi of the Autumn Rain Covenant Church in Chengdu, and one year later, sentenced him to nine years in prison for refusing to accept the CCP controls of his congregation described above. If confirmed, will you agree to raise Pastor Wang's case with leaders in Beijing and advocate for his immediate and unconditional release until they do so?

Answer. I share your concerns regarding the deterioration of freedom of religion and belief in the People's Republic of China (PRC). Religious leaders are at particular risk of PRC repression and are pressured to join state-run religious organizations, as we have seen in the cases of Buddhist lamas, Muslim imams, Protestant pastors, and Catholic bishops and priests. Pastor Wang Yi is no exception and, if confirmed, I will continue the Department's advocacy for his release. Effective diplomatic engagement on human rights issues requires not only general statements but also engagement on specific cases. If confirmed, I will advocate on specific human rights cases.

Question. Former Secretary of State Pompeo rightly determined that the People's Republic of China is committing genocide and crimes against humanity in Xinjiang against Uyghurs and other Muslim minorities. Secretary Blinken agreed with this determination. Do you concur with former Secretary Pompeo and Secretary Blinken?

Answer. Yes. The People's Republic of China (PRC) has committed crimes against humanity and genocide in Xinjiang. Uyghurs, who are predominantly Muslim, and members of other ethnic and religious minority groups have suffered unspeakable oppression at the hands of China's authoritarian government. The PRC is engaged in atrocities that shock the conscience and must be met with serious consequences. If confirmed, I will speak out consistently with allies and partners to condemn these atrocities, and I will consider all appropriate tools to promote accountability for those responsible and to deter future abuses.

Question. If confirmed, will you work toward getting like-minded countries to join the United States in a genocide determination?

Answer. Secretary Blinken said in his judgment that the People's Republic of China (PRC) has committed genocide against Uyghurs, and I agree. The PRC also has committed crimes against humanity in Xinjiang against Uyghurs, who are predominantly Muslim, and members of other ethnic and religious minority groups, including imprisonment, torture, enforced sterilization, and persecution. The associated abuses in Xinjiang are particularly devastating to ethnic minority women and girls. These atrocities shock the conscience and must be met with serious consequences. If confirmed, I will speak out consistently and jointly with allies and

partners to condemn these atrocities and will consider all appropriate tools to promote accountability for those responsible and deter future abuses.

Question. Will you endorse the Rubio-McGovern Uyghur Forced Labor Prevention Act to prevent Beijing from profiting from its abuse of Uyghur and other persecuted groups' labor?

Answer. While I cannot comment on pending legislation, I can confirm that the Biden-Harris administration stands against forced labor and abuses targeting Uyghurs and other minority groups carried out by the People's Republic of China (PRC). If confirmed, I will work with international partners to promote accountability for the PRC's atrocities in Xinjiang, press for the immediate and unconditional release of all those arbitrarily detained, the abolition of the internment camps and an end to forced labor, as well as the cessation of all other human rights abuses in Xinjiang and elsewhere in China. In addition, if confirmed, I will support efforts across the government to limit the profits China gains from forced labor.

Question. Do you believe that the National Liberation Army (ELN) is a terrorist organization?

Answer. The National Liberation Army (ELN) is designated as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under Executive Order 13224.

Question. Do you believe that the Revolutionary Armed Forces of Colombia (FARC) is a terrorist organization?

Answer. The Revolutionary Armed Forces of Colombia is designated as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under Executive Order 13224.

Question. Cuba harbors terrorists groups like the ELN. Do you support keeping Cuba on the State Sponsors of Terrorism list?

Answer. The Biden-Harris administration has committed to carefully reviewing decisions made in the prior administration, including the decision to designate Cuba as a State Sponsor of Terrorism. The administration will also carefully review policy related to Cuba and will provide further information at the appropriate time. The administration does not discuss deliberations or potential deliberations regarding designations.

Question. The Cuban regime denies the Cuban people essential liberties such as free association, expression, belief, and access to information. How would you characterize the Cuban regime's human rights record?

Answer. Cuba has a poor human rights record. The Cuban government has increased its practice of arbitrary arrest and harassment of human rights defenders, journalists, and anyone who criticizes the government. If confirmed, I will follow through on the Biden-Harris administration's promise to ensure that democracy and human rights remain at the core of our policy efforts toward Cuba. The administration will engage directly with a large swath of Cuban civil society, with the goal of empowering the Cuban people to determine their own future. The administration will also engage directly the Cuban government to denounce abuses and push for reform.

Question. The Cuban military plays a large role in controlling the flow of money in the Cuban economy. They use this control to support the Cuban Communist Party and ensure regime survival. Do you support restricting financial transactions with the Cuban military as a way to promote freedom in Cuba?

Answer. The Cuban people face great hardship as they deal with the pandemic, economic upheaval caused by the country's recent monetary measures, and decades of living under an oppressive government that has failed to responsibly manage Cuba's economy. The administration has committed to carefully reviewing U.S.-Cuba policy, including our posture regarding economic sanctions on Cuba, to ensure they advance the administration's goal of empowering the Cuban people to determine their future. If confirmed, I will support the Department's review of the policy with an eye toward assessing its impact on the political and economic well-being of the Cuban people, and I look forward to consulting with Congress on this issue.

Question. Do you agree that Americans should be compensated for property that was confiscated by the Castro regime?

Answer. Many Americans waited decades for compensation due to the Cuban government's confiscation of their or their family's property. The Department will explore the best ways to support claimants and resolve outstanding claims. The ad-

ministration committed to carefully reviewing U.S.-Cuba policy, including the best way to advance U.S. nationals' claims against the Cuban government. The administration recognizes the varied views in Congress, and if confirmed, I look forward to consulting with Congress in developing a path forward.

Question. Do you agree with Secretary Pompeo's decision to no longer exercise the suspension authority in the LIBERTAD Act, which allows Americans to sue in U.S. courts, companies trafficking in their stolen properties?

Answer. The administration has committed to carefully reviewing U.S.-Cuba policy, including U.S. posture regarding the suspension authority in Title III of the LIBERTAD Act. I understand that the administration is exploring ways to best support U.S. nationals' claims. If confirmed, I look forward to consulting with Congress on this issue.

Question. Do you agree we should maintain strong sanctions against Cuba and Venezuela as the Cuban regime provides intelligence and other vital support to the Maduro regime in Caracas in exchange for subsidized or free oil?

Answer. The United States should maintain strong sanctions targeting the illegitimate Maduro regime and its enablers, including those complicit in human rights abuses and corruptly siphoning wealth and resources from the Venezuelan people. The administration is also committed to taking all appropriate steps to prevent our sanctions from impacting humanitarian access and delivery.

Question. Do you support Interim President Juan Guaido in the pursuit of the restoration of democracy in Venezuela?

Answer. The Biden-Harris administration continues to recognize Juan Guaido as the interim President of Venezuela. If confirmed, I will press for the restoration of democracy in Venezuela through holding of free and fair elections.

Question. Do you support democracy assistance to the Cuban people to promote democracy, civil society and human rights in Cuba pursuant to U.S. law?

Answer. Yes. If confirmed, I will follow through on the Biden-Harris administration's promise to ensure that the advancement of democracy and human rights remains at the core of our policy efforts toward Cuba. The Biden-Harris administration will engage directly with a large swath of Cuban civil society, with the goal of empowering the Cuban people to determine their own future. The administration will also engage with the Cuban government to denounce abuses and push for reform. I am committed to consulting closely with Congress about Cuba policy, if confirmed.

Question. The Helms amendment states, "No foreign assistance funds may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions." If confirmed, can you guarantee there will be a strict adherence to the Helms amendment in the administration of U.S. foreign assistance?

Answer. If confirmed, I will take the Helms Amendment and other legislative restrictions, including other restrictions related to abortion, very seriously and will work with partners to ensure compliance.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR JEANNE SHAHEEN

Question. March 15 will mark the 10th anniversary of the brutal crackdown by Syrian president Bashar al-Assad against peaceful protestors, resulting in a violent and protracted civil war. I am concerned that U.S. actions in Syria in the last four years have not reflected a robust decision-making process focused on supporting our allies and countering malign actors. Having visited our Kurdish partners in 2018, I have seen first-hand the value of an engaged U.S. policy on Syria. What actions are available for the United States to take now to improve the outcome in Syria?

Answer. The Biden-Harris administration's policy goals in Syria include achieving a comprehensive political resolution under the parameters of UNSCR 2254, ensuring the enduring defeat of ISIS, and promoting the provision of life-saving humanitarian aid to Syrians in need. The administration will use a variety of tools, across a coordinated whole-of-government approach, to push for a sustainable end to the Syrian people's suffering. Any political settlement must address the factors that drive violence and instability in Syria. Additionally, the humanitarian situation is

dire. If confirmed, I will work within the administration to do more to aid vulnerable Syrians displaced within Syria, as well as refugees who fled abroad.

Question. How should the U.S. balance Turkey, the Kurds and Russia in responding to the situation in Northeastern Syria?

Answer. Preventing an ISIS resurgence in Iraq and Syria demands revitalized U.S. engagement. The administration is committed to supporting our local partners, the Syrian Democratic Forces (SDF). The United States has shared interests with Turkey in countering terrorism and ending the conflict in Syria and understands Turkey's concerns about U.S. cooperation with the People's Protection Units (YPG) as part of the SDF in the Defeat-ISIS campaign, which we will continue to address. The administration will continue to consult with Turkey on Syria as it seeks areas for cooperation. The United States has always been open to dialogue with Russia on Syria, as long as the dialogue contributes to protecting civilians and to credibly moving forward on a political resolution to the conflict.

Question. I was pleased to see the Biden administration implementing a sanctions regime against those responsible for the poisoning of Russian opposition leader Aleksei Navalny and the continued construction on the Nord Stream 2 pipeline. On Nord Stream 2, what next steps should the administration take to stop the Nord Stream 2 pipeline?

Answer. The administration believes the Nord Stream 2 pipeline is a bad deal and a threat to European energy security, including Ukraine and other vulnerable partners. The administration welcomes Congress's interest and appreciates Congressional efforts to provide the tools needed to combat Russian aggressive actions. In a February 19 report to Congress, the Department identified Russia-based KVT-RUS as an entity knowingly selling, leasing, or providing the vessel FORTUNA for the construction of the Nord Stream 2 pipeline project, as required by PEESA, as amended. I understand that the Department will continue to inform companies about the risks of doing business with Nord Stream 2 and use all available tools to examine entities potentially involved in sanctionable activity, as outlined by CAATSA and PEESA, as amended. It will also continue its diplomatic engagement with key European partners and allies to outline our serious concerns regarding the project's geopolitical implications for Europe's energy security.

Question. How do you view the timeline for the administration to act to stop the pipeline? Is there a point after which our options to stop the pipeline are limited?

Answer. The administration's efforts to date aimed at stopping the pipeline, aided by the authorities granted by Congress, have significantly slowed the pipeline's pace of construction. It is of the utmost importance to maintain this high level of engagement and diplomatic pressure to prevent the pipeline's completion. If confirmed, I will ensure the Department of State maintains this high level of engagement and diplomatic pressure.

Question. What should next steps for broad, coherent U.S. policy response to Russian aggression look like? How are the Navalny sanctions part of a wider strategy to respond to and deter Russia?

Answer. President Biden has made clear that the United States will act firmly in defense of its national interests in response to actions by Russia that harm us or our allies. On March 2, the administration took action to impose costs on the Russian Federation for the poisoning, arrest, and imprisonment of Aleksey Navalny. The United States will continue to take action to counter Russia's malign actions and will comply with the legal obligations to impose a second round of sanctions under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991. As the administration works to advance U.S. interests, it will continue to hold Russia accountable for its destabilizing activity, disregard for international law, including its repeated use of chemical weapons in violation of the Chemical Weapons Convention, and human rights violations.

Question. What additional legal tools does the administration need to stop this pipeline?

Answer. I appreciate Congressional support to stop this pipeline. The administration has a number of sanctions tools at its disposal to stop Nord Stream 2, including the Protecting Europe's Energy Security Act (PEESA), as amended, Countering America's Adversaries Through Sanctions Act (CAATSA), and the International Emergency Economic Powers Act (IEEPA). As you know, PEESA and CAATSA Section 232 provide more specific tools targeting Russian energy export pipelines, which can be supplemented by IEEPA if needed. If confirmed, I will continue to work with the ample tools Congress has already provided. I will also work to maintain the high

level of engagement with companies and diplomatic pressure to bring an end to the pipeline's construction.

Question. How can the administration better amplify the concerns of our central and eastern European allies to persuade Danish and German authorities to stop the pipeline?

Answer. The administration has made clear to Germany and other European partners that Nord Stream 2 is not just a commercial deal. It views this project as a threat not only to Europe's energy security but also to strategic stability on the continent. The German and Danish authorities are aware of the U.S. position from frequent and high-level interaction and statements, and the administration will continue all such efforts. The United States will also continue to work with our allies and partners, including Germany, Denmark, Ukraine, Poland, and the Baltic states, to ensure Europe has a reliable, diversified energy supply that does not undermine collective security.

Question. From the administration's point of view, what aspects of the pipeline's construction are the most vulnerable to targeted sanctions that could stop the project?

Answer. To date, targeted outreach to Western insurers and certification, engineering, and construction firms, including companies providing pipe-laying vessels, have significantly affected the rate of the pipeline's construction with many entities winding down their operations and untold more refusing to engage with Nord Stream 2 AG given the risk of sanctions. The administration will continue to be clear that companies risk sanctions if they involve themselves in Nord Stream 2 construction and will continue to monitor companies involved in potentially sanctionable activities.

Question. Georgia has been on a dangerous backslide away from democracy for several years now. Recent developments, including the arrest and detention of Russian opposition leader Nika Melia, threats to further destabilize Georgia and the region. What policy responses are available to the United States? How should the U.S. work with European allies to develop an international consensus on Georgia?

Answer. If confirmed, I will continue to support the Georgian people's choice to pursue closer ties with the EU and NATO and, as Congress has done, voice strong U.S. support for Georgia's sovereignty and territorial integrity within its internationally recognized borders. In its messaging of support for Georgia's future in the context of recent developments, the Department has emphasized the importance of Georgian leaders and politicians modeling the values and norms of the Euro-Atlantic community they aspire to join. If confirmed, I look forward to working with Congress and European allies to help identify opportunities to support Georgia's democratic development, including reforms to foster judicial independence and a level electoral playing field, as well as anticorruption and pro-business reforms. U.S. assistance directly supports these goals. I am committed to ensuring U.S. assistance to Georgia advances U.S. policy objectives.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR ROB PORTMAN

Question. Last week I sent a letter cosigned by the other GOP ranking members of national security committees to provide our vision for a successful renegotiation with Iran over its nuclear program and its regional aggression. As you are probably aware, I was a vocal critic of the previous JCPOA and I believe that the Biden administration has a rare opportunity to fix the fatal flaws of the previous agreement.

Specifically, my colleagues and I would like to see that the nuclear issue and Tehran's regional aggression be addressed together. Iran remains the number one state sponsor of terror, and it would be a critical mistake to separate the two issues. Additionally, there should be no financial relief for Iran to meet their pre-conditions for diplomatic talks. This is a mistake that is often repeated time and again, not just in our negotiations with Iran, but with rogue regimes worldwide.

- If confirmed, do you commit to addressing Iran's nuclear program and regional aggression together in any future diplomatic negotiations, while opposing any such deal that includes one without the other? Do you agree to not grant concessions as a precondition to diplomatic talks?

Answer. The Biden-Harris administration agrees that we need to supplement the JCPOA if we want a deal that is sustainable. There are several issues the deal did

not address, including Iran's ballistic missile development, proliferation, and destabilizing regional activities. Iran also remains the foremost state sponsor of terrorism, threatening international security and U.S. forces, diplomatic personnel, and partners in the region and elsewhere. The administration is ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the JCPOA, and then use it as a platform to negotiate a longer, stronger nuclear deal, and other critical issues.

Question. Do you agree to not grant concessions as a precondition to diplomatic talks?

Answer. The Biden-Harris administration will not make decisions based on artificial Iranian deadlines. The President made clear he is committed to ensuring Iran never acquires a nuclear weapon, and the administration believes diplomacy, in coordination with our allies and regional partners, is the best path to achieve that goal. The administration is ready to engage in meaningful diplomacy to achieve a mutual return to compliance with the JCPOA and then use it as a platform to negotiate a longer, stronger nuclear deal and other areas of concern. Iran continues to exceed JCPOA limits on many fronts, so we are a long way from that point.

Question. Senator Cardin and I worked together to push back against the politically motivated global boycott, divestment, and sanctions movement unfairly targeting Israel. These efforts have achieved widespread bipartisan support in the Senate, and we look forward to working with your State Department to ensure that Israel is not unfairly targeted through these efforts.

- What is your view on the strategic US/Israel relationship and can we count on your support to oppose global BDS movements against Israel?

Answer. President Biden, Secretary Blinken, and I firmly oppose the Boycott, Divestment, and Sanctions (BDS) campaign against Israel. This movement unfairly singles out Israel and too often veers into anti-Semitism. While the Biden-Harris administration will respect the American people's First Amendment rights, the administration will not hesitate to voice our disapproval of the BDS campaign or to fight efforts to delegitimize Israel on the world stage.

Anti-Normalization laws in the Middle East

The Trump administration achieved major breakthroughs in Israel's relations with the Middle East. Senator Booker and I plan to re-introduce a bill called "Strengthening Reporting of Actions Taken Against the Normalization of Relations with Israel Act" to capitalize on this moment. This bill requires the Department of State to report instances of Arab government efforts to undermine people-to-people engagement with Israeli citizens and residents. I believe it is imperative that the normalization of formal relations between Arab governments and Israel is extended down to these countries' citizens.

- How crucial is it that instances of anti-normalization laws are documented publicly, and what further actions can the administration take to ensure that people are not punished for engaging with Israeli citizens?

Answer. The 2020 normalization agreements are an important contribution to peace and security in the Middle East. The Biden-Harris administration will seek to build on these efforts to expand the circle of peace between Israel and its neighbors, urging states and multilateral organizations with anti-normalization legislation or decrees to revoke them immediately so that negotiations can commence. The administration will also closely monitor the status of the existing agreements to encourage both sides to uphold their commitments to establish full diplomatic relations.

Question. Here in the Senate we have worked hard to provide the right framework for Ukrainian Security assistance-I am proud to have been a principle author of the Ukraine Security Assistance Initiative, a program that has provided the Ukrainians billions in military aid and training. Under the previous administration, we have provided increased amounts of lethal assistance, and I was glad to see in the NDAA that \$125 million is set aside for lethal assistance-all of this aid is appropriately tied to continued Ukrainian sector reforms, which I am glad to see President Zelensky is committed to.

- Can I get your commitment to continue the support of robust funding for USAI while supporting corruption and continued reforms in Ukraine?

Answer. If confirmed, I will work with Congress to provide robust security assistance to Ukraine, including lethal defensive weapons, and to support continued reforms in Ukraine. The Department will oversee the execution of \$115 million in Foreign Military Financing (FMF), \$3 million in International Military Education and

Training (IMET), and \$6 million in Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR) funds that Congress appropriated for Ukraine for FY 2021. Additionally, if confirmed, I will closely coordinate with the Department of Defense in the execution of \$275 million that Congress appropriated for the Ukraine Security Assistance Initiative (USAI) in FY 2021, including the process to certify that the Government of Ukraine has taken substantial actions to make defense institutional reforms before the final tranche of \$150 million in USAI funding is released.

Question. For two decades, the Chinese Government has systematically recruited U.S. researchers and sent Chinese military researchers to steal U.S. taxpayer-funded research and intellectual property at U.S. universities and institutes. This has led to the U.S. taxpayer unwittingly funding the rise of China's military and economy. This has to stop.

Last Congress, the Homeland Security and Government Affairs Committee passed Senator Carper's and I's Securing American Innovation Act. This bipartisan legislation will increase visibility on who is conducting our federally funded research, their potential conflicts of interest, and potentially problematic ties with our adversaries. More importantly, it will provide the State Department the authority to deny visas to foreign researchers whose problematic affiliations and access to export-controlled technologies through fundamental research raise national security concerns. We took a balanced approach with this bill. We need foreign researchers to work with our researchers here, but we need to take common-sense steps to prevent bad actors from coming to the United States.

- Do you agree that these new visa authorities are necessary, and how will they better protect taxpayer-funded research and intellectual property from foreign adversaries?

Answer. If confirmed, I will ensure the Department guards against the transfer of sensitive technology to foreign adversaries. The Department will implement existing visa ineligibility grounds targeting this activity. Presidential Proclamation 10043, issued in May 2020, suspends the entry of the People's Republic of China (PRC) nationals to study or conduct research if the applicant is affiliated with an identified PRC entity that implements or supports China's military-civil fusion strategy. The United States continues to welcome legitimate students and scholars from China and around the world and promote the United States for international science and technology talent critical to our research enterprise. If confirmed, I look forward to working with Congress on reviewing legislation to further State's work and role in these efforts.

International Criminal Court Mandate

Question. As you are aware, last year the appeals chamber of the ICC allowed a politically motivated investigation into alleged actions of US and allied personnel in Afghanistan to move forward. This court has no jurisdiction over the US as we are not a signatory to the Rome Statute. I was glad to see that the Trump administration responded with financial sanctions and the restriction of travel visas for foreign individuals assisting the ICC in this manner.

However, just last month, the ICC's Pre-Trial Chamber granted authorization for an investigation into alleged crimes in the West Bank, Gaza, and East Jerusalem to move forward. Like the United States, Israel is not a signatory to the Rome Statute. This is not the first time that the ICC has conducted a politically motivated investigation. My good friend Senator Cardin and I led a bi-partisan letter on this issue along with 67 other Senators asking the State Department to push back on the ICC's decision to prosecute Israel for alleged war crimes in the West Bank, Jerusalem and Gaza. And this month, we plan to send to the Biden administration a follow up to that letter asking for a firmer stance on these politically motivated investigations. Like us, Israel is not a signatory to the Rome Statute and in our view this is harmful to the peace process and again, outside of the ICC's jurisdiction.

- Do you agree that the ICC's expansion of their mandate is detrimental to prospects of a negotiated settlement between Israel and the Palestinian authority and what additional actions can be taken to push back against the expansion of the ICC's legal mandate?

Answer. I share the administration's serious concerns about the ICC's attempts to exercise jurisdiction over Israeli personnel. Israel is not a State Party, and Palestine is not a State. A peaceful, secure and more prosperous future for the people of the Middle East depends on building bridges and creating new avenues for dialogue and exchange, not unilateral judicial actions that exacerbate tensions and undercut efforts to advance a negotiated two-state solution.

Question. What steps would you take to protect U.S. service and allied coalition members from the ICC's jurisdiction?

Answer. I share the concerns and the objection by the United States to any attempt by the ICC to investigate U.S. personnel, as the United States is not a State Party to the Rome Statute. If confirmed, I will work to protect U.S. personnel from legal jeopardy before the ICC. I also share the administration's serious concerns about the ICC's attempts to exercise jurisdiction over Israeli personnel. We will continue to uphold our strong commitment to Israel and its security, including by opposing actions that seek to target Israel unfairly.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. WENDY R. SHERMAN BY SENATOR TIM KAINE

Question. For several months, tens of thousands of farmers have been camping out on the outskirts of New Delhi, demanding the repeal of three agricultural laws they say will drive down crop prices and negatively affect their earnings. Multiple rounds of talks between farm union leaders and the central government have taken place, but have not yet resulted in a resolution. As part of its response, Prime Minister Modi's government has shut down internet service in several districts, impeding access to information and compromising protesters' fundamental right to freedom of expression. It has also arrested activists on suspicion of sedition for allegedly advocating for support of the farmer protests. Internet freedom in India continues to decline as the central government utilizes internet shutdowns to clamp down on dissent, including for these protests and in the Jammu and Kashmir region. As Deputy Secretary of State, what steps will you take to ensure digital access is not obstructed in India?

Answer. I am deeply concerned by the growing use of government-imposed Internet shutdowns around the world, including in India, which restrict the rights of individuals online. If confirmed, I will speak out against this worrying global trend and use bilateral and multilateral diplomacy, including through U.N. bodies and the Freedom Online Coalition, to raise our concerns with governments that engage in this practice, including India. I will emphasize the need to protect freedom of expression, which includes the freedom to seek, receive, and impart information, both online and offline.

Question. Many of those protesting come from the northern Indian states of Punjab and Haryana, regions with a significant Sikh population. The Indian government has labeled some of the farmers and their supporters as "anti-national" and questioned their allegiance to India. What will you do to encourage the Indian government to respect the right to protest for all its citizens?

Answer. The freedoms of expression, association, religion or belief, and peaceful assembly are universal human rights. If confirmed, I will use the full array of diplomatic tools to encourage the Indian government to respect these human rights.

Question. In 2019, then-Secretary Pompeo announced that the United States would "no longer recognize Israeli settlements as per se inconsistent with international law" and rescinded a 1978 legal opinion that then-Legal Adviser Herbert Hansell provided to Congress reaching a contrary conclusion that said, "civilian settlements in those territories is inconsistent with international law." This legal justification was never publicly released or provided to Congress. How do you view this issue?

Answer. The Biden-Harris administration believes that the two-state solution is the best way to ensure Israel's future as a Jewish and democratic state and to give the Palestinians the state to which they are entitled. If confirmed, I will support the administration's focus on urging both Israel and the Palestinians to avoid unilateral steps, such as annexation of territory, settlement activity, demolitions, incitement to violence, and providing compensation for individuals imprisoned for acts of terrorism, that exacerbate tensions and make it more difficult to preserve the viability of a two-state solution.

Question. If confirmed as Deputy Secretary, would you work to reverse that decision?

Answer. If confirmed, I will support the administration's efforts to urge both Israel and the Palestinians to refrain from unilateral steps that exacerbate tensions and undercut efforts to advance a negotiated two-state solution, such as annexation

of territory, settlement activity, demolitions, incitement to violence, and providing compensation for individuals imprisoned for acts of terrorism.

Question. If confirmed, would you provide Congress with the Trump administration's Hansell opinion to include its legal justification for the decision, and any new decision the Department may reach under Secretary Blinken?

Answer. If confirmed, I will support the administration's focus on urging both Israel and the Palestinians to avoid unilateral steps that exacerbate tensions and make it more difficult to preserve the viability of a two-state solution. This will include engaging Congress on significant policy matters related to the Israeli-Palestinian peace process.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. WENDY R. SHERMAN BY SENATOR TODD YOUNG

Question. Do you believe the EU's recent commercial agreement with China is already putting the United States on its back foot when seeking to bring a unified front?

Answer. It is a demonstration of the amount of work we have before us to reinvigorate our transatlantic alliance and develop a more unified response to the challenge posed by China. If confirmed, I will engage actively with our EU and other European partners on shared concerns about China. My engagements will include discussions on how to advance our shared economic interests and counter China's aggressive and coercive actions, prevent goods made with forced labor from entering global markets, create a level playing field and promote private enterprise, and highlight China's failure to uphold its international commitments.

Ultimately, the onus will be on China to show that its new pledges on forced labor, state-owned enterprises, and subsidies in the new agreement are not just cheap talk.

Question. Some U.S. partners with whom we will have to cooperate to best tackle the foreign policy challenges of the coming decades are not democracies or are illiberal ones. They occupy key positions in the Middle East, South Asia, and East Asia, and we may find ourselves relying on them more. How do you believe the United States should be cooperating with the governments of Vietnam, the Philippines, India, or our Gulf partners, even as we have concerns about human rights, democratic values, and good governance?

Answer. As you rightly point out, the United States cannot always choose the partners it must work with in addressing the most pressing foreign policy challenges we face. Further, there is not a one-size-fits-all approach to foreign policy, and no country has a perfect human rights record. I believe the United States should approach cooperation on a case-by-case basis, working to advance U.S. interests while also placing democracy and human rights at the center of U.S. foreign policy. As President Biden said, "Diplomacy is back at the center of our foreign policy." The United States must repair our alliances and engage with the world once again to meet accelerating global challenges—from the pandemic to the climate crisis to nuclear proliferation—which will only be solved by nations working together. We cannot do it alone. If confirmed, I will seek to work in partnership with countries where we have a national security interest, while at the same time addressing human rights concerns, promoting good governance, and upholding our democratic values.

Question. The Biden administration has spoken of the need to work closely with allies and partners to develop a coordinated response to the China challenge. What specific differences in approach do you expect to be most difficult to resolve?

Answer. If confirmed, I will put alliances and partnerships at the center of U.S. foreign policy to advance shared norms and values that underpin peace and security and compete with China from a position of strength. The United States will consult with allies and partners on a coordinated approach to the People's Republic of China's (PRC) coercive economic practices, human rights abuses, malign influence operations, and other key challenges. The administration will work with the EU, our Indo-Pacific and NATO allies, the Quad, and others to restore our vital security partnerships, secure the technologies of the future, re-engage in the U.N. system, and address attempts by the PRC to undermine the international rules-based system.

Question. The Biden administration has stated that it hopes to cooperate with China on such pressing global issues as climate change, proliferation, and global health. How would you respond to concerns that the administration might downplay areas of friction with China in order to make progress on these global priorities?

Answer. Combatting climate change; opposing the proliferation of sensitive goods and technology related to WMD, missile systems, and advanced conventional weapons; and promoting global health are in China's interest as well as ours. They are not favors to be bargained for. If confirmed, I will test whether China is willing to play a constructive role on certain issues where we may share interests but will be clear-eyed about Chinese intentions, while advancing the interests of the American people. Our core interests and values will not be traded off in discussions with China or any other country. Further, the Department of State will seek Congressional input on potential areas of cooperation.

Question. India is making great strides in developing renewable energy sources, but continues to rely heavily on coal-fired power generation. Will you seek to work with India on balancing its growing power consumption with a mutual interest in addressing climate change and reducing greenhouse gas emissions?

Answer. I fully support the administration's ongoing efforts, led by Special Presidential Envoy for Climate John Kerry, to work with India on more ambitious climate commitments. As Secretary Blinken noted in his confirmation hearing, the Biden-Harris administration is committed to ensuring developing countries can meet their energy needs while also reducing their emissions and building resilience against the destabilizing impacts of climate change—both of which have clear benefits not only for the recipient countries, but also for the United States and the rest of the world. If confirmed, I look forward to working with Congress to promote affordable energy in the developing world consistent with our nation's energy and climate goals.

In view of Prime Minister Modi's announced target of installing 450 GW of renewable energy capacity by 2030, if confirmed, I would support the work advancing cost-effective strategies to enhance the flexibility and robustness of India's electricity grid to encourage India's clean energy transition over the next decade. If confirmed, I would prioritize lower-cost alternatives to carbon-intensive energy such as coal-fired power, including by promoting renewable energy, battery storage, and load shifting.

Question. How do you intend to engage Pakistan as a player in U.S. strategy toward the Indo-Pacific region?

Answer. If confirmed, I will push for an open and honest bilateral relationship with Pakistan that stands on its own merits based on our mutual interests. Despite a challenging relationship, I believe that continued cooperation with Pakistan is possible on shared priorities like securing a responsible end to the conflict in Afghanistan, advancing regional security and fighting terrorism, expanding bilateral commerce, and addressing climate change. By fostering productive ties with all countries in the Indo-Pacific region, we hope to advance our shared prosperity, security, and values.

Question. Do you view increasing Chinese influence in Pakistan as an obstacle to U.S. interests?

Answer. I have concerns about many of China's activities globally and will raise and take action on those concerns whenever appropriate. While in principle the United States welcomes investments in infrastructure and economic development that are sustainable and meet international standards, I am concerned PRC-sponsored projects often lack transparency and impose unsustainable debts. If confirmed, I will work to encourage Pakistan to pursue a sustainable development path involving good governance, long-term capacity building, and market principles. U.S. diplomacy and cooperation with Pakistan reflects a vision for a region of independent and prosperous nations at peace with each other and the rest of the world. If confirmed, I will continue to support that objective.

Question. To what extent will you prioritize cooperating with Islamabad in combatting Islamist militancy and stabilizing Afghanistan?

Answer. Cooperation with Islamabad in combatting terrorist groups in the region is a key part of U.S. efforts to seek a stable, peaceful Afghanistan through a just and durable political settlement, and success in this effort would be crucial to improved U.S.-Pakistan bilateral relations. If confirmed, I will continue to encourage the Pakistani government to play a constructive role in advancing the Afghan peace process as a means to achieve a more stable and secure South Asia. Further, if con-

firmed, I will continue to work closely with Afghanistan's neighbors to press for a significant reduction in violence to facilitate progress in peace negotiations.

Question. Do you support the Abraham Accords and the landmark normalization agreements that occurred during the Trump administration?

Answer. Yes, I support the Abraham Accords and the Trump administration's role in negotiating them. The normalization agreements between Israel and its Arab neighbors are a positive step that reflect recognition among Israel and the states that have signed the agreements that they hold many interests in common and can most effectively address them through cooperation. The agreements are the product of years of quiet diplomacy between Israel and its neighbors supported by U.S. administrations from both parties.

Question. Do you intend to help Israel consolidate existing normalization arrangements and normalize its relations with other Arab states, and if so, how?

Answer. The 2020 normalization agreements are an important contribution to peace and security in the Middle East. The Biden-Harris administration will seek to build on the agreements to expand the circle of peace between Israel and its neighbors. The administration will also closely monitor the status of the normalization efforts to date, encouraging the states that have signed such agreements with Israel to uphold their commitments to establish full diplomatic relations with Israel.

Question. How will the administration approach arms sales and issues such as the Western Sahara impasse with Morocco in light of the normalization agreements to date?

Answer. The Biden-Harris administration welcomes normalization agreements as an important contribution to regional peace and continues to review policy in numerous areas, including Western Sahara. The administration wants to see the appointment of a Personal Envoy of the U.N. Secretary-General and a renewed U.N.-led political process. Morocco is a major non-NATO ally, and our military-to-military partnership is a regional model. The administration looks forward to continued cooperation, including the upcoming Moroccan-hosted African Lion exercise, the largest joint military training and interoperability exercise in Africa. The State Department continues to ensure all arms sales meet U.S. national security objectives and reflect our values.

Question. Congress has passed two rounds of mandatory sanctions against Russia's Nord Stream 2 pipeline as part of the Protecting Europe's Energy Security Act (PEESA) and Protecting Europe's Energy Security Clarification Act (PEESCA). These laws necessitate the imposition of sanctions against entities that engage in or support deep-sea pipe-laying for Nord Stream 2. As required under the laws, on February 19, 2021, the State Department submitted a report to Congress only identifying Russia's Fortuna vessel and its owner as engaging in sanctionable activities. However, media and other forms of public reporting, including visual data from reputable ship-tracking portals, indicate that numerous other vessels and companies are supporting the Fortuna's pipe-laying for Nord Stream 2. As required under PEESA and PEESCA, the State Department must immediately identify these entities to Congress and subject them to mandatory U.S. sanctions. When will the State Department submit an updated report to Congress that formally identifies these entities?

Answer. The State Department submits a report to Congress every 90 days on the provision of vessels engaged in pipe-laying and pipe-laying activities, and various entities providing and supporting those vessels, for the Nord Stream 2 pipeline, as required by the Protecting Europe's Energy Security Act (PEESA), as amended, with the next report due to Congress in mid-May. If confirmed, I will continue to use all available tools to counter Russian malign influence and to work with Allies and partners in the region to support Transatlantic energy security goals. I understand that the State Department is actively examining entities involved in potentially sanctionable activity and will designate additional persons and entities as appropriate.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR EDWARD J. MARKEY

Question. U.S. sanctions have taken a heavy toll on civilians in countries worldwide, particularly amid the COVID-19 pandemic. As a humanitarian matter and as

a matter of global public health, would you consider strengthening humanitarian exemptions through a worldwide temporary general license to ensure that sanctioned countries are able to obtain critical humanitarian resources, including the COVID-19 vaccine?

Answer. Many U.S. sanctions programs include provisions aimed at facilitating delivery of medical and other humanitarian supplies. If confirmed, I will continue the State Department's conversations with our allies and multinational and non-governmental organizations on these issues. I will also continue State's cooperation with the Department of the Treasury to use available tools, including issuance of clarifying guidance and expediting of license requests, to facilitate global delivery of humanitarian assistance particularly during the COVID-19 pandemic. I would support initiatives by Treasury to explore additional options, which could include issuance of additional licenses to facilitate medical- or vaccine-related transactions.

Question. What specific recommended additional actions will the Biden administration pursue to hold Mohammed bin Salman, and senior Saudi officials, responsible for the murder of Mr. Khashoggi?

Answer. The administration has taken a number of concrete steps to recalibrate the relationship with Saudi Arabia. It followed the law and submitted an unclassified report to Congress on the horrific murder of Jamal Khashoggi. Under the Global Magnitsky Act, it sanctioned a former senior Saudi official and the group whose members were involved in the killing. The Department has taken action pursuant to a new visa restriction policy against 76 Saudi individuals believed to have been engaged in threatening dissidents overseas, including but not limited to the Khashoggi killing. The Department will report on any such extraterritorial activities by any government in the annual Country Reports on Human Rights Practices.

Question. We will not stop climate catastrophe here at home if we are supporting industries abroad engaging in ecocide. How will the Administration prioritize policies that dramatically reduce U.S. financial and diplomatic exposure in polluting industries abroad?

Answer. Dealing with climate change means investing in resilience and green energy here at home and leading a global effort to reduce carbon pollution. In his recent foreign policy speech, Secretary Blinken described these challenges as being simultaneously domestic and foreign. The administration is taking a whole-of-government approach to put climate change at the center of its domestic, national security and foreign policy, and to working with other nations to advance conservation promote green recovery; revitalize communities and cities; and secure environmental justice.

Question. Does U.S. Special Representative for Afghanistan Reconciliation, Zalmay Khalilzad, have specific instructions to make the return of Paul Overby—my constituent who went missing in Afghanistan/Pakistan in 2014—part of ongoing U.S. peace negotiations with the Taliban and the Government of Afghanistan?

Answer. I have been advised the Secretary specifically directed Ambassador Khalilzad to continue his efforts to press for the return of Paul Overby and of Mark Frerichs during engagements with the Taliban and with key regional partners.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. WENDY R. SHERMAN BY SENATOR JOHN BARRASSO

Question. On July 7, 2015, Chairman of the Joint Chiefs of Staff General Martin Dempsey testified before the Senate Armed Services Committee about Iran. He clearly stated, "Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking."

Only seven days later, you and the Obama-Biden Administration disregarded the views of the American commanders on the battlefield. As the lead negotiator of the Iran nuclear deal, you agreed to lift the arms embargo and restrictions on ballistic missile technologies.

- In any future negotiations, would you continue to disregard the advice our military commanders?

Answer. The President and his national security team will always take the advice of military commanders seriously. Iran's development and proliferation of ballistic missiles, as well as its delivery of weapons to violent proxies across the region, pose a threat to international security and remain significant challenges. These chal-

allenges existed despite the U.N. Security Council resolutions that aimed to address them.

The Biden-Harris administration will use a variety of nonproliferation tools to work to prevent the further advancement of Iran's missile program and its ability to proliferate technology to others, and will continue to enforce the U.S. arms embargo on Iran. The administration will also work with our partners to stop shipments of equipment and technology, seek to disrupt Iran's delivery of weapons to violent proxies, and use our engagement in multilateral fora to urge countries to take steps to address these activities.

Question. On October 18, 2020, the international arms embargo on Iran, the world's leading state sponsor of terrorism, was officially lifted.

- Considering the fact that you helped draft the agreement eliminating it in the first place, what specific steps, if any, will you take to reinstate the Iran arms embargo?

Answer. The administration will continue to push for full implementation of U.N. Security Council resolutions barring the unauthorized transfer of weapons to Lebanon and to the Houthis in Yemen, and also continue to use domestic authorities to dissuade countries from providing arms to Iran.

Question. What is your strategy to stop the dramatic increase of weapons flowing to terrorists and proxy groups in the region?

Answer. The administration will continue to use domestic authorities to dissuade countries from providing arms to Iran and continue to push for full implementation of U.N. Security Council resolutions barring the unauthorized transfer of weapons to Lebanon and to the Houthis in Yemen. The administration will also continue to use domestic authorities, including sanctions, to counter Iran's support for terrorism in the Middle East.

Question. The U.S. constitution provides the Senate the power to approve or reject treaties. Under your leadership, the Obama—Biden administration refused to submit the Iran nuclear deal to the Senate for its advice and consent. As one of the lead negotiators of the Iran nuclear deal, you played a major role in drafting the agreement in a way to avoid the ratification process.

- If confirmed, will you continue to disregard the will of the American people by negotiating international agreements and then refusing to submit them to the Senate?

Answer. If confirmed, I look forward to working closely with this committee on matters related to treaties and other international agreements. The Supreme Court has long held that not all international agreements require approval as treaties pursuant to the procedures set out in Article II of the Constitution, and the Congress has recognized this through the enactment of the Case-Zablocki Act, which establishes procedures regarding legally binding international agreements other than treaties. Regardless of the form which particular agreements may take, however, I am committed to engaging with the Senate as a partner in the State Department's efforts to advance our national interests through international agreements.

Question. If the Joint Comprehensive Plan of Action (JCPOA) is altered at all to include new provisions, would you advocate for the administration to submit the accord for congressional review under the Iran Nuclear Agreement Review Act or other laws?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under the Iran Nuclear Agreement Review Act (INARA) and to ensuring that the requirements of INARA are satisfied.

Question. Authoritarian regimes continue to restrict religious freedoms and the rights of individuals. The violence, oppression and attacks on human dignity cannot be tolerated. It is critically important for the United States to stand up for those who are being persecuted whether it is Christians in Nigeria or Uyghurs in China.

- What additional efforts will you pursue at the State Department to promote international religious freedom?

Answer. If confirmed, I intend to use the full range of diplomatic tools—both positive and punitive—to encourage governments to live up to their international obligations and commitments to respect religious freedom. This includes reforming outdated laws, ending abusive or discriminatory practices, releasing individuals imprisoned for their beliefs, and achieving justice for victims and accountability for perpetrators of religious freedom abuses. The State Department will also continue to

fulfill its statutory requirements to produce its annual report and annually review and designate countries and entities for engaging in or tolerating severe or particularly severe religious freedom violations.

Question. Defending human rights and the dignity of every person is a fundamental value for Americans. Yet, the United Nations Human Rights Council has refused to make serious reform to its organization. Efforts by previous administrations failed to achieve the reforms needed. Secretary Blinken recently admitted the council “is flawed and needs reform.”

- What are the flaws of the United Nations Human Rights Council?

Answer. The two principal flaws of the Human Rights Council are its disproportionate focus on Israel and the continued election of countries with problematic human rights records. The continued existence of a separate agenda item on Israel, Agenda Item 7, unduly focuses attention on Israel to the exclusion of the human rights records of every other country. The Administration believes that the Council should treat Israel the same as it does every other U.N. member state. Similarly, the membership on the Council must reflect high standards for upholding human rights. Those with the worst human rights records should not be members of the Council.

Question. What specific reforms does the administration believe need to be taken at the U.N. Human Rights Council and how do you plan to get the organization to make those reforms?

Answer. The United States is committed to seeking reforms of the U.N. Human Rights Council, particularly with respect to the Council’s disproportionate focus on Israel and its problematic membership. The United States has seen that when we play an active and constructive role, we can advocate more effectively on Israel’s behalf and engage with our allies and friends to keep some of the countries with the worst human rights records off the Council and to encourage countries with better records to run for seats. When we were previously on the Council, the United States was also able to help reduce the number of resolutions focused on Israel. If confirmed, I will ensure the United States prioritizes these specific reforms.

Question. Does the administration plan to demand any commitments from the United Nations Human Rights Council on making those reforms prior to rejoining?

Answer. The United States is pursuing reforms while re-engaging and seeking a seat on the Human Rights Council, as announced by Secretary Blinken during his speech to the Human Rights Council on February 24, 2021. The United States is most effective at the Human Rights Council (HRC) and in other U.N. bodies when we are at the table, in the room, in good financial standing, and use the full weight of our diplomatic might to lead and to pursue appropriate and needed reforms. If confirmed, I will ensure the United States prioritizes needed reforms as part of our re-engagement with the HRC.

Question. For years, the United Nations Human Rights Council has included human rights abusers and refusing to stand up for human rights taking place across the world. A recent example is the election of China and Russia to the United Nations Human Rights Council in October 2020. The Chinese Communist Party engages in torture, detention, and forced labor of religious and ethnic minorities. Russia tramples on free speech and the free press every day. Shockingly, Russia was elected to the council the same week that the EU sanctioned Russian officials for attempts to assassinate a Russian opposition figure. The United Nations should be condemning the actions of Russia and China not electing those responsible to this body.

- Would you advise the United States to vote in favor of Russia, China, or other human rights violators for membership on the United Nations Human Rights Council?

Answer. The continued election of countries with problematic human rights records to the Human Rights Council remains one of the principal flaws of the Council. If confirmed I will advise the United States to vote for nations with strong human rights records for the Council.

Question. During the Trump Administration, there were several historic developments between Israel and its regional Arab neighbors. The United Arab Emirates, Bahrain, Morocco, and Sudan joined Egypt and Jordan in establishing diplomatic relations with Israel. These agreements have created the path to peace through recognition and engagement rather than isolation and boycotts of Israel.

In January, Secretary Blinken stated, “We very much support the Abraham Accords, we think that Israel normalizing relations with its neighbors and other coun-

tries in the region is a very positive development, and so we applauded them. We hope that there may be an opportunity to build on them in the coming months and years ahead.”

- Do you believe the Abraham Accords are a positive step forward for the region?

Answer. Yes, I firmly believe the normalization agreements are a positive step forward for Israel and the region and are in the United States’ best interest.

Question. What specific steps will you take to build upon these historic successes and create additional peace agreements between Israel and Arab nations?

Answer. The 2020 normalization agreements are an important contribution to peace and security in the Middle East. The Biden-Harris administration will seek to build on the agreements to expand the circle of peace between Israel and its neighbors. If confirmed, I will closely monitor the status of the normalization efforts to date, encouraging the states that have signed such agreements with Israel to uphold their commitments to establish full diplomatic relations with Israel.

Question. Congress continues to be deeply concerned with the Turkish government’s purchase of the S-400 surface to air missile defense systems from Russia. This decision threatens a range of U.S. interests, including the strength of the NATO Alliance.

- Do you believe a weak U.S. response to Turkey’s actions would embolden other countries to consider buying advanced Russian military systems?

Answer. President Biden has promised to call out Turkish behavior that is inconsistent with its commitments as a NATO Ally. A top priority will be urging Turkey not to retain the S-400 and to refrain from additional Russian arms purchases. The CAATSA sanctions announced in December 2020 impose real costs on Turkey for acquiring the S-400 and advance our global efforts to deter and disrupt purchases of Russian weaponry, which bring Russia revenue, access, and influence. Turkey’s suspension from the F-35 partnership represents an additional significant cost. If confirmed, I look forward to working with Congress to review the impact of the sanctions imposed in response to the S-400 acquisition and to determine whether additional measures are required or warranted.

Question. Are you committed to fully implementing the Countering America’s Adversaries through Sanctions Act (CAATSA) with respect to Turkey’s S-400 acquisition and any related purchases by other foreign nations?

Answer. Yes. The imposition of CAATSA Section 231 sanctions on Turkish individuals and entities in December demonstrated the State Department’s continuing commitment to CAATSA. If confirmed, I will not only continue that commitment as it relates to Turkey’s S-400 acquisition but also with respect to any other country that may be considering similar transactions. I would strongly urge anyone considering potentially significant transactions with Russia’s defense or intelligence sectors, or persons operating for, or on behalf of either sector, to avoid such transactions, which may expose them to CAATSA sanctions.

Question. Are current U.S. and NATO efforts to deter Russian aggression in Europe adequate?

Answer. NATO has undertaken significant adaptation over the past decade in response to Russian aggression in the Euro-Atlantic area, including the illegal invasions of Ukraine and Georgia. The Alliance relies on both conventional and nuclear capabilities for deterrence and is also addressing growing gray area challenges. Allies will need to continue work toward meeting equitable burden sharing to maintain effective deterrence. Only with greater investment in defense across the Alliance can we ensure NATO is able to adapt quickly to a changing security landscape with the necessary capabilities and military readiness.

Question. What is your position on the administration maintaining or expanding sanctions intended to get Russia to change its policies with regard to Ukraine, cyberattacks, and other malign activities?

Answer. President Biden has made clear that the United States will act firmly in defense of its national interests in response to actions by Russia that harm us or our allies. On March 2, the administration took action to impose costs on the Russian Federation for the poisoning, arrest, and imprisonment of Aleksey Navalny. The United States will continue to take action to counter Russia’s malign actions and will comply with our legal obligations under the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991. As the administration works together with allies to advance our interests, it will continue to hold Russia accountable, including by sanctions, for its destabilizing activity, disregard for international

law, human rights violations, interference in our elections, unlawful cyber activity, and aggression in Ukraine and Georgia.

Question. How will you approach relations with Saudi Arabia?

Answer. President Biden has committed to recalibrating the U.S.-Saudi relationship to ensure it reflects U.S. interests and values. The Administration has elevated support for human rights and fundamental freedoms, which has already led to positive initial results, such as the conditional release of detained U.S. citizens and activists. Like Secretary Blinken, if confirmed, I will press Saudi Arabia for the removal of conditions on their release, including travel restrictions, and the implementation of reforms to avoid future such cases. Nonetheless, Saudi Arabia remains an important U.S. partner on regional security and counterterrorism, and the U.S. will continue to support Saudi Arabian efforts to defend its people and territory, which is home to thousands of U.S. citizens.

Question. How important of a role does Saudi Arabia play in our efforts regarding Iran, Yemen, Iraq, and the Israel-Palestinian issues?

Answer. Saudi Arabia is a critical partner for containing Iranian aggressive actions. The Biden-Harris administration strongly supports Saudi Arabia's outreach to the Government of Iraq, to include recently reopening its main border crossing with Iraq for the first time since 1990 and ongoing discussions to provide electricity to Iraq, both of which will help to reduce Iraq's dependence on Iran. In Yemen, the Saudi-led coalition fighting the Houthis has contributed to Yemen's dire humanitarian crisis; Special Envoy Tim Lenderking is working with Saudi Arabia, regional partners, and the U.N. to resolve the conflict. With respect to Israel, Saudi Arabia supports a two-state solution and has allowed overflights of Israeli-registered aircraft through Saudi airspace to the UAE and Bahrain.

Question. What role, if any, do you see for Saudi Arabia and other regional U.S. partners in talks with Iran?

Answer. The administration is committed to consulting closely with our regional partners regarding U.S. policy on Iran, and in broad terms, it supports dialogue among the countries in the region on issues of regional security and stability.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. WENDY R. SHERMAN BY SENATOR TED CRUZ

Question. Section 15(b) of the State Department Basic Authorities Act of 1956 states that "The Department of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility." Can you commit to complying with this provision of law by ensuring that information requested by members of the Senate Foreign Relations Committee is provided expeditiously and transparently? If not, why not?

Answer. I am committed to working with Congress and this Committee in accordance with the law to provide all information needed to perform traditional oversight functions as promptly as possible.

Question. The Obama administration was broadly criticized, especially in the context of its Middle East policy, for co-mingling unclassified documents with classified documents. This practice requires that documents be placed in a secure location, unnecessarily limiting access to unclassified documents and stifling public debate. The Biden administration already seems to be repeating such practices: according to an exchange during the State Department press briefing on February 11, a notification describing the lifting of terrorism sanctions on Iran-controlled terrorists in Yemen was unnecessarily transmitted to a Congressional SCIF. Can you commit to ensuring that unclassified information is not unnecessarily comingled with classified information in notifications provided by the State Department to Congress? If not, why not?

Answer. I am committed to working to ensure that information provided to Congress is, to the fullest extent possible, in a format that facilitates its access by authorized personnel, while complying with Executive Order 13526, the Department of State classification guide, and the executive branch rules on the handling and storage of classified information.

Question. Last month the State Department transmitted a mandatory and overdue report to Congress listing entities engaged in sanctionable activities because of their participation in the construction of the Nord Stream 2 (NS2) pipeline, pursuant to the Protecting Europe's Energy Security Act (PEESA), as amended. PEESA mandates the imposition of sanctions on entities listed in such reports. The report included only two entities, the Fortuna and KVT-RUS, both of which the Trump administration had already sanctioned. It did not include any entities which are plainly, publicly required to be listed under PEESA. Reportedly, State Department officials who spoke to Congressional staffers were unable to provide a justification why several entities - including the company responsible for the planning, construction, and operation of NS2 - were left off. This abdication is inexcusable. Can you commit to immediately ensuring the Biden administration meets its mandatory obligation to provide an interim report to Congress pursuant to PEESA and sanction all of the entities that are engaged in pipe-laying, pipe-laying activities, certification, and insurance sanctionable under PEESA? If not, why not?

Answer. The State Department submits a report to Congress every 90 days on vessels engaged in pipe-laying and pipe-laying activities, and various entities providing and supporting those vessels, for the Nord Stream 2 pipeline, as required by the Protecting Europe's Energy Security Act (PEESA), as amended, with the next report due to Congress in mid-May. I understand the Department of State submitted its first report on PEESA, as amended, in February. If confirmed, I will continue to use all available tools to counter Russian malign influence and to work with Allies and partners in the region to support Transatlantic energy security goals. I understand that the Department of State continues to examine entities involved in potentially sanctionable activity and will designate additional persons as appropriate, and will comply with statutory reporting requirements.

Question. One of the most egregious dynamics in the initial implementation of the Joint Comprehensive Plan of Action (JCPOA) involved the way that the Obama administration circumvented Congressional deliberation and approval by first attempting to lock in the agreement as international law via United Nations Security Council Resolution (UNSCR 2231). After that resolution was passed - which occurred just as the Congressional review period mandated by the Iran Nuclear Agreement Review Act (INARA) was beginning - officials from the Government of Iran and the Obama administration suggested that Congress would be abrogating the U.S.'s formal international obligations by rejecting the agreement. Can you commit to ensuring that any future nuclear agreement negotiated between State Department officials and Iran, which involves the suspension or waiver of Congressional sanctions, will only be negotiated in full consultation with Congress? If not, why not?

Answer. If confirmed, I commit to consulting fully with Congress on any agreement relating to Iran's nuclear program as called for under INARA.

Question. Can you commit to ensuring that any future nuclear agreement negotiated between State Department officials and Iran, which involves the suspension or waiver of Congressional sanctions, will not be implemented without Congressional approval? If not, why not?

Answer. I am aware that the Iran Nuclear Agreement Review Act (INARA) contains certain limitations on sanctions relief during a congressional review period. I understand that the Biden-Harris administration is committed to complying with the requirements of INARA, and if confirmed, I am committed to doing so.

Question. It was recently announced that Iran and South Korea agreed to allow Tehran to access approximately \$1 billion of its assets that are frozen in South Korean banks due to US sanctions. Reports indicate that the South Koreans received approval from Biden administration officials to do so. Please transmit to the Committee any waivers, decision memos, or other documents pertaining to this case, and confirm doing so.

Answer. I do not have access to Department records nor the authority on my own to give you Department records. I commit, if confirmed, to work with the Committee to try to accommodate any official Committee request for such Department information.

Question. On January 10, 2021, the State Department designated Ansarallah, sometimes called the Houthis, and Abdul Malik al-Houthi, Abd al-Khaliq Badr al-Din al-Houthi, and Abdullah Yahya al Hakim, three leaders of Ansarallah, as Specially Designated Global Terrorists (SDGTs) pursuant to Executive Order 13224. On February 5 the Biden administration informed Congress of its intention to revoke those sanctions. Officials at the State Department have justified the delisting of what they described as the "broad" designation of Ansarallah on humanitarian

grounds, e.g. that large parts of Yemen's population live under areas controlled by the group. They have not provided an explanation for the delisting of the three leaders, and in fact they have publicly, repeatedly, and falsely denied or downplayed the relief provided to these Iran-backed terrorists. For example, on February 11 State Department spokesman Ned Price falsely told journalists "there is no change" to the sanctions on these individuals. He was asked about the issue again the next day, and said "the Secretary had an intent to remove this broad designation of the movement." The public statement issued by the State Department did not mention the revocation of the SDGT designation on the Houthi leaders, but noted that they "remain sanctioned under E.O. 13611." Can you commit to ensuring that State Department officials stop publicly misleading journalists and the American public about sanctions relief provided by the Department and the Biden administration to Iran-backed terrorists? If not, why not?

Answer. I understand that the three Ansarallah leaders in question were designated under the U.N. Security Council's Yemen sanctions regime in 2015 and domestically under E.O. 13611, related to acts that threaten the peace, security, or stability of Yemen. Therefore, they remain on the Treasury Department's Specially Designated Nationals and Blocked Persons List and are subject to asset freezing and any attendant travel restrictions. As a consequence of the revocation of Ansarallah's Specially Designated Global Terrorist (SDGT) group designation under E.O. 13224, there was no longer a basis to retain the SDGT designations of these individuals as leaders of Ansarallah, which were derivative of the broader SDGT designation of the group. If confirmed, I intend to continue our support of U.N.-led efforts, including a robust implementation of the U.N. and E.O. 13611 sanctions, to call attention to and condemn Ansarallah's destabilizing activities. The State Department's emphasis will continue to be on using diplomacy to build international pressure on Ansarallah to change its behavior and ultimately end the war.

Question. Please describe why the State Department lifted the SDGT designations on Abdul Malik al-Houthi, Abd al-Khaliq Badr al-Din al-Houthi, and Abdullah Yahya al Hakim.

Answer. I understand that simultaneous with the designation of Ansarallah, sometimes called the Houthis, as a Specially Designated Global Terrorist (SDGT) under Executive Order (E.O.) 13224, these individuals were designated as SDGTs on the basis that they were leaders of an SDGT, namely Ansarallah. As a consequence of the revocation of Ansarallah's SDGT designation, there was no longer a basis to retain the designations of these individuals as leaders of an SDGT. However, they remain designated under the U.N. Security Council's Yemen sanctions regime and domestically under E.O. 13611 related to acts that threaten the peace, security, or stability of Yemen, and therefore remain on Treasury's Specially Designated Nationals and Blocked Persons List and are subject to asset freezing and any attendant travel restrictions.

Question. The Central Bank of Iran (CBI), has been designated as a Specially Designated Global Terrorist (SGT) pursuant to Executive Order (EO) 13224 for providing material support to terrorist organizations. Can you commit to not lift, rescind or significantly modify - or to agree within the interagency process to lift, rescind or significantly modify - this terrorism designation of the CBI, in the absence of a determination that the CBI has ceased providing material support to terrorist organizations? If not, why not?

Answer. If confirmed, I will support the administration's efforts to counter Iran's support for terrorism, including through the appropriate use of sanctions and regular coordination with our partners and allies. Iran is the world's foremost state sponsor of terrorism, which poses a threat to security and stability in the Middle East, and we will continue to use all tools available to counter Iran's support for terrorism. The President has made clear that the United States will be prepared to resume participation in the Joint Comprehensive Plan of Action (JCPOA) if Iran restores strict compliance, as a starting point for follow on negotiations to lengthen and strengthen constraints and address other issues of concern, including Iran's regional activity.

Question. Iran's Islamic Revolutionary Guard Corps (IRGC) is designated as a terrorist organization both as a Foreign Terrorist Organization and as an SDGT pursuant to EO 13224. Can you commit to not lift, rescind or significantly modify - or to agree within the interagency process to lift, rescind or significantly modify - these terrorism designations on the IRGC, in the , in the absence of a determination that the Government of Iran has ceased providing material support to terrorist organizations.

Answer. Iran's support for terrorism threatens our forces and partners in the region and elsewhere. If confirmed, I intend to continue working with our allies and partners to counter Iran's destabilizing activities in the region, including its support for terrorist groups and violent militias and its ballistic missile program, and maintain international, collective pressure on Iran. The President is committed to countering Iran's destabilizing activities using the array of tools at our disposal, including sanctions to deal with Iran's support for terrorism.

Question. You and other officials responsible for the Joint Comprehensive Plan of Action (JCPOA) have repeatedly described it as the most rigorous inspection regime ever negotiated. Despite this inspection regime, the IAEA was unable to locate the illicit Nuclear Archive subsequently seized by Israel, which included designs and materials relevant to the creation of nuclear weapons. They were also unable to find locations which, having been revealed by Israeli officials, subsequently proved to have evidence of nuclear work that the IAEA says Iran has not accounted for. Please describe what you perceive to have been the flaws in the JCPOA inspection regime do you believe were responsible for these failures by the IAEA?

Answer. The IAEA has a decades-long successful track record of monitoring the non-diversion of declared nuclear material globally. While the IAEA thoroughly investigates all available information, including based on its own verification and monitoring activities, it is not an intelligence organization. It can only act on information that is either acquired by it in the performance of its verification mandates or presented to it. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon. The administration has full confidence in the IAEA to pursue any indications of undeclared or diverted nuclear material that could contribute to any renewed Iranian pursuit of a nuclear weapon.

Question. Please describe what new measures would you insist are included in any future nuclear agreement with Iran to ensure that the IAEA has the ability to identify such materials and activities?

Answer. The IAEA has said it has the tools it needs to perform its verification mandates in Iran so long as Iran fully implements its JCPOA commitments. This includes implementation of the Additional Protocol to Iran's NPT-required safeguards agreement that provides enhanced information and access regarding Iran's nuclear program, including with respect to undeclared locations about which the IAEA has questions. The JCPOA provides the IAEA with the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. The administration has full confidence in the IAEA to pursue any such indication.

Question. During your nominations hearing before the Senate Foreign Relations Committee on March 4, 2021, you acknowledged that you had met with officials of the Government of Iran during your time out of government. You also stated that you coordinated directly with Under Secretary for Political Affairs Ambassador David Hale concerning your interactions with Iranian regime officials. Please list any additional senior State Department officials responsible for Iran policy with whom you consulted or coordinated your engagement with Iranian officials, such as Assistant Secretary of State for Near Eastern Affairs David Schenker, Special Representative for Iran Brian Hook, Special Representative for Iran Elliott Abrams, Deputy Secretary of State Stephen Biegun, or Secretary of State Michael Pompeo.

Answer. I coordinated with Undersecretary Hale and did not engage with others listed in this question.

Question. Please identify the dates on which you coordinated or consulted with these officials.

Answer. To the best of my recollection, I met with Foreign Minister Zarif twice on the margins of the Munich Security Conference, in 2018 and 2019. I also participated in two bipartisan group meetings in New York on the margins of UNGA: in 2018 with President Rouhani, and in 2019 with FM Zarif. Those meetings were facilitated by the Carnegie Endowment for International Peace (2018) and the International Crisis Group (2019). Finally, in October 2017 I participated in a panel with Deputy FM Abbas Aragchi at a nonproliferation conference sponsored by the Center for Energy and Security Studies in Moscow, and we spoke on the margins.

In every meeting, I urged Iran to stay in full compliance with the JCPOA, even after U.S. withdrawal, and pressed for Iran to end its regional violence and to release American prisoners. I consistently kept Undersecretary of State for Political Affairs David Hale apprised of meetings and offered to convey any useful information back to him.

Question. Please describe any additional contact you had with officials from the Government of Iran Besides in-person meetings, have you otherwise been in contact with any Iranian regime officials, including via e-mail, text exchange, or secure messaging platforms, between January 20, 2017, and today? If yes, please identify dates of contact and the text of the exchanges.

Answer. To the best of my recollection, since January 2017 I have not had additional contact with Iranian officials beyond the meetings referenced in the previous question, other than to arrange logistical details for those in-person meetings. I do not have records of those exchanges.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. WENDY R. SHERMAN BY SENATOR BILL HAGERTY

Question. What is the status of the Clean Network Initiative at the U.S. Department of State? As of November 2020, over 50 countries, 180 telecommunications companies, and dozens of other leading tech companies had joined the State Department's Clean Networks Initiative and pledged to advance common principles with regard to securing 5G and other digital technologies against untrusted foreign vendors and suppliers. The Biden administration, however, appears to have removed any references to the Clean Network Initiative from the State Department's website.

Answer. The Biden-Harris Administration views 5G security as a high priority and is working with allies and partners to ensure their 5G networks are free of untrustworthy vendor equipment and to support a vibrant and diverse supply chain of trustworthy telecommunications equipment and services. The United States will pursue a comprehensive strategy that addresses the full range of these issues. As is routine practice, the Department archives webpages during the transition of administrations. Webpages from 2017 to 2021 remain available to the public at <https://2017-2021.state.gov/index.html>.

Question. What is the status of the Blue Dot Network at the U.S. Department of State? In November 2019, the United States joined Australia and Japan in launching the Blue Dot Network concept that seeks to bring together governments, the private sector, and civil society under shared standards for international infrastructure development. If the Blue Dot Network is fully realized to promote quality infrastructure investment that is open, transparent, and compliant with international standards—including by eventually mobilizing the deep capital markets of the United States and other market-based democracies—it can help to counter to China's predatory One Belt One Road (OBOR) infrastructure initiatives.

Answer. I understand that the Blue Dot Network seeks to promote the development of quality, sustainable infrastructure around the world by certifying projects that uphold global infrastructure principles. I understand that the State Department, USAID, and the U.S. International Development Finance Corporation continue to work with our Australian and Japanese partners to develop the technical details of the initiative, including a methodology and metrics for certifying quality infrastructure projects in the developing world.

Question. In any negotiations that may occur with the authoritarian regime in North Korea, do you commit to pursuing an end-state that achieves complete, verifiable, and irreversible denuclearization? What do you perceive as the risks of further nuclear proliferation in East Asia if we fail to achieve that end-state?

Answer. North Korea's proliferation-related activities constitute a serious threat to international peace and security and undermine global nonproliferation efforts. If confirmed, I plan to join the Biden-Harris administration's ongoing policy review, in consultation with our allies, of the current state of play on North Korea. I support the U.S. commitment over the long term to the complete denuclearization of North Korea, while also focusing in the near term on limiting the threat to the United States and our allies.

Question. Do you concur that any U.S. international agreement to achieve the final, fully verified denuclearization of North Korea must also eliminate the threat of North Korean regime's ballistic missile program?

Answer. Denuclearization of North Korea remains a top national security priority for the United States. North Korea's weapons of mass destruction and ballistic missile programs constitute a serious threat to the United States and our allies and partners. If confirmed, I plan to join the administration in conducting a thorough policy review, in consultation with our allies, of the current state of play on North

Korea. I support the U.S. commitment over the long term to the complete denuclearization of North Korea, while also focusing in the near term on limiting the threat to the United States and our allies.

Question. If confirmed, do you commit that the State Department will consult closely and proactively with Members of the Senate Foreign Relations Committee and their personal staff before providing humanitarian assistance in order to ensure that any such U.S. assistance benefits directly the suffering North Korean people and is not vulnerable to diversion by the Kim Jong Un regime?

Answer. As part of its North Korea policy review, the Biden-Harris administration will carefully consider the country's egregious human rights record and work closely with partners and allies to promote respect for human rights in the closed country. The administration remains deeply concerned by the humanitarian situation in North Korea and is committed to ensuring any humanitarian assistance benefits the most vulnerable populations, including pregnant women, children, and the elderly in detention, in North Korea, and not the Kim Jong Un regime. The administration will continue to press for monitoring and access necessary to ensure the assistance reaches its intended recipients. If confirmed, I look forward to working with Congress on this crucial issue.

Question. Does the Biden administration intend to appoint a new Special Representative for North Korea? If not, why not?

Answer. If confirmed, I plan to join the administration's ongoing review, in consultation with our allies, of the current state of play on North Korea. I am not aware of any new personnel announcements at this time.

Question. Do you agree that the Iran Nuclear Agreement Review Act of 2015 (INARA) is permanent law and is binding on the Biden administration?

Answer. The Iran Nuclear Agreement Review Act (INARA) is binding law. I understand that the Biden-Harris administration is committed to implementing all of the requirements of INARA.

Question. Do you agree that any agreement-including any annexes or any informal agreement, even an unwritten oral understanding-involving the United States and Iran regarding how the two countries will return to compliance with the Joint Comprehensive Plan of Action (JCPOA) or will move in the direction of returning to compliance with the JCPOA must be submitted to Congress for review pursuant to INARA?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under the Iran Nuclear Agreement Review Act (INARA). The JCPOA was submitted under INARA in 2015 and underwent close Congressional and public scrutiny. If confirmed, I am committed to ensuring that the requirements of INARA are satisfied, including with respect to the transmission requirement.

Question. Are you personally committed to ensuring that Congress will be able to review, pursuant to INARA, any agreement that is hereafter reached with Iran relating to the nuclear program of Iran-irrespective of the level of formality or of the politically or legally binding nature of such agreement-including any agreement providing for return to compliance with the JCPOA, as well as any agreement that amends, augments, or supersedes the JCPOA?

Answer. If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under Iran Nuclear Agreement Review Act (INARA) and to ensuring that the requirements of INARA are satisfied, including its transmission requirement.

Question. Do you agree that, should any new agreement or agreements be reached with Iran relating to the nuclear program of Iran, including a decision to participate again in the JCPOA, INARA will require the President to submit a report to Congress not less frequently than every 180 calendar days "on Iran's nuclear program and the compliance of Iran with [each such new agreement] during the period covered by the report"?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under INARA and to ensuring that the requirements of INARA are satisfied, including its reporting requirements.

Question. Do you agree that, should any new agreement or agreements be reached with Iran relating to the nuclear program of Iran, including a decision to participate

again in the JCPOA, INARA will require the President to make a determination and certification to the appropriate congressional committees and leadership not less than every 90 calendar days regarding Iran's compliance with each such new agreement?

Answer. I am aware of this provision of the Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to fully consulting with Congress on any agreement relating to Iran's nuclear program as called for under INARA and to ensuring that the requirements of INARA are satisfied, including the requirement to determine whether to make the certification called for in Section 135(d)(6).

Question. Can you provide an assurance that there are no circumstances under which the Biden administration will not abide by the understandings about compliance with INARA spelled out in your responses to the foregoing questions?

Answer. I understand that the Biden-Harris administration is committed to implementing all of the requirements of Iran Nuclear Agreement Review Act (INARA). If confirmed, I am committed to ensuring that the requirements of INARA are satisfied.

Question. When you were negotiating the Joint Comprehensive Plan of Action (JCPOA) during the Obama administration, were you aware at the time that the Iranian regime was concealing a nuclear weapons archive? I request you to begin your answer with a yes or no. The Government of Israel revealed the existence of this undeclared, covert nuclear weapons archive in April 2018.

Answer. No. However, the United States and others were well aware of Iran's long history of concealment regarding elements of its nuclear program, especially as related to its past military dimensions. That is why we worked with our allies and partners to ensure that the JCPOA provides the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear material or activities in Iran, as well as any information that came to light after implementation of the JCPOA. President Biden has made clear he is committed to ensuring Iran never acquires a nuclear weapon. The IAEA has made clear that it takes no information provided by Iran on its nuclear program at face value. The IAEA has previously reported that it found evidence of possible military dimensions of Iran's program to be credible, and that a "range of activities relevant to the development of a nuclear explosive device were conducted in Iran prior to the end of 2003 as a coordinated effort, and some activities took place after 2003." The administration will not take Iran at its word regarding assertions about its nuclear program, and fully supports the IAEA as it uses its verification authorities to investigate any indication of undeclared nuclear material or activities in Iran.

Question. When you were negotiating the JCPOA during the Obama administration, were you aware that the Iranian regime was storing undeclared nuclear material at a warehouse reportedly called Turqzabad? I request you to begin your answer with a yes or no. In May 2020, the State Department noted that in late 2018 "public allegations surfaced that Iran had been hiding material and equipment at a site in Tehran called Turqzabad, only three miles from where the infamous 'nuclear archive' had been stored."

Answer. No. The Turqzabad site was first publicly disclosed by Israeli Prime Minister Netanyahu in late 2018. To date, the IAEA has detected particles of chemically processed uranium at the undeclared location but has not yet made any conclusion regarding the potential storage of nuclear material there. The IAEA continues to investigate the source of the detected particles. The JCPOA provides the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran, and the administration has made clear its strong support for the IAEA's investigation of safeguards-relevant information that has come to light after implementation of the JCPOA.

Question. When you were negotiating the JCPOA during the Obama administration, were you aware of any other undeclared sites under the control or influence of the Iranian regime where nuclear material may be present?

Answer. Iran has a long history of denial and concealment regarding its past nuclear weapons program. The JCPOA addressed potential undeclared locations by providing for the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon. The IAEA has made clear that it takes no information provided by Iran on its nuclear program at face value. The IAEA has previously reported that it found evidence of possible military dimensions of Iran's program to be credible, and that a "range of activities relevant to the development of a nuclear

explosive device were conducted in Iran prior to the end of 2003 as a coordinated effort, and some activities took place after 2003.” The administration will not take Iran at its word regarding assertions about its nuclear program, and fully supports the IAEA as it uses its verification authorities to investigate any indication of undeclared nuclear material or activities in Iran.

Question. Did your Iranian regime counterparts disclose to you the existence of its nuclear weapons archive, the Turqzabad site, or any other undeclared Iranian regime nuclear-related site during the negotiations for the JCPOA?

Answer. Iran has never acknowledged its past nuclear weapons program. The JCPOA was concluded to ensure Iran never again pursues nuclear weapons and provides the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. President Biden has made clear he is committed to ensuring Iran never acquires a nuclear weapon.

Question. President Biden says he will rejoin the JCPOA if the Iran regime first returns to “full compliance” with the JCPOA. Can the Iranian regime be in full compliance with the JCPOA if it is concealing undeclared nuclear material, sites, and/or activities?

Answer. Iran is obligated under its NPT-required safeguards agreement to declare to the IAEA nuclear material and nuclear activities in Iran. Under the JCPOA, Iran committed to strict limits on its nuclear program as well as enhanced verification and monitoring measures that go beyond its obligations under its safeguards agreement. The JCPOA provides the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. It is critical that Iran comply with both its safeguards obligations and its JCPOA commitments. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon.

Question. Is it your view that Iran must fully and verifiably account for all of its undeclared activities, sites, and materials before the United States would rejoin the JCPOA and lift any sanctions? I request you to begin your answer with a yes or no.

Answer. Iran is obligated under its NPT-required safeguards agreement to declare to the IAEA nuclear material and nuclear activities in Iran. The JCPOA provides the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. The Biden-Harris administration strongly supports the IAEA’s ongoing investigation in Iran into indications of possible undeclared nuclear material and, along with the rest of the international community, awaits the IAEA’s conclusions in its ongoing safeguards investigations while expecting full Iranian cooperation with inspectors. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon.

Question. During your nominations hearing before the Senate Foreign Relations Committee on March 4, 2021, you acknowledged that you had met with senior officials of the Iranian regime—a regime that is a U.S.-designated State Sponsor of Terrorism—during your time out of government. Besides in-person meetings, have you otherwise been in contact with any Iranian regime officials, including via phone, e-mail, text exchange, or secure messaging platforms, between January 20, 2017, and today? I request that you begin your response with a yes or no. If yes, please identify dates of contact and the text of the exchanges.

Answer. To the best of my recollection, since January 2017 I have not had additional contact with Iranian officials beyond the meetings discussed, other than to arrange logistical details for those in-person meetings. I do not have records of those exchanges.

Question. Besides in-person meetings, have you otherwise been in contact with any Iranian regime officials, including via e-mail, text exchange, or secure messaging platforms, between January 20, 2017, and today? If yes, please identify dates of contact and the text of the exchanges.

Answer. To the best of my recollection, since January 2017 I have not had additional contact with Iranian officials beyond the meetings discussed, other than to arrange logistical details for those in-person meetings. I do not have records of those exchanges.

Question. In “The Total Destruction of U.S. Foreign Policy Under Trump” (Foreign Policy, July 31, 2020), you wrote: “As a result of Trump’s failures, the Middle East is further from peace..” But soon thereafter, in September 2020, Israel signed the

Abraham Accords that normalized bilateral relations with the United Arab Emirates and Bahrain, respectively. In December 2020, Morocco signed the Abraham Accords with Israel. And in January 2021, Sudan also signed the Abraham Accords with Israel. What is your current assessment about the Trump administration's efforts to promote peace and normalization agreements between Israel and Arab nations? And what steps will you support to further the Abraham Accords peace process in the Middle East?

Answer. The 2020 normalization agreements are an important contribution to peace and security in the Middle East. The Biden-Harris administration will seek to build on the agreements to expand the circle of peace between Israel and its neighbors. If confirmed, the administration will also closely monitor the status of the normalization efforts to date, encouraging the states that have signed such agreements with Israel to uphold their commitments to establish full diplomatic relations with Israel.

Question. If you are confirmed, do you commit that if the United States decides to participate again in the JCPOA, you will seek to prevent the Iranian regime or any other Iranian entity from being allowed to export oil to Syria either in defiance of U.S. sanctions under Caesar Syria Civilian Protection Act, Executive Order 13894, Executive 13582, and other relevant authorities, or by receiving a waiver or license to do so?

Answer. The Biden-Harris administration is under no illusions about Iran's destabilizing activities in the region, nor has it forgotten about the atrocities committed by the Syrian regime. The Biden-Harris administration is committed to countering the threat posed by Iran, using the various tools at its disposal, including sanctions, and working in close coordination with our allies and partners. If confirmed, I commit that I will seek to enforce fully U.S. sanctions with respect to Syria.

Question. Will the Biden administration maintain existing sanctions designations against the Assad regime and continue imposing new sanctions designations against the Assad regime? The Caesar Syria Civilian Protection Act has imposed significant economic pressure against the Syrian regime under Bashar al-Assad. Before January 2021, the U.S. Government imposed more than 100 sanctions designations against the Assad regime and its supporters since June 2020. Under the Biden administration, the U.S. Government has not yet imposed any new sanctions designations against the Assad regime and its allies.

Answer. The Caesar Act is an important tool, which seeks to limit the ability of Assad and others in the Syrian government to profit from the ongoing conflict and any post-conflict reconstruction. Sanctions are also one way to press for accountability from the Assad regime for its atrocities, some of which amount to war crimes and crimes against humanity. If confirmed, I will continue to work to ensure U.S. sanctions do not unnecessarily impede humanitarian access in Syria and that they remain targeted in a way that contributes to progress toward our political objectives.

Question. Does the Biden administration intend to appoint a new Special Envoy for Syria? If not, why not? Since closing the U.S. Embassy in Damascus in February 2012, the U.S. government has maintained a Special Envoy for Syria to oversee diplomatic activities concerning Syria. The Biden administration has not appointed a new Special Envoy for Syria since the previous envoy left office in January 2021, leaving the position vacant.

Answer. I understand that the State Department does not have any appointments or nominations to announce at this time, but I am assured there is a very experienced team in place working on these issues. If confirmed, I will continue to advance our policy goals in Syria, which include achieving a comprehensive political resolution that addresses the factors that drive violence and instability in Syria, under the parameters of UNSCR 2254 and in close consultation with our allies, partners, and the UN; ensuring the enduring defeat of ISIS; and promoting the provision of life-saving humanitarian aid to Syrians in need.

Question. Energy revenues account for approximately 80% of Russia's exports, and the conclusion of the Nord Stream 2 (NS2) pipeline would provide a financial boon for Russia's Putin regime. At the same time, Nord Stream 2 pipeline-if finished-would drastically increase Russia's malign influence and coercive leverage over Europe especially by exposing Central and Eastern European allies to potential supply cutoffs and price manipulation by Russia. Does the State Department continue to publicly maintain that Nord Stream 2 is a Russian malign influence project? This has been the position of the U.S. Government, including the Secretary of State and the State Department, for the last few years.

Answer. The Biden-Harris administration has made clear that Nord Stream 2 is a geo-political project that threatens Europe's energy security. If confirmed, I support publicly addressing the ongoing threats to energy, geopolitical security, and European solidarity posed by Nord Stream2. Nord Stream 2 is a clear example of a tool that Russia uses for coercive actions in the region and provides the means to use gas, a critical natural resource, to advance its political goals and spread its malign influence within Europe.

Question. Why has the State Department not yet imposed sanctions against NS2 AG itself pursuant to mandatory sanctions against Protecting Europe's Energy Security Act (PEESA) and Protecting Europe's Energy Security Clarification Act (PEESCA)? NS2 AG expressly describes itself on its website as the "project company established for planning, construction and subsequent operation of the Nord Stream 2 Pipeline. The company is based in Zug, Switzerland and owned by Public Joint Stock Company (PJSC) Gazprom."

Answer. If confirmed, I will continue to use all available tools to counter Russian malign influence, to work with Allies and partners in the region, and to support Transatlantic energy security goals. I understand the Department of State is continuing to examine entities involved in potentially sanctionable activity and will designate additional persons as appropriate. The administration has made clear to Germany and other European partners that it does not view Nord Stream 2 as just a commercial deal, but as a threat to Europe's energy security to strategic stability on the continent.

Question. During the Trump administration, the United States worked closely with the Government of Japan to facilitate an expedited process for Foreign Military Sales. Based on that experience, has the State Department created a best practices template or manual to facilitate and expedite further Foreign Military Sales to allies and partners? Please begin your answer with yes or no.

Answer. While the Department has not developed a specific manual or template for expediting Foreign Military Sales (FMS) to allies and partners, the State Department adjudicates almost all FMS cases within 48 hours. The Department also continually works with interagency colleagues and our foreign partners to facilitate and streamline the FMS process. If confirmed, I will ensure the FMS process works as smoothly as possible to advance the interests of the United States and for the benefit of our allies and partners around the world.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR ROBERT MENEDEZ

Question. U.S. consulates are a key tool for engaging with local populations, and I am concerned that the closures of the Vladivostok and Yekaterinburg consulates will negatively impact our ability to engage with the Russian people in those areas. What impact will the closures of those two consulates have on our ability to engage with Russians in those regions? If confirmed, how will you ensure that the U.S. continues to engage directly with the Russian people in these regions?

Answer. At this time, there has been no permanent change to the consulates' posture. Engaging with Russians, especially those outside Moscow, is critical to diplomacy. U.S. consulates provide a valuable platform to convey the deep concerns President Biden has expressed about the Russian government's continued efforts to suppress freedom of expression and peaceful assembly, and to share our values and insights from the U.S. experience in democracy. During the pandemic, Mission Russia has adopted a wide range of new virtual tools and hybrid engagements to maintain a connection with these audiences. If confirmed, I am committed to continuing, and finding ways to expand, the Department's virtual engagement.

Question. If confirmed, what will you do to advocate for the release of locally employed consulate staff who remain unjustly detained in the aftermath of the Turkish coup attempt?

Answer. The Department of State continues to press the Government of Turkey on behalf of Mission Turkey's three wrongfully accused locally employed (LE) staff, including by supporting their legal cases and by calling for their releases and exonerations. Senior Department and Mission Turkey officials have publicly and privately condemned the unjust prosecution and conviction of these employees in discussions with senior Turkish officials, and the Department continues to call for the swift release of the employee who remains in detention. Department personnel regu-

larly consult with the LE staff and their families, who remain appreciative of USG support, and respect their concerns that public USG statements are more likely to damage than assist their cases.

Question. More than four years after U.S. personnel overseas began suffering from a set of mysterious but in many cases debilitating symptoms, we have more questions than answers about who was behind these attacks, what the ongoing threat may be to personnel, and, going forward, what we need to do to protect diplomats and others serving overseas. Do I have your commitment to engage fully on this issue, to be transparent with this committee, and to work with relevant interagency partners to provide Congress all relevant information about these attacks?

Answer. Yes.

Question. The Department of State faced deep budget cut proposals every year under the Trump administration. And, as they say, “if you show me your budget, I’ll tell you your priorities.” Congress pushed back repeatedly against these proposed cuts. But they were proposals that never should have been made to begin with. Do I have your commitment that you will seek and fight for a full and robustly-funded Function 150 International Affairs budget?

Answer. If confirmed, I am committed to working with you to ensure a function 150 budget that will allow us to “make diplomacy the tool of first resort for U.S. statecraft to achieve the administration’s top foreign policy priorities,” as the Secretary said on March 3. If confirmed, I will advocate for the necessary investments in our people and programs to support and cooperate with our allies and partners around the world to advance our interests and build back better, including by furthering the democratic values of prosperity, freedom, and peace.

Question. The Department of State has remained perilously behind the curve when it comes to tech innovation and cyber security. The recent SolarWinds hack is a stark reminder of the high risk of vulnerabilities in government systems. What do you see as the immediate priorities for State’s cyber infrastructure? What steps will the Department take in the future to prevent such intrusions and to mitigate the damage where these intrusions do occur?

Answer. The SolarWinds supply chain compromise is a serious cybersecurity issue for the federal government and private sector companies. Cybersecurity remains of paramount importance and if confirmed I intend to support the Department’s efforts to protect and maintain its cyber infrastructure. These efforts are focused on dedicated investments in infrastructure, talent, and planning to ensure the security and resilience of the Department’s networks and digital assets, thereby protecting its global workforce and the citizens we serve. We must also ensure that the Department’s internal governance structure for cybersecurity is properly aligned to protect the Department’s networks.

Question. How is the Department cooperating and coordinating with other relevant USG agencies and offices to address the intrusion and to repair any damage?

Answer. While a full assessment of the incident is ongoing, I will, if confirmed, support the Department’s continued cooperation and coordination with the joint Cyber Unified Coordination Group in addressing the SolarWinds vulnerability. It is critical that the federal government also work with private sector partners to address the ever-expanding landscape of threats.

Question. In September 2020, State’s Office of the Inspector General (OIG) identified \$200 million spent on Trans-Sahara Counterterrorism Partnership programs as potentially wasteful spending due to mismanagement and inadequate oversight from staff in the Africa Bureau. The OIG found that, among other contributing factors, the Africa Bureau continuously experiences staffing shortages, and that the State Department has not appropriately prioritized the Africa Bureau’s needs. As Deputy Secretary for Management and Resources, what will you do to ensure that the Africa Bureau has adequate resources and staff, including a properly skilled, trained, and incentivized workforce equipped to meet the bureau’s needs and objectives?

Answer. If confirmed, I will work with the Bureau of African Affairs to ensure it has the resources, including personnel, necessary to meet the bureau’s objectives. I recognize that the Bureau of African Affairs is chronically understaffed both in terms of positions and vacancies. If confirmed, I will review our staffing levels around the world to ensure that our embassies and bureaus are adequately staffed to meet our duties and advance our interests. Staffing must be aligned with our most pressing interests, including oversight of critical programs like the Trans-Sahara Counterterrorism Partnership. If confirmed, I will explore enhancing incentives to serve at hardship posts, including those in Africa, and will look for other

ways to ensure that our vacancies are filled, which would address elements of the OIG report related to field-based oversight.

Question. I understand that our embassy in Niger lacked both a political officer and an economic officer for months on end, at a time when that country was preparing for historic elections, chairing the Economic Community of West African States regional bloc, and engaging in counterterrorism operations in the increasingly insecure Sahel. Similarly, despite an armed uprising and a recent contentious election, our embassy in the Central African Republic reportedly lacks a political officer. As Deputy Secretary for Management and Resources, what will you do to ensure that hard to fill posts, especially in Africa, are appropriately staffed by qualified Foreign Service Officers?

Answer. The Department offers a number of incentives for employees to serve voluntarily in difficult locations. These include hardship differential payments of 5 percent to 35 percent, and danger pay when appropriate. Service need differential provides an additional 15 percent of salary for employees who agree to serve an extra year at posts that are particularly difficult to staff. There are also procedural incentives, such as the ability to take “stretch” assignments into higher-ranking positions that may offer more challenging work and greater opportunities for promotion. If confirmed, I will continue to review these incentives and calibrate them to America’s national interests overseas.

Question. There are long-standing concerns among career civil service employees that the Department is “designed” for the career foreign service, with few career advancement pathways for the career civil service. The lack of such pathways can mean that the Department loses talent to outside industries or to another office or bureau with higher-graded positions available. How will you address these long-standing concerns among career civil service employees, and create intentional and transparent pathways to career advancement?

Answer. I am committed to listening to the workforce and ensuring we retain high performers by investing in their professional development and strengthening programs that mentor individuals for success, provide actionable feedback on performance, chart career progression, provide more interagency and other detail opportunities, and create viable pathways for those in the Civil Service who aspire to advance their careers. I support efforts to expand existing career development and detail opportunities for Civil Service employees.

Question. Some of the most successful businesses in the world have developed extensive employee training and career-long mentoring programs. The Department has a renowned facility in the Foreign Service Institute that plays a critical role in training both foreign and civil service employees. Unfortunately, there are very few classes focused on developing the management skills necessary to maximize the morale and effectiveness of Department employees. Do you believe the Department should develop a more robust management training initiative to ensure that sound management skills are viewed as a necessary skill not just for “management-coned” foreign service officers?

Answer. Yes, I believe that management skills should be widely taught to all of our foreign affairs professionals, and that all training should reinforce the leadership skills needed to build up employees’ morale and effectiveness. If confirmed, I will continue to promote FSI’s commitment to providing world class training to employees across the Department. I will work to ensure FSI remains committed to seeking additional ways to expand its reach in these crucial areas.

Question. Do you commit to reviewing existing management trainings and reporting back to the committee with recommendations for improvement?

Answer. If confirmed, I commit to a full review of current management skills training at FSI and will report back to the committee with recommendations for improvement as necessary.

Question. A recent survey of executive-level staff at the State Department conducted by Executive Women at State found concerning trends that inhibit career advancement for women. More than half of the respondents ranked 15 of the 22 barriers measured in the survey as having a huge or significant impact on the advancement of women at the Department; 75% of respondents described gender-related bias as having substantial impact on their careers. Do you commit to reviewing this report and its recommendations, and prioritizing a review of how the Department can reduce barriers for women to increase retention and help more women serve in senior roles?

Answer. If confirmed, I will review this report, and will work to build upon the Department's ongoing initiatives and framework to increase flexibilities and support for our workforce. The Department instituted a number of policy changes designed to advance equal opportunity for women in the workforce and address barrier concerns raised by affinity groups and associations. In line with the recommendation of the January 2020 GAO report, "Additional Steps Are Needed to Identify Potential Barriers to Diversity," if confirmed, I commit to the Department's undertaking of further analysis to explore barriers to equal advancement for women and what remedies can be taken to mitigate those barriers to support the retention and career advancement of women at the State Department.

Question. It is no secret that the Department's morale has sunk to historic lows over the past several years under President Trump and Secretary Pompeo. Secretary Blinken has already made great strides in addressing distrust and improving morale at the Department, but much work remains to make sure that the Department's workforce is empowered and trusted to carry out its critical diplomatic work. What steps will you take to rebuild the morale of the people who serve at the Department and to ensure the Department has a workforce that is supported and empowered to carry out their mission to the best of their abilities?

Answer. The people who work for the Department of State are committed public servants who uphold U.S. policies to protect U.S. citizens and their interests abroad. The marginalization and loss of career talent over the last four years has coincided with declines in overall employee job satisfaction in annual workforce surveys. The report issued by your committee last July, "Diplomacy in Crisis," also chronicles the decline in morale at the Department, among other things. That said, the nearly 77,000 State Department employees worldwide remain resilient. If confirmed, I am committed to improving the State Department to advance our security and prosperity, including by investing in a diplomatic corps that fully represents the United States in all its talent and diversity. That means recruiting, retaining, and providing career development opportunities to officers with the skills to contend with 21st century challenges and who represent the diversity of the country we represent. I will spare no effort, if confirmed, to ensure their safety and well-being and demand accountability for fostering a more diverse, inclusive and non-partisan workplace.

Question. Last year, I published a report, Diplomacy in Crisis, which laid out the challenges facing the Department's workforce. It cited employee survey data that showed some disturbing trends—for example, steep increases in the number of staff who said they feared reprisal or retribution if they were to report a violation of law. Does that concern you, and how do you plan to reverse that culture?

Answer. I reviewed the committee's report prior to the confirmation hearing. These findings do concern me. I agree that retaliation for participating in the EEO process or anti-harassment program, requesting a reasonable accommodation, or for opposing discriminatory practices is unlawful, grounds for discipline, and counter to good management; employees do best when they have the ability to speak up and help the Department improve. The release of the forthcoming Diversity and Inclusion Strategic Plan will help guide a collective action approach to, among other things, fostering a culture that encourages people to speak up. If confirmed, as a senior leader in the Department, this work will be a priority.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR JAMES E. RISCH

Question. The COVID-19 pandemic originated and accelerated in higher-income countries, where USAID does not maintain a regular presence and where diplomatic engagement proved critical to securing access for global health experts on the one hand and the evacuation of American citizens on the other. Who is responsible for the execution of U.S. foreign policy at overseas posts, including diplomatic engagement to advance U.S. global health security interests in countries of all income categories: the Department of State, the U.S. Agency for International Development (USAID), or the Centers for Disease Control and Prevention (CDC)?

Answer. At every overseas mission, the chief of mission is responsible for the execution of U.S. foreign policy. Multiple agencies have personnel on the ground under chief of mission authority, and the State Department works closely with all relevant agencies to deliver on our robust U.S. government foreign policy objectives.

Question. If confirmed, how do you intend to organize and resource the Department to advance the global health security and diplomacy objectives of the United States overseas?

Answer. The Department of State is firmly committed to using diplomacy to advance global health security objectives. The Department has already begun to mobilize an international response to COVID-19 with an initial \$2 billion contribution to Gavi, which will support COVAX, along with a pledge to provide an additional \$2 billion through 2022. The State Department's efforts to address the full range of global health security threats are facilitated by the close coordination of bureaus across the Department and the interagency. I understand the State Department is reviewing options to structure its response to meet critical policy objectives and, if confirmed I look forward to being part of these efforts and working with Congress as planning progresses.

Question. The Office of the Global AIDS Coordinator was recently directed to suspend its Country Operating Plan (COP) process, which had already reached an advanced stage, in order to alleviate burdens on implementing partners during the COVID-19 outbreak. While sympathetic to the needs of implementing partners, the COP process and the data-driven approach it has institutionalized is vital to the effective planning and execution of the President's Emergency Plan for AIDS Relief (PEPFAR) programs. If confirmed, will you ensure that the State Department-led COP process is restored and that the implementing agencies—USAID and CDC—adhere to such plans without unwarranted delays or deviations?

Answer. The Biden-Harris administration is fully committed to and supportive of PEPFAR. On March 5, 2021, the Department announced plans for the COP/ROP 2021 planning process to resume on April 1, 2021, and conclude no later than May 21, 2021. If confirmed, I will be firmly committed to ensuring that collaborative, transparent, and data-driven COP/ROP 2021 plans are completed in every PEPFAR-supported country and region and that there is no disruption in HIV services at the start of FY 2022. Following COP/ROP 2021 approvals, I understand that PEPFAR will move expeditiously through the required processes of Congressional notifications, approvals, and transfer of funds to implementing agencies in advance of the beginning of FY 2022.

Question. During his confirmation process, this committee asked Secretary Blinken: "Under your leadership as Secretary of State, what actions will you pursue to ensure that hard-to-fill posts in Sub-Saharan Africa are sufficiently and consistently staffed?" On January 19, he replied in writing: "If confirmed, I will work with the White House and relevant State Department bureaus and offices to ensure that all posts in Sub-Saharan Africa are sufficiently and consistently staffed with the appropriate personnel." Secretary Blinken's response was insufficient because it merely re-phrased the question into an answer and was non-specific on any action reflecting a change in priority from previous administrations. What do you view as the most pressing management and staffing challenges facing the Department's Bureau of African Affairs?

Answer. Advancing the State Department's diplomatic agenda and implementing innovative, effective foreign assistance programs depends on its personnel. The Bureau of African Affairs has been chronically understaffed both domestically and overseas, impeding the Department's ability to achieve the administration's goals, as well as to seize opportunities when they appear. Staffing must be aligned with our most pressing interests, including oversight of critical programs like the Trans-Sahara Counterterrorism Partnership. If confirmed I will explore enhancing incentives to serve at hardship posts, including those in Africa, and will look for other ways to ensure that our vacancies are filled. The Department offers a number of incentives for employees to serve voluntarily in difficult locations. These include hardship differential payments of 5 percent to 35 percent, and danger pay when appropriate. Service need differential provides an additional 15 percent of salary for employees who agree to serve an extra year at posts that are particularly difficult to staff. There are also procedural incentives, such as the ability to take "stretch" assignments into higher-ranking positions that may offer more challenging work and greater opportunities for promotion. If confirmed, I will continue to review these incentives and calibrate them to America's national interests overseas.

Question. What specific actions will you prioritize in your role to ensure that the Africa Bureau's staffing efforts focus on building regional expertise, diversity, and preparedness so the Department can sufficiently and consistently staff hard-to-fill posts in Africa?

Answer. I recognize that the Bureau of African Affairs is chronically understaffed, both in terms of positions and vacancies. If confirmed, I will review the State Department's staffing levels around the world to ensure that staffing is aligned with its most pressing interests. I will explore enhancing incentives to serve at hardship posts, including those in Africa, and will look for other ways to ensure that our vacancies are filled. I am committed to an inclusive workplace and, if confirmed, will support the Bureau of African Affairs' efforts as they work to implement management reforms for recruitment, hiring, and retention.

Question. Recently, legal restrictions—commonly referred to as “section 889”—have gone into effect that severely limit the types of telecommunications networks that U.S. Government departments and agencies can use overseas. These restrictions were an attempt to combat the Chinese Government's sale and use of Chinese companies' technological networks and equipment in other countries to engage in espionage. However, many countries' networks are so saturated by prohibited telecommunications equipment that complying with section 889, absent a waiver, may limit the ability of our posts to operate abroad. How do you assess the burden placed on the Department by these restrictions?

Answer. Compliance with FY2019 NDAA Section 889 places an extreme burden on the Department's ability to conduct diplomacy in those nations where access to trusted networks is limited or non-existent. The current ODNI national security interest waivers mitigate the impact of Section 889, enabling the State Department to continue to supply its posts with critical services. There are parts of the world where it is unlikely that any trusted vendor will be available. Current ODNI waivers expire in 2022. Without waiver extensions, changes to the compliance regimen, or unforeseen technical solutions, the Department will be severely impacted in its ability to conduct diplomacy overseas.

Question. Do you believe that the Department should be able to implement these restrictions fully without diminishing its ability to operate abroad?

Answer. While I strongly support the intent of Section 889 of the 2019 NDAA, I understand that the current global market upon which the Department relies cannot meet the provision's requirements without waivers while continuing to accomplish the Department's mission. Absent a waiver, critical mission area activities will cease or be seriously hindered.

Question. Are there costs associated with these restrictions?

Answer. As a result of the ODNI approved waivers, I understand that the initial cost of compliance has been manageable and mainly focused on administrative workloads. As alternatives and compliant sources are identified overseas, it is anticipated the cost of compliance will increase when transitioning overseas acquisitions to compliant services.

Question. Would the Department be able to operate without the waivers currently granted by the Office of the Director of National Intelligence (ODNI) to the Department?

Answer. I understand that the Department of State would not be able to operate without the waivers currently granted by the Director of National Intelligence (ODNI). ODNI granted nine waivers under section 889(d)(2) until September 30, 2022, to allow the Department to continue contracting activities that would otherwise be prohibited under section 889(a)(1)(B). I understand that these waivers cover not only contracting for telecommunications services, but also contracting for security services and equipment and many other programs and services vital to the Department and potentially impacted by the breadth of section 889(a)(1)(B). The Department will make use of these waivers until an offeror attests itself eligible under section 889(a) or until alternative sources eligible under section 889 can be identified and contractual arrangements and necessary transitions implemented.

Question. Do you plan to request an extension of waivers?

Answer. Without change to the current compliance requirements, I understand that the Department must pursue extensions of all waivers granted by ODNI. I am committed to protecting U.S. telecommunications and, if confirmed, will work across government agencies and in the international community to adopt networks based on trusted supply chains

Question. Do you commit to work with Congress to find a long-term solution that ensures secure, reliable communications while encouraging foreign governments to move away from prohibited technological networks?

Answer. Yes. I strongly support the intent of the FY 2019 NDAA Section 889 and concur that steps must be taken to contract with safe, reliable, and secure services. If confirmed, I will continue to engage with the Department's interagency partners to develop a unified long-term solution.

Question. One troubling trend my staff and I have identified during our travels over the previous Congress is that many of our diplomats are not getting out from behind embassy walls and meeting with the local population or even other diplomats. Frequently, we are told that the security requirements are too great to support regular traverses to and from embassy compounds. This intolerance of reasonable, voluntary risk sacrifices advancement of U.S. interests for airtight security and keeps our diplomats from being able to do their jobs. Does the inability of State Department diplomats to leave the embassies at which they are currently stationed put the Department at a strategic disadvantage?

Answer. Consistent in-person outreach remains essential to advancing U.S. foreign policy goals. Doing this work requires a diplomatic presence in some of the most difficult and dangerous environments in the world. The Department of State continues to prioritize people-to-people engagement and relationships while taking into account a wide range of threats, including the unique local circumstances at each post. If confirmed, I am committed to reviewing the Department's current overseas operating posture and consulting with Congress and internal Department stakeholders such as the Bureau of Diplomatic Security to determine if current laws and our policies to mitigate operational risk should be modified.

Question. Do Chinese, Russian, and Iranian diplomats face similar restrictions to those placed on U.S. diplomats?

Answer. I am not currently in a position to answer the question of exactly what restrictions are now being placed on Chinese, Russian, and Iranian diplomats.

Question. Do you support getting our diplomats back outside posts? If yes, how so?

Answer. The Department of State strives to provide the most secure environment possible for the conduct of U.S. foreign policy while acknowledging that there is never a guarantee of complete safety. The Bureau of Diplomatic Security (DS) makes every effort to ensure that the Department's personnel and contractors are aware of potential risks and trained accordingly. State Department employees understand the risks but face them every day to advance U.S. national security and foreign policy interests on behalf of the American people. If confirmed, I will work with the DS to maximize the ability of our diplomats to work outside posts whenever possible through effective risk mitigation and management decisions.

Question. Do you intend to emphasize to the Bureau of Diplomatic Security, regional security officers, and chiefs of mission your desire to do so? If yes, what specific steps will you take?

Answer. Engaging diplomatically outside posts whenever possible is paramount to the success of the Department. If confirmed, I intend to work closely with the Bureau of Diplomatic Security to ensure our foreign affairs community can effectively achieve U.S. foreign policy goals with an acceptable level of risk.

Question. Should security concerns always take precedence over the ability of our diplomats to operate abroad?

Answer. Security conditions faced by our foreign affairs community overseas evolve, but the need to operate globally and carry out the State Department's diplomatic mission remains constant. If confirmed, I commit to ensuring the Department routinely assesses the threat environment in which its people live and work, mitigating risk with all the tools at our disposal, and making informed risk management decisions. My objective will always be to ensure personnel working in the Department's diplomatic missions overseas are able to carry out their duties in as safe and secure an environment as possible.

Question. How should diplomatic objectives be weighed in relation to security concerns, particularly with regard to embassy security?

Answer. I understand that the Department uses a variety of policies, training, and techniques to weigh diplomatic objectives in relation to security concerns. The Department sets a high baseline of security practices for all personnel and diplomatic facilities wherever they are located. If confirmed, I intend to continuously review and improve the Department's global security standards without sacrificing our ability to effectively fulfill our diplomatic mission.

Question. Between late 2016 and May 2018, the State Department found that certain U.S. Embassy community members suffered a series of unexplained injuries, including hearing loss and cognitive issues. If confirmed, will you commit to continuing the investigation into the circumstances surrounding the sonic attacks?

Answer. If confirmed, I will be wholly committed to engaging in the ongoing investigation into circumstances surrounding the unexplained health incidents. The Department continues to work on determining what happened to our staff and their families and to ensure their well-being and health going forward. There is no higher priority than the safety and security of our U.S. personnel, their families, and U.S. citizens.

Question. Will you seek to ensure the safety and security of U.S. diplomatic personnel in Havana and other posts where personnel have been injured?

Answer. If confirmed, I am committed to working to ensure the safety and security of U.S. personnel and their families under Chief of Mission security responsibility. The Department is working to determine what happened to its staff and their families and to ensure the well-being and health of our officials going forward. That investigation is ongoing and is a high priority.

Question. Dozens of these cases were reported by personnel stationed at the U.S. Embassy in Havana, Cuba. To date, Cuba has refused to cooperate with investigations into these reports. Is it in the national interest of the United States to assign an ambassador to Cuba before the Cuban government fully and credibly cooperates with these investigations and explains the targeted attacks on U.S. diplomats in Havana?

Answer. The Department of State has no higher priority than the safety and security of U.S. personnel, their families, and U.S. citizens. The Department continues to review its staffing posture to ensure that Embassy Havana can continue its core mission effectively and safely. The Department continually reminds the Cuban government of its obligation under the Vienna Convention to take all appropriate steps to protect our diplomats.

Question. If confirmed, do you commit to support all State Department employees and their families who were injured by these sonic attacks, including those employees who have since left the Department?

Answer. If confirmed, I am committed to supporting all State Department employees and their families who were injured by these unexplained health incidents, regardless of employment status. To ensure that affected personnel receive the appropriate care, the Department established the Senior Care Coordinator position to serve as an advocate for the affected personnel and provide administrative support including assistance in applying for workers' compensation. This position is an advocate for all affected personnel.

Question. If confirmed, do you commit to work constructively with other government agencies to find the cause of the attacks and determine the best ways to support those U.S. government employees who have been injured?

Answer. If confirmed, I will be wholly committed to strengthening interagency cooperation on this issue. The Department has partnered with multiple agencies to help identify the source and cause of these injuries. Recently, the Department designated a senior-level official as the Senior Advisor to the Health Incidents Response Task Force who will advise senior Department leadership and coordinate the Department's response to the health incidents with the interagency.

Question. If confirmed, do you commit to regularly share new information on this issue with Congress, including updates on any live investigations?

Answer. If confirmed, I am committed to regularly share new information on this issue as appropriate.

Question. Do you support Congress passing a State Department authorization bill?

Answer. As you might imagine, given my years working with the President, including in his capacity as chairman of this committee, I have been very involved in and supportive of Congressional efforts to pass a State Department Authorization Act. If confirmed, I am committed to working with the committee on our shared interest in strengthening the capabilities of the Department, including through legislation as necessary.

Question. Do you believe it is important that the Department be explicitly authorized outside of the appropriations process?

Answer. I do think it is important. Given my past work on the staff of the committee, I appreciate the role of the Senate Foreign Relations committee, in considering and developing authorization legislation pertaining to Department operations. I recall, too, the challenges encountered at times in efforts to secure such authorization. If confirmed, I am committed to working with the committee on legislative proposals, particularly those providing needed authorizations.

Question. Do you believe that the role the Senate Foreign Relations Committee is important in providing congressional oversight?

Answer. Yes.

Question. Do you commit to making Department personnel under your purview available for timely briefings upon request?

Answer. If confirmed, I will work to ensure that the Department makes available personnel who are well-positioned to be responsive to your requests in a timely manner.

Question. In light of the massive cyber hack of the U.S. federal government that was reported in December 2020, how important is cybersecurity to the State Department and U.S. diplomacy?

Answer. Cybersecurity is of paramount importance to the Department of State. The Department needs to ensure cybersecurity is an integral part of its efforts, including as it adopts new technologies to meet new global diplomacy demands. The continually evolving threat to the cyber landscape requires a dedicated investment in infrastructure, talent, and planning to ensure the security and resilience of our networks and digital assets while protecting its global workforce and the citizens we serve.

Question. What cybersecurity challenges does the Department currently face?

Answer. As with any global organization, the Department of State is an attractive target for malicious cyber activity. Therefore, the Department is always engaged in identifying cybersecurity threats and taking steps to counter any threats. Cyber threat actors will likely prioritize exploitation of the Department's maximum telework and global posture and attempt to target remote access solutions and devices to collect internal Department information. Threat actors will attempt to identify and exploit any new vulnerabilities in operations. Additionally, cyber threat actors may be more likely to target supply chain operations against the Department's software providers, inspired by the recent SolarWinds event. If confirmed, I will work to ensure the Department's cybersecurity efforts are geared toward addressing these challenges.

Question. How do you intend to improve cybersecurity at the Department?

Answer. The Department's approach to cybersecurity is rooted in a deep understanding of the operational nexus between malicious cyber activity and counterintelligence threats and the need to develop proactive solutions for managing the Department's global cyber exposure and ensuring a safe and reliable digital environment for performing the diplomatic mission. To proactively defend against current, emerging, and future cybersecurity threats, the Department should continue steps to consolidate network monitoring and infrastructure IT operations and maintenance as well as maximize network visibility, auditing, and configuration management. The Department must ensure rigorous vulnerability management and swift patch deployment, while leveraging a matrix of cybersecurity, security technology, and investigative capabilities to detect, analyze, and defend against all cyber threats.

Question. As with any workforce, high morale among the State Department's employees is vital to attracting and retaining talent. Is morale at the Department a problem?

Answer. The people who work for the Department of State are committed public servants who uphold U.S. policies to protect U.S. citizens and their interests abroad. The marginalization and loss of career talent over the last four years has coincided with declines in overall employee job satisfaction in annual workforce surveys, as well as a reduction in test takers for the Foreign Service exam. That said, the nearly 77,000 State Department employees worldwide remain resilient and work every day to advance the interests of the American people.

Question. If yes, how do you intend to improve and maintain morale at the Department?

Answer. If confirmed, I am committed to improving and maintaining a State Department workforce that advances our security and prosperity, including by developing a diplomatic corps that fully represents the United States in all its talent and

diversity. That means recruiting, retaining, and providing career development opportunities to personnel with the skills to contend with 21st century challenges and who reflect our country's diversity. I will spare no effort, if confirmed, to ensure their safety and well-being and demand accountability for fostering a more diverse, inclusive and non-partisan workplace.

Question. Are there specific areas of morale (or bureaus) that you believe need immediate attention?

Answer. I am not currently in a position to speak to this question, but if confirmed, one of my first priorities will be to investigate the areas and bureaus that may need urgent attention. I commit to ensuring the safety and well-being of the entire workforce and demand accountability for fostering a more diverse, inclusive, and non-partisan workplace.

Question. In 2017, Congress passed a lateral entry pilot program for the Foreign Service which the Department has yet to implement. Do you commit to begin implementation of the program in 2021 and to design it as Congress intended?

Answer. I understand the Department developed and planned to roll out a new Lateral Entry Pilot Program for Foreign Service generalists in FY 2021. Implementation was delayed for Congressional consultation and notification requirements in the Department's annual appropriations act and by the Department's focus on responding to the global COVID-19 pandemic. If confirmed, I commit to resume implementation of the program when appropriate.

Question. Currently, Foreign Service oral assessments are only held in Washington, D.C., throughout the year and once a year in San Francisco, California. On February 24, 2021, Secretary Blinken issued a press statement saying that, in order to effectively represent the American people to the world, "we must recruit and retain a workforce that truly reflects America." Is geographic diversity important in building a Department that "truly reflects America"?

Answer. The Department administers the Foreign Service Oral Assessment outside of Washington, D.C. twice each year, in San Francisco in February and in Chicago in May. In addition, the Department maintains a national recruitment platform that includes geographic diversity in its strategic recruiting objectives. In 2020, the recruitment team conducted 1,500 events nationwide. Secretary Blinken is committed to increasing diversity, including geographic diversity, at all levels through recruitment and retention as a major priority. If confirmed, I will work with the Secretary to build a diverse workforce that is fully representative of our Nation.

Question. Do you think making it easier and more cost effective for Americans outside of Washington, D.C., and northern California to take the Foreign Service oral assessments would encourage a more geographically diverse Foreign Service?

Answer. Secretary Blinken and I are committed to building a diverse workforce representative of the American people—including geographically—and the Department will continue to expand the accessibility of the Foreign Service assessment process. If confirmed, I will dedicate resources to continue modernizing talent acquisition and support additional innovations to attract exceptional talent. The Department typically offers the Foreign Service Oral Assessment outside of Washington, D.C., twice each year in San Francisco (February) and Chicago (May). In response to COVID-19 disruptions, the Department successfully piloted a virtual oral assessment for Specialist candidates in June 2020. If confirmed, I will direct my team to resume in-person oral assessments outside Washington, D.C., as soon as conditions allow.

Question. Do you commit to expanding the number of locations where the Foreign Service oral assessments can be administered?

Answer. COVID-19 caused disruptions to the assessment process. To overcome this, in June 2020 the Department successfully piloted a virtual oral assessment for Foreign Service Specialist candidates. Although the Generalist Foreign Service Oral Assessment could not be adapted to a virtual format, the Department's prioritization of public health measures at the assessment facility will permit in-person oral assessments to resume in Washington, D.C., in late March. When health and safety conditions permit, the Department will again offer the Foreign Service Oral Assessment outside of Washington, D.C., twice each year, in San Francisco and in Chicago. If confirmed, I will dedicate resources to continue modernizing talent acquisition and support additional innovations to attract exceptional talent.

Question. If confirmed, do you commit to briefing this committee on the administration's use of special envoys, including with respect to the constitutional and legal authority to appoint such officials?

Answer. If confirmed, I commit to briefing this committee on the administration's use of special envoys, including with respect to the relevant appointment authorities.

Question. The Consolidated Appropriations Act of 2021 establishes an Office of Sanctions Coordination within the Department of State. If confirmed, do you commit to work with my office and this committee to ensure that this office succeeds and fulfills its statutory mandate?

Answer. Yes, I am aware that this office has been re-established in statute, and that the law requires the administration to appoint a head of such office to have the rank of ambassador and with the advice and consent of the Senate. I understand that the Department is actively reviewing these new requirements. If confirmed, I believe there will be the opportunity for me to engage in this process, as we will want to ensure that any such official would have the expertise and stature, including political support, to operate effectively within the U.S. government and internationally.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR BENJAMIN L. CARDIN

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. While a Senate staffer working for then-Senator Biden—first in his Senate office as a foreign policy legislative assistant, and later as chief counsel on the staff of the Committee on Foreign Relations—I developed and executed on legislative and oversight efforts to protect and enhance the work of U.S. international broadcasting, which provides objective news and information to audiences around the world. In particular:

- Early in the Clinton administration, Senator Biden blocked an effort, proposed in the first budget submitted by President Clinton, to close Radio Free Europe/Radio Liberty (RFE/RL). Senator Biden believed, as I did, that it was premature to close the radio services, given that democratic governments and traditions in Europe and Eurasia after the collapse of the Soviet bloc were not firmly established. In that period, we also learned from testimony by leaders such as Poland's Lech Walesa of the power of these services during the Cold War in sustaining dissident movements. With the regression of democracy in the region since then, it is clear that the decision to preserve RFE/RL was well-founded.
- Based on the success of RFE/RL, Senator Biden authored the legislation that led to the creation of a similar 'surrogate' radio service to broadcast to China and other countries in East Asia. "Radio Free Asia (RFA)" was established by legislation enacted in 1994 and initiated broadcasts in 1996. Today, the service has a well-established reputation for its coverage of news in the countries to which it broadcasts and has earned numerous journalism awards. For example, in 2019, a journalist from RFA's Uyghur service received the Magnitsky Human Rights Award for her reporting on the humanitarian and human rights situation in China's Xinjiang region.

When legislation was proposed to consolidate U.S. foreign affairs agencies in the 1990s, Senator Biden insisted that the Broadcasting Board of Governors (BBG)—then a part of the U.S. Information Agency—be maintained as an independent agency, and not merged into the Department of State, based on our concern that doing so would jeopardize the journalistic integrity of the broadcasting services supported by the BBG.

As chief counsel to the Committee on Foreign Relations, in coordination with a human rights organization, I initiated a standard set of questions for the record that were posed to every ambassadorial nominee about human rights issues in the country to which they had been nominated. We also later undertook to request follow-up reports from the ambassadors after they had been at post for a number of months. I believe this process helped to sensitize nominees to the importance of these issues and ensure that they were giving priority attention to human rights issues as part of their work.

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. Diversity is the key to unlocking an organization's potential as diverse teams consistently demonstrate high performance due to their creativity and innovation. If confirmed, I commit to upholding and fully implementing the Department's leadership and management tenets, including support for diversity and inclusion, to strengthen teams across the Department. I will hold senior leaders accountable for promulgating fairness and transparency in their day-to-day decisions and will seek progress reports, working with the new Chief Diversity and Inclusion Officer, on their continued commitment to championing diversity and inclusion.

Question. What steps will you take to ensure each of the supervisors at the Department of State is fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will ask those who report to me to provide updates on their initiatives and contributions to advance diversity and inclusion at the State Department. I will encourage leaders to prioritize innovation and creativity across teams, ensuring that all voices are heard and that their contributions matter. If confirmed, I will support, empower, and work with the new Chief Diversity and Inclusion Officer and bureau representatives to implement Department-wide diversity and inclusion policies, ensure transparency of these initiatives, and hold senior leadership accountable for progress.

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

Answer. My spouse does not have any financial interests in a foreign country. My investment portfolio, as set forth in my SF-278 submitted to the committee, includes mutual funds and exchange traded funds, including a foreign stock fund, which may hold interests in companies with an international presence, but these funds are exempt from the conflict of interest laws. I am committed to following all applicable ethics laws and regulations and remaining vigilant with regard to my ethics obligations. I will divest any investments the State Department Ethics Office deems necessary to avoid a conflict of interest.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR MARCO RUBIO

Question. There is the proliferation of special envoys, who are often political appointees, and who tend to duplicate work that should belong to the regional bureaus and other permanent offices of the Department. This is not to say that special envoys cannot play a role in certain circumstances, but many career diplomats seem to think there have been too many in recent years. If confirmed, what will you do to streamline the Department, reduce wasteful spending, and do away with redundant positions?

Answer. I understand that the Secretary shares your concern about the proliferation of redundant positions. I also am aware that some special envoy positions are required by law. If confirmed, I will work toward accomplishing the Secretary's goals of efficient and effective management, including by examining the Department's use of special envoys.

Question. It is critically important that we have a Foreign Service that is designed to meet the needs of this century. The talent we have recruited to the Foreign Service is impressive, but I think there are ways to further strengthen how we identify new talent and train the workforce that we have. To meet the challenges of this century, our Foreign Service must be structured to counter the malign influence of the Chinese Communist Party. The new regional China officer positions created dur-

ing the last administration were a good step in this direction. If confirmed, what would you do to shift the focus of the Foreign Service toward developing regional expertise and advanced language skills, particularly in the Indo-Pacific region? If the generalist model is to be retained, are you prepared to carve out a separate track for political and economic officers who specialize in one region and/or critical language?

Answer. If confirmed, I commit to examining the best ways to develop and advance the skills of Department employees so they are prepared to meet global challenges, including the challenges posed by China. In addition to operational and leadership effectiveness, officers wishing to get into the Senior Foreign Service must demonstrate language proficiency. The new Professional Development Program also gives officers the flexibility to focus on and build expertise in a specific region.

I understand in 2020 the State Department stood up a Mandarin Language Task Force to answer the continuing critical need for regional expertise and advanced Chinese language skills. The task force has already delivered an Advanced Mandarin Training Program, with students starting in-country, in-depth language training in Summer 2021.

Question. If confirmed, will you commit to an evaluation of the personnel numbers in each region and adjust accordingly?

Answer. People are the most important State Department asset and properly aligning them to regions and posts is essential to achieving our mission objectives. If confirmed, I will work to make sure that the State Department has the appropriate people in the right place at the right time to achieve its objectives.

Question. Another perennial problem is that too many Foreign Service officers have traditionally regarded human rights and democracy promotion as the responsibility of civil servants in the Department of Democracy, Human Rights, and Labor (DRL), or USAID, but not the Foreign Service. If confirmed, what will you do to raise the importance of human rights and democracy issues in the Foreign Service?

Answer. The President and Secretary Blinken have made clear that America's cherished democratic values are at the center of this administration's foreign policy. If confirmed, I will ensure that this is reflected in human resources decisions as well as policy actions. I pledge to encourage Foreign Service Officers, most of whom passionately and skillfully carry the mantle of human rights and democracy promotion in the execution of their duties, to serve in DRL and to elevate their attention to these issues, wherever they serve. If confirmed, I look forward to working to better enable Foreign Service Officers to build a career around these important issues and to elevate the roles that human rights and labor officers play at our embassies.

Question. I hear from married couples in the Foreign Service that getting assignments in the same country is often difficult. It is important that we find creative ways to keep married couples together, both for morale reasons and to make the best use of the talent we have. If confirmed, what will you do to support Foreign Service families and tandem couples?

Answer. I strongly support efforts to help tandem couples find appropriate positions at the same post, while also ensuring that we meet service need, promote career development, and follow the law such that no advantage or disadvantage accrues to any employee on marital status grounds. If confirmed, I will look for ways to expand workplace flexibilities for tenured employees to increase opportunities for tandems to serve together, including identifying aligning tours of duty, expanding positions eligible for domestic employees teleworking overseas, and identifying more opportunities for in-country language training.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. BRIAN MCKEON BY SENATOR TIM KAINE

Question. Sluggish State Department hiring procedures—including a pre-pandemic average of six months to complete a security clearance—contribute to recruitment challenges and poor morale, and create significant staffing gaps. This is particularly true overseas, where embassies rely on spouses, known as eligible family members (EFMs), to fulfill critical professional and support roles. These positions can be vacant as often as one-third to one-half of the time due to the lengthy hiring and security process. If confirmed, what will you do to address sluggish State Department hiring procedures, particularly for eligible family members?

Answer. If confirmed, I will continue to support ongoing efforts of the Department's senior leadership to re-engineer the security clearance process for all employees, including EFMs. The government-wide Federal Investigative Standards, implemented in 2017, has increased the work that goes into completing background investigations, which impacts EFM onboarding. To streamline family member employment to fill available positions overseas, I am committed to expanding membership in the Foreign Service Family Reserve Corps (FSFRC), where eligible EFMs are appointed to a position that allow them to maintain their current security clearance during gaps in employment at posts. The FSFRC is a helpful tool in reducing the time needed to hire and onboard EFMs overseas.

Question. The pandemic has necessitated a swift move to remote work, highlighting possibilities for expanding the use of telework even after the current health emergency is under control. Would you support increasing the number of foreign and civil service domestic positions approved for telework overseas (i.e. DETO, domestically employed teleworking overseas) and opening them to EFMs and tandem spouses?

Answer. During the pandemic, Foreign Service personnel and employed family members teleworked from the United States to provide remote assistance to our missions around the world. The Department implemented new workplace flexibilities allowing domestic employees to telework remotely from other U.S. locations to maintain an agile workforce. In the past five years, the Department doubled the number of both Foreign and Civil Service DETOs, which allowed qualifying employees to perform their domestic work overseas for a defined period of time. Family members who encumber Civil Service and Foreign Service positions may enter DETO arrangements to perform work from the location of their spouse's overseas assignment. If confirmed, I will strongly support the Department's focus on enhancing employee workplace flexibilities, including telework and remote work.

Question. Would you instruct offices to re-examine policies that permit remote telework only after several months of in-office work, thereby eliminating eligible overseas applicants from applying?

Answer. If confirmed, I will strongly support the Department's focus on enhancing employee workplace flexibilities, including telework and remote work. The pandemic has reinforced the need for such flexibilities and demonstrated that virtual work can be successful.

I understand in August 2020, the Department established a remote work policy, which permits employees in domestic positions to work full-time from an alternate worksite in the United States with supervisor and bureau approvals.

Question. Would you support expanding telework to allow for appropriate overseas positions to be filled by EFMs and tandem spouses who are stationed in the U.S. or at other posts?

Answer. If confirmed, I would support expanding employment opportunities overseas for spouses to work in the country to which their employee spouse is assigned and accredited. While the Department does not have authority to employ family members domestically using its overseas hiring authorities, family members with prior U.S. government service who are currently residing in the United States may be eligible to apply non-competitively to Civil Service positions.

Question. Being assigned to the same post is a perpetual struggle for tandem couples. While the State Department is prohibited from discriminating based on marital status, 3 FAH-1 H-2425.8-7(A) states that State "will make a reasonable effort to assign both members of a tandem to the same post in positions appropriate to their class levels and qualifications." What actions will you take to ensure that this is implemented given current challenges that tandems face in being assigned to the same post?

Answer. I strongly support efforts to help tandem couples find positions at the same post that are appropriate to their skill codes, grade levels, and qualifications, while also ensuring that no advantage or disadvantage accrues to any employee on the grounds of marital status. I will look for ways to expand existing and new workplace flexibilities for tenured FS employees to increase opportunities for tandem spouses to serve together, including identifying aligning tours of duty, expanding positions eligible for domestic employees teleworking overseas (DETO), and identifying more opportunities for in-country language training.

Question. Will you work to align bidding timelines across different components of the State Department (e.g. Diplomatic Security and generalist/specialist cycles) and different foreign affairs agencies?

Answer. The Department has worked to bring bidding cycles in line over the past two years for all employees. The main cycle takes place in the fall, for positions that will be open the following summer. There are also bidding cycles for winter vacancies, for “priority staffing posts” in 11 countries, and for chiefs of mission, deputy chiefs of mission, and principal officers. I will continue to review the bidding cycles and process to ensure they meet our staffing and mission requirements. Other foreign affairs agencies manage their own bidding cycles and process to meet their mission needs.

Question. Will you direct the Entry Level Division of the Career Development and Assignments Office to make every reasonable effort to direct assignments for incoming officers and specialists to posts where their tandem spouse is already serving?

Answer. If confirmed, I will direct the Career Development and Assignments Office (CDA) to follow the law when directing assignments for entry-level employees, so that no advantage or disadvantage accrues to any employee on the grounds of marital status. Further, if confirmed, I will direct CDA to make reasonable efforts to assign both members of a tandem to the same post or region within the bounds of the law. Entry-level employees have less flexibility due to tenure requirements and therefore are always the “lead bidder” when bidding with a mid- or senior-level spouse; more flexibilities exist for mid- and senior-level employees to align tours with an entry-level spouse. If both tandem spouses are entry-level, CDA will direct the entry-level employees according to service needs and career development.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR ROB PORTMAN

GEC/Global Disinformation

Senator Chris Murphy and I have worked very closely over the last 4 years to strengthen the Global Engagement Center and through our efforts and have made important strides in countering global disinformation. I think this is one of the gravest threats we face internationally. Disinformation operations are cheap, deniable, and when combined with economic and political subversion can be a devastating to democracies. Thanks to the work of the GEC we now have an effective organization that can help our allies fight back.

However, there is more work to be done to ensure that the effort is sustained and strengthened through the work of the GEC. In particular, I would like to see:

- *A sustained funding level of at least \$138 million annually.* At its current amount of \$60 million, the Center continues to be under resourced, and is unable to expand into areas such as Africa where countries desperately need our assistance.
- *Extension of hiring authority.* It is critical that the Center be able to retain its talent within the Department as well as recruit outside expertise.
- *A commitment to continue the work of the GEC.* Foreign disinformation is a threat to our democracy and a tool our adversaries wield against us. It is critical that we have the resources, means, and capability to combat this threat, and the GEC located within the Department of State is the right organization to do it.

Question. Can I get your commitment to work with Senator Murphy and me to continue strengthening the capabilities and funding of the GEC so that we can continue the fight against state sponsored disinformation campaigns worldwide?

Answer. You have my commitment, if confirmed, to work with you and your colleagues, as well as the Under Secretary for Public Diplomacy and Public Affairs, to continue strengthening the GEC and our full range of public diplomacy programs so that we are better able to counter disinformation campaigns of authoritarian regimes.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. BRIAN MCKEON BY SENATOR EDWARD J. MARKEY

Question. Will you commit that the Department will make a robust State Department and USAID budget request in Fiscal Year 2022 to address the global pandemic and its secondary impacts?

Answer. If confirmed, and to the extent that decisions have not yet been made on the FY 2022 budget request by the time I am appointed, I am committed to making sure that the Department requests the necessary resources in FY 2022 to address the global pandemic and secondary impacts on Department operations and foreign assistance. I know Congress has already generously provided the Department with funding and expanded authorities in FY 2020 and 2021, which protected the health and safety of the American people and others worldwide, allowed for the timely and efficient repatriation of Americans stationed overseas in the early stages of the pandemic, supported global health security and pandemic preparedness, and sustained consular operations worldwide into FY 2021. I also understand there are significant resources for international pandemic response efforts in the American Rescue Plan, which the Congress is currently considering.

Question. Will you commit to the goal of working in cooperation with our international allies to ensure that every person, regardless of wealth, will gain access to a life-saving vaccine?

Answer. If confirmed, I will strongly support the administration's commitment to multilateralism to surge broad and equitable global vaccine distribution. On December 22, 2020, Congress appropriated funds to contribute to Gavi, the Vaccine Alliance to support the procurement and distribution of safe and effective COVID-19 vaccines, including through the COVAX Advance Market Commitment to facilitate vaccine distribution in 92 low- and middle-income countries. Last month, the Administration announced an initial \$2 billion contribution to Gavi, and that the additional \$2 billion provided by Congress will be released as the United States works with other donors to elevate their pledge commitments. I will encourage countries to consider vulnerable, marginalized, and at-risk populations in their national vaccination plans.

Question. What role can "vaccine diplomacy" play towards restoring the U.S. global image?

Answer. Most countries in the world are anxious to procure COVID-19 vaccines. In addition to meeting our primary responsibility and commitment to ensuring that all U.S. citizens have access to vaccines, therapeutics, and other resources, the United States will also lead in ensuring sufficient vaccines are available around the world, with a focus on protecting communities most at risk. The United States is supporting COVAX, a multilateral initiative to ensure equitable distribution of vaccines. The U.S. will work to expand global vaccination, including through encouraging others to donate to COVAX, and will work to support efforts to mitigate secondary impacts. If confirmed, I will work to leverage our technical, financial, diplomatic, and other assistance to support global vaccination efforts.

Question. What steps will you take to revitalize efforts to ensure that USG diplomatic and administrative personnel who identify as LGBTQI are able to receive visas for themselves and their families when assigned to U.S. diplomatic and consular facilities and bases abroad?

Answer. If confirmed, I will be committed to ensuring that all of the Department's employees and their families are treated fairly and equitably. For employees assigned overseas, that commitment includes seeking accreditation, with all appropriate privileges and immunities, for our LGBTI employees and their families. The State Department has formed a dedicated senior working group to seek ways to gain full recognition for our LGBTI families in those countries that do not now extend such recognition.

Question. Will you commit to regular and personal oversight of these efforts?

Answer. If confirmed, I will be wholly committed to regular and personal oversight of these efforts.

Question. I was pleased to see the recent Presidential Memorandum on Advancing the Human Rights of LGBTQI Persons Around the World. The memorandum outlines a leadership role for the State Department to ensure the federal government's swift and meaningful response to incidents which threaten the human rights of LGBTQI persons abroad. Please articulate how you will mobilize our diplomatic corps to support LGBTQI equality worldwide.

Answer. In accordance with President Biden's Presidential Memorandum on Advancing the human rights of LGBTQI+ persons around the world, I am committed to working closely with our diplomatic corps in using the broad range of diplomatic and programmatic tools and resources to promote and protect the human rights of LGBTQI+ persons. If confirmed, I pledge to support the Department's efforts to empower civil society and local LGBTQI+ movements; combat criminalization of indi-

viduals on the basis of LGBTQI+ status or conduct; protect vulnerable LGBTQI+ refugees and asylum seekers; and allow swift U.S. responses to human rights violations of LGBTQI+ persons.

Question. How can the Department better use the insights and talents of its affinity groups to increase outreach to minority communities with a view to increasing diverse employment and better connecting U.S. foreign policy programs and goals to the needs of the American people?

Answer. The State Department encourages all employees to help recruit diverse talent by using their professional affiliations and networks to amplify Department career opportunities. The Department's 17 Employee Affinity Groups (EAGs) members can explain to future colleagues their unique roles and cooperation to create a culture of inclusion across the Department. The Department's Volunteer Recruiter Corps, launched in January 2021, will leverage employees' diverse insights and experiences to recruit for a more inclusive workforce; half of the 500 participants are EAG members. Outreach from members of underrepresented groups in the diplomatic workforce will be key to prioritize diversity, equity, inclusion, and accessibility as a national security imperative.

Question. Specifically, will you consider encouraging domestic travel of U.S. diplomats, increasing the number of Pickering and Rangel Fellows, and increasing the number of Diplomats in Residence at U.S. colleges and universities in underserved areas?

Answer. If confirmed, I will look forward to carefully reviewing this proposal. I will also continue the Department's efforts to build a more diverse workforce. Currently, 16 regional Diplomats in Residence are based around the country, including seven at Historically Black Colleges and Universities and Hispanic Serving Institutions. In 2020, the Department's virtual recruitment and career fairs opened new channels to reaching candidates. A new "sourcing unit" will identify highly skilled potential candidates from all backgrounds.

The Department increased the Pickering and Rangel Fellowship Programs by 50 percent in 2020 and will welcome a newly expanded cohort of 90 fellows in March. Additionally, in 2020, the Department recruited a record number of fellowship candidates. The Department is considering new fellowships to meet specialist career track hiring needs and diversity and inclusion initiatives, as we have done for Information Specialists with the Foreign Affairs IT Fellowship. If confirmed, I also look forward to continuing conversations with Congress to explore an expanded paid internship program.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR TED CRUZ

Question. Section 15(b) of the State Department Basic Authorities Act of 1956 states that "The Department of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction of these committees. Any Federal department, agency, or independent establishment shall furnish any information requested by either such committee relating to any such activity or responsibility." Can you commit to complying with this provision of law by ensuring that information requested by members of the Senate Foreign Relations Committee is provided expeditiously and transparently? If not, why not?

Answer. I am committed to working with Congress and this committee in accordance with the law to provide all information needed to perform traditional oversight functions as promptly as possible.

Question. The Obama administration was broadly criticized, especially in the context of its Middle East policy, for co-mingling unclassified documents with classified documents. This practice requires that documents be placed in a secure location, unnecessarily limiting access to unclassified documents and stifling public debate. The Biden administration already seems to be repeating such practices: according to an exchange during the State Department press briefing on February 11, a notification describing the lifting of terrorism sanctions on Iran-controlled terrorists in Yemen was unnecessarily transmitted to a Congressional SCIF. Can you commit to ensuring that unclassified information is not unnecessarily comingled with classified information in notifications provided by the State Department to Congress? If not, why not?

Answer. I am committed to working to ensure that information provided to Congress is, to the fullest extent possible, in a format that facilitates its access by authorized personnel, while complying with Executive Order 13526, the Department of State classification guide, and the executive branch rules on the handling and storage of classified information.

Question. Last month the State Department transmitted a mandatory and overdue report to Congress listing entities engaged in sanctionable activities because of their participation in the construction of the Nord Stream 2 (NS2) pipeline, pursuant to the Protecting Europe's Energy Security Act (PEESA), as amended. PEESA mandates the imposition of sanctions on entities listed in such reports. The report included only two entities, the Fortuna and KVT-RUS, both of which the Trump administration had already sanctioned. It did not include any entities which are plainly, publicly required to be listed under PEESA. Reportedly, State Department officials who spoke to Congressional staffers were unable to provide a justification why several entities—including the company responsible for the planning, construction, and operation of NS2—were left off. This abdication is inexcusable. Can you commit to immediately ensuring the Biden administration meets its mandatory obligation to provide an interim report to Congress pursuant to PEESA and sanction all of the entities that are engaged in pipe-laying, pipe-laying activities, certification, and insurance sanctionable under PEESA? If not, why not?

Answer. The State Department submits a report to Congress every 90 days on vessels engaged in pipe-laying and pipe-laying activities, and various entities providing and supporting those vessels, for the Nord Stream 2 pipeline, as required by the Protecting Europe's Energy Security Act (PEESA), as amended, with the next report due to Congress in mid-May. If confirmed, I will use all available tools to counter Russian malign influence and to work with Allies and partners in the region to support Transatlantic energy security goals. The Department of State will continue to examine entities involved in potentially sanctionable activity and will designate additional persons as appropriate.

Question. One of the most egregious dynamics in the initial implementation of the Joint Comprehensive Plan of Action (JCPOA) involved the way that the Obama administration circumvented Congressional deliberation and approval by first attempting to lock in the agreement as international law via United Nations Security Council Resolution (UNSCR 2231). After that resolution was passed—which occurred just as the Congressional review period mandated by the Iran Nuclear Agreement Review Act (INARA) was beginning—officials from the Government of Iran and the Obama administration suggested that Congress would be abrogating the U.S.'s formal international obligations by rejecting the agreement. Can you commit to ensuring that any future nuclear agreement negotiated between State Department officials and Iran, which involves the suspension or waiver of Congressional sanctions, will only be negotiated in full consultation with Congress? If not, why not?

Answer. If confirmed, I commit to consulting fully with Congress on any agreement relating to Iran's nuclear program as called for under INARA.

Question. Can you commit to ensuring that any future nuclear agreement negotiated between State Department officials and Iran, which involves the suspension or waiver of Congressional sanctions, will not be implemented without Congressional approval? If not, why not?

Answer. I am aware that the Iran Nuclear Agreement Review Act (INARA) contains certain limitations on sanctions relief during a congressional review period. I understand that the Biden administration is committed to complying with the requirements of INARA, and if confirmed, I am committed to doing so.

Question. It was recently announced that Iran and South Korea agreed to allow Tehran to access approximately \$1 billion of its assets that are frozen in South Korean banks due to U.S. sanctions. Reports indicate that the South Koreans received approval from Biden administration officials to do so. Please transmit to the committee any waivers, decision memos, or other documents pertaining to this case, and confirm doing so.

Answer. I do not have access to Department records nor the authority on my own to give you Department records. I commit, if confirmed, to work with the committee to appropriately comply with an official committee request for such Department information.

Question. On January 10, 2021, the State Department designated Ansarallah, sometimes called the Houthis, and Abdul Malik al-Houthi, Abd al-Khaliq Badr al-Din al-Houthi, and Abdullah Yahya al Hakim, three leaders of Ansarallah, as Spe-

cially Designated Global Terrorists (SDGTs) pursuant to Executive Order 13224. On February 5 the Biden administration informed Congress of its intention to revoke those sanctions. Officials at the State Department have justified the delisting of what they described as the “broad” designation of Ansarallah on humanitarian grounds, e.g. that large parts of Yemen’s population live under areas controlled by the group. They have not provided an explanation for the delisting of the three leaders, and in fact they have publicly, repeatedly, and falsely denied or downplayed the relief provided to these Iran-backed terrorists. For example, on February 11 State Department spokesman Ned Price falsely told journalists “there is no change” to the sanctions on these individuals. He was asked about the issue again the next day, and said “the Secretary had an intent to remove this broad designation of the movement.” The public statement issued by the State Department did not mention the revocation of the SDGT designation on the Houthi leaders, but noted that they “remain sanctioned under E.O. 13611.” Can you commit to ensuring that State Department officials stop publicly misleading journalists and the American public about sanctions relief provided by the Department and the Biden administration to Iran-backed terrorists? If not, why not?

Answer. I understand that the three Ansarallah leaders in question were designated under the U.N. Security Council’s Yemen sanctions regime in 2015 and domestically under E.O. 13611, related to acts that threaten the peace, security, or stability of Yemen. Therefore, they remain on the Treasury Department’s Specially Designated Nationals and Blocked Persons List and are subject to asset freezing and any attendant travel restrictions. As a consequence of the revocation of Ansarallah’s Specially Designated Global Terrorist (SDGT) group designation under E.O. 13224, there was no longer a basis to retain the SDGT designations of these individuals as leaders of Ansarallah, which were derivative of the broader SDGT designation of the group. If confirmed, I intend to continue our support of U.N.-led efforts, including a robust implementation of the U.N. and E.O. 13611 sanctions, to call attention to and condemn Ansarallah’s destabilizing activities. The State Department’s emphasis will continue to be on using diplomacy to build international pressure on Ansarallah to change its behavior and ultimately end the war.

Question. Please describe why the State Department lifted the SDGT designations on Abdul Malik al-Houthi, Abd al-Khaliq Badr al-Din al-Houthi, and Abdullah Yahya al Hakim.

Answer. I understand that simultaneous with the designation of Ansarallah, sometimes called the Houthis, as a Specially Designated Global Terrorist (SDGT) under Executive Order (E.O.) 13224, these individuals were designated as SDGTs on the basis that they were leaders of an SDGT, namely Ansarallah. As a consequence of the revocation of Ansarallah’s SDGT designation, there was no longer a basis to retain the designations of these individuals as leaders of an SDGT. However, they remain designated under the U.N. Security Council’s Yemen sanctions regime and domestically under E.O. 13611 related to acts that threaten the peace, security, or stability of Yemen and, therefore, remain on Treasury’s Specially Designated Nationals and Blocked Persons List and are subject to asset freezing and any attendant travel restrictions.

Question. The Central Bank of Iran (CBI), has been designated as a Specially Designated Global Terrorist (SGT) pursuant to Executive Order (EO) 13224 for providing material support to terrorist organizations. Can you commit to not lift, rescind or significantly modify—or to agree within the interagency process to lift, rescind or significantly modify—this terrorism designation of the CBI, in the absence of a determination that the CBI has ceased providing material support to terrorist organizations? If not, why not?

Answer. If confirmed, I will support the administration’s efforts to counter Iran’s support for terrorism, including through the appropriate use of sanctions and regular coordination with our partners and allies. Iran is the world’s foremost state sponsor of terrorism, which poses a threat to security and stability in the Middle East, and the administration will continue to use all tools available to counter Iran’s support for terrorism.

Question. Iran’s Islamic Revolutionary Guard Corps (IRGC) is designated as a terrorist organization both as a Foreign Terrorist Organization and as an SDGT pursuant to EO 13224. Can you commit to not lift, rescind or significantly modify—or to agree within the interagency process to lift, rescind or significantly modify—these terrorism designations on the IRGC, in the absence of a determination that the Government of Iran has ceased providing material support to terrorist organizations.

Answer. Iran's support for terrorism threatens our forces and partners in the region and elsewhere. If confirmed, I intend to continue working with our allies and partners to counter Iran's destabilizing activities in the region, including its support for terrorist groups and violent militias and its ballistic missile program, and maintain international, collective pressure on Iran. The administration is committed to countering Iran's destabilizing activities using the array of tools at our disposal, including sanctions to deal with Iran's support for terrorism.

Question. You and other officials responsible for the Joint Comprehensive Plan of Action (JCPOA) have repeatedly described it as the most rigorous inspection regime ever negotiated. Despite this inspection regime, the IAEA was unable to locate the illicit Nuclear Archive subsequently seized by Israel, which included designs and materials relevant to the creation of nuclear weapons. They were also unable to find locations which, having been revealed by Israeli officials, subsequently proved to have evidence of nuclear work that the IAEA says Iran has not accounted for. Please describe what you perceive to have been the flaws in the JCPOA inspection regime do you believe were responsible for these failures by the IAEA?

Answer. I did not work on the Joint Comprehensive Plan of Action while serving in the Obama-Biden administration, but I did support the policy decision by President Obama to conclude it. The IAEA has a decades-long successful track record of monitoring the non-diversion of declared nuclear material globally. While the IAEA thoroughly investigates all available information, including based on its own verification and monitoring activities, it is not an intelligence organization. It can only act on information that is either acquired by it in the performance of its verification mandates or presented to it. The administration has full confidence in the IAEA to pursue any indications of undeclared or diverted nuclear material that could contribute to any renewed Iranian pursuit of a nuclear weapon.

Question. Please describe what new measures you would insist are included in any future nuclear agreement with Iran to ensure that the IAEA has the ability to identify such materials and activities?

Answer. The IAEA has said it has the tools it needs to perform its verification mandates in Iran so long as Iran fully implements its JCPOA commitments. This includes implementation of the Additional Protocol to Iran's NPT-required safeguards agreement that provides enhanced information and access regarding Iran's nuclear program, including with respect to undeclared locations about which the IAEA has questions. The JCPOA provides the IAEA with the most intrusive verification procedures ever negotiated, including to investigate any indications of undeclared nuclear materials or activities in Iran. The administration has full confidence in the IAEA to pursue any such indication.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR JEFF MERKLEY

Question. In partnership with the State Department's New Chief Diversity Officer, what tangible steps will your office take to improve diversity across the State Department, including at the most senior levels of the Foreign Service?

Answer. If confirmed, I will partner with the Chief Diversity and Inclusion Officer to track the progress of the Department on performance metrics on diversity and inclusion as outlined in the soon-to-be released Diversity and Inclusion Strategic Plan. I will hold officers who report to me accountable to promote a culture of inclusion—where every individual voice is heard, respected, and valued. The Department is taking a critical look at the current selection processes employed by the deputy chief of mission and principal officer selection panels. If confirmed, I will encourage hiring managers to identify opportunities that will allow the Department to reach a wider candidate pool to include more candidates from underrepresented backgrounds. Additionally, the Department is finalizing an Enterprise Data Strategy which will include an initial emphasis on supporting Department diversity and inclusion efforts.

Question. Why have women and minorities historically left the Foreign Service at significantly higher rates than white males, and what can you do to address that troubling trend?

Answer. Understanding why women and minorities leave the Department is a crucial step in increasing retention. If confirmed, I intend to ask Department experts to examine whether there is a significantly higher rate of attrition for certain

populations. Consistent with the recommendation of the January 2020 GAO report, “Additional Steps Are Needed to Identify Potential Barriers to Diversity,” I commit to the Department’s undertaking of further analysis, including as part of its forthcoming Enterprise Data Strategy, to explore what interventions the Department can introduce to mitigate attrition, including of underrepresented minorities and women, ensuring the Department remains an employer of choice. If confirmed, I will focus on bringing accountability and transparency to this issue.

Question. Significant delays in the hiring process have impacted the State Department’s ability to bring on board talented Foreign and Civil Service Officers, as well as local staff and family members at many embassies abroad. Do these delays affect the State Department’s ability to deliver on its goals, and how will you approach implementing a more efficient hiring process?

Answer. I understand in FY 2020, the Department achieved a 20-percent reduction in Foreign Service assessment timelines, despite disruptions caused by COVID-19. A new virtual oral assessment and a remote-proctored Foreign Service Officer test allowed at-home testing. The Department’s Bureau of Global Talent Management (GTM) created an entirely virtual Foreign Service onboarding process that met FY 2020-authorized Foreign Service hiring targets, including 414 Foreign Service staff hired virtually. The Department exceeded the Foreign Service Specialists target by 14 percent. The Department has experienced high Civil Service (CS) vacancy rates due to the extended hiring freeze; however, I understand the CS hiring backlog has been significantly reduced. If confirmed, I will dedicate resources to continue modernizing hiring strategies and support additional innovations to attract exceptional talent.

Question. With last year’s closure of the U.S. Consulate in Chengdu, the United States appears to be at a disadvantage in our diplomatic reach and representation in China. How will you approach re-positioning our diplomatic footprint in China to ensure that we have the broadest reach, including access to parts of the country in which we do not currently have representation?

Answer. I understand that the suspensions of operations at U.S. Consulate General Chengdu and U.S. Consulate General Wuhan significantly increased the workload for Embassy Beijing without adding additional staff, and that the Department is currently reviewing Mission China’s request for additional personnel. It is important that the Department is adequately resourced and positioned to know what is happening inside China. If confirmed, I will review the Department’s diplomatic presence there, including whether it should resume operations at U.S. Consulate General Wuhan.

Question. For many years, the State Department has relied on consular fees to fund most of its basic functions, a model that proved untenable over this last year. How will you approach working with Congress to find a more sustainable model for funding the Department?

Answer. The consular funding structure relies on visa fees and the growth in visa demand to fund the Department’s highest priority: the protection of U.S. citizens and their interests. The Department retains only 83 percent of all consular fees it collects. Retained fees are exclusively from passport and visa applications. The Department remits the remaining consular fees, primarily for overseas citizen services, to the Treasury. For FY 2021, Congress expanded expenditure authorities of certain retained fees which otherwise could not be used to support U.S. citizen services. I understand that the Bureau of Consular Affairs may continue to need appropriations without further changes to its fiscal structure. If confirmed, I would work with Congress to find a solution.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BRIAN MCKEON BY SENATOR BILL HAGERTY

Question. In your prepared statement, you highlighted the importance of increasing diversity in the Department of State to ensure that it is “fully representative of America.” If you are confirmed, what metrics will you develop to measure that all aspects of diversity, to include race, gender, ideology, regional, and socioeconomic differences are represented in the Department of State’s efforts to increase diversity?

Answer. Diversity is the key to unlocking an organization’s potential as diverse teams consistently demonstrate high performance due to their creativity and inno-

vation. If confirmed, I commit to upholding and fully implementing the Department's leadership and management tenets, including support for diversity and inclusion, to strengthen teams across the Department. I will hold senior leaders accountable for promulgating fairness and transparency in their day-to-day decisions and will seek progress reports, working with the new Chief Diversity and Inclusion Officer, on their continued commitment to championing diversity and inclusion.

In addition, I will work to ensure that our recruiting efforts target all regions of the country. The Department is also developing a program to begin to pay some interns, which will help our recruitment efforts with those who are socioeconomically disadvantaged.

Question. In the era of global connectivity and greater ease of movement, what is the purpose of an Embassy in the 21st century?

Answer. Maintaining a U.S. embassy presence allows the Department to cultivate personal relationships around the world to advance U.S. foreign policy, economic, and national security interests and to support U.S. citizens abroad, such as assisting and evacuating more than 100,000 U.S. citizens during the COVID-19 pandemic. While creative and effective pivots to virtual traditional and public diplomacy have allowed the Department's missions to promote U.S. priorities during COVID-19, consistent in-person outreach remains the most effective way to achieve an understanding of host countries that strengthen our ability to assert U.S. influence. If confirmed, I am committed to working with Congress to ensure Department resources and personnel are aligned to respond to 21st century challenges.

Question. Do you support reorganizing or abolishing aspects of the Department of State to prevent redundancy and overlapping areas of responsibility?

Answer. If confirmed, I look forward to reviewing the Department's organization and aligning available resources and staffing with strategic priorities, as well as ensuring clear lines of accountability and responsibility. I am committed to ensuring the effective and efficient use of U.S. taxpayer dollars.

Question. In your view, how can we reform the allocation and selection of career Ambassadors to ensure American interests are adequately represented?

Answer. The Department of State endeavors to ensure that U.S. interests are strongly represented by career ambassadors who embrace the diversity of the United States. There is a rigorous selection process in place which focuses on the candidate's suitability, talents, skills, abilities, and experience, and the candidate is vetted by senior Department officials before being submitted for consideration by the White House. These positions are highly competitive, and the Department thoroughly reviews all qualified candidates. If confirmed, I will review the Department's ambassadorial selection process to ensure we are choosing the best candidates for these positions.

Question. In your view, should any Ambassador be seated who has not met and counseled with the President of the United States?

Answer. The ambassador is the direct representative of the President of the United States. As such, it is beneficial for the United States for the ambassador to meet and counsel with the President. However, that is not always possible, given the number of ambassadors and the President's schedule. As you know from your experience as Ambassador to Japan, ambassadors do receive a personal letter of instruction from the President that provides them guidance directly from the President in preparation for their assignment.

Question. In order to expand the pool of qualified candidates for senior positions in Embassy Tokyo, specifically the position of Deputy Chief of Mission, the Department of State previously removed as a requirement Japanese language proficiency at the level of 4/4. Is there a requirement for Japanese language proficiency at the level of 4/4 to be eligible to apply for the position of Deputy Chief of Mission in Embassy Tokyo? Please begin your answer with yes or no.

Answer. No. A 4/4 level in Japanese is exceedingly rare and would exceed the working-level requirement of 3/3 for most language-designated positions. Although having Japanese language skills is certainly desirable, there is no specific language requirement for the selection of the Deputy Chief of Mission in Tokyo.

**Additional Material Submitted
by Senator Cory A. Booker**

**Report by Amnesty International on the November 19, 2020
Massacre at Axum (Ethiopia)**

THE MASSACRE IN AXUM



Amnesty International is a movement of 10 million people which mobilizes the humanity in everyone and campaigns for change so we can all enjoy our human rights.

Our vision is of a world where those in power keep their promises, respect international law and are held to account.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations.

We believe that acting in solidarity and compassion with people everywhere can change our societies for the better

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First published in 2021
by Amnesty International Ltd
Peter Benenson House, 1, Easton Street
London WC1X 0EW, UK

Index: AFR 25/3730/2021
Original language: English

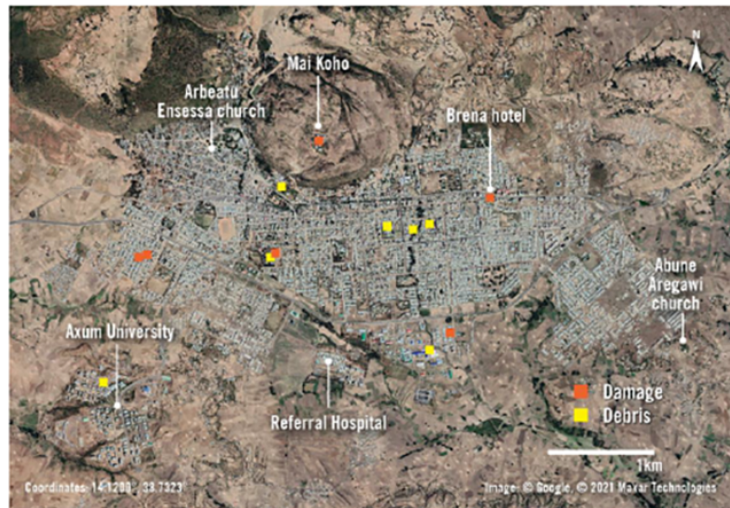
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EXECUTIVE SUMMARY



An overview of Axum shows key locations in the town. Structures damaged from shelling and airstrikes are shown with orange markers. Areas with significant debris – likely from looting – are shown with yellow markers.

Between 19 and 29 November 2020, Eritrean troops operating in the Ethiopian city of Axum, Tigray, committed a series of human rights and humanitarian law violations, including killing hundreds of civilians. Over an approximately 24-hour period on 28-29 November, Eritrean soldiers deliberately shot civilians on the street and carried out systematic house-to-house searches, extrajudicially executing men and boys. The massacre was carried out in retaliation for an earlier attack by a small number of local militiamen, joined by local residents armed with sticks and stones.

In the immediate aftermath of the massacre, Eritrean troops shot at those who sought to remove bodies from the streets, but later allowed residents to collect the bodies and bury them. Men from the community led the collective effort, pulling carts piled with the bodies of relatives, friends, neighbours and strangers, which they brought to churches across the city for burial, many in mass graves.

The massacre was the culmination of a wave of violations carried out since 19 November, when Eritrean and Ethiopian forces entered Axum together, after indiscriminately shelling the city and firing at those who tried to flee. Witnesses say that Eritrean forces, in taking over the town, carried out extrajudicial executions and engaged in widespread looting. Following the 28-29 November massacre, Eritrean forces detained hundreds

of residents and threatened renewed killing in the event of new resistance. Looting by Eritrean soldiers escalated, and insecurity and hunger led many residents to flee.

The events in Axum — a city located on the road linking Shire to Adwa, some 187 kms north of Mekelle, the capital of Tigray Regional State — occurred during the ongoing armed conflict between Ethiopia's federal government and the Tigray People's Liberation Front (TPLF). Previously Ethiopia's ruling party, the TPLF lost its dominant political position in 2018, but continued to govern the Tigray region under Ethiopia's federal structure until the outbreak of war in November 2020.

On 4 November 2020, Prime Minister Abiy Ahmed appeared on national TV and announced that he had ordered the Ethiopian National Defence Forces (ENDF) — Ethiopia's military — to fight the Tigray regional paramilitary police and militia loyal to the TPLF. He said that the Tigray security forces had attacked the ENDF's Northern Command, based in Mekelle. In waging war against the TPLF, the ENDF has relied on the support of special forces and militias from the Amhara region, which borders on Tigray, and on the Eritrean Defence Force.

The Ethiopian authorities and Eritrean authorities have made contradictory statements regarding the involvement of Eritrean troops in the Tigray conflict, with some high-ranking officials denying their presence but others acknowledging it.¹ In this briefing, Amnesty International documents how the Eritrean military is responsible for serious violations against Tigrayan civilians in Axum. It concludes that the indiscriminate shelling of Axum by Ethiopian and Eritrean troops may amount to war crimes, and that the mass execution of Axum civilians by Eritrean troops may amount to crimes against humanity.

Amnesty International calls for an international investigation into the events in Axum, and for the Ethiopian government to grant full and unimpeded access to humanitarian, human rights, and media organizations.

This briefing is based on 11 days of research by Amnesty International at the refugee reception center in Hamdayet, eastern Sudan, in January 2021, as well as on numerous phone interviews with witnesses in Axum.² In all, Amnesty International interviewed 41 witnesses and survivors of the massacre, all ethnic Tigrayans, as well as 20 others with knowledge relevant to the situation.³ Given security concerns of interviewees, all of their names have been omitted.

On 18 February, Amnesty International shared the research findings presented in this briefing with Ambassador Redwan Hussein, Ethiopia's State Minister for Foreign Affairs and Spokesperson for the Emergency Taskforce in the Ministry of Foreign Affairs, but had not received a response at the time of writing.

¹ See, for example, "Ethiopian general says Eritrean troops entered Tigray - video clip," Reuters, 7 January 2021; "Complete lie: Ethiopia denies Eritrean army's involvement in Tigray," Al Jazeera, 12 November 2020.

² Amnesty International is still trying to secure access to Tigray Regional State to conduct fact-finding on the ground, following a formal request made on 3 December 2020. Other international human rights investigators do not have formal access to Tigray either. In December 2020, UN High Commissioner for Human Rights Michele Bachelet called on the Ethiopian government to grant access to independent human rights monitors so that they could investigate allegations of abuses. "Provide unhindered access to whole of Tigray to protect civilians, Bachelet urges Ethiopia," UN News, 22 December 2020.

³ Satellite imagery from 4 October, 16 October, 23 November and 13 December 2020 was also analysed to corroborate witness accounts of events. (The imagery from October was used for comparative purposes.)

INDISCRIMINATE SHELLING AND KILLING OF SUSPECTED TPLF MEMBERS

The armed conflict between the Ethiopian government and the TPLF began on 4 November 2020. At some point during the second week of fighting, there was aerial bombing in and around Axum, and on the afternoon of 19 November, forces loyal to the Federal government started to shell the city indiscriminately.⁴

In an apparent joint operation to capture Axum, Ethiopian and Eritrean military forces began firing artillery on the city from the west, the direction from which they advanced. A witness recalled that the shelling continued for quite some time: "There was not any army or forces inside the city at that time but they shelled the people. That was very scary ... shelling and gunfire."⁵

Numerous residents described the terror that took hold of the city. A man recalled: "We were really scared because the sound was really huge. We never heard [anything] like that. And we saw the shells falling on buildings, houses."⁶ A woman recalled: "I was shocked and saw everyone shocked and scared of what happened."⁷

"Everybody ran away, leaving shops, markets and offices," said one woman.⁸ One man recalled that some people tried to flee the city while "others were hiding around bridges, buildings, drainage pipes."⁹ Another said: "I saw people scared, running away. They tried to escape but some of them ran into the zone of shelling."¹⁰ The shells were falling "continuously" that evening, one woman said.¹¹

Shells landed on streets and on civilian buildings, killing and injuring residents. One man said a neighbour and three others were killed in a house in the Idaga Hamus neighbourhood. "My neighbour's house was destroyed," he said, "and the people inside died."¹² The neighbour was a woman in her mid-60s named Telets Abraha, he recalled. Killed with her were two of her cousins — young men who had found refuge in Axum after fleeing the conflict in Humera — as well as her maid, a woman aged 18 or 19. "After our neighbour died under her home, we got scared and ran," the man said.

⁴ Amnesty International phone interviews (names withheld), Axum, Ethiopia, 3-9 February 2021.

⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

¹⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

¹¹ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

¹² Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

In another incident that day, a man said he saw a woman and her infant child killed when artillery shells fell near the woman's house, which was located close to the Atse Menelik high school. "She was outside the compound and moving, trying to find a safe place," he recalled. "Then [the] shell fell on her. She had three kids. Two of them ran but the third was a little kid [she] carried on her back. He was killed with her."¹³

Azbia (name changed) said she saw a family being killed in the Hamed Gebez neighbourhood in O2 Kebele: "The heavy weapon fell on one house and ... killed five people — mother, father, brother, sister and maid. I saw this myself."¹⁴ Another witness said he saw five of his neighbours killed in the shelling in two separate incidents—a woman in her thirties, killed near the Damo hotel, and a woman in her fifties, killed alongside her two children and niece near the Remhai hotel.

Gebremeskel (name changed) described his experience that day:

I was with my friends chilling out on the street, when the bombing started. We were scared and tried to hide underground or in buildings. We found a market and hid there. I saw three people who were friends with each other try to run on the street. Two of them got injured. The third one was killed: half of his face was removed. We also saw a building hit. Then, later, we went to check it and I saw an old woman [had been] killed by the fallen building.¹⁵

This was near the stadium. The shelling, he said, "came from the direction of Shire."

Girmal (name changed) told Amnesty International that he watched the shelling from the top of a building, and that the bombardment started between 2 and 3 pm on 19 November. He said:

There was a lot of bombardment in the town. Damo hotel, near the Axum University — I saw it with my eyes — Enda-Gaber area. I was watching from the top of the building while the artillery bombs were hitting in different parts of the city. Near the Menelik school, around 11 people were killed including a woman who came from Humera ... The school is close to the Damo Hotel. I attended the funeral for some of the dead the next day.¹⁶

Luel (name changed) said he helped bring a 45- or 50-year-old woman to the hospital; she had been injured with shrapnel in her family compound. Some who were injured died because they did not receive treatment. A 15-year-old boy told Amnesty International that he fled to a neighbouring village, where he saw a man who had been injured in the shelling: "People told him that they will not give him any treatment because they don't know how. They told him to go to the Referral hospital in Axum but he was told that the soldiers already controlled the city, so he died in the village."¹⁷

Some local people, witnesses say, organized checkpoints, seeking to find artillery observers (i.e., spotters who help direct artillery and mortar fire onto targets). None of the witnesses to whom Amnesty International spoke, however, said that there was any armed resistance to the attack. "They [the incoming forces] didn't face any TPLF fighters; that's why they took control of the city within a day," one woman explained.¹⁸

When the shelling finished, Ethiopian and Eritrean forces entered Axum together. "They were shooting ... when they entered the city," Haftom (name changed) recalled. He said:

The place where we stayed was my friend's home and they shot into the home. The window broke ... We were upstairs and could see soldiers very clearly. It was dark — it was nighttime. We saw that tanks and trucks [had] lights [on]. That's how we recognized they were Ethiopians and Eritreans ... My friend was sick [from fear] from the morning because of the shelling. He became more sick after they shot the heavy weapons.¹⁹

Ethiopian and Eritrean soldiers took control of the city that day. "The city became quiet and silent," one man recalled.²⁰

Once in control of the city, soldiers generally identified as Eritrean searched for TPLF soldiers and militias. The soldiers "were looking for militias or anyone with a gun," said one woman. "There were a lot of ... house to house killings." Mimicking the soldiers, she added: "Where is your young man, woman? They killed a lot of young people that day."²¹

¹³ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

¹⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

¹⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

¹⁶ Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

¹⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

¹⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

²⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 23 January 2021.

²¹ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

Another man described the killing of a neighbour, a woman aged around 30: "We were running; it was at midnight; we ran through China Road ... in the direction of Shire ... We were running in front of her. She was carrying a torch. After she turned it on, they saw her and they shot her. We didn't really see who or where they were."²²

Witnesses told Amnesty International that killings of men suspected of being TPLF fighters and sympathizers were based on even the slightest possible clues. As one man explained:

They started looking for people to kill, especially those who are militias or farmer fighters or [who have] any relation with TPLF soldiers. They would ask for your cell phone and if they see any of your pictures or a family member who are farmers or fighters, they would kill you ... They started killing people, especially those who wore *shirit* [a sarong-like wrap commonly associated with TPLF fighters] and also those who wore camouflage shirts, even if just for style.²³

Weyni (name changed), age 18, described such an incident on 20 November, in which she saw Eritrean soldiers extrajudicially execute two men. Near Yemane Garage, a petrol station in the east of the city, she saw "two people riding a motorbike." The driver, she said, was in his mid-twenties, while the passenger was in his fifties. "The driver wore a ranger's jacket ... The passenger wore a *shirit* scarf ... They ordered them to stop and asked them to show their phones and laid them down on the asphalt face down and shot them in the back."²⁴

With her friends, she faced harassment from Eritrean soldiers:

They would check your phone and if they see any Gebretzion picture or anything political, they can rob your mobile and beat you Eritrean soldiers started by robbing the mobiles of my friends. They asked to see the photo gallery on his phone and found pictures of TPLF leaders. It was a friend I was with. There was another [friend] with us. They robbed him of his money.²⁵

A 6 pm curfew, extending until morning, was imposed immediately.²⁶

On 20 November, residents ventured out of their homes or returned from the surrounding villages and found dead neighbours on the street. One woman said she saw two bodies — a man and a woman — near her home on China Road. One man said he found the body of a neighbour, a barber in his thirties, on the street near the Bazin school.²⁷ A woman who had fled to a village during the shelling said she returned to Axum that day: "During the journey we saw a lot of dead bodies on the street killed by heavy weapons or bullets," she said.²⁸

Soldiers continued carrying out beatings and extrajudicial executions in the following days, although, it appears, on a smaller scale.

Returning to Axum on 22 November after fleeing the shelling, one man said he saw on the streets, especially on China Road, the bullet-riddled bodies of over 10 people. He recognized a neighbour who owned a butcher's shop. Another man who had fled and who came back to the city around 25-26 November said:

After I came back to the city, I ... saw the Brana Hotel ... really damaged ... It was very shocking because we saw a lot of dead bodies [on the street], so we were scared and tried to hide because it's not safe ... I saw my neighbour dead. His body had been shot by five bullets. We found him, took his body to his house ... He's an old man. Approximately [age] 50.²⁹

A man said he saw two men being killed in the Edaga Hamus neighbourhood on approximately 25 November: "we saw them riding a motorbike and [they] were shot, so we ran away." He said that the perpetrators could have been either Eritrean or Ethiopian soldiers. He explained: "They wore Ethiopian defense uniforms but could be Eritreans because many Eritrean soldiers wore that uniform."³⁰

²² Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021. The so-called China Road is a major thoroughfare cutting across the city.

²³ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021. The farmers referred to are those given weapons and training by the TPLF.

²⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

²⁵ Gebretzion Gebremichael, mentioned by this woman, is the head of the TPLF. He is currently in hiding.

²⁶ Local residents interviewed by Amnesty International said they were informed of the curfew by soldiers, but they did not know how it was declared or its legal basis.

²⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

²⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

²⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

³⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.



Debris from shelling is visible in front of the Brama Hotel, on Asim's old main road, in this satellite imagery from 13 December 2020. A man who had fled and who came back to the city around 25-26 November said: "After I came back to the city, I ... saw the Brama Hotel ... really damaged."

THE MASSACRE

FIGHTING

On the morning of 28 November, a band of pro-TPLF fighters mounted an assault on a position that Eritrean soldiers had set up on a mountain known as Mai Koho. This mountain, located just east of the Axum Tsion St Mary Church, sits a few hundred meters from many of the town's main hotels, banks, and churches, and overlooks the town.

The fighting started in the morning, several witnesses said, when TPLF fighters and/or pro-TPLF militiamen attacked the Eritrean position at Mai Koho. The group of assailants was reportedly small — witnesses said they saw perhaps 50-80 men armed with guns — but the offensive received local support. Some local youth rallied, joining the fight with improvised weapons, such as knives, sticks, and stones. Others brought food to the fighters, while an even larger number cheered in support.³¹

The Eritrean forces responded by firing automatic weapons and precision rifles. It is unclear how long the actual fighting lasted, though some said it went on into the afternoon. Some witnesses claimed that the militiamen succeeded in killing many Eritrean soldiers. Others described a dramatic imbalance between the two sides. A 26-year-old man who participated in the attack said:

We expected that TPLF soldiers might come fight the Eritreans but it wasn't them. We heard it was some militiamen. We wanted to protect our city so we attempted to defend it especially from Eritrean soldiers ... The Eritrean soldiers were organized. They knew how to shoot and they had radios, communications. Even before we started fighting with them, they killed with snipers and Bren [machine guns] ... I didn't have a gun, just a stick.³²

A 22-year-old man who sought to bring food to the fighters described a similar scene: "The Eritrean soldiers were trained but the young residents didn't even know how to shoot. After that a lot of the fighters started running away and dropped their weapons."³³

DELIBERATE TARGETING OF CIVILIANS

From about 3 to 4 pm, lines of Eritrean trucks and tanks reportedly entered the city from the east. Their numbers bolstered by the new arrivals, Eritrean soldiers went on a rampage, shooting at civilian men and youths who were out on the streets attempting to flee in panic. The killing, which one witness said began around 4 pm, was carried out on a large scale and continued until the evening.

Kilfe (name changed), a university professor, described the beginning of the massacre. "Starting [at] 2 pm, the Eritrean soldiers started going home to home and killing men. When I heard that they [were] killing men, I ran out of the city."³⁴

Kilfe (name changed), age 26, told Amnesty International about killings he witnessed on the city's main street. "I saw the Eritrean soldiers killing the youth who were on the street," he recalled. "I was on the second floor of a building and I watched, through the window, the Eritreans killing the youth on the street."³⁵

³¹ Amnesty International phone interview (name withheld), 3 February 2021; Amnesty International interview (name withheld), Hamdayet, Sudan, 6 January 2021.

³² Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

³³ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

³⁴ Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

³⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 6 January 2021.

The shooting, one witness said, "was huge."³⁶ Another resident, a 21-year-old man, said: "I saw a lot of people dead on the street. Even my uncle's family. Six of his family members were killed. So many people were killed ... This was in the middle of the city, not at the entrance or in surrounding villages."³⁷ Some residents hid in buildings and witnessed killings through the windows. One man said:

I was at home. I saw around my home what is happening when some soldiers targeted people with sniper rifles, killing people. I ... saw the people being shot on the ground when they were running. Approximately 10 people or more. All of them young men ... Everyone was scared and ran away.³⁸

Other witnesses echo this account, describing Eritrean soldiers shooting at men who posed no threat to them. The victims, residents said, carried no weapons and in many cases were running away from the soldiers when they were shot. One man who had found refuge in an unfinished building said he saw a group of six Eritrean soldiers kill a neighbour with a vehicle-mounted heavy machine-gun on the street near the Mana Hotel: "He was standing. I think he was confused. They were probably around 10 metres from him. They shot him in the head."³⁹

Another man described two killings in the Tsele neighbourhood. In the first case, Eritrean soldiers shot a homeless man known as Oud who had suffered from mental health problems: "He was walking. After he started running, they shot him: he started running and then stopped and was lying on the incline of the asphalt. I saw when they shot him — his body shook. They were about 70 metres from him."⁴⁰ In the second incident, he saw a man being shot from behind while running.

One witness who was hiding in a forest just outside the city saw his neighbour, a farmer named Abreha, shot and killed by Eritrean soldiers: "He was in his field working. I saw Eritrean soldiers come up and get out of the car and they immediately shot at him."⁴¹ When returning to see the body after the soldiers left, he saw that the bag of seeds that his neighbour had been preparing was gone: "[it] means probably that the Eritrean soldiers took them with them."⁴² The victim, a father of three, was in his mid- to late-40s. That day, the man witnessed more men being killed: "I saw another two young men being shot in the head ... I saw them as they were shot from afar and falling on the street. It was around the preparatory school."

The mass killing left the townspeople in confusion and disbelief. One resident said: "During this day, I never thought that Eritrean soldiers were killing civilians. People told me but I didn't trust them. But after I saw that they had killed my neighbour. I understood that they were killing people and then I ran away from that."⁴³ Residents had two options: running or hiding, in both cases with uncertain results. One witness said: "I think the reason they attacked the people easily is because some people ran, others hid in the city and were easily found in random places in the city." Another man described the dilemma in similar terms: "When somebody is shot on the ground, you think you should run away because they will kill you, but when you run you are easily targeted."⁴⁴

Those who hid at home were also vulnerable. A 23-year-old man said Eritrean soldiers noticed him after he opened the door of his home to observe what was happening:

Before they saw me, they were shooting at people. When they saw me, they started shooting at me and when I closed my door, they kept shooting at me. I heard them when they knocked on the door and said in Tigrinya, "open the door." I kept quiet and silent, didn't open the door, and hid under the bed. They started shooting at the walls. I could see small bullet holes in the wall. After that they left me alone ... Then I started observing through the holes. During that day, I saw people falling, soldiers passing that way.⁴⁵

Eritrean troops deployed tanks in the middle of the city.⁴⁶ One resident who lived near the Kideste Maryam hospital said he heard and saw tank shells falling in his neighbourhood, destroying a nearby building. "I heard [the tank] when it's moving — you could hear the chains on the ground and the firing," he added.⁴⁷

³⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

³⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

³⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

³⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁴⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁴¹ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁴² Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁴³ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

⁴⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁴⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁴⁶ Amnesty International phone interviews (names withheld), Hamdayet, Sudan, 6 January 2021.

⁴⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

Visibly traumatized, a young man who had joined the assault on May Koho, armed with a stick, told Amnesty International:

I saw a lot of my friends killed. One of them asked me to help but I didn't do anything. The Eritrean soldiers were lying on the ground and shooting from a distance. Five of my friends were already dead. The sixth was injured on his abdomen and the blood was percolating like a fountain so he asked me to help. So I brought him a blanket and tried to tie it. They kept shooting at us and the bullets hit around me. And he kept asking "Can you please take me to the hospital?" And I didn't take him because the hospital had already been looted and they were killing the patients at the hospital. And then I saw him when he's dead. His final sentences were "I'm tired, I want to sleep. Just save your life and run away."⁴⁸

The killings left the city strewn with bodies.⁴⁹ One man who had run out of the city returned at night after the shooting stopped. "All we could see on the streets were dead bodies and people crying," he said.⁵⁰

KILLINGS DURING HOUSE-TO-HOUSE SEARCHES

Residents say that, in addition to the shooting on the streets, Eritrean soldiers carried out house-to-house raids in the afternoon of 28 November and the morning of 29 November to find and kill teenage and adult men.

Several women Amnesty International spoke to were hiding at home when Eritrean soldiers came, asking if there were men in the house.⁵¹ A 28-year-old woman recalled: "They came up to my home and broke down the door and asked if we have young men — brothers or a father. We said 'no, we are just ladies,' and they kept going and checking our neighbours."⁵²

A 23-year-old man interviewed by Amnesty International named six of his relatives killed in the massacre. He found the body of one of the relatives — a 23-year-old cousin — on China Road. The man had been shot with three bullets, he recalled.⁵³

Habtom (name changed), a resident of Addis Ababa, said Eritrean soldiers killed four of his close relatives — Lisaneworq Laeke, Biniam Lisaneworq, Girmay Tekly and Birhane Weoday — near Axum's Abune Pentelwos Church.⁵⁴

A woman said that Eritrean soldiers killed one of her neighbours, a mother of five. "I saw her dead body. She had been shot in the chest," the woman said. The woman also said that Eritrean soldiers arrested two young men they found at another neighbour's house, while their mother and her third son, who was hiding, remained. "They took them, I don't know where," she said.⁵⁵

Bereket (name changed), a man who help bury the dead, including some of his friends, recalled:

My neighbourhood is around the Sabian Hotel near the hill (Tarik Sefer). They killed Habtom Araya, Buzu Gonu, Guesh Amdom, and Ephrem. There are also other people I know who are not from my area, Yohannes and Wedi Da'ero Hfash (nickname), (who were) killed near Menaharia. The first two were killed in one home, while the other were killed in two separate homes. They were just civilians. They were killed during the evening of 28 November.⁵⁶

Another man said he watched through his window and saw six men killed, execution-style, outside of his house near the Abnet Hotel on 29 November:

They lined them up and shot them in the back from behind. Two of them I knew. They're from my neighbourhood ... They asked "Where is your gun?" and they answered "We have no guns, we are civilians" ... One soldier went to his leader who was Beni-Amir [ethnicity] — he had three scars near each eye — and asked him, "shall we kill them or free them?" and he said, "just kill them," and they did.

They only shot twice for the six people ... They shot three people with one bullet. The first and second fell dead. The third one was injured, about to fall. They shot him a second time and killed the three others with the same bullet. They were lined up perfectly. They shot them with a Bren [light machine gun].

⁴⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁴⁹ Amnesty International phone interviews (names withheld), 10 January to 15 February 2021; Amnesty International interview (name withheld), Hamdayet, Sudan, 6 January 2021.

⁵⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

⁵¹ Amnesty International interviews (names withheld), Hamdayet, Sudan, 17 and 19 January 2021.

⁵² Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁵³ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁵⁴ Amnesty International phone interview (name withheld), Addis Ababa, Ethiopia, 26 January 2021. This account is further corroborated by other witnesses in Axum who attended the burial of the deceased on 30 November.

⁵⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁵⁶ Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

One of them didn't die immediately. He pleaded for help. And one hour later he died.⁴⁷

Another witness said that he saw five bodies of young men lined up on the ground near the Abnet Hotel.

IDENTIFYING THE PERPRETRATORS

Axum residents whom Amnesty International interviewed had no difficulty identifying the perpetrators as Eritrean soldiers. They described several tell-tale signs.

First, Eritrean soldiers often rode in trucks whose license plates read "Eritrea." Most wore a uniform that witnesses described as "beige" or a "mix of green and beige," easily distinguishable from that of Ethiopian soldiers. Some Eritrean soldiers, interviewees said, wore the uniform of the Ethiopian army, but could be easily identified because they wore plastic shoes known as *congo chama* or *shida*, which are popular in Eritrea. Ethiopian soldiers, on the other hand, wore standard-issue boots.

Cultural clues further helped people identify the perpetrators as Eritreans. Three scars on each temple, near the eye, marked some of the soldiers as Beni-Amir, an ethnic group that straddles Sudan and Eritrea but is absent from Ethiopia. While Ethiopian soldiers spoke Amharic, Eritrean soldiers spoke Arabic or Tigrinya, a language spoken by both Tigray people and Eritreans. Although the language is basically the same in both regions, the Tigrinya that Eritrean soldiers is a distinctive dialect, with its own words and accent. For example, as one woman explained, "They keep saying *ta'ale*, which in Tigrinya means 'move it.' But that's Eritrean Tigrinya. We use *laghak*."⁴⁸

Finally, Eritrean soldiers made no mystery of who they were. "Some of them told us they are Eritrean soldiers," the woman said.

ATTACKS ON PEOPLE COLLECTING BODIES

Those who left their houses on 29 November said they found bodies on the streets of their neighbourhood, "in every street and at every turn."⁴⁹ They learned of dead relatives, friends and neighbours. Survivors described moments of panic as they ran away at the sight of Eritrean soldiers.

For most of the day, Eritrean soldiers attacked the survivors who sought to bury the dead. A 21-year-old man said he was part of a group which sought that morning to bury friends: "We wanted to take their bodies, got the carts and then carried them on the cart — three dead bodies — and then immediately they started shelling us ... The shelling came from near the St Micheal church and fell about 10 metres from us. I think it was an RPG."⁵⁰

One woman, Tsigereda (name changed), told Amnesty International that Eritrean soldiers killed her nephews Teklay Fitsum (age 29) and Kibrom Fitsum (age 14) near their home in the area of St Micheal Church on 28 November.⁵¹ She recalled:

The next day, they did not allow us to pick the dead. The Eritrean soldiers said you cannot bury the dead before our dead soldiers are buried. The father found their dead bodies next day. They were killed by the Eritrean soldiers who have mark on their cheek like number eleven. They also speak a different version of Tigrinya, which is called Tigre, spoken in the western lowland areas of Eritrea. I was in Axum by then. I went out looking for them. The roads in the area were full of dead bodies. Almost all of the dead were male.⁵²

A 27-year-old man found the courtyard of his sister's house turned into an improvised morgue. He recalls countless bodies covered in blankets: "I didn't count [them] at that time because I was really shocked and my sister was really crying because her son had been killed. I took her outside of the compound so she wouldn't see the dead bodies and to calm her down."⁵³

That day, he and his sister sought to attend funeral rites but came under attack: "The people who had collected the bodies put them on carts and took them to the church. Me and my sister followed the cart. Immediately the soldiers started shooting on us from afar. We know that young men are targeted so I was scared and left my sister and started running away."

⁴⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁴⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁴⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁵⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁵¹ Amnesty International phone interview (name withheld), Addis Ababa, Ethiopia, 2 February 2021.

⁵² Amnesty International phone interview (name withheld), Addis Ababa, Ethiopia, 2 February 2021.

⁵³ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

MASS DETENTIONS AND THREATS

Eritrean soldiers also rounded up hundreds, if not thousands, of male residents in different parts of the city on 29 November. The men who were detained said the soldiers beat and abused them and robbed them of their belongings — jackets, belts, shoes and money. The soldiers also warned detainees that there would be renewed killings should they encounter any resistance.

A 26-year-old man described his detention: “Eritrean soldiers gathered us ... We were maybe 500 people, only men. They put us in a big hole in the ground” — the foundations of an unfinished building, located on the eastern entrance to the city.⁶⁴

Two other men Amnesty International spoke to said they were detained in the open air near the airport. One of them said: “They started gathering people, 300-400 in a group, taking them to different locations out of the city ... They took us out of the city.” He described the ill-treatment he faced: “They beat us and inflicted military punishment: forcing you to walk with your knees, or to crawl on the floor with your abdomen ... They didn’t beat me. They would make me sit and stand constantly, like a physical exercise, and rolling while lying down, but I hated this.”⁶⁵ The Eritrean soldiers’ threats made it clear that the killings on 28 and 29 November, and in particular the targeting of men of fighting age, represented a coordinated effort to terrorize the population into submission and deter further attacks. One of the men who was detained said: “The Eritrean soldiers surrounded us. One of their officers came up to us and made a speech “You people — if you try fighting us and hold any weapon against us — look at this red soil — we will destroy Axum like this. So don’t do anything against us.”⁶⁶

Another former detainee said: “They told us a lot of things: ‘Why are you trying to fight us? If you have a gun, give us, if not, we will continue this massacre.’ They also said, ‘We are destroying the TPLF ... If you keep following the TPLF and try to fight us again we will kill you and we will do the same as yesterday.’”⁶⁷

INTERNATIONAL HUMANITARIAN LAW

International humanitarian law, which applies to all parties to an armed conflict, regulates the conduct of hostilities and sets out fundamental guarantees for the protection of those who do not or no longer directly participate in hostilities. The rules relevant to the violations documented in this briefing form part of customary international humanitarian law and are binding on all parties to the armed conflict, regardless of which treaties they have ratified.

One of the cardinal rules of international humanitarian law is that parties to the conflict must “distinguish between civilians and combatants” as well as “distinguish between civilian objects and military objectives.”⁶⁸ The corollary of the rule of distinction is that “indiscriminate attacks are prohibited.”⁶⁹

⁶⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁶⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁶⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁶⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁶⁸ International Committee of the Red Cross, Customary International Humanitarian Law, Vol 1: Rules (ICRC Customary IHL Study) Rules 1 and 7.

⁶⁹ ICRC Customary IHL Study, Rule 11.

Indiscriminate attacks are those that are of a nature to strike military objectives and civilians or civilian objects without distinction, either because the attack is not directed at a specific military objective, or because it employs a method or means of combat that cannot be directed at a specific military objective or has effects that cannot be limited as required by international humanitarian law.⁷⁰ Launching an indiscriminate attack resulting in death or injury to civilians is a war crime.⁷¹

Pillage (looting of personal property by soldiers) is prohibited and is a war crime.⁷²

International humanitarian law also provides fundamental guarantees for civilians as well as fighters who are captured, injured or otherwise rendered unable to fight (*hors de combat*). These rules include the requirement of humane treatment; and the prohibition of murder, of torture, cruel or inhuman treatment and outrages on personal dignity, collective punishment, and of rape and other forms of sexual violence.⁷³ Violations of these rules are war crimes.⁷⁴

⁷⁰ ICRC Customary IHL Study, Rule 12.

⁷¹ ICRC Customary IHL Study, Rule 156.

⁷² ICRC Customary IHL Study, Rules 52 and 156.

⁷³ ICRC Customary IHL Study, Rules 87, 89, 90, and 93.

⁷⁴ ICRC Customary IHL Study, Rule 156.

BURIALS

FINDING THE DEAD

As people came out of hiding and left their homes on 29 and 30 November, the scale of the killing became obvious to all. Those who ventured out saw dozens of dead and injured people scattered around their neighbourhoods, often recognizing familiar faces. The people Amnesty International interviewed provided the names of well over 200 people they knew who were killed on 28 and 29 November.⁷⁵ They said that all the victims were unarmed and that the overwhelming majority of them were men.

Amnesty International was unable to calculate the massacre's precise death toll, but estimates that hundreds of people were killed.

A 22-year-old man said he found the bodies of two of his friends side by side and that they had been made to kneel, indicating an execution-style killing. Speaking of one of the victims, he said: "They killed him with a bullet in the mouth. We saw the wound at the back of his neck."⁷⁶

In other instances, residents described injuries which suggested that some victims died because of a lack of medical care. A man said his friend had died from a bullet injury on the ankle. Another said he found the body of a friend about three metres outside of his friend's house. He said his friend had been shot in the abdomen with a single bullet, adding: "I believe that ... if he had gotten help, maybe he would be alive."⁷⁷

Some of those who had been shot were still alive by the time residents felt safe enough to leave their houses, but interviewees said there was nowhere in town they could be treated. One man said: "Some of them had bullets in their bodies but could have survived, I think. Some people were injured and said, 'I'm losing blood, please help me.'"⁷⁸ Another man recalled:

Around the Queen Sheba palace, I saw a lot of dead bodies and 10 farmers who had been injured by weapons. One of them, part of his bowel was coming out ... They were [men] aged 40 to 45-50 ... By that time there was no hospital. Kideste Maryam hospital had not been looted but there were no doctors or nurse. The Referral Hospital had been looted. We couldn't take these people to the hospital so we took them home.⁷⁹

One man similarly found a 24-year-old neighbour named Abdallah Hassan who had been shot with three bullets; he was near China Road. The man said: "He was alive but injured. They took him to the Referral Hospital, but he died there. There were no doctors or anything. It was empty."⁸⁰

COLLECTING THE DEAD

On the request of local elders, Ethiopian soldiers gave permission for people to bury the dead in the late afternoon on 29 November. Gathering the bodies and carrying out the funerals took days. Most of the dead appear to have been buried on 30 November, but witnesses said that people found many additional bodies in the days that followed.

The surviving men took up the task of carrying the dead to the town's churches. Amnesty International spoke to nine men who took part in the process, as well as to eight who witnessed it. The bodies were brought to the Arbeatu Ensessa church (next to the Axum Tsion St Mary Church), as well as St Micheal, Abune Aregawi, Enda-Gaber, Abba Pentalewon and Enda Eyesus (Jesus) churches. The men looked for bodies,

⁷⁵ Note that this figure does not include people whom interviewees said they saw killed or dead but whose names they did not know.

⁷⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

⁷⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

⁷⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

⁷⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

⁸⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 22 January 2021.

piled them onto carts — up to 10 bodies at a time — and pulled these makeshift hearses to a church, before returning to the streets for another run. In some cases, however, the dead were buried in makeshift graves in the immediate vicinity of where they had been killed.

Bereket (name changed), a 21-year-old Axum resident, told Amnesty International:

I have seen many dead bodies since I was involved in collecting and burial of the dead on 30 November ... We collected the dead using horse/donkey carts. They didn't allow the priests to conduct funeral requiem for the dead or to clean and prepare the bodies as per the custom. We buried them at the Arba'etu Ensissa Church. While families of the deceased buried them in separate graves, unclaimed bodies were buried in mass graves."⁸¹

Fanuel (name changed), a 23-year-old Axum resident, said:

I was involved in picking up the dead from the Abnet hotel area on China street. We were loading 8-9 dead bodies on a cart and took them to the church for burial. I made three trips to pick up the dead from the street. And there were many other people doing the same, using other carts. We buried the dead at Arba'etu Ensisa; there was no proper burial."⁸²

Another one of the volunteer pallbearers explained: "I helped [bury] my friends' dead bodies. A lot of people helped because there were a lot of dead. Everyone helped. We carried them on carts. Some of them may carry five, depending on what was on the street, some of them 10, others seven, all gathered at the church from different parts of the city." A second man concurred: "We do three or four people in the same spot, cover them with a carpet, [or a] blanket, [then] take them to the church."⁸³

Negasi (name changed), age 21, elaborated on his role in the transporting the bodies:

We started after getting the permission. Personally, during that day, with my friends and other people, we brought in a total of 18 dead bodies at different times. I brought five cartloads. First: four people. Then: three people. Then: two people. Then: eight people. Then, the last cart: only one person. That was all on the 20th [Hedar, i.e., 29 November]. The next day, I gathered 27 dead bodies ... In total I brought 45 bodies."⁸⁴

Other men Amnesty International interviewed say they carried comparable numbers of bodies. One, for instance, said he brought a total of 30 bodies to the Arbeatu Ensessa and St Micheal churches; another said he carried three or four cartloads, each bearing seven to 10 bodies, suggesting he moved between 21 and 40 bodies. Yet another said he may have carried over 50 bodies to the churches of St Micheal and Abune Aregawi; he estimated that he saw 400 bodies on 30 November alone. Finally, another told Amnesty International he saw about 200 bodies during various funerals.

The endeavor was grueling and traumatizing. One man recalled: "I had only seen foods or seeds or money being collected, not bodies. That was a huge deep sadness. It was difficult."⁸⁵ In addition to the trauma of seeing and handling so many dead people, including loved ones, the men had to contend with the effects of decomposition and the fear of new killing. The bodies, which had remained in the open for a day or two before residents were allowed to take them away, had begun to decay. "It's smelly and very painful to see dead bodies," recalled one man. And the pallbearers wondered whether killings might resume at any moment. "We got scared the soldiers might kill us. It was a tough moment," he added.⁸⁶

The pallbearers nevertheless toiled out of a sense of duty. One man said: "It feels painful when your friends and cousins are dead and you are able to take the dead bodies. It can be painful if you stay at home, so I went and took dead bodies."⁸⁷ Another man echoed this sentiment: "The feeling is complicated," he said. "I felt several things: deeply sad because a lot of people died, and I never saw dead bodies and that was a shock. I was afraid people would kill me. At the same time, I felt a strong emotion and felt strong, to be better."⁸⁸

Samson (name changed), a 23-year-old mechanic who assisted with burials at St Micheal Church on 30 November, recalled:

⁸¹ Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

⁸² Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

⁸³ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁸⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁸⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁸⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

⁸⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁸⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

It was a horrible experience to collect the dead from the streets as the bodies were already decomposing and smelling. There was no transport service, so we moved the dead bodies with carts. We were putting many bodies on one cart.⁹³

Uncertainty over the prospect of renewed killings by Eritrean soldiers weighed over the population. A woman recalled these days: "It was tough and scary. Everyone was afraid soldiers would kill people who helped bury the dead. It was very difficult. When soldiers came up to us, everyone ran, and when they passed, everyone returned to the proceedings."⁹⁰ Afraid for their lives, some of the men Amnesty International spoke to stayed home on 30 November. Their fear was reasonable. One man said that on 1 December, he saw soldiers kill a man who was pulling a cart loaded with bodies near Axum's main bus station: "It was Eritrean soldiers in Eritrean uniforms. Maybe seven of them. Most of them were women soldiers."⁹¹

BURIALS

30 November marked the anniversary of St Mary, a major celebration in Axum, which on another year would have drawn the faithful from across Ethiopia and tourists from around the world. In light of the exceptional circumstances, the celebrations were canceled. "It was deeply sad," said one woman. "There were funerals around the church — separate ceremonies. It wasn't the usual celebration."⁹²

Amnesty spoke to 11 people who attended funeral services in various churches of the city. They described an atmosphere of shock and collective trauma as hundreds of people were packed into mass graves. A man who was there said: "In every corner you can find a family that lost a family member. Everyone talks about what happened. The atmosphere is a sad one."⁹³

The dead were so numerous and their bodies in such a state that they were buried immediately, many without receiving religious rites, such as funeral requiems and body washing. Many were buried in mass graves, which in itself is a not uncommon practice locally. In some churches, such as Arba'etu Ensessa, St Micheal and Abune Aregawi, the graves were dug in soil. In other churches, such as the Ende Eyasus (Jesus) church, the dead were placed in existing vaults.

"A lot of people were dead," said a witness who went to the St Mary of Zion church, adding: "They didn't even have the time to recognize them. They just gathered and buried them."⁹⁴ Another witness who was at the same church described the same conditions: "The problem was that there were so many dead bodies and they smelled because they stayed out for a while so they buried them straight away."⁹⁵

A woman who attended services at Arbeatu Ensessa recalled: "There were several small mass graves. It depended on the carts. When they took five or six dead bodies, we would take them directly inside the grave. When there are seven to 10 bodies, they bury seven to 10 at once."⁹⁶ In Arbeatu Ensessa, she added, "There were mass graves in many parts of the compound." Another witness, a 23-year-old man, said that in addition to one mass grave that was used on a regular basis in Arbeatu Ensessa, "There were small graves on the left and right of the church in the compound, on both sides."⁹⁷

Satellite imagery reviewed by Amnesty International shows disturbed soil in the compounds of Arbeatu Ensessa and Abune Aregawi in a time frame that is consistent with these witness testimonies. When asked to locate the graves on older satellite images of the Arba'etu Ensessa compound (which showed no disturbed soil), two witnesses independently pointed to the areas that Amnesty International had identified as showing disturbed soil on more recent imagery.

⁹³ Amnesty International phone interview (name withheld), Axum, Ethiopia, 6 February 2021.

⁹⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

⁹⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁹⁶ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁹⁷ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

⁹⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.

⁹⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

¹⁰⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 18 January 2021.



The Abune Aregawi church, located in the Semeret neighbourhood on the southeastern edge of Addis Ababa, shows new disturbed earth in satellite imagery from 13 December 2020. While in some churches the victims of the massacre were buried in vaults, witnesses say that in Abune Aregawi, the graves were dug in soil.



Satellite imagery taken on 13 December 2020 shows new disturbed earth at the Arba'etu Ensessa church in downtown Addis Ababa. It was here that, in the aftermath of the massacre, the largest funerals took place.

Two witnesses who spoke to the church authorities at St Mary of Zion church (which encompasses Maryam Zion church proper as well as Arbeatu Ensessa) said 450 identified people were buried in that church alone. The figure excludes people who were buried there but not identified; the dead who were buried in other churches; and those who were buried on the roadside.

LOOTING, HUNGER AND THIRST

In addition to the killings and the detentions, Eritrean soldiers looted Axum systematically and on a massive scale, leaving residents without food or drink. All of the refugees we interviewed spoke of the looting and its terrible impact on daily life. They said that the looting began as soon as Eritrean forces entered the town on 19 November, but that it escalated in the wake of the 28-29 November massacre.

LARGE-SCALE LOOTING

"After they controlled the city on Hedar 11 [20 November]," one man said, "they started looting immediately ... Those were Eritrean soldiers. The Ethiopian soldiers did nothing – [they] just controlled the city, looking for hidden weapons and controlling government buildings."⁹⁸ "The looting," witnesses recalled, "was every day" and "huge."⁹⁹ One man said: "Everywhere you go, it was looted."¹⁰⁰

According to residents, Eritrean soldiers looted the university, private houses, hotels, hospitals, grain storage facilities, petrol stations, banks, electrical and maintenance stores, supermarkets, bakeries, jewelries, vendors' shacks (known locally as "containers") and other shops, breaking through entrance doors with automatic weapons.

⁹⁸ Amnesty International interview (name withheld), Hamdayet, Sudan, 16 January 2021.

⁹⁹ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

¹⁰⁰ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.



Debris consistent with looting around buildings that appear to be warehouses or industrial facilities, on the southern edges of Asmara, shown on satellite imagery from 13 December 2020. Eritrean forces systematically looted the city. Residents said Eritrean soldiers stole sugar and flour from a store called Guna Trading; that they robbed May Akko, a large community store, of truckloads of sugar, cooking oil and lentils; and that they took flour and animal fodder from the Dejen Flour Factory.

Debris consistent with looting around an unidentified building in central Asmara, shown on satellite imagery from 13 December 2020. According to residents, Eritrean soldiers looted the university, private houses, hotels, hospitals, grain storage facilities, petrol stations, banks, electrical and maintenance stores, supermarkets, bakeries, jewelers, vendors' shacks (known locally as "containers"), and other shops, breaking through entrance doors with automatic weapons.

The soldiers stole luxury goods, machinery (such as generators and water pumps), vehicles (including bicycles, trucks, three-wheel vehicles, and cars, sometimes taken from their garage), as well as medication, furniture, household items, food, and drink. "They looted whatever they could get. If they got mango juice, they would drink it and then carry things on the truck," a man said.¹⁰¹

A woman recalled: "Eritrean soldiers looted everything in the streets, including all the cars. There were many in the city, including four-wheel drives, but there are none left."¹⁰² A man remembered seeing four Eritrean soldiers stealing the vehicles of a local police station: "[They] dropped from one car and started to steal four cars ... They stole three white pickups and one camouflaged pickup. They broke the ignition box and short circuited them to start the engines."¹⁰³

Residents said Eritrean soldiers stole sugar and flour from a store called Guna Trading; that they robbed May Akko, a large community store, of truckloads of sugar, cooking oil and lentils; that they took flour and animal fodder from the Dejen Flour Factory, and that they looted the budget student grocery store of the university.

The massacre of 28-29 November appears to have precipitated an escalation in the looting. One man said: "They even looted private houses ... The people were really tired of that. A lot of the people of the city moved to the villages. It was a good opportunity for the Eritrean soldiers to steal all of the property."¹⁰⁴

One man said that on 29 November, Eritrean soldiers came to his brother's house and began to loot:

We told Ethiopian soldiers and they tried to help us and asked them to stop. The Eritrean soldier said "Hey you donkey, it's none of your business" ... They took the TV, a jeep, the fridge, six mattresses, all the groceries and cooking oil, butter, teff, flour, the [furniture of the] kitchen cabinet [itself], clothes, the beers in the fridge, the water pump, and the laptop. They damaged the door ... They took all of this in a Mercedes truck."¹⁰⁵

¹⁰¹ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹⁰² Amnesty International interview (name withheld), Hamdayet, Sudan, 17 January 2021.

¹⁰³ Amnesty International interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹⁰⁴ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

¹⁰⁵ Amnesty International interview (name withheld), Hamdayet, Sudan, 20 January 2021.

A baker who had fled Axum returned following the massacre, only to find that his bakery and residence had been emptied of its oven, kneading machine, televisions, bed mattresses, table, flour, and oil. "I found only my shoes and my pants," he said.¹⁰⁶

HUNGER AND THIRST

The scale of the looting made life difficult for Axum residents, for whom electricity, phone networks and public services had already been cut since the beginning of the conflict in early November. Many of Axum's residents eke out their living on a day-to-day basis, but now that their means of subsistence had been stolen there was little work that could be done. Food and water became scarce.

In the days after the massacre, a woman recalled, "we didn't have anything to eat or to make money."¹⁰⁷ On 1 December, another woman said: "The Ethiopian soldiers [using loudspeakers] kept telling us to open our stores but everything had been stolen."¹⁰⁸ Only a few cafés reopened, she said. A man described the state of the city at that time:

The Eritreans had already looted everything, including teff and sorghum. We were very hungry. We couldn't work. All the property, shops had been stolen. We didn't do anything during that time. And also there was no bank or network. There was no internet access, and no one understood what's happening in Axum. There was no electricity.¹⁰⁹

Several people told Amnesty International that, without electricity, residents were unable to mill sorghum into flour. One woman said: "For food, we boiled sorghum seeds in water and ate them. We call that *tutoro*."¹¹⁰ A 17-year-old boy who was separated from his aunt — his caretaker — during the shelling of Axum described his difficulties: "I didn't have any money and I didn't know anything about my aunt. And my parents are dead. I didn't have any money so I started stealing from the store of my aunt to get money. But still there is no food, no electricity. No one has a place to mill sorghum."¹¹¹

Some people resorted to looting in order to eat. One man explained: "Eritreans, after looting the basic things — inside a store for example — ... they [would] leave the store open. So thieves came up and [would] also loot the open store."¹¹² Another man acknowledged he tried to steal from the Degen Flour Factory with some friends, only to be forced by Eritrean soldiers at gunpoint to load bags of flour into trucks.

The electricity blackout and the theft of water pumps also affected the city's water supply. Many residents were forced to drink from wells or rivers, which they said was unsafe. One man recalled: "About the water, we were drinking mineral water that we had bought before the war. After that we started drinking from the river and from a well which wasn't safe. That's how we survived. But there was no peace, it's dangerous. You don't feel comfortable even going to drink river water."¹¹³ One woman told of the same problem: "It was kind of hard to survive because there was no water, so we drank water from the river or went around the villages far from the city so we could use river water."¹¹⁴

The lack of food and water drove many to leave the town. One man who, after fleeing, returned to Axum on 23 December, subsequently left for his parents' village to find something to eat. He explained that in Axum, "People can't mill sorghum. There is no macaroni, pasta or packed food — nothing."¹¹⁵

LOOTING OF MEDICINES

One man said his brother, who has heart disease, tried to obtain medicine at the pharmacies of the city's two hospitals, but that they had been looted. "28 December was the last time I saw him. He said he was really in suffering and pain from the disease because he didn't have his pill."¹¹⁶ Another man from a village outside of Axum said that the small clinic in his village had been thoroughly looted, "especially the pharmacy."¹¹⁷

¹⁰⁶ Amnesty International Interview (name withheld), Hamdayet, Sudan, 20 January 2021.

¹⁰⁷ Amnesty International Interview (name withheld), Hamdayet, Sudan, 17 January 2021.

¹⁰⁸ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹⁰⁹ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹¹⁰ Amnesty International Interview (name withheld), Hamdayet, Sudan, 20 January 2021.

¹¹¹ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹¹² Amnesty International Interview (name withheld), Hamdayet, Sudan, 20 January 2021.

¹¹³ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹¹⁴ Amnesty International Interview (name withheld), Hamdayet, Sudan, 17 January 2021.

¹¹⁵ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹¹⁶ Amnesty International Interview (name withheld), Hamdayet, Sudan, 21 January 2021.

¹¹⁷ Amnesty International Interview (name withheld), Hamdayet, Sudan, 23 January 2021.

CONCLUSION AND RECOMMENDATIONS

The annual feast of St Mary of Zion, celebrated annually in Axum TSION on Hidar 21 (30 November), is now laden with painful memories. Many hundreds of dead, the large majority of them men, were buried in a climate of fear and anguish that day.

By all accounts, the Eritrean military's killing of hundreds of civilians in Axum on 28-29 November was coordinated and systematic. Its aim was to terrorize the population into submission, as evidenced by the military's mass detention of residents on 29 November and soldiers' threats to resume wanton killing in the event of resistance. These killings — as well as other extrajudicial executions that preceded them — the deadly indiscriminate shelling of Axum, and the widespread looting of property, may amount to war crimes. The systematic killing of hundreds of civilians by Eritrean forces on 28-29 November may also constitute crimes against humanity.¹¹⁸

The survivors of the Axum massacre were robbed of their relatives, their friends, and their neighbours. Without some measure of accountability for the grievous violations that they have endured, such crimes are likely to continue.

Amnesty International calls for a UN-led investigation into these events, and for the Ethiopian government to cooperate fully with it, including by facilitating unfettered access for UN investigators. Besides examining events in Axum, the investigation should look into the totality of the war crimes and crimes against humanity allegedly committed in the context of the conflict in Tigray since 4 November 2020, with a view to ensuring accountability for suspected perpetrators and reparations for the victims and survivors.

In addition, we call upon the Ethiopian authorities to:

- stop the further commission of human rights and humanitarian law violations, including indiscriminate shelling and aerial bombardment, and deliberate attacks on civilians.
- ensure unfettered humanitarian access to Tigray.

Amnesty International also urges the African Union, the European Union, the United States, and the United Nations to encourage the Ethiopian authorities to implement the above recommendations.

¹¹⁸ According to the Rome Statute of the International Criminal Court (Article 7), murders committed as part of a widespread or systematic attack directed against any civilian population constitute crimes against humanity.

THE MASSACRE IN AXUM

Over an approximately 24-hour period, on 28-29 November 2020, Eritrean troops operating in the Ethiopian city of Axum killed many hundreds of civilians. Soldiers deliberately shot civilians on the street and carried out systematic house-to-house searches, extrajudicially executing men and boys. The massacre was carried out in retaliation for an earlier attack by a small number of militiamen, joined by local residents armed with sticks and stones.

The events in Axum were the culmination of a wave of violations carried out since 19 November, when Eritrean and Ethiopian forces entered Axum together, after indiscriminately shelling the city and firing at those who tried to flee. Witnesses say that Eritrean forces, in taking over the town, carried out extrajudicial executions and engaged in widespread looting. Following the 28-29 November massacre, Eritrean forces detained hundreds of residents and threatened renewed killing in the event of new resistance.

In this briefing, Amnesty International documents how the Eritrean military is responsible for serious human rights and humanitarian law violations against Tigrayan civilians in Axum. It concludes that the indiscriminate shelling of Axum by Ethiopian and Eritrean troops may amount to war crimes, and that the mass execution of Axum civilians by Eritrean troops may amount to crimes against humanity.

INDEX: AFR 25/3730/2021
MONTH/YEAR: FEBRUARY 2021
LANGUAGE: ENGLISH

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Massacre in the Mountains

A CNN REPORT ON THE NOVEMBER 2020 MASSACRE IN
THE TIGRAY REGION OF ETHIOPIA

[Editor's Note: The CNN report contains video material that cannot be adapted to the formats used by the Government Publishing Office to publish committee hearings. The report can be accessed with the following URL:]

<https://www.cnn.com/2021/02/26/africa/ethiopia-tigray-dengelat-massacre-intl/index.html>